

To: Ms. Carolyn Lerner
United States Office of Special Counsel
From: John Conner

December 3, 2011

Reference Case #DI-10-2479/3213

Dear Mr. Wilson,

My response to each allegation is listed below with a final summary of events.

Allegation #1: Unauthorized use of Petty Cash/Can Money

According to the report the can money was used for a range of purposes. Specifically it states purchases such as generators, travel orders, lumber, and incidental costs. It is further stated the fund usually was under \$100.00. The two brand new generators purchased and ultimately given away cost more than \$100.00. If the fund has only \$100.00 in it where did the money come from? In addition the travel orders are for a trip to Orlando, Florida. Would it be a reasonable assumption according to the report to believe the subject actually paid food, lodging and gas for the trip out of his personal funds? It seems the subject has difficulty remembering the event and his story changes. The trip is 430 miles part while towing boats. The trip was taken with a government van that averaged about 14 mpg and with a load possibly less. In addition there was a hotel rental and food. The cost would have been around \$400.00 - \$600.00 to complete such a trip although the can money again is alleged to have under \$100.00. Complainant two states that he collected cash money 3 days a week that totaled between \$300 - \$500 from 2006 to 2010. I personally witnessed two locations the money was stored at in the building. One was the safe and another was a large metal coffee can located in the break room. Complainant two made it clear the subject knew exactly how much money was in the fund as he counted it weekly. According to the report the can money when officially counted in March 2010 after the fund had been stopped matched the required level of the fund. The question left is what happened to the extra \$300.00 to \$500.00 a week? The testimony provided showed complainant two accepted the cash during the period in question and that those funds were never placed in the cash register on the following work day, instead it was placed in the can money fund as stated. Simple math would provide that there are 52 weeks in a year times the number of years the can money was being used leads to an average figure of \$62,400.00. The average used is \$300 and does not take into account weeks where more money was taken in. During these periods no log was maintained to account for any cash transactions. It becomes easy to answer the question of how a fund which is supposed to have less than \$150.00 was able to finance many projects both personal and business related. The question of what happened to the rest of the can money remains unanswered and the basic law enforcement response would be to account for the years of can money through detailed end of year financial records before and after the subject left. Unfortunately the investigation failed to answer what happened to the rest of the money and only focused on purchases made that were recorded or alleged. In the report it clearly states at least \$1300.00 was taken illegally but states in can never be known the amount actually used. Subject states that I had a falling out with him over an alcohol incident at Whiting Park. At that time I was just

promoted to 1st Class Petty Officer and was currently assigned to Public Works Self Help Division during my two-week annual training. I was not in security and had just finished roofing projects at the boat docks with fellow Navy Seabees. Subject had thrown a party for all the Seabees working on the roof projects. Alcohol was served at the party as there were over 20 people in attendance for my promotion and a fellow Seabee that had also made E-6. This information is simply used to attempt to destroy my integrity and character. It was not until the subject saw that I had conducted preliminary investigations with the help of Mr. Barnes that he became angry at me.

Allegation #2: Illegal transfer of DRMO equipment

The first issue the report raises is that the inventory at the boat docks was basically unknown. Only 25% of inventory could be accounted for. This enables a person the opportunity to steal with immunity as no one actually knows what property is missing. Upon reading the report you will find a multitude of equipment from boats, motors, trailers, and electronics were stolen from the DRMO program. I personally was involved in this case and witnessed the items that were taken. What is not being said is the boats, trailers, and motors were in working condition but new equipment had been bought. The process of DRMO is to bid at public auction on these items which often sell for thousands of dollars depending on condition. It is clear the subject and DRMO supply technician had engaged in theft over an unknown period of time. Deals were made to give away equipment and bypass the process of legally disposing of excess property. Some of the items in question were met with a sting operation to catch the perpetrators in the act which was successful. The suspects were apprehended and brought to the station as well as some of the evidence. I and Patrolman Palmer were directed to watch the subject, Vance Quillin, who was hand cuffed at the station. The subject verbally stated you have nothing on me and I will be suing both of you personally for wrongful arrest. We refused to engage in conversation with the subject and after about 3 hours he was released without questioning. During this period of time the PRI/DJI employees were questioned and admitted to working deals with the subject to steal the property. This investigation as every other met with no result. If you walk out of a store with merchandise you will be arrested for shoplifting. Unfortunately that is not the case here, no charges were ever levied against the guilty parties and the investigation had clear evidence of theft as the suspects were caught in the act with the help of complainant two who actually witnessed the theft and called security.

Allegation #3: Investigations were interfered with by Deputy Security Director

The report clearly indicates that cease and desist orders were given on multiple occasions. What the report fails to clarify is the timelines. There was a one month investigation in May 2008 and in April 2010. Complainant two and other employees of the boat docks had called multiple times to the security department while I was on duty which was from 1330 – 2200. The complaints were in no way limited just to can money and theft of property. I actually was tired of hearing all of the allegations as I did not have the time to pursue the initial investigation on most of the crime reported. I did however look into some of the matters listed in the report and established that an investigation was warranted. In reading

the report you would assume only I knew of the wrongdoing and I was personally motivated to do my job as a police officer and deter the crime. You will see that no other supervisor was interviewed with their knowledge of the complaints or actions that they had taken. I provided a witness list that included Lt Quezada, Lt Wilbourn, Lt Crutchfield, Sgt Toon, Sgt McKenzie, Ptlm Morrell, Ptlm Colley, and others who were actively involved in many of the cases but have departed Whiting Field. This left me as appearing to have some personal vendetta. The environment we work under is not conducive to reporting illegal activity because the employees were fearful their jobs would be terminated if it came to light they had blown the whistle. I will shed some light on the other reports you do not find in this official report. On 8NOV08, CLEOC Report #084932000715, I was advised by complainant two that some contraband the prisoners were using was found while a PRI/DJI worker was repairing an exit light. Complainant two advised me that the subject and his son had been supplying and working deals with the federal inmates. Complainant two advised me that subjects son worked at the state prison and would drop by the boat docks regularly and mingle with the inmates. I alerted Investigator Lutz to about this report and he authorized me to conduct a search of the building. I found a large amount of contraband as indicated in the report and was told that the material was being used in federal prison to make money. I took custody of the contraband and found it was clearly linked to the subject with a baggie containing all of his information and cash hidden in a Motorola radio box. The actual items used for in transactions were cartons of cigarettes, snuff, and unauthorized food products. This investigation ended with all inmates being barred from the boat docks and the federal prison became involved with the investigation. Again no result for the subject or those involved at the boat docks. Other investigations included disposing of scrap aluminum for cash, overcharged repairs, fuel theft, tree theft (processed by Florida Fish and Wildlife Law Enforcement), misuse of government property by non-affiliated personnel. I was approached on several occasions by Royce Johnson, a Florida Fish and Wildlife Officer, who stated the boat docks have become such a haven for criminal activity that we are going to stop launching our patrol boats there. Mr. Johnson advised he had seen personnel taking items, illegal tree harvesting, and overheard conversations by the subject that Whiting Field Security could not touch him. Mr. Johnson had questioned the trees which the subject stated he had permits for although was never able to produce documentation. Mr. Johnson had become involved in the investigations personally and had filed a police report Incident #FWNW-10-OFF-3576 for felony theft of trees. Most of the activity was never met with an official police report because I was told on multiple occasions by MAC Klein and MA1 Nunn to let MWR Director Vulkovcan handle the matter. In all cases the MWR Director was aware of exactly what was going on because he was contacted on every case. The subject had cut the working hours of Morton and Bates which led to Bates and Mr. Morton quitting because he had enough of the illegal activity and saw that nothing was going to be done. This led to a new group of employees. Jack Caster, one of the new employees, was found after hours with his father-in-law by Ptlm Morrell who contacted me after he witnessed the father-in-law cutting trees with a government chainsaw and loading granite type boulders onto his personnel vehicle. The father-in-law was just involved in misuse of government property a couple of days prior when stopped by Lt Johnson of Santa Rosa Sherriff's department. I filed an official police report for this action and it was turned over to NCIS during the investigation. Upon questioning he said the subject lets him use any government equipment he needs although he has no affiliation. This investigation as all the others led to no prosecution and was turned over to the MWR Director. At this point in time I contacted MAC Klein who stated 'You know we

cannot do anything to Vance Quillin, but you could call Fish and Wildlife for them to investigate because I am as sick and tired of this (explicit) as you are'. I was then directed to leave the area. This led to all the department managers convening a meeting with me. The meeting was directed by Ensign Pettus who asked me to explain what was going on. I advised him of events that had taken place since 2004 and he stated that I had political limitations on what I could do. He further stated that I had a vendetta and was facing a civil lawsuit. Normally a meeting is not met with the weight of every manager and the peer pressure exerted this day. I made it clear that Mr. Barnes has been given a death threat if it was discovered that he made statements that indicted the subject. In addition I made it known that Officer Royce of FWC had told me that Vance Quillin had approached him and asked for a police background check to find my personal information. He refused and further advised me that Mr. Quillin had approached Lt Gallagher of the Department of Environmental Protection and made the same request. Officer Royce's statement to me was if you do not have protection at home you have better buy some. After this action I felt I had no place to turn but OSC which I did. It is clear that the Deputy Security Director attempted to interfere with any preliminary investigation that had taken place. I was further threatened privately in my office a couple of days later that my career would be impacted if my name was so much as mentioned in context with Vance Quillin or the boat docks. This would be realized as a string of false investigations and warnings from Investigator Gittings that Mr. Long had stated he wanted me nailed to the wall for reporting to OSC. This case is currently under review with OSC as I have provided witnesses and statements as proof.

Allegation #4: Subject stole property, fuel, and supplies

It is apparent those involved with the theft of products claim they are not aware of where the supplies came from that were at the subjects house. I personally received and documented a phone call from the daughter-in-law of the subject where she clearly stated that they had been living off the boat docks for years. She was able to provide the location and description of items which matched government stock including barrels of fuel. It is not typical to store drums of fuel at your personal residence and this immediately raised a red flag for me especially if your generator is natural gas. This put together the pieces of the puzzle that were missing. Her tone and demeanor on the phone was that of fear. She repeated to me twice that she would have to be offered protection to make a formal statement on paper because she said the subject would kill her if she was to say anything about the theft. I turned that information over to investigations as I have done with every allegation I have received. During the investigation I was interviewed by NCIS at which time I revealed further information. I asked the agent to confirm my findings with the daughter-in-law and he said she stated exactly as I had written in my statement what had happened but he said the case was cold. I asked him if he had followed up on a Home Depot lead where the subject had taken a pallet of small batteries valued in excess of \$6000.00, a roll of brand new carpet, and a pallet of trash bags. In addition why he was using government status to avoid taxes on all his purchases? Unknown to the agent was the fact my wife worked there and had relayed the information to me. I had sent patrolman to photograph the evidence as it was stored in the mechanics area of the boat docks and I reported the finding to investigations. As usual the MWR Director went to the scene and told the subject to get rid of the evidence. The next day the batteries and carpet were gone. The NCIS agent seemed amazed at the information I had so I shared a package of

information with him which was returned around 3 or 4 months later with reports and statements. I advised I had much more on email that I could share although he never followed up. In reading the report it is confirmed that the employees were aware of the theft and Mr. Barnes had personally witnessed it. Mr. Bates confided in me by saying he did not want to say much on record because he had a drinking problem and the subject was holding that over his head. I had a suspicion of this due to the fact every time I dropped by the boat docks I could smell the strong odor of an alcoholic beverage in the area around him. In addition he was concerned about one of the generators that was given to him and the possible prosecution. The inventory clearly shows that 75% was unaccounted for although could not be proven to be stolen due to inaccurate inventory control.

Allegation #5: Complainant threatened by Deputy Security Director

On February 18, 2011, I was pulled over by Paul Long as he flashed his lights repeatedly at me on duty driving a police car in the parking lot of the Commissary. I was then ordered to tell him everything that was going on. I advised him there was an Inspector General investigation into events at the boat docks and misuse of overtime in excess of \$80,000. Paul stated he was taking care of everything and he was tired of me telling my peer supervisors what was going on as the investigators from NCIS and the IG were onboard. Unknown to him was that the entire department shares my concerns and are in fear of retaliation for saying anything. Upon learning that I had told OSC what was going on he began to curse all of the department employees thinking they would tell on him saying they should fire all the chiefs and first classes and get rid of the f***ing 'slang black word' in charge because all he does is surf the internet all day long. Paul stated I run everything here the military comes and goes. Paul stated I'll have your ass and all the other Lieutenants for approving the overtime at which time I stated that he had ordered us to do it to make it appear we needed more bodies for security by creating shifts that we could not man and allowing anyone that wanted to work anytime full approval upon their request. Paul said it doesn't matter because you guys approved it. That ended the meeting then Paul further states in his interview that he wanted to give me ownership in the department and be a team player. How can an honest man stand by and watch the amount of fraud, waste, and theft take place and want to claim ownership or be a team player with common thugs. He states I was never written up or talked down to. I have suffered a tremendous amount of talking down to from him and the only reason I was not written up is because he could not fabricate a reason to do it. Although that has changed now. Due to procedural errors I have been given my termination notice for my first offense. Paul further indicates he was trying to develop me by promoting me. Why would he attempt to promote an unruly person with a vendetta that does not work with management? The truth is, I was the most qualified and had the best appraisals and stood apart as a fair, just, and hardworking police officer. It could be concluded that the promotions were given to simply get me to turn a blind eye to illegal activity. Paul further includes personnel actions which would indicate that I was doing superior work although the fact is Paul was writing cash awards as fast as he could for everyone including himself as he said he wanted to pay for his new motorcycle, car, and house he had just bought. The investigation was already under way and I was hated for revealing the facts to OSC but the money was too hard to pass up. Richard Pope (Physical Security) was busy writing award citations for Paul and all the lieutenants were emailed to write awards every month for anything we could think of because we were going to transfer out of NSPS and that

there was over a million dollars in the award fund. Not only could you imply that Mr. Long's statement to impact my career was true it has been determined to be accurate. I was given my notice of termination on October 28, 2011 for procedural issues concerning a drunk driver after being placed on administrative leave since July 20, 2011 which follows a string of false investigations against me. My termination proposal was not given by my immediate supervisor Chief of Police Russell Nunn, nor by my second level supervisor Deputy Director Long, but by my third level supervisor and department head Security Officer Darren Pettus who are all named in the OSC complaint. My meeting with the current XO of the base was amazed that someone with such high marks and solid career history could be terminated over stopping a drunk driver and processing him. It is clear the remark was accurate and has been done.

Conclusion:

After reading the report it is clear the actions reported took place in varying degrees and that the amount of damage can never be known because of improper handling of the cases and evidence. The report further concludes that I as well as many others were forced to not perform our duties over a period of five years allowing the criminal element to become more powerful and secure in their activities from the boat docks to Whiting Field Management. It is clear the investigators wish to shed the best light on the Navy and its programs overlooking bad people. This comes at a high price to the taxpayer but now I understand why my colleagues have such a fear of reporting wrongdoing. I will now pay the ultimate price for uncovering the truth behind the last 6 years and it will destroy my family, credit, job, and future employment because of an adverse action listed on my SF50. There is only one thing I can see you gain as a whistleblower and that would be the fact you can wake up and look at yourself in the mirror and know you did the right thing. Outside of that it simply destroys your life and in my opinion is probably not worth it for the family man as most of my colleagues are. In closing I would like to thank the Office of Special Counsel for accepting the case and uncovering a portion of the wrongdoing. My only regret is you do not have the power to investigate the cases within your office. This by nature gives the agency the advantage of using its own people to investigate itself leading to what I consider a decidedly bias opinion. I regret the overtime issue was not brought up in the case as I sent the request to Inspector General Steve Richardson during the course of this investigation with the entire SLDCADA database files with all the illegal overtime. This could have potentially damaged the testimony of Paul Long and Ensign Darren Pettus who have clearly had a motive to remove me from employment and a strong vendetta because I was doing my job at the expense of management covering up criminal activity for the command.