

United States v. SGT Richard Archie

JA OBC – Initial Packet



This initial packet includes a portion of the case file involving two Soldiers assigned to the 1st BSB, 3rd BDE, 54th ID. Review these statements and allied documents. You will use this fact pattern throughout the Criminal Law Block of Instruction. Additional documents will be provided to you throughout the course of instruction.

9. STATEMENT (Continued)

Q: How were you positioned when you and PV2 VANCE had sex?

A: I was on top of her. She was lying on her bed on her back, with her head on her pillow.

Q: Did you use a condom?

A: No.

Q: Did you ejaculate?

A: Yes.

Q: What did you do after having sex with PV2 VANCE?

A: I went to the bathroom and cleaned up. We talked for a few minutes before I left. I told her that we could keep this a secret between us because I did not want her to get in trouble with her boyfriend.

Q: What did you do after you left PV2 VANCE's room?

A: I left the barracks and met up with my friends at the club. I didn't think anything much else about it until I got called by my 1SG and got sent over here to make this statement.

Q: Who else was with you that night?

A: SGT Michael FREDERICKSON, SPC Brian JONES, SPC Peter JACOBS, and CPL Bob VENTURA. All of them are assigned to 1st BSB, 3rd BDE.

Q: Were you ever counseled by your 1SG for making an inappropriate remark about PV2 VANCE.

A: I don't think it was about VANCE. The 1SG did chew me out once for making some jokes. It was harmless—the kind of stuff that Soldiers say—but it was wrong for me as an NCO. I learned my lesson and keep it professional at work.

Q: How have you been treated during this interview?

A: Ok.

Q: Have you been given breaks to get something to drink and use the bathroom?

A: Yes.

Q: Have you had the chance to review this statement and make changes before it was printed for your signature?

A: Yes.

Q: Is there anything you wish to add?

A: No.

END OF STATEMENT

AFFIDAVIT

I, SGT RICHARD ARCHIE, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Richard Archie

(Signature of Person Making Statement)

WITNESSES:

Robert Brown

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of March, 2013 at Fort Atterbury, IN

William Henderson

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

William Henderson

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

RA

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FORT ATTERBURY, INDIANA	2. DATE (YYYYMMDD) 20130323	3. TIME 1900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME ARCHIE, RICHARD	6. SSN 000-11-2222	7. GRADE/STATUS E5/AD	
8. ORGANIZATION OR ADDRESS B CO, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, SGT RICHARD ARCHIE, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am making this statement because I was not completely forthcoming in my first statement. I provided alcohol to PV2 VANCE. I saw her earlier in the day and she asked me to bring her some drinks for the party. I knew that she was asking me to buy because she couldn't buy her own. I bought some Mike's Hard Cranberry Lemonade for her at the Class Six after we talked. I gave them to her at the party. Also, when I went to her room I brought a couple of drinks with me: a beer and one Mike's Hard Cranberry that I gave to her. Part of the reason I went to VANCE's room was to give her hoodie back to her. I found it at the party when I was helping JACOBS clean up. While we were making out she did tell me that she thought it was a bad idea. She was concerned about her boyfriend finding out that she was hooking up with other guys. We kept going after that, and she was into it.

Q: SA HENDERSON
A: SGT ARCHIE

Q: How did you know the hoodie belonged to PV2 VANCE?
A: I saw her wearing it when I first got to the party.

Q: How did you know which room was PV2 VANCE's?
A: She whispered her room number in my ear at the party.

Q: Was her room unlocked when you got there?
A: I don't know. I knocked and she opened the door.

Q: What was she wearing when she opened the door?
A: A t-shirt and shorts.

Q: Was PV2 VANCE wearing makeup?
A: I don't remember.

Q: What happened when she opened the door?
A: Not much. I handed her hoodie to her. She smiled and took it, and then she stepped back and let me in.

Q: What did her room look like?
A: Normal, I guess. She had some clothes the floor, like her ACUs.

Q: What happened next?
A: She closed the door. I offered her a drink. She said, "thanks." Then we sat on her bed and started talking.

(CONTINUES ON NEXT PAGE)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT RA	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Q: What did you talk about?

A: Nothing, really. We talked about the party a little bit. I joked about her forgetting her hoodie. She said, "Well, I guess I owe you a reward." Then she put her drink down on her side-table and we started kissing.

Q: How long did the kissing last?

A: Not long. Maybe a minute. Things got physical fast and we had sex pretty soon afterwards.

Q: Did PV2 VANCE ever say, "This is a bad idea" to you?

A: Yes, after the first kiss. But then we started kissing more.

Q: Do you remember PVT VANCE saying, "I don't want to do this" to you before you had sex?

A: Yes, but I thought she was talking about her boyfriend finding out.

Q: What happened next?

A: She leaned back on her bed, and I got on top of her.

Q: Did either of you take your clothes off?

A: She took her shorts off. I pulled mine down. It happened quickly, so our shirts stayed on.

Q: Did you put your hands on her during sex?

A: I guess so. I was touching her and kissing her while we were having sex.

Q: What happened after you finished having sex?

A: I got up and went to the bathroom. She stayed on the bed.

Q: Did anything else happen before you left?

A: We talked for a few minutes. She said she was tired. I told her that things would stay between us.

Q: Was anything in your previous statement untrue?

A: No.

Q: How were you treated during this interview?

A: Good.

Q: Do you have anything else to add?

A: No.

END OF STATEMENT (NOTHING FOLLOWS)

AFFIDAVIT

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Richard Archie

(Signature of Person Making Statement)

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William Henderson

(Signature of Person Administering Oath)

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(Typed Name of Person Administering Oath)
Article 136(b)(4), UCMJ

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ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT RA

PAGE 2 OF 2 PAGES

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION BLDG 400, 54TH MP DET (CID), FORT ATTERBURY, IN	2. DATE 23 MAR 2013	3. TIME 1200	4. FILE NO.
5. NAME (Last, First, MI) ARCHIE, RICHARD M.	8. ORGANIZATION OR ADDRESS B CO, BSB, 3rd BDE 54th INFANTRY DIVISION FORT ATTERBURY, IN		
6. SSN 000-11-2222	7. GRADE/STATUS E5/AD		

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army CRIMINAL INVESTIGATION COMMAND and wanted to question me about the following offense(s) of which I am

suspected/accused: Rape RA

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any question or say anything. **RA**
2. Anything I say or do can be used as evidence against me in a criminal trial. **RA**
3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. **RA**

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

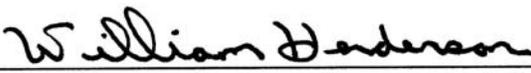
4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below **RA**

5. COMMENTS (Continue on reverse side)

I ~~have~~ **have not** consulted with an attorney within the last 30 days. **RA**

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)	3. SIGNATURE OF INTERVIEWEE
1a. NAME (Type or Print) ROBERT BROWN	
b. ORGANIZATION OR ADDRESS AND PHONE 54th MP DET (CID) FORT ATTERBURY, IN	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)	
b. ORGANIZATION OR ADDRESS AND PHONE	5. TYPED NAME OF INVESTIGATOR WILLIAM HENDERSON
	6. ORGANIZATION OF INVESTIGATOR 54th MP DET (CID) FORT ATTERBURY, IN

Section C. Non-waiver

1. I do not want to give up my rights
 I want a lawyer I do not want to be questioned or say anything

2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

PART II - RIGHTS WARNING PROCEDURE

THE WARNING

1. **WARNING** - Inform the suspect/accused of:
 - a. Your official position.
 - b. Nature of offense(s).
 - c. The fact that he/she is a suspect/accused.
2. **RIGHTS** - Advise the suspect/accused of his/her rights as follows:

"Before I ask you any questions, you must understand your rights."

 - a. "You do not have to answer my questions or say anything."
 - b. "Anything you say or do can be used as evidence against you in a criminal trial."
 - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."
- or -
(For civilians not subject to the UCMJ) You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."
d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."
Make certain the suspect/accused fully understands his/her rights.

THE WAIVER

"Do you understand your rights?"
(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)

"Have you ever requested a lawyer after being read your rights?"
(If the suspect/accused says "yes," find out when and where. If the request was recent (*i.e., fewer than 30 days ago*), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)

"Do you want a lawyer at this time?"
(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)

"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (*If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.*)

SPECIAL INSTRUCTIONS

WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE: If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY: In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

PRIOR INCRIMINATING STATEMENTS:

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

NOTE: If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS: If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS (*Continued*)

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FORT ATTERBURY, INDIANA	2. DATE (YYYYMMDD) 20130323	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME VANCE, TRACI	6. SSN 000-98-7654	7. GRADE/STATUS E2/AD	
8. ORGANIZATION OR ADDRESS A CO, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, PV2 TRACI VANCE, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On Friday, 22 March 2013, word got around that SPC Jacobs was going to have a party in his room. He has get-togethers like that in his room every few weeks. Some of us who are not old enough to go to bars go to these pre-parties. They last an hour or two and then break up when people over 21 go out after that to clubs.

After work I went to the Food Court to get dinner with my friend, PFC Taylor. She and I are both assigned to Alpha-BSB. She is my best friend. We went through basic together and both got to Fort Atterbury about 6 months ago. While we were eating, SGT Archie walked by the table and asked if we were going to the party. I said yes. He asked me what do I drink and I said Mike's Cranberry. He said, "Cool, I'll hook you up." He also talked to PFC Taylor.

I first met SGT Archie a few months ago. He is also assigned to the BSB, but not my company. I think he lives in the B Company barracks across the parking lot from my barracks. He is at least 6 feet tall and weighs at least 180 pounds. We talked every once in a while. Before all this happened, I liked him and thought he was a good NCO. I never expected him to do what he did.

At about 2100, Taylor came by my room and we went to Jacob's room, number 220. His room is on the second floor and my room is on the first floor. There were 10 or 15 people at the party, but it was crowded and loud because it was in a barracks room. I had around three or four drinks total that night. I had a beer and then SGT Archie showed up and gave me some Mike's Cranberry. He was wearing a t-shirt and cargo pants. We talked for a few minutes. We just talked about the party and work and stuff. Then he talked to some other people and I went back over to Taylor. We hung out and I gave her some of the Mike's Cranberry that SGT Archie had given me a little earlier when me and him were talking.

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10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT TV	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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STATEMENT OF PV2 TRACI VANCE TAKEN AT FORT ATTERBURY CID OFFICE DATED 20130323

9. STATEMENT (Continued)

Later SGT Archie called me over to play a drinking game with him. Taylor and I went over to the game but there was no place to sit. SGT Archie patted his leg and told me to sit down. I did and SGT Archie asked me if I knew how to play the game. I told him I didn't and he told me how to play. We played for a little bit and then I heard Taylor calling my name. I looked up and she was pointing and mouthing words to the song that was playing. We both like the song a lot and so I starting singing it too. I stood up and we started dancing. I guess SGT Archie stood up also, because the next thing I knew he was dancing behind me. It was kind of weird and I looked at Taylor like, "what is he doing?" and she kind of shrugged and kept singing and dancing. I leaned back and told SGT Archie, "You know I have a boyfriend, right?" He said, "It's cool." I just went with it, but then he put his hands on my butt. I felt that he was going too far, so I told him that I needed to leave. I had to tell him twice. It was loud, and I had to talk into his ear so he could hear me. He said "I'll see you later." I think I said "cool" or "ok" but I can't remember. I meant that I'd see him around, not that we were going to meet up or anything. I just wanted to leave.

I went back up to my room with Taylor. We made plans to work out the next morning, and then she left. We have been trying to get in better shape together, so we've been running on Saturday mornings. I changed into some cotton shorts and a t-shirt and got ready for bed. I drank some water, brushed my teeth, took off my makeup, and stuff like that. I was just getting into bed when I heard a knock at the door. My door does not have a peephole so I opened the door. SGT Archie was there. I don't know how he knew which room was mine. He has never been to my room before, and there are no names on the door. I did not invite him down or give him my room number. He had my hoodie and another Mike's and a beer. He asked if he could come in. I said I was tired. I thanked him for bringing me my hoodie. I had taken it off at the party because it was hot and I forgot to bring it back down to my room when I left. He kind of teased me about leaving it and joked about how hard it had been for him to find me and bring my hoodie back. I really didn't want him to come in, but I didn't know what else to do. I told him he could come in for a minute.

He sat down on my bed and opened the two bottles. He said, "Don't I get some kind of reward?" I looked at him like "what are you doing?" He smiled and said "Just have a drink with me." I sat down next to him and he handed me the Mike's. I took a drink and then put it on my nightstand. When I turned back towards him, he leaned in and gave me a kiss. I said, "This is a bad idea." He put his beer down and then leaned back over me. I told him "I don't want to do this." He didn't say anything. He pushed me over onto my bed and put his body on top of me. I couldn't move. He held me down. He is a big person and I'm only 5'3" and 115 pounds. He was breathing in my face. When I tried to tell him no or to say anything he kissed me and put his tongue in my mouth. I closed my eyes and turned my head away. I just froze at
(CONTINUED)

INITIALS OF PERSON MAKING STATEMENT

TV

PAGE 2 OF 3 PAGES

STATEMENT (Continued)

that point. I felt his fingers pull my shorts aside and felt him pulling at his pants. Then I felt his penis inside me. I don't know if he used protection. It hurt. I'm not sure how long he was in me. I remember that after he had finished and pulled out of me he whispered in my ear, "that was so good baby." I didn't say anything. Everything was hazy. He got up and went in my bathroom. I don't remember how long he was in there. I remember him standing by my bed saying, "If you don't tell anyone, I won't." I couldn't believe that he would just stand there like it was no big thing. Then he left. I felt so disgusting. I took a shower but it didn't help. I pulled the sheets off my bed threw my clothes in the trash. I curled up with a blanket and finally fell asleep on my mattress.

The next morning, PFC Taylor came over to get me to go work out. I told her that I didn't feel like going and that she should go without me. She started asking me what was wrong and I told her I wasn't feeling well. I tried to just go back to bed but she came in and kept asking me what was up. I finally told her about SGT Archie taking advantage of me. She told me that I had to report it, so I called my 1SG.
(END OF STATEMENT)

AFFIDAVIT

I, PV2 TRACI VANCE, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Traci Vance

(Signature of Person Making Statement)

WITNESSES:

Robert Brown

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of March, 2013 at Fort Atterbury, IN

William Henderson

(Signature of Person Administering Oath)

William Henderson

(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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PAGE 3 OF 3 PAGES

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1. LOCATION FORT ATTERBURY, INDIANA	2. DATE (YYYYMMDD) 20130323	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME TAYLOR, STEPHANIE	6. SSN 000-87-1234	7. GRADE/STATUS E3/AD	
8. ORGANIZATION OR ADDRESS A CO, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, PFC STEPHANIE TAYLOR, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am PV2 Vance's friend. I am assigned to Alpha-BSB, 3rd BDE, 54th ID, at Fort Atterbury as a supply clerk. I have known PV2 Vance since basic training. I would say she is my best friend and I am her best friend.

On Friday, 22 March 2013, I met PV2 Vance after work. We went to the Food Court to get something to eat. While we were there, SGT Archie walked by and started talking to us. He was really more interested in Vance. He gave her a couple of nice compliments and she laughed about it. She actually seemed kind of nervous. I know SGT Archie, but not very well. I've seen him at some parties on post. Before all of this happened, I thought he was a pretty cool guy. He is friendly and pretty good-looking. Most people like him. Apparently he did something heroic when he was deployed to Iraq. He is promotable now. He said he would see us at SPC Jacob's room later. Vance said she wasn't sure she was going to come because she heard it was BYOB. He said he would take care of her. He left and we finished eating.

Traci seemed pretty excited about the party when we were getting ready in her room. She wore a pair of skinny jeans, a tank top and flip-flops. She also brought a hoodie. We went up to the second floor to SPC JACOB's room, #220. His room is at the end of the hall by the emergency exit. There were a lot of people there. The party spilled out into the hallway but it wasn't out of control or anything. Most of the people there were from the BSB or from our barracks. I knew a lot of them. It was a pretty good party. It was hot and crowded in the room, though, and hard to hear. We got two beers from the fridge and hung out just talking to people and dancing a little.

SGT Archie showed up a later with his friends. I don't remember what he was wearing. He had some

(CONTINUED)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT ST	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF PFC STEPHANIE TAYLOR TAKEN AT FORT ATTERBURY CID OFFICE DATED 20130323

9. STATEMENT (Continued)

drinks with him, and gave Traci one. She seemed pretty happy that he came. After he gave her the bottle, SGT Archie started talking to her. She said something like "I totally owe you." He said, "I'll let you work it off." I asked him what does that mean, and he laughed and said "nothing." He seemed kind of annoyed that I was interrupting his conversation with Traci. He wasn't really talking to me so I went to talk to some other friends. Traci came and joined me a little while after that. She gave me a bottle of Mike's Hard Cranberry. I asked her where they came from and she said that SGT Archie had given her a couple more. I teased her and said, "must be nice," or something and she laughed.

There were a couple of different groups at the party. One group was playing drinking games. SGT Archie was playing with them and he called Vance over. She grabbed my wrist and walked me over with her to the table where they were playing. He said that she should play. She told him there were not any seats, and he patted his leg. She sat on his knee. I stood behind them for a minute or two and watched the game, but it wasn't that much fun. I don't know if Vance was playing, but I did see her and Archie talking. I walked away to go hang out with some of the other girls from the company.

After a few minutes, a song Vance and I really like came on so I went back over to her to get her attention. She heard it too and looked up. We were singing along and she got up off of SGT Archie's knee and we started dancing. SGT Archie came up and started dancing behind her. She kind of looked at me like "What should I do?" I was like, "don't worry about it." Traci said something to him but I couldn't hear what she said. I could tell she felt kind of awkward about the way he was dancing up against her. He put his hands on her hips. She looked at me again like she wasn't comfortable. When the song ended, she said, "Let's go. I'm tired." I was happy to hang out some more but I could tell she really wanted to leave. We left around 2300. When we were in the hall, I asked her what was up and she said, "Oh my god! He was all over me! I told him, you know I have a boyfriend, right?" I guess that's what she told SGT Archie in his ear when they were dancing. I asked her if she was ok. She said, "Yeah. I just want to go back to my room and go to sleep."

As far as I know, SGT Archie was still there when we left. We went back to Vance's room. I told Vance she needed to come with me to work out the next morning, and that I would come get her. She said ok, and that she was going to bed. I went back to my room and went to sleep.

I went back to PV2 Vance's room the next morning (this morning, Saturday, 23 March 2013) to get her to go work out. I had to knock twice. She looked pretty bad when she opened her door. Her eyes were red and she was wearing a robe instead of PT clothes. I asked her if we were going to go work out, and she just shook her head and went back to her bed. All her sheets and stuff were in a pile on the floor. I came in and sat on the mattress with her. She didn't say anything so I started asking her what was wrong.

(CONTINUED)

INITIALS OF PERSON MAKING STATEMENT

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PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

She started crying and said she didn't want to talk about it. I waited and it was quiet for a few minutes, and then I asked her again. She finally said, "we had sex but I didn't want to." Then she said "I didn't think he would be like that. He's a f---ing NCO!" I asked her if she meant SGT Archie. She said yes. Then she really started sobbing. After a couple of minutes she calmed down and told me how he had come back to the room and taken advantage of her. I was shocked. I said "that's rape, you have to report it." She said she didn't want to talk to anybody about it. I told her that she had to at least call the 1SG. She didn't want to, but I told her if she didn't call the 1SG I would. She finally agreed and called the 1SG. It was around 0730. PV2 Vance started to tell him what happened, but he told her to wait and he would call her back. He called CID and then called her back. He told us both to go to the CID office and that he'd meet us there.

Vance got off to a bad start when we got to Fort Atterbury. It was her first time being around a lot of guys and she wasn't used to all the attention. She got into a relationship really fast with a guy who deployed a month later. After he deployed she went out with some other guys in the unit. She wound up cheating on her boyfriend with one guy. He's a total loser who talked it up around the unit. He made Vance look pretty bad. I had to defend her all of the time. Her deployed boyfriend found out and got pissed off but they got back together again. The guy she cheated with got chaptered out of the Army.
 END OF STATEMENT

AFFIDAVIT

I, PFC STEPHANIE TAYLOR, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Stephanie Taylor

(Signature of Person Making Statement)

WITNESSES:

William J. Henderson

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of, March 2013 at Fort Atterbury, IN

Robert Brown

(Signature of Person Administering Oath)

Robert Brown

Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ST

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

1. LOCATION FORT ATTERBURY, INDIANA	2. DATE (YYYYMMDD) 20130323	3. TIME 1030	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME JACOBS, PETER	6. SSN 000-11-2233	7. GRADE/STATUS E4/AD	
8. ORGANIZATION OR ADDRESS B CO, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, **SPC PETER JACOBS**, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 22 March 2013, I held a little get-together for some friends and people from my unit. The party was in my room, #220 in building 1775. I moved a lot of my furniture into the room across the hall so that more people could fit in my room. I have a double room to myself because my roommate, SPC Dirks, is deployed. It wasn't anything elaborate. I set up a music system and some chairs. A lot of people came and left, but when the party was really going it was about 15 people there at once. I remember that PV2 Traci Vance was there for a while, and her friend PFC Stephanie Taylor came too. I talked to both of them, but not really about anything in particular. I also remember that SGT Archie was there. There wasn't any trouble at the party, as far as I remember. I spent most of my time hanging by the door just talking to people. The party was pretty much BYOB. Some people brought stuff to share, but a lot of people just brought their own. It was pretty loud. Some people were playing drinking games and there was a little dancing, but most people were just talking. I do remember seeing SGT Archie and PV2 Vance dancing together at some point in the party. He was dancing behind her and she was talking in his ear, kind of leaning back. I didn't pay much attention to Vance but she seemed to be having a good time when I talked to her at the party. I did see her sitting on SGT Archie's lap and playing a drinking game, but I don't know how long that lasted. She didn't seem drunk or anything. Everyone there seemed to be handling their alcohol okay.

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10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT PDJ	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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9. STATEMENT (Continued)

The party started to break up around 2300. Some of us were going to a bar off-post called Rumors. I had to clean up the room, so I told the others that I would catch up with them. They left but SGT Archie hung around for a little bit after that. I guess he was going to help me clean up but all I saw him do was talk to SPC Gomez, a girl from Alpha Company. She was telling him where PV2 Vance lived. I wound up cleaning up everything myself. I bagged up some bottles and trash and took it out to the dumpster. SGT Archie wasn't there when I came back inside. I finished cleaning up and then I left for the club. When I caught up with everybody else at Rumors SGT Archie wasn't there. He showed up later but I don't know exactly when he got there. A group of us hung out for a while, and we playing pool. Nothing seemed out of the ordinary. I gave him a hard time about not helping me clean up. He said, "Sorry Jake—somebody else needed me." I didn't ask what he meant.

I know PV2 Vance's boyfriend, SPC Jeremy Dirks. He was my room-mate before he got pulled to augment another unit deploying from here at Fort Atterbury to Afghanistan. I would consider him to be my friend. We don't talk much but we are friends on Facebook and keep in touch that way. As far as I know he and Vance are still a couple. I know that they had some issues a while back but they are fine now.

I don't know where SGT Archie went after the party. He I know that SGT Archie has "dated" a lot of female Soldiers. SGT Archie didn't say anything to us about PV2 Vance at the bar. That's all I know. (END OF STATEMENT)

AFFIDAVIT

I, SPC PETER JACOBS, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Peter Jacobs

(Signature of Person Making Statement)

WITNESSES:

Robert Brown

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of March, 2013 at Fort Atterbury, IN

William Henderson

(Signature of Person Administering Oath)

William Henderson

(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PDJ

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FORT ATTERBURY, INDIANIA	2. DATE (YYYYMMDD) 20130323	3. TIME 1400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME FREDRICKSON, MICHAEL	6. SSN 000-22-3333	7. GRADE/STATUS E5/AD	
8. ORGANIZATION OR ADDRESS B CO, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, SGT MICHAEL FREDRICKSON, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am assigned to Bravo Company, 1st BSB, 3rd Brigade. I have been stationed at Fort Atterbury for 20 months. I have known SGT ARCHIE since he arrived at Fort Atterbury. We are pretty good friends. We do CrossFit together and generally hang out. We live in the same barracks, building 1776. On 22 March 2013, I had lunch with SGT ARCHIE at the DFAC. I told him about a pre-party in SPC JACOBS's room in the barracks across from ours. He said he was up for going clubbing with us but didn't know if he would go to JACOBS's party. I mentioned that some of the females that lived in that barracks would probably be there. He asked me if I thought PV2 VANCE would be there. I told him I thought so since she lived in that building. He asked me what I thought of PV2 VANCE. I said she was alright. SGT ARCHIE has brought up PV2 VANCE before. He's kind of a player and likes to know who is available. I don't know VANCE personally. I've heard some rumors about her hooking up with guys in the unit. SGT ARCHIE knew about these rumors, too. We were talking about it one time and he said, "I'd hit that" or something like that. Another time SGT Archie got in some trouble over a remark he made about PV2 VANCE. We were at the loading dock offloading some parts when PVT VANCE walked by with some other women in the unit. He said something about "getting his fair share" of PV2 VANCE. I don't think the females heard it but one of supply section NCOs got pissed off and told the 1SG. SGT ARCHIE got called to the 1SG's office and got a verbal counseling. When I told SGT ARCHIE at lunch on 22 March 2013 that I thought PV2 VANCE would be at the party that night, he said he would probably go. I told him that I heard VANCE and TAYLOR talking that morning about how they were going to meet up at the AAFES Mall Food Court after work. SGT Archie said he would go to the Class Six in the AAFES Mall and pick up drinks for us. He owed me about \$10 so he said he would cover me. We met up around 2100. SGT ARCHIE was carrying some pink bottles and I made fun of him. He said, "Don't worry, they're not for me." He also had a 12-pack of Bud Light for us. We went to the pre-party and had a pretty good time. We got there around 2130. He was hanging out with PV2 VANCE for some of the time. I talked to a couple of different people. SGT ARCHIE wasn't drinking much. I think he only had a few beers. He gave the pink drinks to PV2 VANCE. She seemed to like hanging out with him. I saw her sitting on his knee playing a drinking game. Later, I saw them sort of dancing together. It looked like they were both into it. She said something into his ear and then left with her friend. It was almost 2300. I asked him if he was ready to go out with the rest of us. He said he would catch us at the club later. Then he asked me if I knew what room VANCE lived in. I told him I didn't. We left and he stayed at the party. The next time I saw him was at the club after midnight.

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10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT MF	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

Q: SA BROWN

A: SGT FREDERICKSON

Q: Did SGT ARCHIE tell you that he was going to see PV2 VANCE after the party?

A: No. I just figured that he was. He didn't say anything to me about it. I saw him talking to another girl after VANCE left and it sounded like she was telling him how to find VANCE'S room. I don't know that girl.

Q: Do you know if PV2 VANCE has a boyfriend?

A: I think she does, but I can't say. I heard that she was serious with one guy but he got tapped for a deployment. I heard that isn't really a factor when it comes to her hooking up with guys. She has a reputation in the unit.

Q: What is her reputation?

A: That she's available for sex. I know at least one guy in the battalion who had sex with VANCE. He said that he took her out to dinner and a movie and she basically showed her gratitude by having sex with him.

Q: What is the name of that Soldier?

A: PFC Joe MARONEY. He's not in the Army anymore.

Q: What happened after you left the party on 22 March 2013?

A: I caught a ride to the club with SPC JONES. SGT ARCHIE showed up later. He shot some pool and hung out with us the rest of the night. He didn't drink much and I caught a ride home with him around 0200.

Q: Did SGT Archie say anything about PV2 VANCE at the bar?

A: He didn't mention PV2 VANCE by name, but some things he said made me think they had gotten together. We were shooting pool and he made a couple of shots, and I said "lucky streak." He joked back, "I've been on that streak all night, son." I told him "See, aren't you glad I made you come? You owe me." I meant him coming to Jacob's party, but he winked and said it wasn't me he owed for that.

Q: Do you have any other information about what may have happened between SGT ARCHIE and PV2 VANCE?

A: No.

Q: Have you had the chance to review this statement and make changes before it was printed for your signature?

A: Yes.

END OF STATEMENT

AFFIDAVIT

I, SGT MICHAEL FREDRICKSON, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Michael Frederickson

(Signature of Person Making Statement)

WITNESSES:

William J. Henderson

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of, March 2013 at Fort Atterbury, IN

Robert Brown

(Signature of Person Administering Oath)

Robert Brown

(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

MF

PAGE 2 OF 2 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION FORT ATTERBURY, INDIANIA	2. DATE (YYYYMMDD) 20130323	3. TIME 1030	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME RANDOLF, THOMAS	6. SSN 000-12-3456	7. GRADE/STATUS E4/AD	
8. ORGANIZATION OR ADDRESS HHC, 1st BSB, 3rd BDE, 54th ID, Fort Atterbury, Indiana			

9.

I, SPC THOMAS RANDOLF, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I am assigned to HHC, 1st BSB, 3rd Brigade, 54th ID. I was on CO on 22 March 2013 in Building 1775. There was a party going on the second floor but it wasn't out of control and no one complained about it. I walked past it once during my rounds, but didn't go in or stop to talk to anybody.

Around 2315 I left my desk on first floor to see if the exterior doors were locked. As I started down the West hall, I saw SGT Archie come down the main stairs and go down the East hall. He doesn't live in 1775 but I know who he is. He had a couple of bottles in his hand and a sweatshirt or something under his arm. As I was passing him I said, "Hey Sergeant," and he said, "Hey." I kept walking down the West hallway. I heard somebody knocking on a door behind me. I looked over my shoulder and saw him talking through an open door to someone. I didn't see who it was but it was about where PV2 Vance's room is. When I got to the end of the West hallway I checked the door and started walking back. I passed through the lobby and went down the East hall. As I was walking towards him he went inside the room. I went past where he was, to that end and checked that door, then went back to the desk by the main entrance (North side of lobby). The room doors were all closed when I went through. I don't remember hearing anything unusual. I don't remember seeing SGT Archie again after that.

(END OF STATEMENT)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT TJR	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF SPC THOMAS RANDOLF TAKEN AT BUILDING 1775, Ft. Atterbury DATED 23MAR13
9. STATEMENT (Continued)

[A large, curved line is drawn across the page, likely indicating that the statement content has been redacted or is otherwise obscured.]

AFFIDAVIT

I, SPC THOMAS RANDOLF, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Thomas J. Randolph

(Signature of Person Making Statement)

WITNESSES:

William J. Henderson

ORGANIZATION OR ADDRESS

USACID

Fort Atterbury, IN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of, March 2013
At Fort Atterbury, IN

Robert Brown

(Signature of Person Administering Oath)

Robert Brown

(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT TJR

PAGE 2 OF 2 PAGES

About 0730, 23 Mar 13, SA HENDERSON received a call from 1SG Funk, A Co, BSB, 3BCT about a rape allegation. PV2 Traci VANCE, A Co, BSB, 3BCT, reported SGT Richard ARCHIE, E Co, BSB, 3BCT entered her barracks room (#105 in bldg #1775) and forcibly raped her. Coordinated with on-coming duty Agent, SA Brown.

About 0800, 23 Mar 13, SA HENDERSON interviewed PV2 VANCE wherein she stated SGT ARCHIE came to her barracks room at approximately 2315, 22 Mar 13, with her hoodie sweatshirt and asked to enter her room. PV2 Vance let him enter, SGT ARCHIE kissed her, and then pushed her down on the bed. PV2 VANCE protested; SGT ARCHIE proceeded to forcibly pull her shorts aside and have sexual intercourse with her. PV2 VANCE reported she drank approximately 1 beer and 3 Mike's Hard Cranberry (bottled mixed drink) earlier that evening.

About 0800, 23 Mar 13, SA Brown interviewed PFC Stephanie TAYLOR, A Co, BSB, 3BCT. PFC TAYLOR relayed she was at a party the night of 22 Mar 13 with PV2 VANCE. SGT ARCHIE was also at the party and brought several bottles of Mike's Cranberry for PV2 VANCE. SGT ARCHIE and PV2 VANCE socialized at the party. At one point PV2 VANCE sat on SGT ARCHIE's lap. At another point, PV2 VANCE was dancing with PFC TAYLOR and SGT ARCHIE came up behind her danced with PV2 VANCE. SGT ARCHIE began to make PV2 VANCE uncomfortable by dancing too close and putting his hands on her, so PFC TAYLOR and PV2 VANCE left the party. The next morning PFC TAYLOR came to get PV2 VANCE to work out and noticed PV2 VANCE was upset. PV2 VANCE eventually told her SGT Archie raped her and PFC TAYLOR told her to contact her 1SG.

About 0915, 23 Mar 13, SA HENDERSON coordinated with CPT George HARRISON, Office of the Staff Judge Advocate, 3BCT, Ft. Atterbury, IN, and briefed him on the initiation of the investigation. CPT HARRISON agreed to discuss further after SGT ARCHIE and other witnesses were interviewed.

About 0930, 23 Mar 13, SA HENDERSON contacted Ms. Lynn SMITH, SANE at Fort Atterbury Army Hospital (FAAH) and coordinated for PV2 VANCE to undergo a Sexual Assault Forensic Exam (SAFE). PFC TAYLOR offered to escort PV2 VANCE to the appointment.

About 0945, 23 Mar 13, SA HENDERSON and BROWN contacted SGT ARCHIE's unit (B Co, 1st BSB, 3rd BDE, 54th ID) and requested SGT ARCHIE and SGT Michael FREDRICKSON be brought to CID for an interview.

About 1000, 23 Mar 13, SA HENDERSON and SA BROWN traveled to bldg 1775. SA BROWN interviewed the CQ, SPC Thomas RANDOLPH, wherein he relayed he briefly saw SGT ARCHIE head down the east hallway at approximately 2315. SGT ARCHIE knocked on a door in the vicinity of where PV2 VANCE's room is located. A few minutes later, SPC RANDOLPH observed SGT ARCHIE enter the room, although he couldn't say exactly who the room belonged to.

About 1015, 23 Mar 13, SA HENDERSON entered PV2 VANCE's room to observe the crime scene. SA HENDERSON sketched the room and collected the following evidence: 1 set of sheets; 1 bottle of Mike's Hard Cranberry Lemonade; 1 bottle of Bud Light; 1 pair of cotton shorts; 1 pair of women's panties; and 1 cotton t-shirt. Aside from sheets, all items were found in the waste basket. SA HENDERSON marked and placed the evidence in the CID evidence room at 1145, 23 Mar 13.

AGENT'S COMMENTS: PV2 VANCE's room was in slight disarray. The sheets and pillow were wadded up on the floor, clothes were on the floor and piled on the desk and chair, papers were scattered on the floor, and clothing items were found in the garbage can. The bottle of Mike's hard lemonade was almost full; the Bud Light can was almost empty. No other alcohol was present in the room. Two bottles of prescription medication was on the counter in PV2 VANCE's bathroom: one bottle of ibuprofen (800mg), and a bottle of zolpidem (10mg). Both were partially full and both had current prescriptions to PV2 VANCE from the FAAH.

About 1030, 23 Mar 13, SA BROWN interviewed SPC Peter JACOBS in his barracks room, #220, bldg 1775. SPC JACOBS relayed he hosted a party in his room the night of 22 Mar 13. There was alcohol at the party; SPC JACOBS stated that he did not provide the alcohol. SPC JACOBS witnessed PV2 VANCE and SGT ARCHIE interacting at the party. He stated PV2 VANCE seemed to be having a good time. At about 2300 the party broke up and everyone except SGT ARCHIE left SPC JACOBS room. SGT ARCHIE hung around for a little while, but then left when SPC JACOBS momentarily left his room. The next time SPC JACOBS saw SGT ARCHIE was later that night/morning at an off-post nightclub, "Rumors."

About 1100, 23 Mar 13, SGT ARCHIE's 1SG (1SG Duke LACEWELL, B Co, 1st BSB, 3rd BDE, 54th ID) contacted SA HENDERSON seeking clarification about the request that SGT ARCHIE and SGT FREDERICKSON come to CID. After speaking with SA HENDERSON, 1SG LACEWELL stated that he would locate SGT ARCHIE and SGT FREDERICKSON and bring them to CID.

At 1310, 23 Mar 13, SA HENDERSON advised SGT ARCHIE of his legal rights, which he waived and provided a statement wherein he disclosed he engaged in sexual intercourse with PV2 VANCE on the night of 22 Mar 13. SGT ARCHIE stated the sexual intercourse was consensual and he did not use physical force nor restrain PV2 VANCE at any time.

About 1300, 23 Mar 13, SA BROWN interviewed SGT Michael FREDRICKSON, B Co, BSB, 3BCT. SGT FREDRICKSON is friends with SGT ARCHIE and attended the barracks party with SGT ARCHIE on 22 Mar 13. SGT FREDRICKSON stated SGT ARCHIE had talked about PV2 VANCE in the past and stated, "I'd hit that," or words to that effect. At the party, SGT FREDRICKSON witnessed SGT ARCHIE dancing with PV2 VANCE. He also stated SGT ARCHIE gave PV2 VANCE the "pink drinks," referring to the Mike's Cranberry.

About 1530, 23 Mar 13, SA HENDERSON contacted Ms. Lynn SMITH, SANE at FAAH, and coordinated for SGT ARCHIE to undergo a Sexual Assault Forensic Exam (SAFE). SGT ARCHIE was escorted to FAAH by SA BROWN.

About 1600, 23 Mar 13, SA BROWN obtained a copy of PV2 VANCE's Sexual Assault Forensics Examination (SAFE) report. SA BROWN reviewed the report and interviewed Mrs. SMITH, who had provided the forensic examination of PV2 VANCE. She explained that during the course of this examination, patients are screened for signs and symptoms associated with STDs and any other illnesses. Mrs. Smith related, while undergoing a SAFE, patients are questioned about any knowledge or history of STDs. Mrs. Lyons also stated that any physical marks and/or abnormalities found in the patient are documented and photographed as part of the examination.

About 1800, 23 Mar 13, SA (CW3) James TYLER, SAC, Ft. Atterbury CID Office, conducted an initial review of the investigation. SA TYLER directed SA HENDERSON to re-interview SGT ARCHIE about information present in other statements taken on 23 Mar 13.

About 1830, SA HENDERSON contacted 1SG LACEWELL and requested that SGT ARCHIE return to the CID office for a follow-up interview. 1SG LACEWELL stated that he would personally escort SGT ARCHIE to the appointment.

About 1900, 23 Mar 13, SGT ARCHIE and 1SG LACEWELL arrived at the CID Office. SA HENDERSON reminded SGT ARCHIE of the rights advisement he was given earlier and asked SGT ARCHIE if he understood his rights. SGT ARCHIE said he did, and was interviewed by SA HENDERSON, making a second statement. SGT ARCHIE then admitted he provided alcohol to PV2 VANCE on 22 Mar 13, knowing she was under the legal age of 21. SGT ARCHIE also admitted PV2 VANCE told him that them having sex was "not a good idea" and that she "did not want to" have sex.

About 1000, 25 Mar 13, SA HENDERSON updated CPT HARRISON on the status of the investigation. CPT HARRISON coordinated a time to come to the CID office and view the evidence. CPT HARRISON requested all SAFE reports be sent to the United States Army Criminal Investigation Lab (USACIL) once collected.

About 1300, 25 Mar 13, SA HENDERSON received a copy of SGT ARCHIE's SAFE report. SA HENDERSON reviewed the report and interviewed Mr. Jason MCALLISTER, SANE, Ft. Atterbury GH. Mr. MCALLISTER noted there were no findings of any significance noted during the examination.

About 1400, 25 Mar 13, SA HENDERSON collected SGT ARCHIE's SAFE kit from Mr. MCALLISTER. About 1430 on 25 Mar 13, SA HENDERSON collected PV2 VANCE's SAFE kit from Mrs. Lynn SMITH.

About 1610, 25 Mar 13, SA HENDERSON packaged up all evidence collected from PV2 VANCE's room and both SAFE kits. SA HENDERSON then sent all items to USACIL for examination.

About 0845, 25 Mar 13, SA BROWN conducted a criminal history name check of the United States Army Crime Records Center (USACRC) and National Crime Information Center (NCIC), which revealed no derogatory information pertaining to SGT ARCHIE.
///LAST ENTRY///

DoD SEXUAL ASSAULT FORENSIC EXAMINATION REPORT

PRIVACY ACT STATEMENT

AUTHORITY: Section 301 of Title 5 U.S.C. and Chapter 55 of Title 10 U.S.C.; DoDD 6495.01, Sexual Assault Prevention and Response (SAPR) Program; and DoDI 6495.02 Sexual Assault Prevention and Response Program Procedures.

PRINCIPAL PURPOSE(S): Information on this form will be used to document the medical/forensic examination of the sexual assault victim. The DD Form 2911 also documents the reporting preference (Restricted or Unrestricted) of the sexual assault victim as part of the sexual assault prevention and response program.

ROUTINE USE(S): None.

DISCLOSURE: Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.

Vance, Traci
20/000-98-7654
DOB: 02 JAN 1994

F

Patient Identification

Sensitive Information Document

PART I (NOTE: Conduct a SAFE for up to one full week following a sexual assault, or longer if circumstances dictate.)

A. GENERAL INFORMATION (Print or type)

Name of Medical Facility: Fort Atterbury Army Hospital (FAAH)

1a. NAME OF PATIENT (Last, First, Middle Initial) Vance, Traci			b. PATIENT ID NUMBER 000-98-7654			
2a. ADDRESS Ft. Atterbury, IN		b. CITY	c. COUNTY	d. STATE	e. ZIP CODE	f. TELEPHONE (Include Area Code) (1) Home: (2) Work: 555.324.2562
3a. AGE 19	b. DATE OF BIRTH (YYYY/MM/DD) 1994/01/02	c. GENDER (X) <input type="checkbox"/> M <input checked="" type="checkbox"/> F	d. ETHNICITY (X) <input type="checkbox"/> (1) Hispanic or Latino <input checked="" type="checkbox"/> (2) Not Hispanic or Latino	e. RACE (X) <input type="checkbox"/> (1) American Indian/ Alaska Native <input type="checkbox"/> (2) Asian <input checked="" type="checkbox"/> (4) White	<input type="checkbox"/> (3) Black or African American	<input type="checkbox"/> (5) Native Hawaiian/ Other Pacific Islander
4a. ARRIVAL DATE (YYYY/MM/DD) 20130323			b. TIME 0945		5a. DISCHARGE DATE (YYYY/MM/DD) 20130323	
b. TIME 1300						

B. NOTIFICATION AND AUTHORIZATION:

Location of Assault: On Installation Off Installation City County Other
Jurisdiction: City County Other
Civilian or Foreign Assisting Agency:

1a. NAME OF SEXUAL ASSAULT RESPONSE COORDINATOR (SARC) (Last, First, Middle Initial) Christensen, Annie			b. TELEPHONE (Include Area Code) 555.324.5280			
2a. NAME OF SEXUAL ASSAULT FORENSIC EXAMINER (Last, First, Middle Initial) Smith, Lynn		b. RANK 4J02	c. TITLE RN		d. TELEPHONE (Include Area Code) 555.324.5287	
3a. NAME OF VICTIM ADVOCATE (VA) (Last, First, Middle Initial) Hunter, Shannon			b. TELEPHONE (Include Area Code)			
4a. NAME OF MILITARY CRIMINAL INVESTIGATIVE OFFICER (UNRESTRICTED REPORT) (Last, First, Middle Initial) Menderson, William			b. TELEPHONE (Include Area Code) 555.324.8206			
c. AGENCY USACID, Ft. Atterbury, IN			d. ID NUMBER		e. DATE (YYYY/MM/DD) 20130323	
5a. NAME OF SERVICE DESIGNATED EVIDENCE COLLECTING OFFICER (RESTRICTED REPORT) (Last, First, Middle Initial)			b. TELEPHONE (Include Area Code)			
c. AGENCY		d. ID NUMBER	e. DATE (YYYY/MM/DD)	f. TIME	g. RESTRICTED REPORT CONTROL NUMBER (RCN)	

C. REPORTING INFORMATION

<p>1. In unrestricted reporting, I understand that Military Medical Treatment Facilities and Healthcare Providers are required by Department of Defense regulations to report sexual assaults to Military Criminal Investigative Organization authorities (e.g., CID, NCIS, AFOSI). Under these circumstances, the report must state the name of the injured person, current whereabouts, and the type and extent of injuries. In Restricted reporting, I understand that Military Medical Treatment Facilities and Healthcare Providers are required by Department of Defense regulations to report sexual assaults to the Sexual Assault Response Coordinator (SARC).</p>	(Initial) SN
<p>2. The Sexual Assault Response Coordinator (SARC) and/or Victim Advocate (VA) have explained the difference between Unrestricted and Restricted Reporting options. I have elected:</p> <p><input checked="" type="checkbox"/> UNRESTRICTED REPORTING <input type="checkbox"/> RESTRICTED REPORTING (Only applicable to Active Duty, and Reserve and National Guard in active service or inactive duty training)</p> <p>Note: Military dependents under age 18 who have been sexually assaulted by either parent and/or caregiver are not covered under the sexual assault restricted reporting policy.</p>	(Initial) SN
<p>3. I understand what my options are and do not have questions.</p>	(Initial) SN

D. PATIENT CONSENT

<p>1. I understand that the Sexual Assault Forensic Examination (also known as a "SAFE") that I am about to undergo is optional. When I give my consent, a healthcare professional may examine me to find and collect evidence of an assault. I understand that as part of the examination, the provider can collect specimens to include my hair, urine and/or blood, both now and at a later date, if necessary.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<p>Vance, Traci 20/000-98-7654 DOB: 02 JAN 1994</p> <p style="text-align: right;">F</p>
	(Initial) 	Patient Identification

<p>2. I understand that I may withdraw my consent at any time for any portion of the examination and that it will not impact my right to medical care.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>3. I understand that collection of evidence may include photographing injuries and that these photographs may include the genital area.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>4. I understand that samples of my blood and/or urine may need to be tested for drugs as part of my treatment. I also understand that testing for drugs will also show prescriptions, other drugs, and alcohol that I have voluntarily consumed. I understand that illegal drugs or alcohol (if I am under age 21) in my body could be used to show that I engaged in misconduct if I am a Service member. I consent to this testing and the release of the result to law enforcement.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>5. I understand that some of the information that I provide may be collected for health and forensic purposes and provided to health authorities and other qualified persons for a valid educational or scientific interest and/or epidemiological studies. However, none of my personally identifying data (name, patient identification number, etc.) will be disclosed for these purposes.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>6. I hereby consent to a sexual assault medical forensic examination (SAFE).</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>7. If I have elected to make an Unrestricted Report, I understand and consent to the release of my records and all evidence collected from this exam to law enforcement.</p>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>8. If I have elected to make a Restricted Report, I understand that my records and all evidence collected should not be reviewed or tested unless I choose to convert to an Unrestricted Report.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO	(Initial)
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<p>9a. PATIENT SIGNATURE</p> <p style="font-size: 1.2em; font-family: cursive;">Tracie Vance</p>	<p>b. DATE (YYYY/MM/DD)</p> <p style="font-size: 1.2em;">20130323</p>	<p>c. TIME</p> <p style="font-size: 1.2em;">1010</p>
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<p>10. PATIENT PARENT OR GUARDIAN (If applicable)</p>			
<p>a. SIGNATURE</p>	<p>b. ADDRESS (If different from patient) (Include ZIP Code)</p>	<p>c. DATE (YYYY/MM/DD)</p>	<p>d. TIME</p>

<p>11. WITNESS TO PATIENT SIGNATURE</p>			
<p>a. SIGNATURE</p> <p style="font-size: 1.2em; font-family: cursive;">Lynn Smith</p>	<p>b. ADDRESS (Include ZIP Code)</p> <p style="font-size: 1.2em;">FAAH Ft. Aterbury, IN</p>	<p>c. DATE (YYYY/MM/DD)</p> <p style="font-size: 1.2em;">20130323</p>	<p>d. TIME</p> <p style="font-size: 1.2em;">1011</p>

E. PATIENT HISTORY				Vance, Traci 20/000-98-7654 DOB: 02 JAN 1994 F							
1a. NAME OF PERSON PROVIDING HISTORY (Last, First, Middle Initial)								Patient Identification			
Vance, Traci											
b. RELATIONSHIP TO PATIENT		c. DATE (YYYY/MM/DD)		d. TIME							
victim		20130323		1020							
2. PERTINENT MEDICAL HISTORY											
a. LAST MENSTRUAL PERIOD		b. Any recent (60 days) anal-genital injuries, surgeries, diagnostic procedures, or medical treatment that may affect the interpretation of current physical findings? (If yes, describe)									
17 Mar 13		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes									
c. Any other pertinent medical condition(s) that may affect the interpretation of current physical findings? (If yes, describe)											
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes											
d. Any pre-existing physical injuries? (If yes, describe)											
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes "left neck burn from curling iron"											
3. PERTINENT NON-ASSAULT RELATED HISTORY											
a. Other non-assault sexual activity within past 5 days? Do NOT record any other information regarding sexual history on this form.											
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Unsure If yes or unsure, complete items b. through f. below. If no, then check the "No" box to the left and proceed to item 4.											
(X and complete as applicable)		No	Yes	Unsure	(If Yes)						
b. Anal (within past 5 days)?		X			When?						
c. Vaginal (within past 5 days)?		X			When?						
d. Oral (within past 5 days)?		X			When?						
e. Did ejaculation occur?				X	Where?						
f. Was a condom used?				X							
4. POST-ASSAULT HYGIENE/ACTIVITY				Not Applicable if over 5 days							
(X and complete as applicable)		No	Yes			No	Yes				
a. Urinated			X	h. Brushed teeth			X				
b. Defecated			X	i. Gargled/mouthwash			X				
c. Genital or body wipes (If yes, describe)		X		j. Vomited		X					
d. Douched (If yes, with what)		X		k. Ate or drank			X				
e. Removed/inserted				l. Used cream/ointment/lotion on body part involved in assault (If yes, describe)		X					
<input type="checkbox"/> Tampon <input type="checkbox"/> Diaphragm <input type="checkbox"/> Nuva ring		X		m. Changed clothing (If yes, describe)			X				
f. Oral gargle/rinse		X		n. Changed body piercings (If yes, describe)		X					
g. Bath/shower/wash			X				X				
F. ASSAULT HISTORY											
1a. DATE OF ASSAULT(S) (YYYY/MM/DD)				2. LOCATION AND PERTINENT PHYSICAL SURROUNDINGS							
20130322				1BSB, 3BCT, Bldg 1775, Room 105							
b. TIME				Ft. Aterbury, IN							
2330											
3. PHYSICAL EFFECTS OF ASSAULT. If injuries are described or if remarkable findings or possible trauma are observed, please photograph.											
a. Non-genital injury, pain and/or bleeding (including tenderness). (If yes, describe.)											
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes legs sore ~ "attributed to PT." Tenderness to R shoulder and slight discoloration. (See diagram A p.6 of 14)											
b. Genital/rectal injury, pain and/or bleeding (including tenderness). (If yes, describe.)											
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes "my vagina hurts" pt. states pain "4 out of 10" on pain scale											
4. INJURIES INFLICTED UPON THE ASSAILANT(S) DURING ASSAULT? (If yes, describe injuries, possible locations on the body, and how they were inflicted.)											
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes											
5a. NUMBER OF ASSAILANT(S)				b. ASSAILANT(S) RELATIONSHIP TO VICTIM (Indicate/number all that apply)							
2				<input type="checkbox"/> Stranger <input type="checkbox"/> Acquaintance <input type="checkbox"/> Relative (Specify) _____ <input checked="" type="checkbox"/> Other (Specify) SGT in BSB, 3BCT							

G. PATIENT'S DESCRIPTION OF THE ASSAULT

Please record the patient's description of the assault.
Add additional pages if necessary.

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"I saw SGT Archie at a barracks room party. He gave me a bottle of "Mike's Cranberry" and we danced for a couple of songs. SGT Archie began to make me feel uncomfortable by touching me inappropriately so I told him I had to leave. I was nervous because I have a boyfriend who is deployed. Me and my friend left the party. I went to my barracks room and got ready for bed. A while later SGT Archie knocked on my door to return my sweatshirt. I was surprised to see him because I never told him where I lived and there are no names on the door. I also thought it was strange that he had my hoodie because I did not give it to him at the party. I didn't really want him to come in, but I felt somewhat obligated. Once inside, he gave me another "Mike's Cranberry" and sat on my bed. SGT Archie kissed me and I told him that it wasn't a good idea. He kissed me again and then pushed me down on the bed. He laid down on top of me and held me down so I couldn't move, pulled my shorts to the side, unzipped his pants, and penetrated me with his penis. When he was finished, he got up and said, 'that was good baby.' I took a shower after he left my room."

————— NOTHING FOLLOWS —————

H. ACTS DESCRIBED BY PATIENT - Describe any penetration of the genital, anal or oral opening, no matter how slight or brief. - Type of sexual intercourse (oral, vaginal, anal). - If more than one assailant, identify by number.	Vance, Traci 20/000-98-7654 DOB: 02 JAN 1994 F
Patient Identification	

1. PENETRATION OF VAGINA BY	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Attempted	<input type="checkbox"/> Unsure	Describe:
a. Penis					"He pulled my shorts to the side, unzipped his pants, and put his penis in my vagina."
b. Finger	<input checked="" type="checkbox"/>				
c. Object (If yes, describe the object)	<input checked="" type="checkbox"/>				

2. PENETRATION OF ANUS BY	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Attempted	<input type="checkbox"/> Unsure	Describe:
a. Penis	<input checked="" type="checkbox"/>				/
b. Finger	<input checked="" type="checkbox"/>				
c. Object (If yes, describe the object)	<input checked="" type="checkbox"/>				

3. ORAL COPULATION OF GENITALS	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Attempted	<input type="checkbox"/> Unsure	Describe:
a. Of patient by assailant	<input checked="" type="checkbox"/>				/
b. Of assailant by patient	<input checked="" type="checkbox"/>				

4. ORAL COPULATION OF ANUS	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Attempted	<input type="checkbox"/> Unsure	Describe:
a. Of patient by assailant	<input checked="" type="checkbox"/>				/
b. Of assailant by patient	<input checked="" type="checkbox"/>				

5. NON-GENITAL ACT(S)	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> Attempted	<input type="checkbox"/> Unsure	Describe:
a. Licking	<input checked="" type="checkbox"/>				"He kissed me on the mouth and neck."
b. Kissing		<input checked="" type="checkbox"/>			
c. Suction injury	<input checked="" type="checkbox"/>				
d. Biting	<input checked="" type="checkbox"/>				
e. Strangulation/choking	<input checked="" type="checkbox"/>				

6. OTHER ACT(S) (Describe)	/
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7. DID EJACULATION OCCUR?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Unsure	
(If yes, location(s))				
<input type="checkbox"/> Mouth	<input type="checkbox"/> Rectum	<input type="checkbox"/> Other (note location(s))		
<input type="checkbox"/> Vagina	<input type="checkbox"/> Body surface			
<input type="checkbox"/> Genitals	<input type="checkbox"/> On clothing			
<input type="checkbox"/> Anus	<input type="checkbox"/> On bedding			

8. CONTRACEPTIVE OR LUBRICANT PRODUCT(S)	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Unsure	Describe Type/Brand, if known:
a. Condom used?				/
b. Lubricant used?	<input checked="" type="checkbox"/>			
c. Other Contraceptive used?	<input checked="" type="checkbox"/>			

I. GENERAL PHYSICAL EXAMINATION
 - Record all findings using diagrams, legend, and a consecutive numbering system.
 - If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

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F

1a. Weight 115	b. Blood Pressure 125/80	c. Pulse 91	d. Resp 16	e. Temp 98.6	f. Pulse Oxygen
2a. Exam Started			b. Exam Completed		
Date (YYYYMMDD) 20130323	Time 0945	Date (YYYYMMDD) 20130323	Time 1300	Patient Identification	

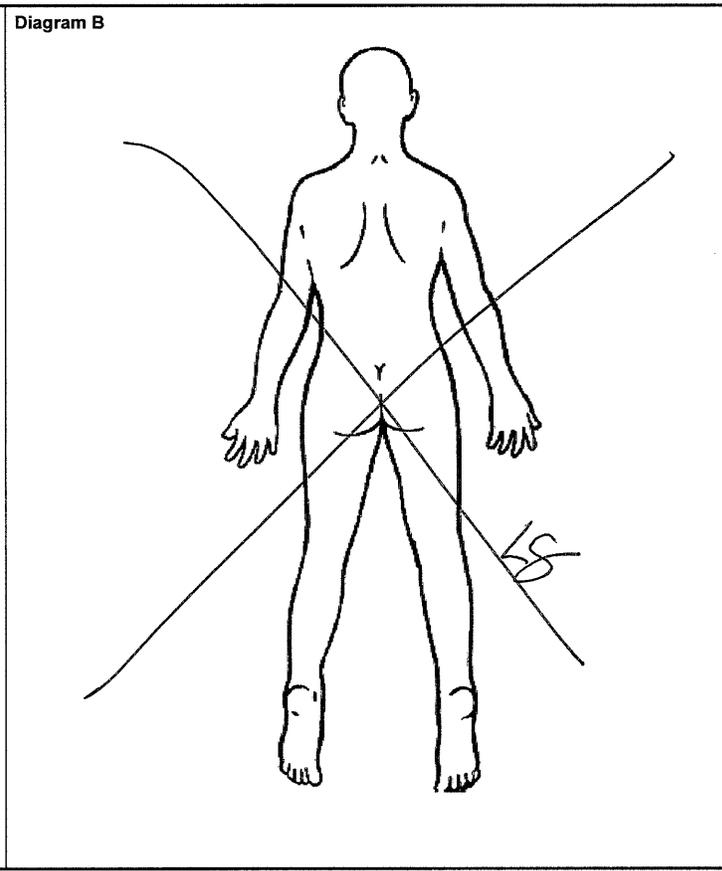
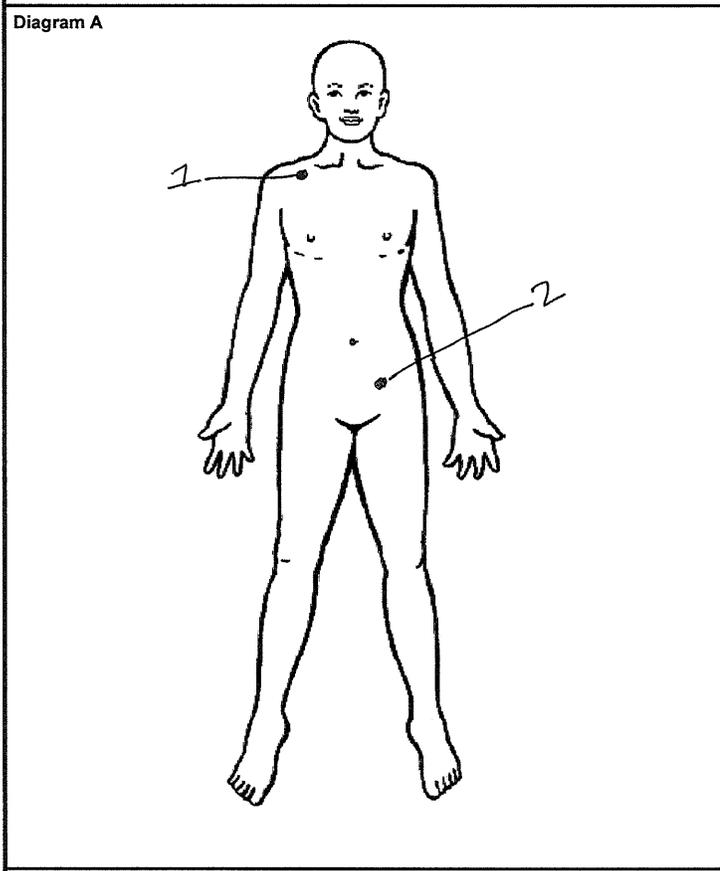
3. Describe general physical appearance. (Use observations, not conclusions.) hair undone, red face/cheek, no makeup, no visible bleeding upon observation	4. Describe general demeanor. (Including affect, behavior and orientation. Use observations, not conclusions.) quiet, crying at times with questions, wringing her hands while sitting on exam table	5. Describe condition of clothing upon arrival. (If the patient has not changed after the assault) /
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6. Collect outer and underclothing if indicated. <input type="checkbox"/> Not indicated <input checked="" type="checkbox"/> Underwear collected	7. Conduct a physical examination. Use the history obtained earlier to guide your examination and recovery of evidence. <input checked="" type="checkbox"/> Findings <input type="checkbox"/> No Findings Observed
--	---

8. Scan the entire body with an Alternate Light Source (such as a Wood's Lamp). Collect dried and moist secretions, stains, and foreign materials from the body. Label box and envelope with the location of the collection.
 Findings No Findings Observed

9. Was there a history of scratching? No Yes Unsure If yes or unsure, collect fingernail clippings. If there is not enough fingernail to clip, then swab fingernails.

10. Was there a history of kissing, licking or sucking parts of the body? No Yes Unsure If yes or unsure, collect swabs of the body areas that were believed to be contacted by the suspect's mouth. (Head and genitals are addressed in the next sections.)



LEGEND: TYPES OF FINDINGS. RECORD ALL CLOTHING AND SPECIMENS COLLECTED IN SECTION O.

AB Abrasion	BU Burn	DF Deformity	FB Foreign Body	MS Moist Secretion	PE Petechiae	SW Swelling
ALS Alternate Light Source	CS Control Swab	DS Dry Secretion	IN Induration	OF Other Foreign Materials (describe)	PS Potential Saliva	TB Toluidine Blue®
BI Bite	CT Contusion (bruise)	ER Erythema (redness)	IW Incised Wound	OI Other Injury (describe)	SHX Sample Per History	TE Tenderness
	DE Debris	F/H Fiber/Hair	LA Laceration		SI Suction Injury	V/S Vegetation/Soil

Locator #	Type	Description	Locator #	Type	Description
1	DF	Slight discoloration (red/purple), 2 in diameter	2	DF	mid-clavicular pic #4,5,6
2	DF	heart tattoo			
LS 20130323					

J. HEAD, NECK, THROAT AND ORAL EXAMINATION
 - Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.
 - If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

1. Examine the face, head, hair, scalp, neck and throat for injury and foreign materials.
 Findings No Findings Observed

2. Collect dried and moist secretions, stains, and foreign materials from the face, head, hair, neck, throat and scalp. Findings No Findings Observed

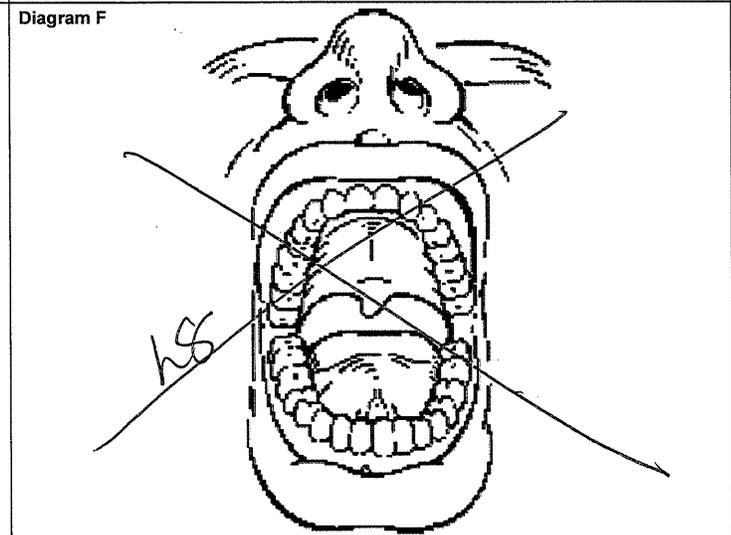
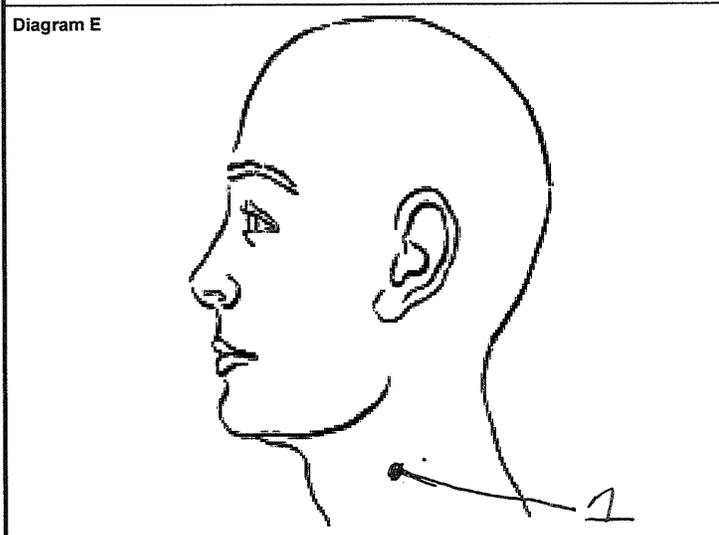
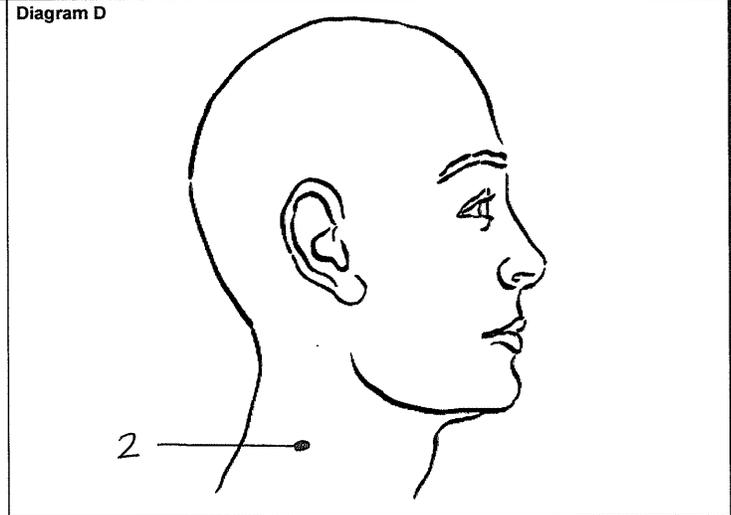
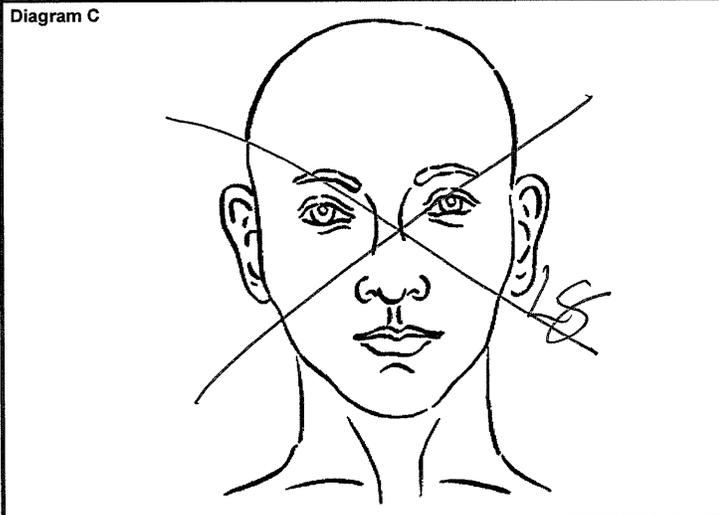
3. Examine the oral cavity for injury and foreign material (if indicated by assault history). Collect foreign materials.
 Exam done: Not applicable Yes Findings No Findings Observed

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4. Collect at a minimum 1 external mouth swab and 2 swabs from the oral cavity (if indicated by history).

5. Collect head hair combing or brushing.



LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.

AB Abrasion	BU Burn	DF Deformity	FB Foreign Body	MS Moist Secretion	PE Petechiae	SW Swelling
ALS Alternate Light Source	CS Control Swab	DS Dry Secretion	IN Induration	OF Other Foreign Materials (describe)	PS Potential Saliva	TB Toluidine Blue®
BI Bite	CT Contusion (bruise)	ER Erythema (redness)	IW Incised Wound	SHX Sample Per History	SI Suction Injury	TE Tenderness
DE Debris	F/H Fiber/Hair	LA Laceration	OI Other Injury (describe)	SI Suction Injury	V/S Vegetation/Soil	

Locator #	Type	Description	Locator #	Type	Description
2	BU	"old burn from curling iron", 1/2 inch long			(pic # 7, 8, 9) LS 20130323
2		Swabbed site per patient report of kiss			
LS 20130323					

K. GENITAL EXAMINATION - FEMALE

- Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.
- If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

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1. Examine the inner thighs, external genitalia, and perineal area.

If there are findings, describe (including location). (If available and appropriate, consider the use of toluidine blue dye.) Findings No Findings Observed

- Abdomen
- Thighs
- Perineum
- Labia majora
- Labia minora
- Clitoral hood and surrounding area
- Perirethral tissue/urethral meatus
- Hymen
- Fossa navicularis
- Posterior fourchette

2. Scan the area with an Alternate Light Source. Collect dried and moist secretions, stains, and foreign materials. Findings No Findings Observed

3. Collect pubic hair combing or brushing. If there is no pubic hair, conduct an external swab of genitalia. *Swabbed on*

4. Examine the vagina and cervix. If there are findings, describe (including location). (If available and appropriate, consider the use of toluidine blue dye.)

Findings No Findings Observed

5. Examine the buttocks, anus, and perineum.

a. Findings from buttocks, anus, or perineum. If there are findings, describe (including location) (If available and appropriate, consider use of toluidine blue dye.) Yes No Findings Observed

b. Collect dried and moist secretions, and foreign materials. Findings No Findings Observed

c. Collect 2 swabs of the perineum. *done* d. Collect 2 anal swabs. *done*

6. Conduct a rectal exam (using anoscope if possible) if rectal injury is suspected or if there is any sign of rectal bleeding.

a. Rectal exam done: Yes Not applicable

b. Rectal bleeding: No Yes

c. Was an anoscopic exam done? No Yes

d. If exam was done, what position was used? Supine Lithotomy Other (describe)

e. If exam was done, describe findings: f. Collect a rectal swab if indicated.

Diagram G

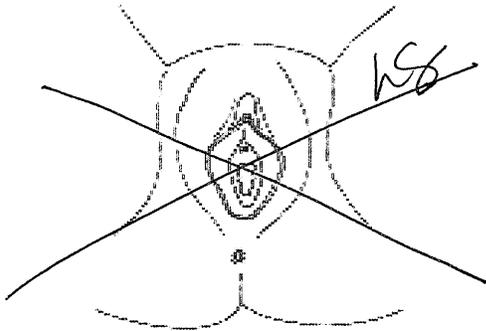


Diagram H

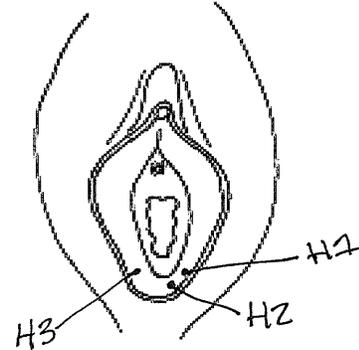


Diagram I

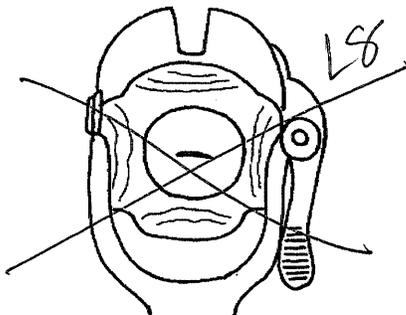
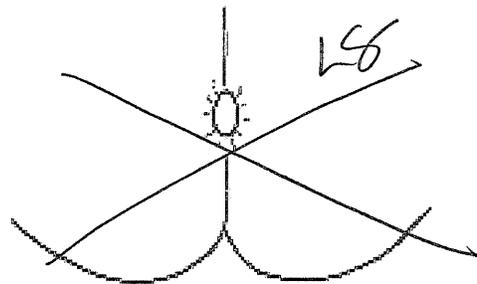


Diagram J



LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.

AB Abrasion	BU Burn	DF Deformity	FB Foreign Body	MS Moist Secretion	PE Petechiae	SW Swelling
ALS Alternate Light Source	CS Control Swab	DS Dry Secretion	IN Induration	OF Other Foreign Materials (describe)	PS Potential Saliva	TB Toluidine Blue®
BI Bite	CT Contusion (bruise)	ER Erythema (redness)	IW Incised Wound	OI Other Injury (describe)	SHX Sample Per History	TE Tenderness
DE Debris	F/H Fiber/Hair	LA Laceration			SI Suction Injury	V/S Vegetation/Soil

Locator #	Type	Description	Locator #	Type	Description
H1	LAC	1 cm linear laceration at 5° no active bleeding			pain "2 out of 10" on pain scale (photos 10, 11, 12)
H2	TB	positive uptake (photos 13, 14, 15)			
H3	TB	5 mm laceration at 7° no active bleeding			pain "0 of 10" on pain scale (photos 16, 17, 18)

L. GENITAL EXAMINATION - MALE
 - Record all findings, including tenderness and pain, using diagrams, legend, and a consecutive numbering system.
 - If injuries are described or if remarkable findings or possible trauma are observed, please photograph.

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1. Examine the inner thighs, external genitalia, and perineal area.
 If there are findings, describe (including location). (If available and appropriate, consider the use of toluidine blue dye.) Findings No Findings Observed

<input type="checkbox"/> Abdomen	<input type="checkbox"/> Urethral meatus	<input type="checkbox"/> Glans
<input type="checkbox"/> Thighs	<input type="checkbox"/> Shaft	<input type="checkbox"/> Testes
<input type="checkbox"/> Foreskin	<input type="checkbox"/> Scrotum	

Patient Identification

2. Circumcised: No Yes

3. Scan the area with an Alternate Light Source (such as a Wood's Lamp). Collect dried and moist secretions, stains, and foreign materials. Findings No Findings Observed

4. Collect pubic hair combing or brushing. If no pubic hair, conduct external swab at base of penis.

5. If indicated by assault history, collect the following swabs: 2 penile and 2 scrotal.

6. Examine the buttocks and perineum (if indicated by history). If there are findings, describe (including location). (If available and appropriate, consider the use of toluidine blue dye.)

a. Findings from buttocks, anus, or perineum. Yes None Observed

b. Collect dried and moist secretions, and foreign materials. Findings No Findings Observed

7. Collect 2 anal swabs.

8. Conduct a rectal exam (using anoscope if possible) if rectal injury is suspected or if there is any sign of rectal bleeding.

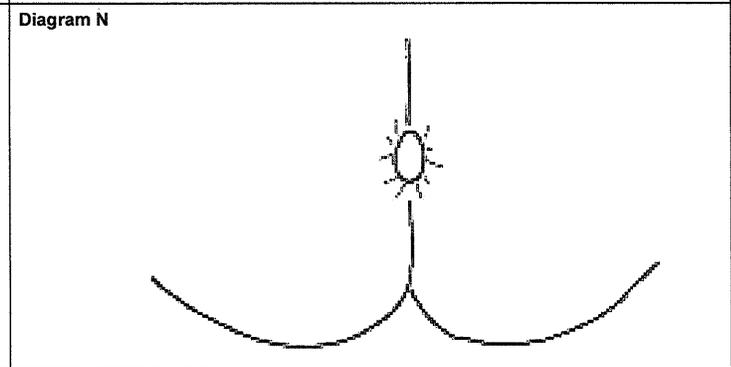
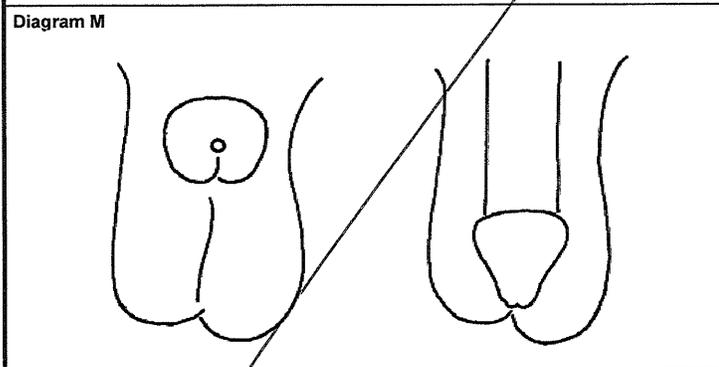
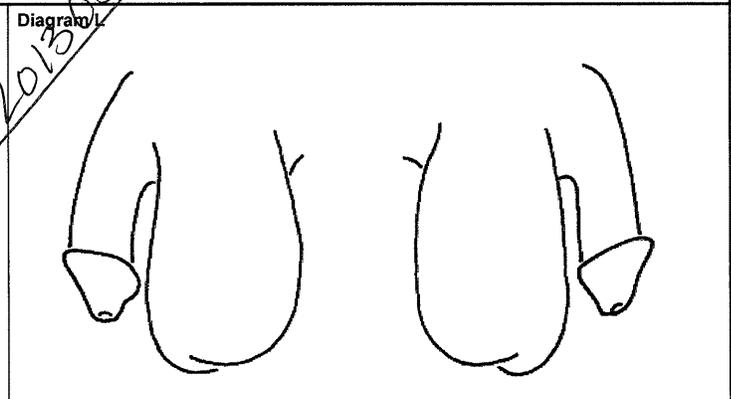
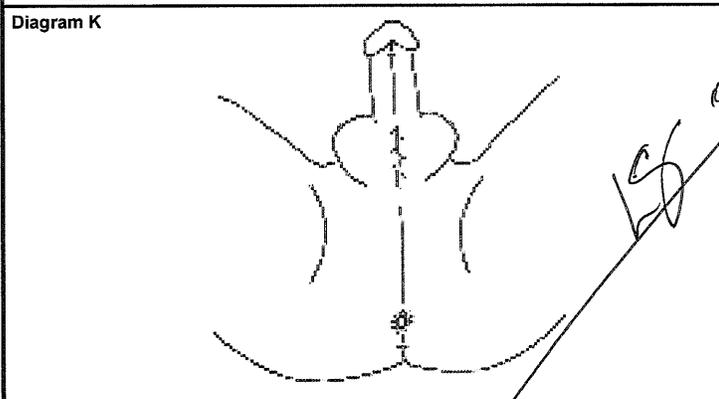
a. Rectal exam done? Yes No

b. Rectal bleeding: Yes None Observed

c. Was an anoscopic exam done? Yes No

d. If exam was done, what position was used? Supine Other (describe)

e. If exam was done, describe findings:



LEGEND: TYPES OF FINDINGS. RECORD ALL SPECIMENS COLLECTED IN SECTION O.

AB Abrasion	BU Burn	DF Deformity	FB Foreign Body	MS Moist Secretion	PE Petechiae	SW Swelling
ALS Alternate Light Source	CS Control Swab	DS Dry Secretion	IN Induration	OF Other Foreign Materials (describe)	PS Potential Saliva	TB Toluidine Blue®
CT Contusion (bruise)	ER Erythema (redness)	F/H Fiber/Hair	IW Incised Wound	OI Other Injury (describe)	SHX Sample Per History	TE Tenderness
BI Bite	DE Debris		LA Laceration		SI Suction Injury	V/S Vegetation/Soil

Locator #	Type	Description	Locator #	Type	Description

M. TOXICOLOGY

Toxicology examples must be collected as soon as possible due to the limited time frame in which they can be collected. If the assault happened within 96 hours of the examination and the answer to any of these questions is Yes or Unsure, use the DoD Toxicology Kit.

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1. Loss of memory? (If yes, describe) No Yes

2. Lapse of consciousness? (If yes, describe) No Yes Unsure

3. Vomited? (If yes, describe. Include location and number of times.) No Yes

4.a. Voluntary ingestion of alcohol/drugs? No Yes Unsure
If yes: Alcohol Drugs (recreational)

b. Involuntary ingestion of alcohol/drugs? No Yes Unsure
If yes: Alcohol Drugs

5. Was a clinical toxicology lab conducted? No Yes

6. FOR UNRESTRICTED REPORTS: Was a DoD Toxicology Kit completed? No Yes

N. RECORD EXAM METHODS

- | | | | | |
|----------------------------------|---|--------------------------|---|----------------------|
| 1. Direct visualization only | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | 5. Toluidine Blue Dye | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | (If Other, describe) |
| 2. Alternate Light Source | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | 6. Anoscopic exam | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | |
| 3. Digital Camera | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | 7. Vaginal speculum exam | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | |
| 4. Colposcope or Other Magnifier | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | 8. Other | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | |

O. OBSERVATIONS. Please describe your observations.

Nothing follows 20130323

P. EVIDENCE COLLECTED									
1. TOXICOLOGY KIT		No	Yes	Time Completed					
		X							
Completed By		Released To							
						Patient Identification			
2. CLOTHING		No	Yes	Time Completed	Completed By	Released To			
a. Undergarments placed in evidence kit			X	1030	Smith, Lynn				
b. Clothing placed in bags		X							
3. OTHER:		No	Yes	Time Completed	Completed By	Released To			
a. Swabs, suspected blood		X							
b. Dried secretions			X	1045	L.S.				
c. Fiber/loose hairs		X							
d. Vegetation		X							
e. Soil/debris		X							
f. Swabs/suspected semen		X							
g. Swabs/suspected saliva			X	1045	L.S.				
h. Swabs/Alternate Light Source area(s)		X							
i. Fingernail cuttings		X							
j. Fingernail scrapings/swabbings		X	X	1055	L.S.				
k. Matted hair cuttings		X							
l. Pubic hair combings/brushings - shaved		X							
m. Intravaginal foreign body (If yes, describe)		X							
n. Other types (If yes, describe)		X							
4. ORAL, GENITAL, RECTAL SAMPLES									
	# Swabs	Time Completed	Completed By			# Swabs	Time Completed	Completed By	
a. External oral swab(s)	2	1035	Smith, Lynn		f. Perineal swab(s)	2	1210	Smith, Lynn	
b. Oral cavity swab(s)	2	1038	Smith, Lynn		g. Anal swab(s)	0			
c. Vaginal swab(s)	2	1200	Smith, Lynn		h. Rectal swab(s)	0			
d. Cervical swab(s)	2	1200	Smith, Lynn		i. Other (If yes, describe)				
e. Pubic mound swab(s)	2	1200	Smith, Lynn						
5. REFERENCE SAMPLES		No	Yes	Time Completed	Completed By	No	Yes	Time Completed	Completed By
a. Blood Card			X	0950	Smith, Lynn	d. Other (describe)			
b. Known Head Hair			X	1032	Smith, Lynn	X			
c. Known Pubic Hair <i>shaved</i>		X							

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Q. PHOTO DOCUMENTATION METHODS		Vance, Traci 20/000-98-7654 DOB: 02 JAN 1994 F	
1. TYPE OF CAMERA <input type="checkbox"/> 35 mm <input type="checkbox"/> Polaroid <input checked="" type="checkbox"/> Digital <input type="checkbox"/> Colposcope <input type="checkbox"/> Other		Patient Identification	
2. DISPOSITION OF FILM/DISK 1-CD Disk to CID 1-CD to original patient record			
3. PHOTO LIST			
Photo Number	Description of Photo		
1	Identification pictures of PV2 Vance, Traci		
2	Identification pictures of PV2 Vance, Traci		
3	Identification picture of PV2 Vance, Traci		
4,5,6	(R) mid-clavicular		
7,8,9	burn from curling iron		
10,11,12	posterior fourchette 1cm laceration		
13,14,15	positive uptake of Toluidine Blue		
16,17,18	posterior fourchette 5mm laceration		
19,20,21	close out photos of PV2 Vance, Traci		
<i>nothing follows</i>			
R. OTHER DOCUMENTS INCLUDED - If there are any other documents included with this report, please list:			
<i>LS 20130323</i>			
S. PERSONNEL INVOLVED - Print names.			
1. HISTORY TAKEN BY		Telephone (Include Area Code)	2. EXAM PERFORMED BY
Smith, Lynn		555.324.5287	Smith, Lynn
Telephone (Include Area Code)		Telephone (Include Area Code)	
555.324.5287		555.324.5287	
3. SPECIMENS LABELED AND SEALED BY		4. ASSISTED BY	
Smith, Lynn		<i>LS 20130323</i>	
Telephone (Include Area Code)			
555.324.5287			
T. EVIDENCE DISTRIBUTION			
1. TOXICOLOGY KIT GIVEN TO: N/A		2. EVIDENCE KIT AND BAGS GIVEN TO: Henderson, William CID	
3. ITEMS RETURNED TO PATIENT (describe)		4. OTHER (describe)	
Jeans and t-shirt		<i>LS 20130323</i>	
		Given to:	
U. PERSON RECEIVING EVIDENCE - For Unrestricted Report - MCIQ; for Restricted Report - See Service Policy.			
1. SIGNATURE		2. PRINTED NAME AND ID NUMBER	
<i>William Henderson</i>		Henderson, William	
3. AGENCY		4. DATE (YYYYMMDD)	5. TELEPHONE (Include Area Code)
Ft. Atherbury CID		20130323	555.324.8206

DoD SEXUAL ASSAULT FORENSIC EXAMINATION REPORT

PART II - DoD TOXICOLOGY KIT - FOR UNRESTRICTED REPORTS ONLY

BLOOD AND URINE SPECIMEN COLLECTION INSTRUCTIONS

Notes:

- (A) This kit is to be used in conjunction with a DoD Medical Forensic Examination Kit when the patient indicates that there was memory loss, lapse of consciousness, involuntary or voluntary ingestion of drugs or alcohol, or if toxicology testing is otherwise indicated.
- (B) Collect **both** blood and urine specimens in all cases.
- (C) Urine samples should be collected from the victim as soon as possible due to the short window of detection for many of the drugs (including alcohol) involved in sexual assault.
- (D) Based on timing of evidence pick up, refrigerate the sealed kit. However, if you are in a deployed or natural disaster environment that does not have refrigeration, it will be unlikely to preserve specimen.

STEP 1: Fill out the information requested on the Victim Information Form (next page).

BLOOD SPECIMEN COLLECTION

Note: Blood specimen collection must be performed only by a physician, registered nurse or trained phlebotomist.

STEP 2: Cleanse the blood collection site with the alcohol-free prep pad provided. Following normal hospital/clinic procedure, collect blood using two 10 ml blood collection tubes with 100 mg of sodium fluoride and 20 mg of potassium oxalate. Allow blood tubes to fill to maximum volume.

Notes:

- (A) Immediately after blood collection, assure proper mixing of anticoagulant powder by slowly and completely inverting the blood tube at least five times. **Do NOT shake!**
- (B) Discard venipuncture needle(s) and prep pads as recommended by OSHA guidelines. **Do NOT** place the venipuncture needle(s) or prep pads in the specimen collection box.

STEP 3: Fill out all information requested on two of the three Specimen Security Seals provided. Then remove backing from the two Specimen Seals. Affix center of seals to the blood tube rubber stoppers, and press ends of seals down sides of the blood tubes, then place both filled and sealed blood tubes in specimen holder.

URINE SPECIMEN COLLECTION

STEP 4: Have subject void directly into the urine specimen bottle provided. A minimum of 60 ml is required.

STEP 5: After specimen is collected, replace cap and tighten down to prevent leakage.

STEP 6: Fill out the information requested on the remaining Specimen Security Seal. Affix center of seal to the bottle cap and press ends of seal down sides of bottle, then place urine bottle in specimen holder.

STEP 7: Place specimen holder inside the zip lock bag, then squeeze out excess air and close the bag. Place specimen holder in kit box.

Note: Do not remove liquid absorbing sheet from specimen bag.

STEP 8: Place DoD Toxicology Kit Victim Information form in Toxicology Kit. Retain a copy of the form with the SAFE Report.

STEP 9: Close kit box and affix kit box shipping seal where indicated.

STEP 10: Fill out all information requested on kit box top under "For Hospital Personnel".

STEP 11: Hand sealed kit to investigating agent.

Note: If the officer is not present at this time, place sealed kit in secure and refrigerated area, and hold for pickup by investigating officer. Work with law enforcement/investigating agent to ensure the **CHAIN OF CUSTODY IS MAINTAINED**.

MCIO or investigating agent should mail kit with Form 1323, Toxicological Request Form (found at: www.afip.org) to:

<p>Armed Forces Medical Examiner Division of Forensic Toxicology Bldg 1102 1413 Research Boulevard Rockville, MD 20850</p>	<p>EFFECTIVE 1 DEC 2011: Armed Forces Medical Examiner Division of Forensic Toxicology Bldg 115 Purple Heart Drive Dover AFB, DE 19902</p>
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**DoD TOXICOLOGY KIT
VICTIM INFORMATION FORM
FOR UNRESTRICTED REPORTS ONLY**

Vance, Traci
20/000-98-7654
DOB: 02 JAN 1994 F

1. VICTIM'S NAME (Last, First, Middle Initial)

2. VICTIM'S DATE OF BIRTH (YYYY/MM/DD)

3a. DATE OF SPECIMEN COLLECTION (YYYY/MM/DD)

b. TIME

4. IS VICTIM A SMOKER?

Yes No

5. IS VICTIM TAKING ANY PRESCRIPTION DRUGS?

Yes No

a. IF YES, NAME OF DRUG(S)

b. DATE DRUG(S) LAST TAKEN (YYYY/MM/DD)

c. TIME

6. IS VICTIM TAKING ANY OVER-THE-COUNTER DRUGS?

Yes No

a. IF YES, NAME OF DRUG(S)

b. DATE DRUG(S) LAST TAKEN (YYYY/MM/DD)

c. TIME

7. WHY IS DRUG SCREEN BEING REQUESTED?

8. PERSON COLLECTING SAMPLE

a. NAME (Last, First, Middle Initial)

b. TITLE

c. DATE (YYYY/MM/DD)

2013 03 23

✓

MILITARY PROTECTIVE ORDER

PRIVACY ACT STATEMENT

In accordance with the Privacy Act of 1974 (Public Law 93-579), this notice informs you of the purpose of the form and how it will be used. Please read it carefully.

AUTHORITY: 5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; and National Defense Authorization Act for Fiscal Year 1995, Sec. 534.

PRINCIPAL PURPOSE(S): To inform the service member and the protected person that the commanding officer is issuing an order to the member prohibiting contact or communication with the protected person or members of the protected person's family or household and directing that the member take specified actions that support, or are in furtherance of, the prohibition.

ROUTINE USE(S): Any release of information outside of the Department of Defense shall be compatible with the purposes for which the information is being collected and shall be in accordance with an established routine use for the record system where the information is maintained.

DISCLOSURE: Voluntary. Failure to disclose/verify information will not delay either the issuance of the order or the enforceability of the order.

1. SERVICE MEMBER				2. PROTECTED PERSON <i>(Important: see NOTE)</i>			
a. RANK	b. LAST NAME	FIRST NAME	MI	a. RANK	b. LAST NAME	FIRST NAME	MI
SGT	ARCHIE	RICHARD		PV2	VANCE	TRACI	
c. UNIT B CO, BSB, 3rd BDE, 54th ID				c. UNIT A CO, BSB, 3rd BDE, 54th ID			
d. INSTALLATION Fort Atterbury, IN				d. INSTALLATION Fort Atterbury, IN			

NOTE: Omit information in Item 2 that, if known to the service member in Item 1, could endanger the protected person.

3. INFORMATION SUPPORTING ISSUANCE OF THIS MILITARY PROTECTIVE ORDER

Vance alleges that on 22 March 2013, Archie entered her bedroom, kissed her without permission, then held her down and sexually penetrated her despite her verbal protests that she did not want him to have sexual contact with him. Vance is afraid of Archie, an NCO who she fears may attempt to retaliate against her for complaining to the command.

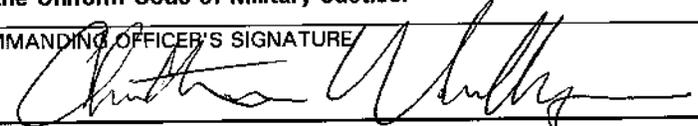
4. THE PROTECTED PERSON HAS ALSO BEEN ISSUED THE FOLLOWING COURT ORDERS:

	a. Civil protection order issued <i>(Date - YYYYMMDD)</i> _____, in _____ Court, _____ County, State of _____		
	b. Order issued <i>(Date - YYYYMMDD)</i> _____, in _____ Court, _____ County, State of _____		Property Settlement Custody and/or Visitation

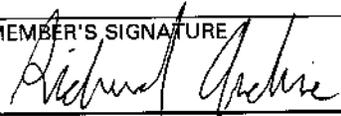
5. As a Commanding Officer with jurisdiction over the above-named service member, I find that there is sufficient reason to conclude that the issuance of an order is warranted in the best interest of good order and discipline. It is hereby ordered that (Initial applicable portions):

- a. The above-named service member is restrained from initiating any contact or communication with the above-named protected person either directly or through a third party. For purposes of this order, the term "communication" includes, but is not limited to, communication in person, or through a third party, via face-to-face contact, telephone, or in writing by letter, data fax, or electronic mail. If the protected person initiates any contact with the service member, the service member must immediately notify me regarding the facts and circumstances surrounding such contact.
- b. The above-named service member shall remain at all times and places at least 150 feet away from the above-named protected person and members of the protected person's family or household including, but not limited to, residences and workplaces. Members of the protected person's family or household include:
- c. The above-named service member will vacate the military residence shared by the parties located at:
- d. Until further notified, the above-named service member will be provided temporary military quarters at:
- e. The above-named service member will attend the following counseling:
- f. The above-named service member will surrender his/her government weapons custody card at the time of issuance of this order.
- g. The above-named service member will dispose of his/her personal firearm(s) that are located or stored on the installation at the time of issuance of this order.
- h. Exceptions to this order will be granted only after an advance request is made to me and approved by me.
- i. Other specific provisions of this order:

6. DURATION: The terms of this order shall be effective until 22 March 2014, unless sooner rescinded, modified, or extended in writing by me.
 ENFORCEABILITY: Violation of this order or an applicable civilian protection order shall constitute a violation of Article 90 of the Uniform Code of Military Justice.

a. COMMANDING OFFICER'S SIGNATURE 	b. DATE (YYYYMMDD) 20130323
--	--------------------------------

7. I hereby acknowledge receipt of a copy of this order and attest that I understand the terms and conditions it imposes on me.

a. SERVICE MEMBER'S SIGNATURE 	b. DATE (YYYYMMDD) 20130323
--	--------------------------------

DISTRIBUTION:
 Service member
 Service member's local personnel file
 Protected person (Custodial parent of protected child)



DEPARTMENT OF THE ARMY
HEADQUARTERS, 54TH INFANTRY DIVISION AND FOR ATTERBURY
FORT ATTERBURY, INDIANA, 46124-9000

REPLY TO
ATTENTION OF:

10 OCT 12

ATCL-CG

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy Memorandum #11 – Barracks Policy

1. Purpose: To establish policy and guidance for single enlisted Soldiers and the chain of command to ensure proper single enlisted Soldiers' living standards and conditions are maintained in the barracks throughout Fort Atterbury.

2. General: Single enlisted Soldiers' living standards and conditions in the barracks are the responsibility of each unit's chain of command.

a. The Soldier has individual responsibilities in this area, and each Soldier should be held accountable within the policies and guidelines established for the barracks. Soldiers deserve to be treated with dignity and respect and be provided a clean, wholesome, healthy, and safe environment that fosters our Army values. A proper environment should provide privacy and comfort, as well as predictable living standards.

b. Each unit commander is responsible to maintain proper living conditions. In order to meet this responsibility, units' chains of command will be directly involved.

c. This policy reinforces the importance of noncommissioned officers' (NCO) leadership in the daily care of subordinates, as well as all leaders' responsibility to ensure standards are maintained and preserve the right of each Soldier to have a clean, healthy living environment with a degree of privacy each day.

3. Policy:

a. Command Presence:

(1) Inspections: Commanders are responsible for single enlisted Soldiers' living conditions. As such, they retain full authority and responsibility to conduct health and welfare and other billet inspections and to enter and/or authorize others to enter rooms under appropriate circumstances, such as proper searches based on probable cause. Enforcing stated standards, caring for Soldiers, and identifying shortfalls in maintenance, safety, or living standards are among the most important responsibilities of commanders and the NCOs. Therefore, leaders will conduct daily checks of Soldiers' rooms. The purpose of these checks will be to enforce standards and identify maintenance issues. I expect unit leaders to check their barracks each weekend. Leader presence in barracks is required.

(2) Staff Duty NCO (SDNCO): SDNCOs will be in the grade of staff sergeant or above and will be knowledgeable of all facets of their assigned duties. They will be identified with

armbands to clearly designate them as symbols of the commander's authority. Promotable sergeants may serve as SDNCO only if a staff duty officer (SDO) is on duty full time. Sergeants may be authorized to serve as SDNCO only when a battalion is deployed/in the field in full. Unit command sergeants major or their designated representatives will brief SDNCOs prior to their assumption of duties, and SDNCOs will conduct a back-brief at the end of each shift, turning in all CQ logs for maintenance by the unit HQ.

(3) Charge of Quarters (CQ): CQs must be in the grade of Specialist (E4) or above and will be knowledgeable in all facets of their assigned duties. CQs will maintain logs of all significant events occurring during their shift and will forward all logs to the unit SDNCO. They will be identified with armbands to clearly designate them as symbols of the commander's authority. Commanders are responsible for living condition standards and will establish a means by which billets are checked during after-duty hours. First sergeants or their designated representative will brief CQs prior to their assumption of duties. Duty rosters for CQs and runners should be published at least 2 weeks in advance.

b. Alcohol: Soldiers 21 years of age or older may possess, consume, and purchase alcohol in accordance with state law, and will not provide alcohol to Soldiers under 21 years of age. Soldiers under 21 years of age may not possess or consume alcohol in the barracks. Only I may establish blanket restrictions on the types and amounts of alcohol Soldiers may possess in the billets, provided they are of legal age to consume and/or possess alcoholic beverages. Commanders may restrict individual Soldiers from possessing alcohol in the billets based on alcohol- or drug-related incidents involving those Soldiers.

c. Pets: Soldiers living in the barracks are not authorized to maintain live pets.

d. Privately Owned Weapons: Privately owned weapons of Soldiers who reside in the barracks must be stored in the units' arms room. All privately owned weapons must be registered through the installation provost marshal office.

e. Visitation: All Soldiers must be afforded private time during each day when no visitors are present. Visitation hours are 1700-2400, Monday thru Friday, and from 1200-2400 on weekends and holidays. All visitors must leave the barracks by 2400. Soldiers may have visitors of either gender. Any non-military visitor below the age of 18 who is not a member of the Soldiers' immediate family (brother or sister) must be accompanied by a parent or legal guardian. When more than one Soldier resides in the room, rights of privacy take priority over visitation. Roommates must jointly agree to visitations prior to any visit, and rights of privacy are to be protected by all during visits. Cohabitation is strictly prohibited; there will be no overnight visits in barracks' rooms. Commanders may request more restrictive visitation policies from the installation commander. Additionally, commanders may limit individual visitation rights as a condition on liberty. Such limitation on an individual should not be used as a punishment.

f. Room Standard: Soldiers will be allowed flexibility to arrange and decorate their rooms consistent with cleanliness to include personal hygiene, safety, property accountability, and consideration and respect for others in the barracks. Commanders are reminded of their

responsibilities IAW AR 600-20, paragraph 4-12, to prohibit the display in billets of flags, symbols, posters, or other materials relating to extremist groups or activities, as well as any clearly offensive materials, in order to ensure good order and discipline. Soldiers will not be required to maintain rooms in a standard configuration in accordance with standing operating procedures. A government-issue refrigerator (1 per Soldier) and microwave (1 per room) are provided. Telephone and cable television access are available; installation and monthly fees are the Soldiers' responsibilities. Civilian blankets, bedcovers, carpets, drapes, furniture, and other personal features in good taste are authorized. Soldiers may purchase, at their own expense, serviceable furniture to be used in lieu of government furniture, within reasonable restrictions necessary to ensure safety.

g. Assignments: The standard is no more than two Soldiers per room for specialists and below. Priority for billet space will go to the single Soldier. Noncommissioned officers will have private rooms when space is available. Single Soldiers, staff sergeant and below, are not entitled to basic allowance for quarters (BAQ), but may live off post at the company-level commanders' discretion. They are not required to maintain a place in the barracks. Soldiers are assigned rooms based on smoking preferences. If a smoker and a non-smoker must room together, the room is designated non-smoking. Commanders may house geographical bachelors on a case-by-case basis, as long as there is no degradation of quality of life for bona fide bachelors.

h. Barracks Standards:

(1) Serviceability: Light fixtures, heating and air conditioning, toilets, windows, and plumbing should function properly. Government-owned equipment, furniture, and appliances will be in good, usable condition. Telephones in public booths should be serviceable, and the booth itself should accommodate individual privacy and shelter needs.

(2) Cleanliness and Sanitation: Inside and outside areas will be routinely policed, and responsibility will be assigned for maintenance of common areas.

(3) Common Areas: The DPW assigns footprints to maintain at least battalion-level unit integrity in coordination with major subordinate command (MSC) and battalion-level command sergeants major. Units will establish programs to enhance the entire community environment of single Soldiers' quarters to promote the sense of civic responsibility and community spirit. Common areas will be painted in earth tones or neutral colors IAW the Installation Design Guide. Landscaping around the unit area is a unit responsibility.

(4) Security: External and internal doors and locks must be serviceable. Measures will be taken to preclude credit cards or other field expedient devices from being used to gain unauthorized entry to individual rooms. Parking lots and walkways will be well lit. Fire extinguishers will be serviceable and routinely inspected.

i. Off-post Billeting for Junior Enlisted Soldiers: Overcrowding in the barracks affects Soldier morale, discipline, and quality of life. Commanders should assess the situation in their

units and submit exceptions to policy for Soldiers, specialist and below, to reside off post. We must approach this smartly, I expect leaders to take ownership of house-hunting challenges, garner the resources of the housing referral office, and do everything possible to secure a clean, safe, off-post living environment for our Soldiers.

j. Education and Training: All unit commanders will ensure that Soldiers and subordinate leaders understand the intent and spirit of this policy. Commanders must be responsible for the well being of their Soldiers and must take an active role in knowing how they live, both on and off post. This policy reemphasizes the role of commanders and the chain of command in supporting the mature, responsible, and accountable majority of our Soldiers, while recognizing the individual Soldiers' responsibilities to each other.

4. Single Soldier Quarters Action Council (SSQAC): The Fort Atterbury command sergeant major will chair a SSQAC that will be responsible for developing a yearly Single Soldier Quarters Action Plan. The SSQAC will meet quarterly to evaluate outstanding barracks' work orders and furniture requirements, allocate resources, and establish priorities. The SSQAC will be comprised of the Fort Atterbury CSM, DPW SGM, installation safety manager, installation budget officer, and the garrison CSM. Major subordinate units' CSMs or their designated representatives are encouraged to participate. The Single Soldier Action Plan and minutes of quarterly SSQAC meetings will be provided to the commanding general for review and approval. Commanders will ensure that unit work orders and furniture requirements are valid and routinely updated; as these will form the basis of the council's decisions.

5. This policy is effective immediately and applies to all personnel assigned, attached, or on temporary duty (TDY) at Fort Atterbury. This policy will not be restated below installation level. All subordinate commands, units, and detachments are prohibited from further supplementation through internal unit policies or SOPs that govern matters addressed in this memorandum without my permission.

6. The provisions of this policy are punitive in nature. Individuals who violate these provisions may be punished under Article 92 of the Uniform Code of Military Justice and may be subject to adverse administrative action.

7. This policy will remain in effect until superseded or rescinded.

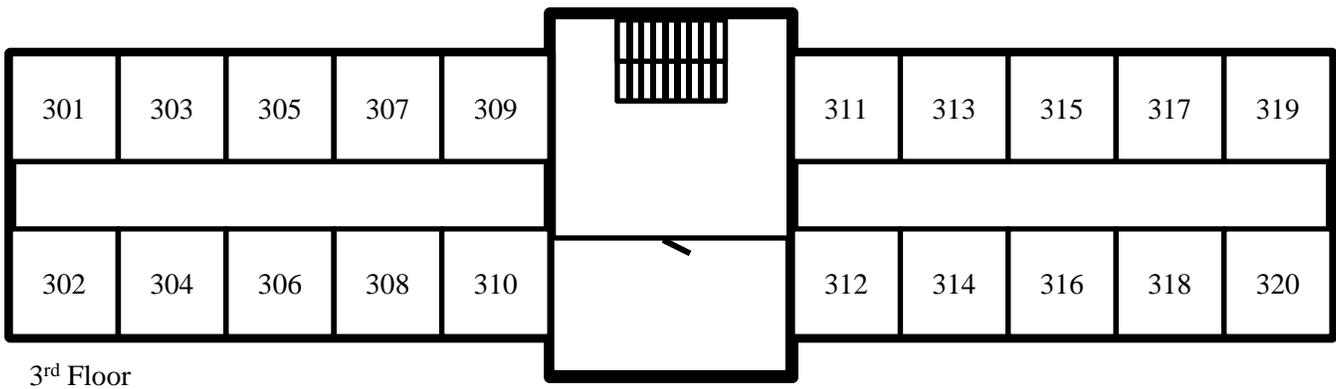
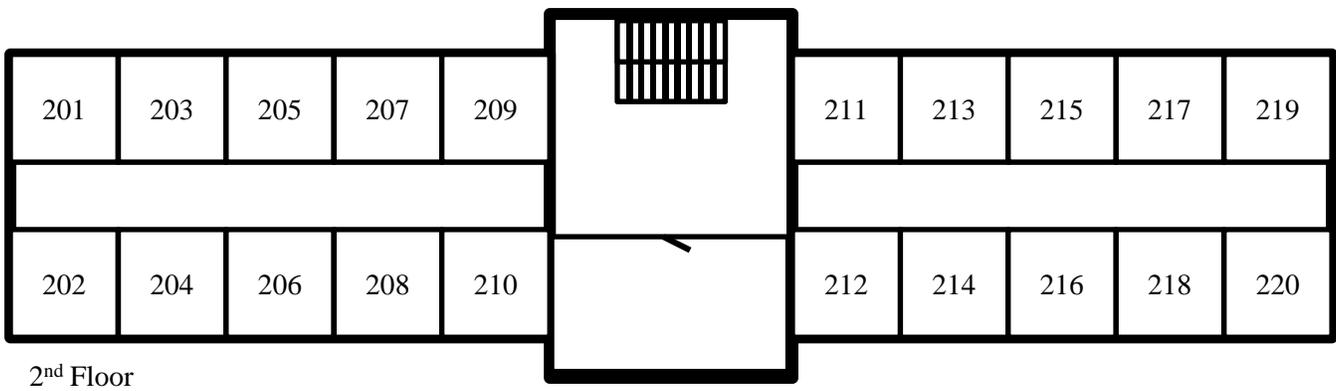
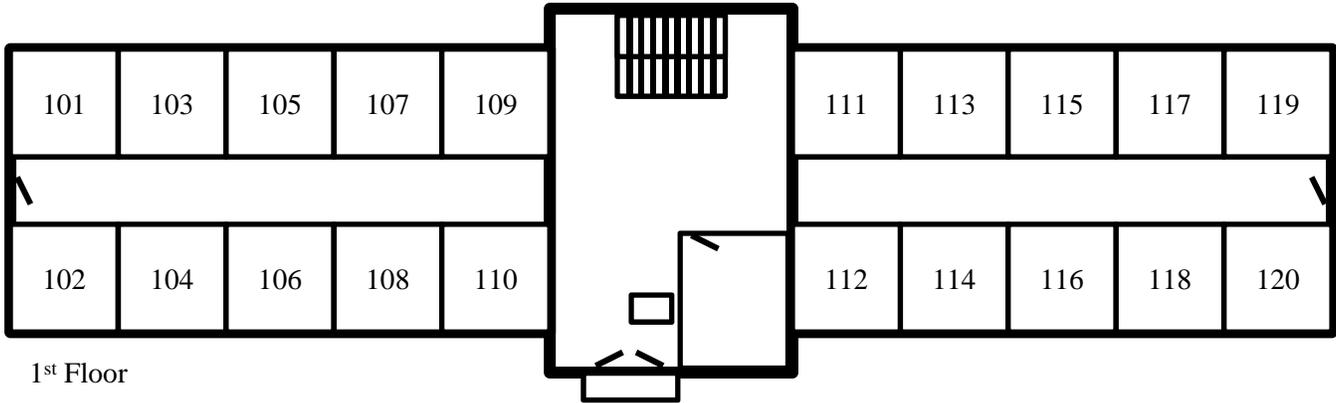
Rex Lloyd

REX LLOYD
Major General, USA
Commanding

DISTRIBUTION:

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File Number: 0258-13-CID004-27665
Location: Building 1775, Fort Atterbury, Indiana
Date: 23 March 2013
Time: 1100
Prepared by: SA William Henderson
NOT TO SCALE



ENLISTED RECORD BRIEF

BRIEF DATE 20130325		NAME ARCHIE, RICHARD M.			RANK – DOR SGT 20110315			PMOS 88M		SSN 000-11-2222			COMPONENT REGULAR								
SECTION I – Assignment Information					SECTION II – Security Data				SECTION III – Service Data				SECTION IV – Personal/Family Data								
OS / DEPLOYMENT COMBAT DUTY					PSI Status none Fld Det PS Stat none PSI Invest INIT none				BASD 20070430		PEBD 20070430		BESD 20070430		Date of Birth 19880618		Birthplace TX				
#S - 0 #L - 1					PSI Invest Compl none				ETS 20140115		DIEMS 20070430		REENL ELIG		Country of Citiz US		Sex/Race MALE / WHITE, NOT HISP				
Start-End Date		CT	MO	TS	TT	SECTION V – Foreign Language				# Days Lost		AGCM DT		AGCM Elig Dt		No of Dependent Adults / Children		Religion			
20081015-20100201		Z	15	1	C	Language Read Listen Speak				PVT		PV2		PFC		SPC		No Religious Pref.			
						C O R				DOR		20070430		20071020		20080730		20090310		Marital Status SINGLE	
						TOT: 15				DLAB		SGT		SSG		SFC		MSG		Spouse Birthplace / Citiz US/US	
Dwell Time		DEROS			SECTION VI – Military Education				DOR		20110315						PULHES 111111		Height/Weight 72/182		
Start		20090715			MEL/MES				DOR		SGM						EFMP DT		#Cmd Sponsored 0		
Month - Days		44Mo 10Days			Course				DOR								Physical Category A		APFT Dt P/F Score 20120917/PASSED/300		
Date Dependents Arrived OS					BASIC NCO CRS (BNCOC)				2011		SECTION VII – Civilian Education				Last Physical Exam		20120630		MMRB Results/dt		
PMOS		88M30			WARRIOR LEADER CRS				2010		Level Completed – HS		Yr 2006								
SMOS					AIR ASSAULT AIRBORNE				2007		Diploma										
Bonus MOS		ASI 00			2007				2007												
Bonus Enlist Elig Dt.					2007				2007												
Promotion Points / YRMO		650/201304			2007				2007												
Prom Seq# 64		Prom Select Dt: 20130214			2007				2007												
Promotion MOS					2007				2007												
ASVAB		Test # / Dt ASVAB 1 / 200x02			2007				2007												
GT	89	ELEC	97	FOOD	91	TECH	104	SECTION VIII – Awards and Decorations				Home of Record		Salado, Texas							
ADMIN	89	FA	84	COMMO	97	BSMV - 1 ASR - 1				Mailing Address		B Co, 1st BSB, 3rd BDE, 54th ID		Fort Atterbury, IN 47201							
CMBT	111	MECH	103	MAINT	108	ARCOM - 3 PHRT - 1				Mil Spouse SSN/MPC											
Delay Separation Reason					AAM - 1 ICMCS - 1				Svc Comp / DoD R/A												
AEA - Dt					AGCM - 2 PRCHTBAD -																
Flag Code		Flag Start Date			Flag Exp Date			NDSM - 1 CAB -													
								GWOTS - 1													
								NOPDR - 2													
								Correspondence CRS Total # Hrs 758													
Date of Loss		Date of Last PCS 20110115			SECTION IX – Assignment Information				Date of Last NCOER 20130314		Org Zip Code 46124		Emergency Data Verified Date 20130114								
ASGT	FROM	MO	UNIT NO	ORGANIZATION	STATION	LOC	COMD	DUTY TITLE	DMOS	ASI	LANG	SECTION X – REMARKS									
PROJ												HIV YRMO 201204 DATE OF LAST PHOTO: 20120110 ASSIGNMENT CONSIDERATIONS DEPLOYMENT RETURNEE									
Current	20110115		W1ETAA	B Co, BSB, 3rd BDE, 54th INF DIV	FT ATTERBURY	IN	FA	MOT TRANS SGT	88M	00	YY										
1 st Prev	20100201	18	WHM3TU	HHC, 2-502 INF, 101 st ABN	FT CAMPBELL	KY	FA	MOT TRANS SGT	88M	00	YY										
2 nd Prev	20081015	15	WHM3TU	HHC, 2-502 INF, 101 st ABN (FWD IZ)	FT CAMPBELL	KY	FA	MOT TRANS OP	88M	00	YY										
2 nd Prev	20071115	11	WHM3TU	HHC, 2-502 INF, 101 st ABN	FT CAMPBELL	KY	FA	MOT TRANS OP	88M	00	YY										
3 rd Prev	20070711	2	0003	C Co, ADVANCED IND TRAINING PLATOON	FT LEONARD WOOD	MO	TD	TRAINEE	88M	00	YY										
4 th Prev	20070430	3	0003	A Co, BASIC CBT TRAINING PLATOON	FT LEONARD WOOD	MO	TD	TRAINEE	88M	00	YY										
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