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H09L111118213

March 29, 2010

Inspector General

United States Department of Defense



ALLEGED MISCONDUCT: GENERAL JAMES E. CARTWRIGHT, U.S. MARINE CORPS VICE CHAIRMAN, JOINT CHIEFS OF STAFF

Warning

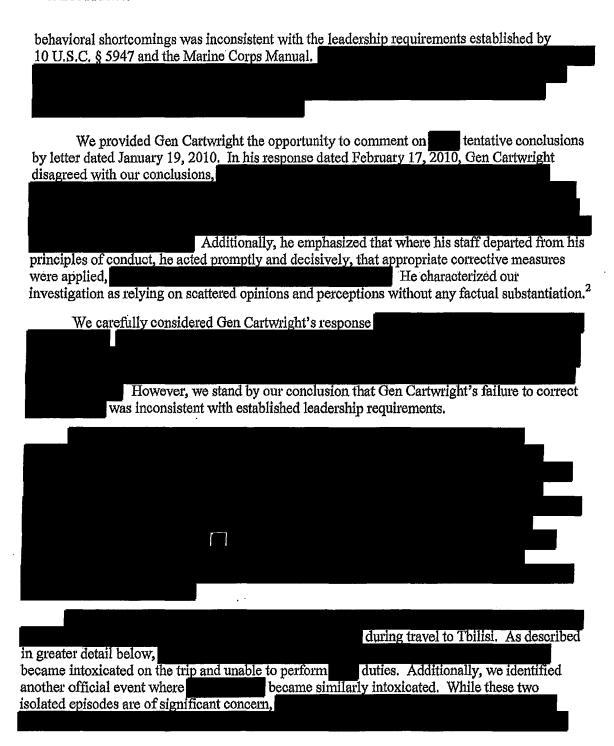
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ALLEGED MISCONDUCT: GENERAL JAMES E. CARTWRIGHT, U.S. MARINE CORPS VICE CHAIRMAN, JOINT CHIEFS OF STAFF

I. <u>INTRODUCTION AND SUMMARY</u>

We initiated the investigation to address an allegation that General (Gen) James E. Cartwright, U.S. Marine Corps, Vice Chairman, Joint Chiefs of Staff (VCJCS), The complaint to this Office alleged that while on temporary duty (TDY) to Tbilisi, Georgia,	
Based on our preliminary review of the matter, we investigated the allegation as potentially constituting	
•	
• Failure to fulfill leadership responsibilities in a manner consistent with Title 10, United States Code, Section 5947 (10 U.S.C. § 5947), "Requirement of exemplary conduct" and paragraph 1100, "Military Leadership," subparagraph 2, "Responsibility" of the Marine Corps Manual.	
We confirmed that Gen Cartwright conducted official travel with his staff, which included to Tbilisi, Georgia, in March 2009.	
However, we confirmed that Gen Cartwright spent several hours alone with in his room in Tbilisi between 11:00 p.m. and 5:00 a.m. on the night of March 30 and morning of March 31, in part for purposes unrelated to official duties,	
Additionally, we concluded that Gen Cartwright's failure to correct	
The complainant identified However, we found that We refer to in this report.	b(2)
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² While we have included what we believe is a reasonable synopsis of Gen Cartwright's response, we recognize that any attempt to summarize risks oversimplification and omission. Accordingly, we incorporated comments from the response throughout this report where appropriate and provided a copy of the response to the cognizant management officials together with this report.

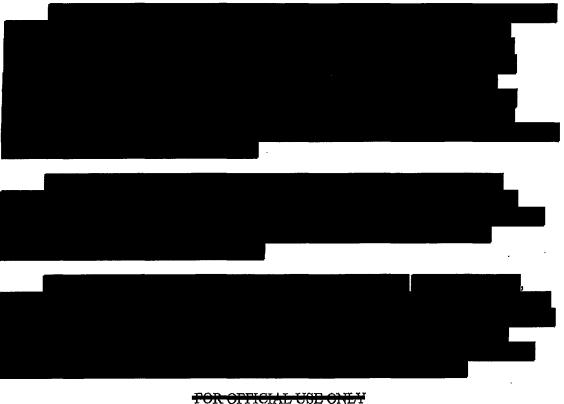
We affirm our conclusion that Gen Cartwright's failure to correct behavioral was inconsistent with established leadership shortcomings on the part of regulations. We disagree with Gen Cartwright's assertion that he fulfilled those responsibilities by referring them to his , because Gen Cartwright was witness to those was not), Gen Cartwright incidents (his and his close relationship with mandated his personal intervention. Additionally, we note recalled that was alerted to the intoxicated behavior by that the in Tbilisi by an outside source (not Gen Cartwright) and raised the matter to Gen Cartwright, did Gen Cartwright only then, after the direct to take corrective action. Given the circumstances, we conclude that Gen Cartwright had an obligation to initiate action promptly on his return.

We recommend that the Secretary of the Navy consider appropriate corrective action with respect to Gen Cartwright.

This report sets forth our findings and conclusions based on a preponderance of the evidence,

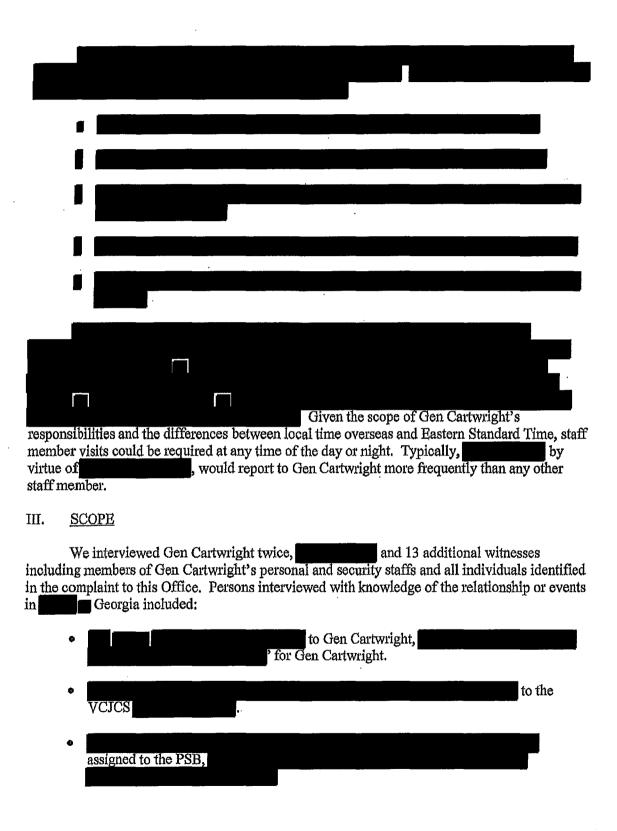
II. <u>BACKGROUND</u>

Gen Cartwright assumed his duties as VCJCS in August 2007. During the prior period of 2004-2007 he served as Commander, U.S. Strategic Command.



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a	detailed to perform Personal Security Officer (PSO) duties in the Office of the VCJCS.
ø	, assigned to the PSB and detailed to perform PSO duties in the Office of the VCJCS.
•	assigned to the PSB and detailed to perform PSO duties in the Office of the VCJCS.
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nvestigati	e examined relevant documents and the standards that govern the issues under on. Specifically, we examined for Gen Cartwright's TDY travel to Tbilisi, Georgia, including duty rosters, itineraries, room ts, and after action reports.
ilent, and ne witness den Cartw	th Gen Cartwright and waived their rights to counsel and to remain provided sworn testimony during the investigation. Both . None of sees we interviewed testified to any knowledge of pright and a conformal or offered evidence that the evidentified no documentary evidence to support

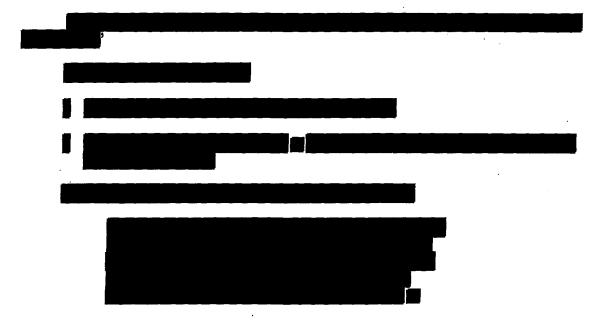
IV. FINDINGS AND ANALYSIS

Standards.

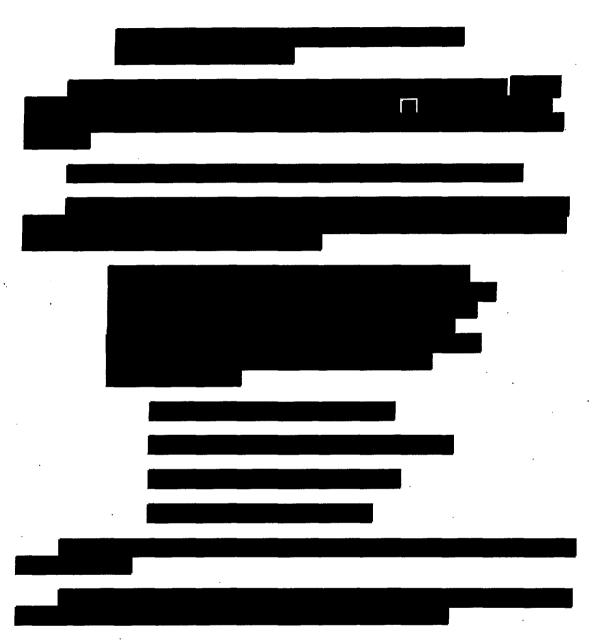
Title 10, United States Code, Section 5947 (10 U.S.C. § 5947) "Requirement of exemplary conduct"

This statute requires all commanding officers and others in authority in the naval service to:3

- show in themselves a good example of virtue, honor, patriotism, and subordination;
- be vigilant in inspecting the conduct of all persons who are placed under their command;
- guard against and suppress all dissolute and immoral practices, and to correct, according to laws and regulations of the Navy, all persons who are guilty of them;
 and
- take all necessary and proper measures, under the laws, regulations, and customs of the naval service, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.



³ 10 U.S.C. 5001 defines a "member of the naval service" as a person appointed or enlisted in, or inducted or conscripted into, the Navy or the Marine Corps.



Marine Corps Manual, Paragraph 1100, "Military Leadership" subparagraph 2 "Responsibility"

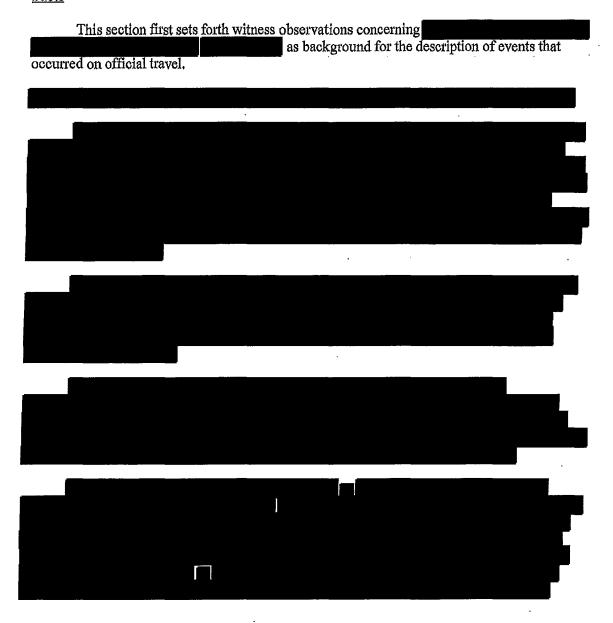
Subparagraph 1100.2.c., states, "An individual's responsibility for leadership is not dependent on authority. Marines are expected to exert proper influence upon their comrades by setting examples of obedience, courage, zeal, sobriety, neatness, and attention to duty."

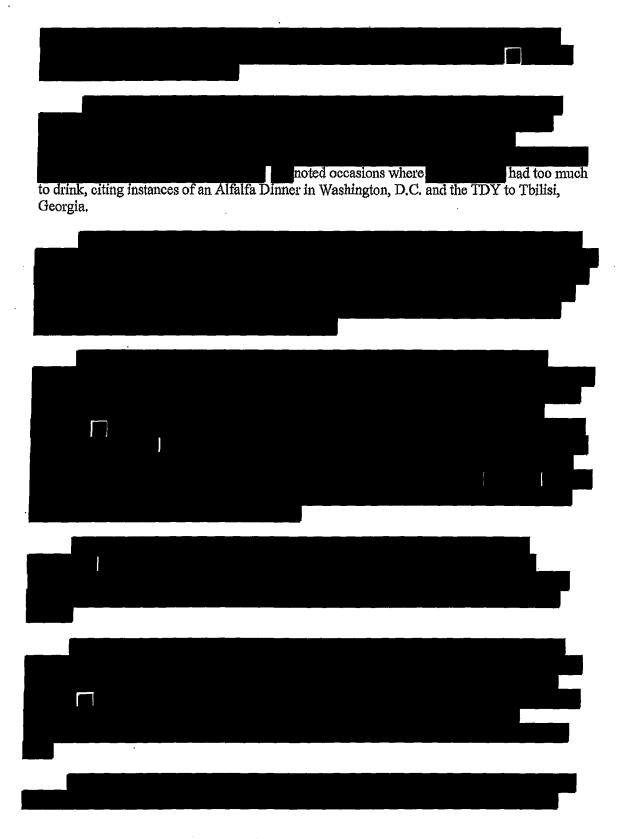
Subparagraph 1100.2.d. notes that the distinguishing privilege of the officer corps is the "special trust and confidence, which is expressly reposed in officers by their commission." Subparagraph (1) states that the basis for that special trust and confidence is the presumption of

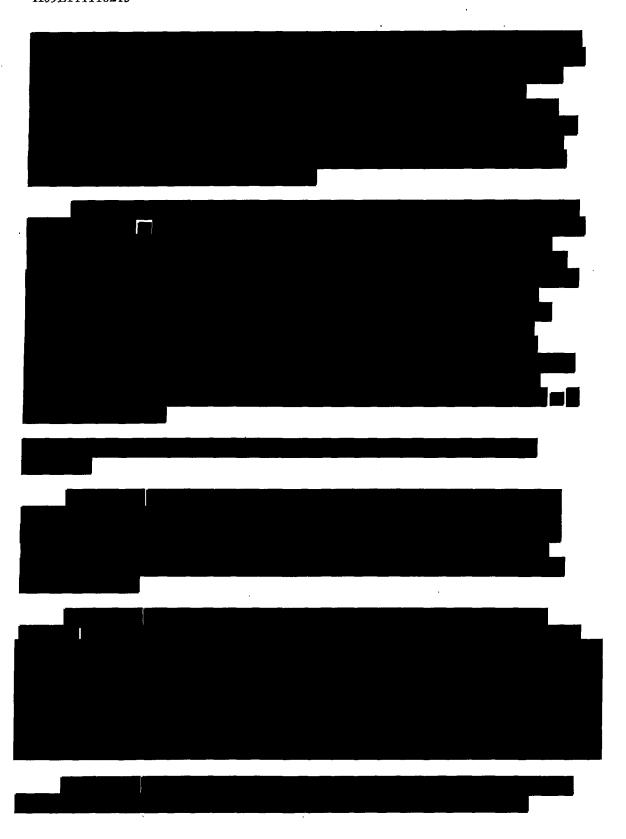
integrity, good manners, sound judgment, and discretion, which "is jeopardized by the slightest transgression on the part of any member of the officer corps." For that reason, subparagraph (1) imposes the following responsibility, which is of particular interest in this case:

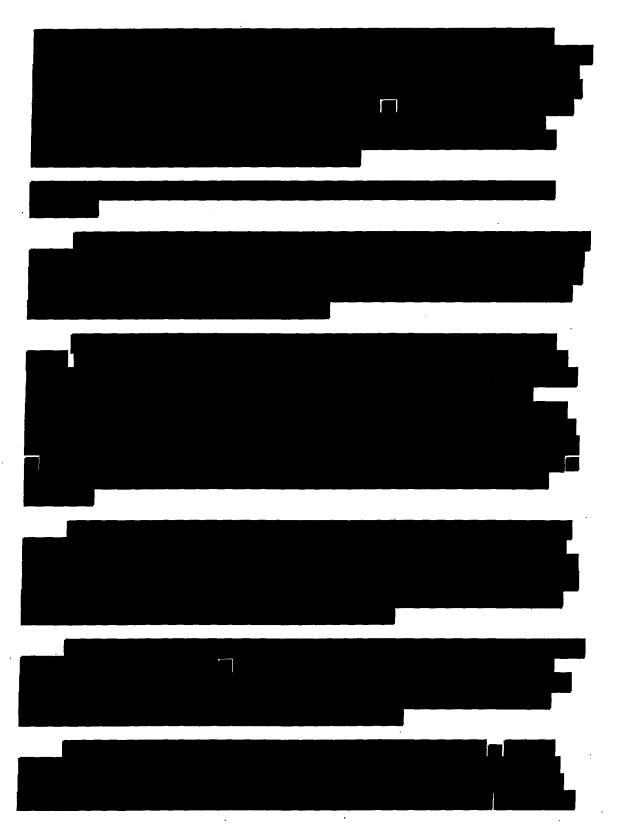
Any offense, however minor, will be dealt with promptly, and with sufficient severity to impress on the officer at fault, and on the officer corps. Dedication to the basic elements of special trust and confidence is a Marine officer's obligation to the officer corps as a whole, and transcends the bonds of personal friendship.

Facts









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Facts Regarding Official Travel to Tbilisi, Georgia, March 20094

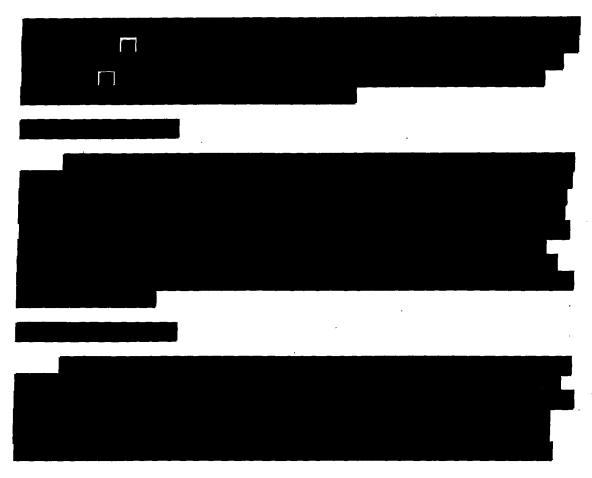
Gen Cartwright and his staff departed from Andrews AFB on March 28, 2009, en route to Tbilisi, Georgia. They made a fuel stop in Shannon, Ireland, arrived in Tbilisi at 7:19 p.m. on March 29, and checked into the

On March 30, 2009,

Gen Cartwright's official itinerary began at 8:45 a.m. with a visit to the U.S. Embassy and concluded at 9:19 p.m. on his return to the hotel from a visit to the residence of the President of Georgia. The group remained overnight in the hotel and departed for the airport at 7:25 a.m. on March 31.

During this trip Gen Cartwright occupied a single large room that included a bench/divan at the foot of his bed.

Witnesses' recall of events and their sequence on the evening of March 30, 2009, was inconsistent. We attribute the inconsistent or conflicting testimony to the passage of time, the consumption of alcohol by some witnesses that evening.



Evening -- March 30, 2009

9:00-11:00 p.m.

Gen Cartwright and his party returned to the hotel about 9:20 p.m. following his participation in the press conference.

Gen Cartwright remained at the hotel, where at 10:00 p.m. and accompanied by he ate dinner in the hotel restaurant, as did several other staff members. He returned to his room at 11:15 p.m.

11:00 p.m.-1:00 a.m.

test	fied went to Gen Ca	artwright's room prior to dinner to assist
him with various tasks. F	ollowing dinner, recalled	went to the hotel lounge,
consumed a glass of wine	, and returned to room w	ith another glass. On arriving in room
telephoned		did not disclose the specifics of
phone call to us, but o	ther witnesses stated	
		explained that the call to
upset very much, and	went to Gen Cartwright's	s room at least two times that evening to

discuss it. went the first time about 11:00 p.m. and stayed until 1:00 a.m. or 2:00 a.m., but could not recall exactly how long a stayed. Less testified was very distraught as discussed with Gen Cartwright and sought advice regarding the situation
stated Gen Cartwright was making phone calls when arrived, and he was dressed in civilian clothing. Explained had consumed wine and was upset and crying, and Gen Cartwright talked through the issues saw a group of staff members who had returned from the bars. They noticed was upset and invited to join them in the hotel lounge. sat with them for a time prior to returning to Gen Cartwright's room, where believed remained for at least 2 hours.
enter Gen Cartwright's room prior to 1:00 a.m. and remained on duty until 8:00 a.m. told that was in Gen Cartwright's room. told us did not recall seeing anyone else enter the room during this period. testified did not recall observing depart Gen Cartwright's room. However, we received consistent testimony that to the lounge area, where joined who had returned from their outing. Witnesses testified and visibly upset, spoke to about about and bought one or two rounds of drinks. 1:00 a.m3:00 a.m.
testified that during second visit to Gen Cartwright's room, stayed at least 2 hours, remaining until 3:30 or 4:00 a.m., or possibly until 45 minutes prior to assembling with the group for departure. Stated that during this visit, one of the came into the room. It was a busy night and Gen Cartwright was on and off the phone. and Gen Cartwright were seated on a bench at the end of the bed where continued to talk
At some point lay back on the bed and fell asleep from the combined effects of listress, fatigue, and alcohol. recalled sleeping in Gen Cartwright's room for approximately 5 minutes, but could not remember who escorted back to own room.
:00 a.m., received a call from the National Military Command Center seeking to contact den Cartwright. Total us that contacted and they went to inform
The itinerary in the indicated "bag drag," the time to gather, screen, and load bags and quipment, would begin at 6:00 a.m. on March 31, 2009. One witness testified bag drag began at 5:30 a.m. The

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Gen Cartwright. testified assisted Gen Cartwright with the phone call and then returned to the room.
testified was asleep when, sometime after midnight, preceived a call from about the call from the National Military Command Center. It stated that and went to assist Gen Cartwright make a secure call, so went back to sleep. Sometime later, between 1:00 a.m. and 3:00 a.m., recalled that knocked on door. Visibly upset and impaired from the effects of alcohol, told about and intent to talk to Gen Cartwright. advised against that because of the late hour. went stated that 20 to 45 minutes later, came back, knocked on Gen Cartwright's door, and entered his room.
3:00-5:00 a.m.
We received varying accounts of the activities of Gen Cartwright's staff, including during this period and the testimony was imprecise or inconsistent regarding times and events. It testified was asleep in room when, at approximately 3:30 or 4:00 a.m. It heard other members of Gen Cartwright's staff return from the bar and disperse to their rooms. It testified that, sometime after 4:00 a.m., the group returned from the bar, but that testified returned from the bar along with the group, and that could not find way to room. It is along with the group, and that testified was with the group as they returned from the bar, but went to Gen Cartwright's room rather than own.
5:00-7:30 a.m.
testified that, at approximately 5:00 a.m. became concerned that "bag drag" — the time to gather, screen, and load bags and equipment — was approaching but there was no sign of Gen Cartwright's bags or of knocked on Gen Cartwright's door, which was ajar, entered, and observed hunched over on the edge of the bed. Toused to assist was too intoxicated to do so observed that was "coming in and out of consciousness," but could not determine whether it was due to exhaustion, intoxication, emotional stress and fatigue, or the fact that had not been asleep all night.
Gen Cartwright's room looking for and found laying on the bed; Gen Cartwright indicated that was asleep. It described that was fully clothed and Gen Cartwright was dressed in uniform pants and a t-shirt. It roused and sent room to prepare for departure.

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hallway.

Bag drag was completed at approximatel	y 5:50 a.m. testified	knocked on
door to make sure was awake		then
reported to in uniform, and tole	d about .	appeared to have
been crying, smelled of alcohol, and believed	was intoxicated.	testified
there was speculation afterward that March 31, 2009.	was still drunk when	reported for duty on
Water 31, 2009.	,	
Gen Cartwright's version of events in Tbilisi		
Gen Cartwright testified that the Tbilisi T Georgia. He believed he spent the first evening is spent the second evening with the Georgian Presi a late night press conference. He stated that, on the hotel due to general security concerns and the escorts would have generated. He, restaurant. All tables were two-person tables and dinner, came into his room for final bed.	n Tbilisi working within to dent, which included thei hat second evening, he che attention his personal and other staff members sat at his to	the U.S. Embassy. He ir joint participation in lose not to dine outsided host-nation security dined in the hotel able. Following
He was awakened between 2:00 and 3:00 a	nmand Center relayed a rument that required his revel and they had been out and wremained ince in making the connect neither the phone call or less. He described that	eview. He stated, drinking." After a ere not able to n his room while tion for his call. He document review, wn on the chair and I was
asked Gen Cartwright if he declined. then departed, which left working on the equipment. Gen Cartwright testific	and	and he , who was staff were out in the

In his initial interview, Gen Cartwright believed was the successfully made the connection. He did not dispute that it was actually when we presented him with that information in a second interview.

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Following the phone call, while he was alone with who was asleep, he worked on the document. At some point while he worked, awake and began talking incoherently:	
I just remember that when woke up that was talking about was talking about being downstairs; there was a lot of conversation there. It seemed emotional, you know, again, but I was occupied at the time both with what I was doing on the terminal and the phone call. So I don't recall a discussion about	
When he finished with the document, stood up, signaled to him that was okay, and departed his room. He believed the whole sequence lasted not more than one hour, that he was alone with for no more than 15 minutes during that time, and that the time left was likely between 3:00 and 4:00 a.m., although he stated it was possible his estimates of elapsed time were wrong. Gen Cartwright stated he had no recollection of what others described as a subsequent visit by following the sequence of events involving the phone call. He told us he went to bed, got about one hour of sleep, rose, changed into his uniform, and then there was a knock on the door for his bags.	t
We asked Gen Cartwright why he chose to leave in condition in his room given the potential perceptions versus having someone escort out. In his first interview he explained that he knew a staff member was returning to his room and that he had not seen had fallen asleep until he turned and realized was not responding to him. In his second interview, he elaborated that he had separated whom he assumed had been drinking together. He believed conditions were such that others in the area clearly had the ability to observe into his room. He recalled "heads pop in and out during this period of time," and felt that he was not really alone.	
Gen Cartwright stated that this trip stuck out in his mind because had obviously consumed significant amounts of alcohol. While he acknowledged their need to "blow off steam," he noticed that clearly hung over the next morning, and did not look well. He expressed to us his discomfort with the general behavior of his staff on the Tbilisi trip. He stated that he did not inquire into events or personally counsel anyone, but looked to as the senior military person in charge of both military and	

18

trip,

drive

home rather than allow

believed the incident had something to do with

civilian staff to inquire into matters. He stated he expected to take appropriate action, but not necessarily to inform him (Gen Cartwright) of actions taken. We received testimony that Gen Cartwright did not speak of the events in Tbilisi until he returned to the Pentagon and based on notification from Army CIDC or other security personnel, conferred with him on the matter. As a result, verbally admonished for the breakdown in discipline which occurred in Tbilisi, and warned that another incident would result in the offender's relief.

Facts Concerning the Alfalfa Club Dinner in January 2009

During our investigation we were made aware of an event that occurred prior to the Tbilisi trip, which was relevant to matters at issue.

testified that in January 2009, and accompanied	
Gen Cartwright to the annual Alfalfa Club Dinner, at which President Obama delivered res	marks
Gen Cartwright and were seated in separate areas during the event. While	
waited for Gen Cartwright in a reception area had a verbal altercation w	ith a
U.S. Secret Service agent who thought had too much to drink. who had a	
observed that was intoxicated, defused the situation by assuring the agent	
would have no more to drink and would talk to no one. When Gen Cartwrig	ht
emerged from the dinner, walked him and to Gen Cartwright's	
recalling, "it was noted was intoxicated." Gen Cartwright instructed	
to make sure got home safely. After dropping Gen Cartwright off at his quar	ters,
drove home.	٠.
As Gen Cartwright did not broach in our first interview the matter of	
conduct at the Alfalfa Club Dinner, we raised the subject in our second interview.	
Gen Cartwright testified that, when he left his table to depart the event that evening, it was	clear
to him that was "inebriated." He suggested to us that might have might have	
been provided drinks that did not expect to contain alcohol. He explained that, on the r	eturn
	to

room which was restricted. Gen Cartwright acknowledged he did not "get more information" on

staff and his regular contacts on the White House staff regarding the matter, and told us he

attempting to access an area or

the incident. When we asked, he responded he did not speak with about the matter, choosing instead to defer to

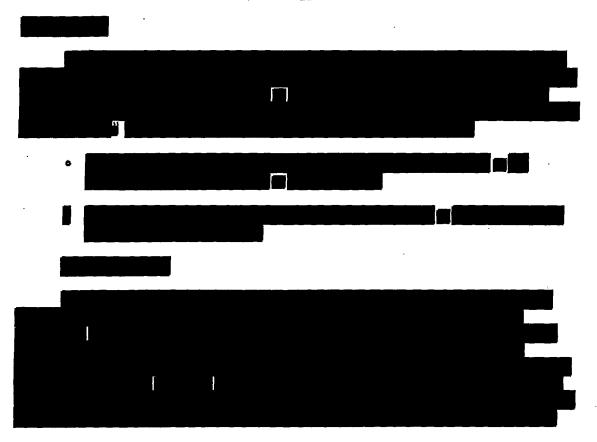
Discussion

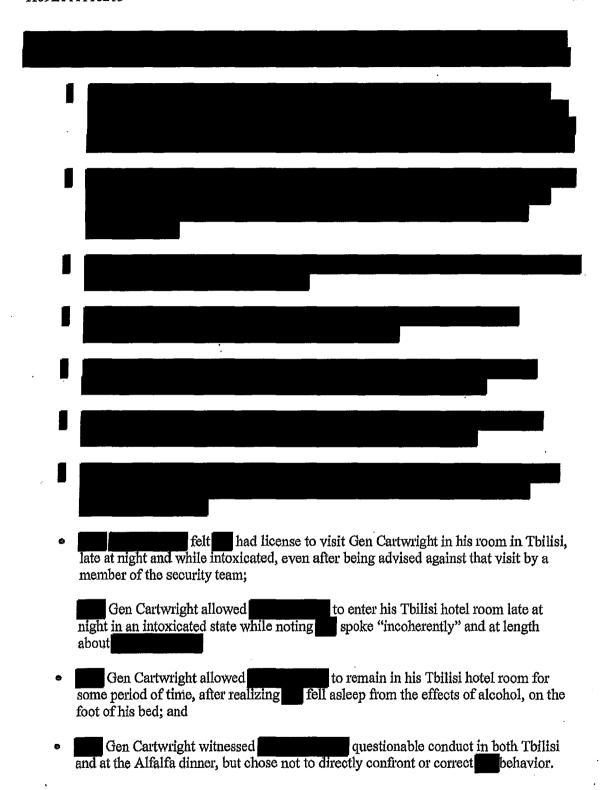


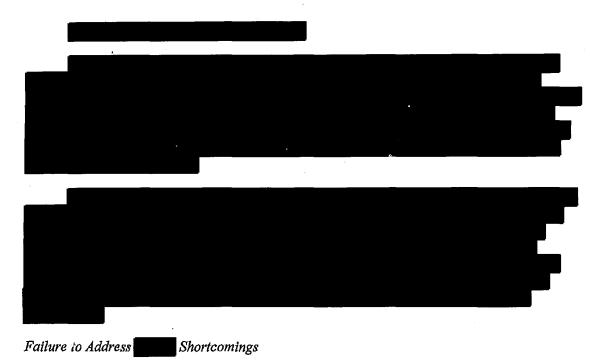
We stand by our original conclusion that Gen Cartwright's failure to correct behavioral shortcomings was inconsistent with the leadership requirements established by 10 U.S.C. § 5947 and the Marine Corps Manual.



We set forth the following analysis to support these conclusions.





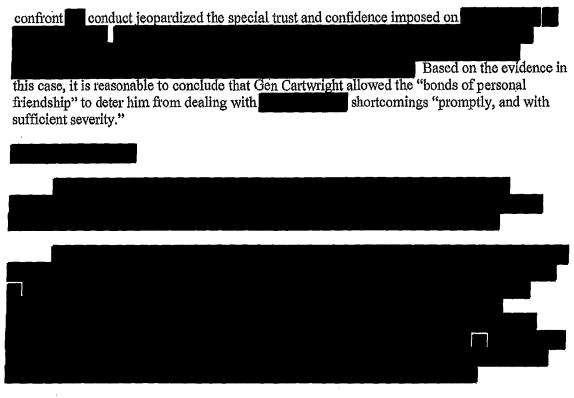


10 U.S.C. § 5947 charges those in authority in the naval service to "guard against and suppress all dissolute and immoral practices" and correct "all persons who are guilty of them." Marine Corps policy, as expressed in the Marine Corps Manual, notes that sound judgment and discretion are among the basic elements that form the basis for the "special trust and confidence" reposed in the officer corps, which is jeopardized by the slightest transgression on the part of any member. Accordingly, "[a]ny offense, however, minor, will be dealt with promptly, and with sufficient severity to impress on the officer at fault." The obligation of every Marine officer to ensure that special trust and confidence is "wholly deserved" transcends the bonds of personal friendship.

Gen Cartwright observed that had become drunk on duty when he departed the Alfalfa Dinner. In addition, he learned there was an incident involving a Secret Service agent, a possible indicator of further unacceptable behavior. We consider his attempts to get the facts behind the incident superficial – most notably, he chose not to speak to on the matter.

Two months later in Tbilisi, again became intoxicated while on duty, this time with members of the staff. Gen Cartwright testified that had been drinking and was unable to resolve a problem with making a telephone connection. He acknowledged remained in his room and talked "incoherently" before falling asleep. The reported late for the bag drag, apparently still suffering from the effects of alcohol. Still, Gen Cartwright did not personally take action to correct behavior.

We conclude that Gen Cartwright did not fulfill his responsibility to impress upon the importance of sobriety and sound judgment, and that his failure to objectively



Response to Tentative Conclusions

We provided Gen Cartwright the opportunity to comment on our tentative conclusions by letter dated January 19, 2010. In his response dated February 17, 2010, which attached a supplemental memorandum signed by Gen Cartwright stated that where his staff departed from his principles of conduct, he acted promptly and decisively, that appropriate corrective measures were applied, He characterized our investigation as relying on scattered opinions and perceptions without any factual substantiation. We carefully considered Gen Cartwright's response, which we found not fully congruent with his previous testimony.



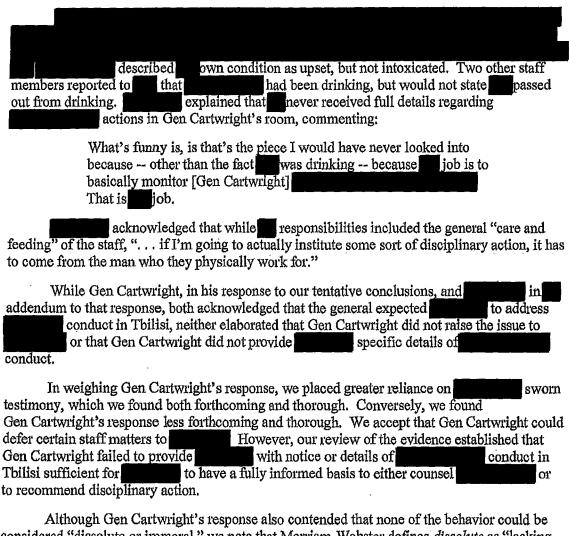
With respect to conduct at the Alfalfa dinner, Gen Cartwright previously testified on November 17, 2009, that when he saw at the conclusion of the Alfalfa dinner, it was clear to him that had been drinking. He described that on the ride home, engaged in "... real constant chatter, but none of it coherent," and "one subject jumping right into the middle of the sentence to another subject." He was sufficiently concerned that he told his security officer to drive home. He recalled that his security officer

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later informed him that a guest had provided to become drunk, the security officer intimating to him (Gen Cartwright) that did not realize what was happening Gen Cartwright stated he was somewhat troubled with the "unwitting" characterization of his conduct. He further testified he made inquiries of his staff and his White House contacts, but never obtained the full set of facts.
In his February 17, 2010, response, Gen Cartwright altered his description of behavior, stating instead that did not appear completely steady, and he thought unsteadiness may have been related to alcohol ingestion. He stated he referred the matter for resolution to his who had ingested only one drink at the event, and that had directed not to drink at official events or while on duty in the future. Although Gen Cartwright described only that the Secret Service had prevented from transitioning a room adjoining the ballroom, the supplemental memorandum provided by described that engaged in an argument and became insubordinate with a Secret Service agent. memorandum further indicated that he asked for inquire with the Secret Service on Gen Cartwright's behalf regarding the potential filing of a complaint.
Regarding events in Tbilisi, the fact that Gen Cartwright permitted to enter his room late at night in an intoxicated state and remain there after falling asleep at the foot of his bed is not in dispute. In testimony, Gen Cartwright acknowledged was unable to assist him in resolving a communications issues, and that he sent for others to assist him.
t he did not want to rejoin, as he was concerned the two had been drinking together, and might continue to drink together if not separated.
In his February 17, 2010, response, Gen Cartwright stated that he retained in Tbilisi hotel room because state of intoxication and emotional distress warranted his personal supervision. We view with concern the fact that Gen Cartwright chose not to personally correct this second instance of intoxication just 2 months after the Alfalfa dinner, particularly because of obvious inability to coordinate staff and security matters prior to leaving Tbilisi.
With respect to events in Tbilisi, testified that after first being informed of events by either Army CIDC or by security personnel, it was twho approached Gen Cartwright rather than Gen Cartwright alerting stated that after brought the matter to Gen Cartwright's attention, the general responded, "Yeah, I heard about it too." told us it was a matter Gen Cartwright expected to deal with. When asked what information did receive from Gen Cartwright, responded, "I got nothing. Gen Cartwright — Gen Cartwright almost never talks to me."

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Although Gen Cartwright's response also contended that none of the behavior could be considered "dissolute or immoral," we note that Merriam-Webster defines dissolute as "lacking restraint, especially marked by indulgence in things (as drink and promiscuous sex) deemed vices." Accordingly, we stand by our initial conclusion that Gen Cartwright did not correct obvious behavioral shortcomings on the part of and, therefore, did not execute his leadership responsibilities consistent with 10 U.S. C. 5947 and Marine Corps policy.

V. CONCLUSIONS



Gen Cartwright's response to obvious behavioral shortcomings on the part of was not consistent with standards for executing leadership responsibilities established by 10 U.S. C. 5947 and Marine Corps policy.

VI. <u>RECOMMENDATION</u>

We recommend that the Secretary of the Navy consider appropriate corrective action with respect to Gen Cartwright.

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