

**DEPARTMENT OF THE ARMY INSPECTOR GENERAL
REPORT OF INVESTIGATION (ROI)
(DCATS 20240320-092814-CASE-01)
(Case 24-00003)**

NAME / POSITION:

General (GEN) Charles R. Hamilton, Commanding General (CG), United States Army Materiel Command (AMC), Redstone Arsenal, AL

ALLEGATION / FINDING: The allegation that GEN Hamilton engaged in a prohibited relationship with a Soldier of a different grade that caused an actual or perceived partiality or unfairness in violation of AR 600-20 (Army Command Policy), paragraph 4-14(b)(2) was substantiated.

I. Introduction

On December 20, 2023, the Department of the Army Inspector General (DAIG) received an anonymous complaint through their online complaint mailbox. The anonymous complainant alleged GEN Charles Hamilton used his “power and position to influence the outcome of an Army Centralized Selection Board.” The complainant also alleged GEN Hamilton had “an inappropriate, fraternizing, and likely a sexual, relationship” with (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) We referred the complaint to the Department of Defense, Office of the Inspector General (DODIG) under DIG 24-90085 on December 21, 2023.² DODIG conducted an intake review into the allegation, and on January 18, 2024, closed the case, finding insufficient evidence in the complaint to warrant further investigation. DODIG notified us of the closure on January 29, 2024.

On March 19, 2024, (b)(7)(C), (b)(6), a reporter for Military.com, informed the Office of the Chief of Public Affairs (OCPA) and the AMC public affairs office he was preparing to release an article based on information from what he considered reliable sources about GEN Hamilton’s interference in an Army Centralized Selection Board on behalf of one unnamed female officer.

The article was published the next day alleging GEN Hamilton interfered with the Battalion Commander Assessment Program (BCAP)³ by “pushing” officials to allow a female officer⁴ found “not yet ready for command” to stand a second panel and then “lobbying at least three generals” on the assessment panel.

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

² DAIG automatically forwards allegations against 3- or 4-star generals to DODIG for disposition.

³ BCAP is part of the process used to select Army Battalion Commanders. Details are in the next section.

⁴ DAIG identified this officer as (b)(6); (b)(7)(C)

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According to the article, GEN Hamilton called three BCAP panel members, Major General (MG) Trevor Bredenkamp, MG Jeth Rey, and MG Hope Rampy during the board process. GEN Hamilton repeatedly contacted Command Assessment Program (CAP) staff throughout the morning of the second panel, asking about interview results, and continued his inquiries until after nine p.m. The second panel once again found (b)(6); (b)(7)(C) "unfit for command."

The article concluded the officer was eventually added to a selection list, but it was "unclear" whether she "managed to get on a third panel" and certified for command, or "skirted" the BCAP process. The article referenced and quoted a Memorandum for Record (MFR) written by (b)(6); (b)(7)(C) CAP.

On March 20, 2024, DODIG referred the allegations against GEN Hamilton to DAIG for investigation.

On March 20, Lieutenant General (LTG) Donna W. Martin, The Inspector General, U.S. Army, directed an investigation into GEN Hamilton's interference into the Fiscal Year 2025 (FY25) BCAP and into the nature of GEN Hamilton's relationship with (b)(6); (b)(7)(C). We were also asked to examine those actions and decisions by Pentagon staff members and Army Senior Leaders (ASLs) that resulted in (b)(6); (b)(7)(C) being "certified for command."⁵

On March 22, The Honorable Christine E. Wormuth, Secretary of the Army, suspended GEN Hamilton from command and removed (b)(6); (b)(7)(C) from the Centralized Selection List (CSL).

II. The Battalion Command Selection Process

Prior to the introduction of BCAP in 2020, the Army selected battalion commanders using a centralized selection board operating on guidance from the Chief of Staff of the Army (CSA). The board would review each eligible officer's file⁶ to include evaluation and performance experiences. Board members would vote each file and the collective scores established an order of merit list (OML). The Army's annual battalion command requirements used this list to create the CSL.

In early 2019, the Army Talent Management Task Force (ATMTF) sought to improve the process. A review of industry, military and academia best practices was used to design a comprehensive assessment program to select battalion commanders, arguably the most consequential leadership position in the Army. The Army's Command Assessment Program (CAP) was designed to ensure the Army selected the most talented officers for lieutenant colonel and colonel command positions.

⁵ To be eligible for the CSL, an officer first must be "certified for command" at BCAP. If an officer was found "not yet certified for command," their file was not forwarded to the next step in the command selection process, the Joint Performance Panel (JPP).

⁶ Eligibility for the centralized selection board was based upon an officer's selection for promotion to the appropriate rank for command.

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The ATMTF designed the CAP to ensure fairness and meritocracy during critical personnel decisions. The purpose of BCAP is to objectively assess candidates and identify the most talented, self-aware leaders for the Army while ensuring a world-class, fair, and consistent experience for each candidate. The BCAP included assessments from peers, subordinates, and a self-assessment by the candidate to address readiness for command, strategic potential, and to help identify counterproductive and ineffective leadership behaviors.⁷

The Army executed a BCAP pilot in 2019,⁸ and in 2020, the CSA directed its implementation for officers competing in the FY21 LTC Army Competitive Category (ACC) CSL Command/Key Billets. The BCAP enhanced the CSL process, but it did not replace it. The legacy CSL Board selected and ranked every officer based on their written performance evaluations. Those with qualifying scores moved forward to BCAP for additional leadership assessment and ranking. Those two scores were combined to create the final order of merit list for command and key billets.

This process would be refined over the years. On 31 October 2023, The Honorable Agnes Schaefer, Assistant Secretary of the Army, Manpower and Reserve Affairs, granted an Exception to Policy (ETP) authorizing the implementation of a Job Performance Panel (JPP)⁹ to produce the Army's command/key billet selection order of merit list (OML). It allowed the JPP to be conducted after the completion of the CAP¹⁰ and replaced the CSL Board as the primary method to establish the lieutenant colonel and colonel centralized command and key billet order of merit/selection lists.

The CSA published FY25 BCAP policy guidance based on the ETP. It established the four phases for command selection: invitation; BCAP assessment; JPP scoring; and generation of the OML.¹¹ His policy specified, "If the candidate is determined 'Not Yet Certified' during BCAP25, he/she will be removed from command/primary staff consideration but will have the opportunity to re-compete the following year."

The FY25 BCAP process began with an officer "opting-in" for consideration to command. An officer that did not opt-in would not be eligible to progress any further. Once an officer opted in, they could receive an invitation to BCAP. A computer algorithm generated the invitation list by conducting a performance screening and selecting the best qualified officers based on its screening criteria. If an officer opted-in but did not receive an invitation, they could opt-in again the following year. Along with the algorithm's list, three-star and four-star general

⁷ McGee, Joseph P. (2020). *Preparation Guide for BCAP and CCAP*. (Version 1), Opening letter and pg. 2, 4.

⁸ After compiling the results, the average change for an officer's position on the order of merit list (OML), either up or down, was eight positions, or 35%. The lowest alternate moved from last to first (23rd to 1st), and eight of the officers invited (30%) were found to be Not Ready for Command or had requested to be removed from consideration for command.

⁹ The JPP replaced the CSL board but continued to vote on every qualified candidate's file.

¹⁰ The ETP impacted both the BCAP and Colonel Command Assessment Program (CCAP).

¹¹ The JPP scored each candidate's certified board file, with the addition of the BCAP scorecard. The result of phase three was an OML based on the scores determined by the JPP. The OML ranked officers independent of their Army warfighting function and branch.

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officers (GOs) were able to request an invitation through the Commanding General, Human Resources Command (HRC) for officers they felt were deserving.¹² This was intended to be the only opportunity for a three or four-star GO to influence any part of the BCAP process.

As a part of the program, HRC solicited peer and subordinate feedback for each candidate prior to the candidate's arrival. Their databases identified peers and subordinates based on assignment history. In early iterations of BCAP, assessments focused on the last five years of a candidate's career, limiting the number of potential assessors. As the program matured, the aperture opened to allow each candidate the possibility of as many as 80 assessments, 40 from peers and 40 from subordinates. Assessors submitted feedback using the Army Commander Evaluation Tool (ACET) which used multiple choice selections and numerical ratings for each candidate in categories including leadership competencies and attributes, counterproductive leadership, and free text responses. The feedback was anonymous and BCAP only shared aggregate-level data with candidates.

During attendance at BCAP each candidate executed an operational psychological interview; a written assessment; a physical fitness assessment; and an Army Comprehensive Talent Interview (ACTI).

An operational psychologist interviewed each candidate and assessed their level of risk for counter-productive or ineffective leadership. The results were briefed to the panel conducting the candidate's ACTI and used to guide the interview.

Written assessments evaluated the effectiveness of each candidate's ability to communicate their intent, prepare orders, provide guidance, and give feedback. The assessment determined each candidate's ability to formulate a response to a specific writing task and measured their ability to craft an argument.

During the physical fitness assessment each candidate completed the six-event Army Combat Fitness Test (ACFT) and the standard Army Height-Weight Test.

The Army Comprehensive Talent Interview (ACTI) required each candidate to answer a standard set of questions¹³ to a panel consisting of one Major General, two Brigadier Generals, and two Colonels, who served as voting members. Each panel included a Sergeant Major who served as an advisor. An operational psychologist and a panel moderator rounded out the participants. The interview was double-blind; panel members and interviewees did not see each other. Candidates received a candidate number, eliminating their names from any documents seen by the panel members.

The BCAP program was designed to remove bias from the selection process. Every panel member received training to help recognize unconscious bias. Additionally, before participating in BCAP, panel members received a list of candidates to identify anyone they knew

¹² There were 19 invitations sent out for FY25 BCAP at the request of three- or four-star GOs.

¹³ Every day of BCAP, each panel received an identical set of four randomly generated questions to ask their candidates.

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or would be able to recognize by voice. In earlier iterations of BCAP, panel members were provided a list of BCAP eligible candidates. If a panel member knew a candidate, that candidate was precluded from interviewing in the room with that panel member. By FY25 BCAP, a panel member could choose to conduct the interview if they believed they were able to remain unbiased. Prior to the candidate entering the room, each panel member received a candidate's redacted peer and subordinate feedback and a briefing on the candidate's psychological interview results to assist the panel in developing questions for the candidate.¹⁴ The senior operational psychologist briefing the panel members was not the same psychologist who interviewed the candidate.

The panel members voted on each candidate and assessed them as either Certified for Command (CFC), or Not Yet Certified for Command (NYCFC).¹⁵ There was no appeals process for BCAP candidates found not yet certified for command. An operational psychologist provided these candidates feedback on their performance, and senior military officers offered coaching to assist these officers and encourage them to compete the following year. The order of merit list included all candidates certified for command but did not guarantee every officer on that list a command or key billet.¹⁶

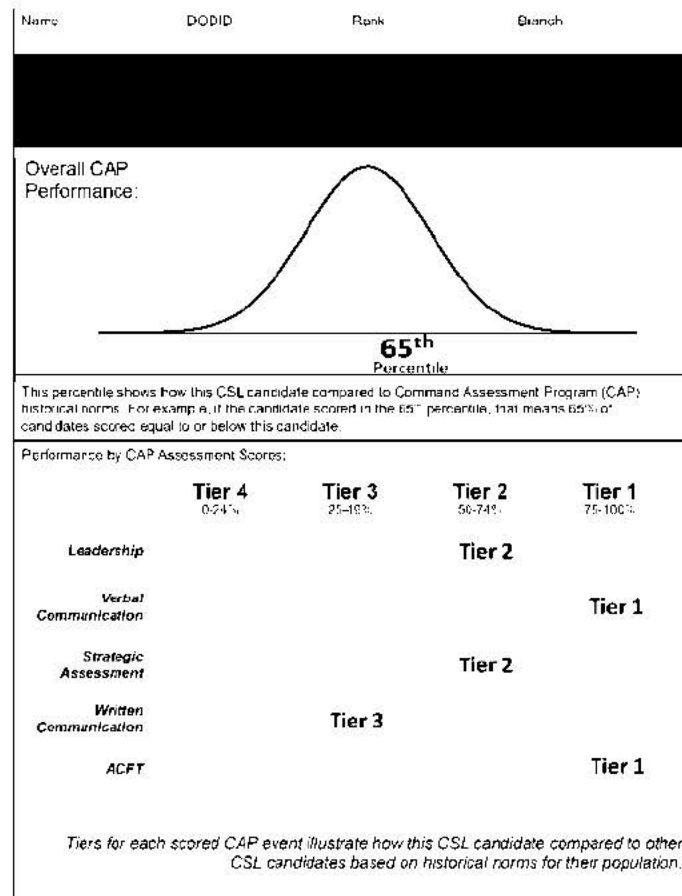
Scorecards recorded each candidate's overall BCAP performance, and their performance in each of the five BCAP assessments in comparison to the historical norm for BCAP participants. Tier 1 reflected the highest scoring candidates who ranked in the top 75-100 percentile, Tier 2 reflected candidates in the 50-74 percentile, Tier 3 reflected the 25-49 percentile, and Tier 4 reflected the lowest scoring candidates in the 0-24 percentile.

¹⁴ The operational psychologist assigned to each panel helped develop these questions to best address any concerns the panel might have about information contained in the peer and subordinate or psychological assessments.

¹⁵ Voting was independent for each panel member and tallied for a majority. The panel conducted a second round of voting at the end of the day on all candidates found NYCFC.

¹⁶ The final phase of the battalion command selection process was developing the CSL and slating officers into command positions. The CSL filled Army requirements for battalion commanders by the warfighting functions of Operations, Sustainment, or Operations Support. The top scoring officers within each warfighting function were selected as primary or alternate commanders and placed on the CSL. Some officers were slated outside of their warfighting functions for positions such as recruiting command. If an officer selected for a command declined the position, or became ineligible, an officer from the CSL alternate list filled the position.

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Example of a BCAP scorecard

III. Nature of the relationship between GEN Hamilton and (b)(6); (b)(7)(C)

The initial anonymous complaint reviewed by DODIG in December 2023 alleged GEN Hamilton and (b)(6); (b)(7)(C) had “an inappropriate, fraternizing, and likely a sexual, relationship.” Our investigation examined the nature of the relationship against the standards of Army Regulation 600-20, (Army Command Policy). The policy prohibits relationships between Soldiers of different grades if they cause actual or perceived partiality or unfairness. The investigation did not find definitive evidence of a sexual relationship between GEN Hamilton and (b)(6); (b)(7)(C), however, we found several indicators of an overly familiar relationship between them. While the available evidence could not prove a sexual relationship, the preponderance of evidence led us to conclude there was a prohibited relationship and that (b)(6); (b)(7)(C) received preferential treatment as a result.

Both GEN Hamilton and (b)(6); (b)(7)(C) described their relationship as professional. (b)(6); (b)(7)(C) did not consider GEN Hamilton one of her primary mentors. She recalled GEN Hamilton talked to her and other staff officers “a couple times a week,” providing them leadership points. She had three people she considered “solid” mentors; GEN Hamilton was not

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one of them.¹⁷ Similarly, GEN Hamilton described the relationship as professional and like the way he was with most other officers: "I would say...mentor, coach." He said his advice to her prior to BCAP was, "do good...make us proud...make sure you talk to a couple people before you go, study all the material."

Neither of their descriptions of their relationship was consistent with what we found in our investigation. (b)(6); (b)(7)(C) worked for GEN Hamilton in three capacities, all of which required daily, direct interaction. She travelled with him, coordinated his calendars, communicated extensively with him through personal email correspondence, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) The evidence showed (b)(6); (b)(7)(C) held a position of trust not shared by other members of his staff.

Inappropriate Sexual Relationship

The investigation did not find definitive evidence of a sexual relationship between GEN Hamilton and (b)(6); (b)(7)(C) however, we found several indicators of an overly familiar relationship between them.

Discussion Regarding Inappropriate Sexual Relationship

(b)(6); (b)(7)(C) at AMC felt (b)(6); (b)(7)(C) had "completely earned his [GEN Hamilton's] trust," and he was very open when speaking with her. She was able to direct GEN Hamilton's attention by telling him, "Sir, you need to look at this," or "Sir, you need to approve this." (b)(6); (b)(7)(C) testified that he did not share that same level of communication and trust with GEN Hamilton in his current position.

Only (b)(6) witnesses saw anything other than strict professional interactions between GEN Hamilton and (b)(6); (b)(7)(C) LTG Heidi Hoyle, Deputy Chief of Staff, G-4, felt their relationship was "funny," adding, "it just seemed like more of a relationship, than a General Officer to the (b)(6); (b)(7)(C) more fatherly, mentoring, coaching." MG David Wilson, Commander, Army Sustainment Command (ASC) noted (b)(6); (b)(7)(C)¹⁸ was "a little bit too comfortable and GEN Hamilton was not stern enough with her." He saw a lack of discipline in the relationship between them during their time in the G-4.

We found evidence on two separate occasions that discredit both GEN Hamilton and (b)(6); (b)(7)(C) testimony of their professional relationship. In a review of evidentiary documents pertaining to both GEN Hamilton and (b)(6); (b)(7)(C) we discovered documents revealing GEN Hamilton and (b)(6); (b)(7)(C) attended an event sponsored by a non-federal entity

¹⁷ (b)(6); (b)(7)(C) repeatedly testified MG David Wilson was one of her three mentors; however, MG Wilson denied being her mentor. He informed us, "Although (b)(6); (b)(7)(C) alleges that I am her mentor, I can tell you that (b)(6); (b)(7)(C) has never asked me to serve as her mentor that I can recall and nor have I ever agreed to do so, given that the officer has never personally worked for me, nor served with me. I don't ascribe to the rent-a-GO mentality that some of these junior officers seem to lend themselves to as it pertains to references on professional resumes and mentorship."

¹⁸ (b)(6); (b)(7)(C) was promoted from (b)(6); (b)(7)(C) after (b)(6); (b)(7)(C)

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(NFE)¹⁹ in St. Louis, Missouri, on July 8, 2022, while on TDY orders to MacDill Air Force Base (AFB) from July 7-9.²⁰

Neither the TDY orders nor funding authorized GEN Hamilton and (b)(6); (b)(7)(C) to attend this event in an official capacity. They both attended in uniform. A review of Defense Travel System (DTS) records showed no reported deviation from their TDY to MacDill AFB in Florida, such as leave forms, constructed travel sheets, or orders to attend the NFE event. We did not find evidence to determine the funding source of the round-trip travel from Florida to Missouri on July 8. GEN Hamilton and (b)(6); (b)(7)(C) received per diem at the Florida rate for the time spent in St. Louis. Hotel receipts showed they spent the night in Florida on July 7. There were no lodging receipts or records in DTS for the night of July 8. They returned to Florida to catch their official flight back to Washington, D.C. at 7:44 p.m. on July 9. We did not question GEN Hamilton or (b)(6); (b)(7)(C) about this travel because we were not aware of it at the time of their interviews.

GEN Hamilton and (b)(6); (b)(7)(C) communicated through personal email accounts.²¹ GEN Hamilton said it was “fairly common” for him to communicate with peers and subordinates using his personal email accounts. GEN Hamilton provided his (b)(6); (b)(7)(C) to individuals seeking his advice or mentorship; however, evidence indicated he and (b)(6); (b)(7)(C) also communicated using his (b)(6); (b)(7)(C). GEN Hamilton sent an email on January 2, 2024, from his (b)(6); (b)(7)(C) to (b)(6); (b)(7)(C) school account at Columbia University which showed (b)(6); (b)(7)(C) email address saved in his contact list as (b)(6); (b)(7)(C). When we asked GEN Hamilton why he saved her as (b)(6); (b)(7)(C) in his contacts, he told us he did not know how or why she appeared that way. We found his testimony less than credible as this action specifically required user action.

On November 7, 2023, (b)(6); (b)(7)(C) forwarded an email titled, “Notes for Poem,” from her military email account to her personal email account.²² This email described several events and circumstances that appeared to be about GEN Hamilton. The email was written in a personal, accusatory tone uncommon between a senior general officer and a subordinate.

According to (b)(6); (b)(7)(C), she never sent the email to anyone, and GEN Hamilton said he never received this email. (b)(6); (b)(7)(C) claimed she drafted the email for (b)(6); (b)(7)(C) whom she met when she worked (b)(6); (b)(7)(C).²³ We did not find her explanation credible. We found multiple instances in the “Notes for Poem” email that

¹⁹ The event calendar noted a lunch with GEN Hamilton on Saturday, July 9th, and photos from their Fall/Winter publication showed GEN Hamilton and (b)(6); (b)(7)(C) in attendance in uniform.

²⁰ The Joint Ethics Regulation (JER) provides guidance on administrative and legal requirements for attending such events as a guest speaker. Neither GEN Hamilton’s nor (b)(6); (b)(7)(C) travel records referenced the trip to St. Louis or the speaking engagement or documented their attendance at this event.

²¹ GEN Hamilton told us he used three personal email accounts: (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C).

²² The personal email account she forwarded this to was one she used to communicate with GEN Hamilton in other instances.

²³ We did not find evidence (b)(6); (b)(7)(C) sent this email to anyone, and she testified she never sent it to (b)(6); (b)(7)(C) was unresponsive to our requests for an interview.

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contradicted her testimony. We concluded [REDACTED] most likely wrote this email to GEN Hamilton and not to [REDACTED]

A preponderance of the evidence showed GEN Hamilton and [REDACTED] participated in a prohibited relationship. Their use of personal email, GEN Hamilton's masking of [REDACTED] name in his contacts, their undocumented travel, and the "Notes For Poem" email inferred an inappropriate and prohibited relationship between [REDACTED] and GEN Hamilton.

Conclusion Regarding Inappropriate Sexual Relationship

Despite all the circumstantial evidence, we were unable to determine conclusively that GEN Hamilton and [REDACTED] were involved in a sexual relationship.

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Prohibited Relationship

Our investigation found a preponderance of evidence to support a finding that GEN Hamilton and (b)(6): (b)(7)(C) shared a prohibited relationship that caused an actual or perceived partiality or unfairness.²⁴ Evidence showed GEN Hamilton started providing unfair advantages to (b)(6): (b)(7)(C) while they served together in the G-4 and ended with his request for an exception to policy to certify her ready for command following the FY25 BCAP.

o Pre-FY25 BCAP Evidence of a Prohibited Relationship

According to GEN Hamilton and (b)(6): (b)(7)(C) they met for the first time in the G-4 in 2021. GEN Hamilton originally served as the Deputy G-4 while (b)(6): (b)(7)(C) (b)(6): (b)(7)(C) (b)(6): (b)(7)(C) G-4, LTG Duane Gamble. In July 2022, then-LTG Hamilton became the G-4. (b)(6): (b)(7)(C) remained on GEN Hamilton's staff as his (b)(6): (b)(7)(C) (b)(6): (b)(7)(C) for the remainder of his time in the G-4.

GEN Hamilton left the G-4 to take command of AMC in March 2023.²⁵ To assist in the transition, in February 2023, (b)(6): (b)(7)(C) was designated as the (b)(6): (b)(7)(C) to serve on GEN Hamilton's transition team. (b)(6): (b)(7)(C)²⁶ led the transition team, which initially consisted of four people in Alabama and (b)(6): (b)(7)(C). The team grew to 30 people a month later. The transition team's purpose was to ensure "continuity of operations remained uninterrupted across Army Materiel Command," and to begin implementation of new strategies and ideas from GEN Hamilton.²⁷

(b)(6): (b)(7)(C) traveled to Huntsville, AL²⁸ for three weeks starting on March 6.²⁹ (b)(6): (b)(7)(C) duties included taking GEN Hamilton around and getting him "settled in," until after his change of command and promotion to GEN on March 16.³⁰ (b)(6): (b)(7)(C) testified that

²⁴ Army Regulation 600-20 (Army Command Policy), para 4-14(b), states (in part): All relationships between Soldiers of different grades are prohibited if they — (2) Cause actual or perceived partiality or unfairness.

²⁵ GEN Hamilton left the G-4 to assume command of Army Materiel Command in Huntsville, AL, on March 16, 2023.

²⁶ GEN Hamilton's (b)(7)(C), (b)(6)

²⁷ These actions included revision of AMC Mission / Vision Statement, Terms of Reference, AMC Campaign Plan, updating the Organic Industrial Base Modernization Strategy, Special Activities Programs Read On requirements, developing and filming initial message to the AMC Workforce w/ OCPA Executive Media Coaches, legal / command counsel discussions on delegation of authorities and handling civilian union grievances. The Transition OPT drafted new policy letters, command guidance memorandums, leadership cards, and a 180-Day strategic engagement strategy.

²⁸ Used interchangeably as a location with Redstone Arsenal.

²⁹ Department of Defense (DD) Form 1351-2 (Travel Voucher or Subvoucher) for (b)(6): (b)(7)(C) showed she went on Temporary Duty (TDY) to Redstone Arsenal, AL from 6- 26 March 2023. (b)(6): (b)(7)(C) DD Form 1610 (Request and Authorization for TDY Travel of DOD Personnel) was authorized on 9 January 2023, while GEN Hamilton was still the G-4; the trip cost the government \$5,142.76.

³⁰ (b)(6): (b)(7)(C) provided this testimony.

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in addition to working on the transition team, (b)(6); (b)(7)(C) was also preparing for her next job at Missile Defense Agency (MDA), also located on Redstone Arsenal.³¹

On March 16, GEN Hamilton awarded then (b)(6); (b)(7)(C) an impact Legion of Merit (LM).^{32,33} There was neither a write-up, nor any achievements listed on the award recommendation as required by AR 600-8-22. The citation read (in part): "For exceptionally meritorious service in support of the transition of the Commanding General, U.S. Army Materiel Command. Your proactive approach, attention to detail, tireless efforts and continuous synchronization ensured a successful and seamless command transition."

(b)(6); (b)(7)(C) told us impact LMs for MAJs "are unheard of, as there is no one event that would rise to the level [of] an LOM especially for a Major." LMs are traditionally approved for COLs retiring and one-star General Officers completing a tour of duty at an assignment with significant responsibilities.

GEN Hamilton previously signed a Meritorious Service Medal (MSM) for (b)(6); (b)(7)(C) for her time in the G-4, in February 2023. One achievement in the award was:

(b)(6); (b)(7)(C) *was selected over senior officers to plan, coordinate, and execute two separate 3 / 4 star-level general officer transitions. She developed and provided oversight of the transition timeline to include O6-level progress reviews and product development. This critical task also included scheduling and executing interviews for the general officer support/personal staff, coordinating with the general officer staff to develop and brief command initiatives, and planning three separate retirement and promotion ceremonies."*

³¹ Defense Finance Accounting Service (DFAS) confirmed via email (Exhibit 61) that (b)(6); (b)(7)(C) did not take any Permissive TDY (PTDY), or Permanent Change of Station (PCS) leave for her move to Missile Defense Agency (MDA), Huntsville, AL.

³² The award was for service from February 15 through March 16, 2023, while she was a MAJ.

³³ AR 600-8-22 (Military Awards) states in paragraph 3-13 Legion of Merit: a. The LM (10 USC 1121) was established by Act of Congress, 20 July 1942 (PL 671-77). b. EO 13830 authorizes the SECARMY to award the LM to any Servicemember of the Armed Forces of the United States who, after September 8, 1939, has distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services and achievements. c. Criteria for Servicemembers of the U.S. Army are as follows: (1) The performance must have been such as to merit recognition of key individuals for service rendered in a clearly exceptional manner. Performance of duties normal to the grade, branch, specialty, assignment, or experience of an individual is not an adequate basis for this award. (2) For service not related to actual war, the term "key individuals" applies to a narrower range of positions than in time of war, which requires evidence of significant achievement. In peacetime, service should be in the nature of a special requirement or of an extremely difficult duty performed in an unprecedented and clearly exceptional manner. However, justification of the award may accrue by virtue of exceptionally meritorious service in a succession of important positions.

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This award listed the same achievement as the citation for her impact Legion of Merit, in violation of Army regulation.³⁴

GEN Hamilton told us the Legions of Merit awarded to (b)(6); (b)(7)(C) were the first impact LMs he awarded because “you [sic] got to see all the documents that they produced for this transition.” The achievement cited in her G-4 end of tour award [a Meritorious Service Medal] for executing two four-star level general officer transitions, according to GEN Hamilton, “bled over...that’s not uncommon.”

Army Regulation 623-3 requires an evaluation report be completed when there is a change of rating officials.³⁵ GEN Hamilton was (b)(6); (b)(7)(C) rater and senior rater when he left the G-4 on March 6, 2023. His departure necessitated a change to the rating scheme and should have generated an evaluation ending on March 6. Both GEN Hamilton and (b)(6); (b)(7)(C) were responsible for the timeliness and accuracy of this report. This evaluation should have identified then-LTG Hamilton, G-4, as her rater and senior rater, and evaluated then-(b)(6); (b)(7)(C) performance in the G-4.

GEN Hamilton prepared a late evaluation for (b)(6); (b)(7)(C) from September 24, 2022, through August 10, 2023,³⁶ nine days after her promotion to LTC. The report identified (b)(6); (b)(7)(C) organization as the G-4, and her duty position as the (b)(7)(C), (b)(6) to the G-4. The report listed GEN Hamilton’s position and organization as “Commanding General, Army Materiel Command.” His senior rater comments on this report, in part, stated, “#1 of 111 LTCs that I have senior rated, performs at the COL level.” GEN Hamilton rated her “Most Qualified.”

(b)(6); (b)(7)(C) Evaluations Policy Officer, Human Resources Command³⁷ audited this evaluation. He found several problems with the evaluation, including the incorrect “THRU” date, and that the Senior Rater left the G-4 in March 2023. (b)(6); (b)(7)(C) opined the report was invalid.

GEN Hamilton could not recall why he extended (b)(6); (b)(7)(C) rating period until August 2023; “It could’ve just been late...And there have been OERs that have even been done, even a year later, you know, either to catch up, get to them, et cetera. So, I don’t see whether that’s any different.”³⁸

³⁴ AR 600-8-22, paragraph 1-19(a) states: “Only one decoration will be awarded to an individual or unit for the same act, achievement, or period of meritorious service.”

³⁵ There are exceptions outlined in AR 623-3 (Evaluation Reporting System), but in this case, there was no cause for any exception.

³⁶ The report reflected eight rated months and a non-rated code of “S” for school.

³⁷ (b)(6); (b)(7)(C) HRC, through (b)(6); (b)(7)(C) Army Evaluation Systems/Policy, HRC, provided us with the results from the audit.

³⁸ A portfolio containing three OERs and an Excel spreadsheet showed three examples of OERs that GEN Hamilton signed between three and eight months after the “THRU” date. These OERs were included to show how “late” OERs were submitted with the correct THRU date, and merely signed for submission at a time much later than the end of the rating period.

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GEN Hamilton's efforts to unfairly advantage (b)(6); (b)(7)(C) began prior to BCAP, with the awarding of the Legion of Merit (LM) and the improper extension of her rating period for her evaluation. The LM was a prestigious award, rarely awarded to a MAJ. GEN Hamilton's awarding an impact LM clearly distinguished then-(b)(6); (b)(7)(C) from her peers. The extended rating period resulted in newly promoted (b)(6); (b)(7)(C) receiving an OER from a four-star general officer. This report gave (b)(6); (b)(7)(C) the benefit of an O-5 OER from a four-star general officer without ever having worked for him in that capacity and receiving an enumeration of "#1 of 111 LTCs" he ever senior rated. Both actions sent a strong message to anyone reviewing her file, elevating her above her peers and strengthening her file for command consideration.

○ *FY25 BCAP Evidence of a Prohibited Relationship*

○ Activities before and through (b)(6); (b)(7)(C) first panel on October 30, 2023

GEN Hamilton began asking BCAP personnel about (b)(6); (b)(7)(C) as early as October 2023, when he initially set up a meeting with (b)(6); (b)(7)(C)³⁹ to discuss BCAP and asked him to "take a look at the assessments for (b)(6); (b)(7)(C) before their meeting."⁴⁰ During their meeting, GEN Hamilton asked several general questions about how BCAP collected peer and subordinate feedback and weighed the operational psychologist's assessments. (b)(6); (b)(7)(C) did not see anything unusual about the inquiry and viewed it like questions from other senior leaders.

Later that month, GEN Hamilton contacted (b)(6); (b)(7)(C) to schedule a visit to observe BCAP. He wanted to align his schedule to be able to watch the Army Comprehensive Talent Interview (ACTI) for "a specific LTC he knew." (b)(6); (b)(7)(C) testified that GEN Hamilton was the only person who had ever requested to observe a specific candidate. Although no one had requested this before, (b)(6); (b)(7)(C) did not think the request was unusual at the time because GEN Hamilton would be in a different room from the candidate and the panel. He sent GEN Hamilton's request to observe (b)(6); (b)(7)(C) ACTI to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) CAP.

(b)(6); (b)(7)(C) participated in every BCAP iteration since January 2020. All three and four-star general officers received invitations to visit, so GEN Hamilton's request to visit and observe the process was not unusual. (b)(6); (b)(7)(C) did tell us that; "The fact that he asked to come on the day that he knew (b)(6); (b)(7)(C) was going to be interviewing was out of the norm." He and his team arranged (b)(6); (b)(7)(C) interview to occur during the time GEN Hamilton was visiting.

³⁹ (b)(6); (b)(7)(C) Army Talent Management Task Force (ATMTF), served as a Highly Qualified Expert (HQE) for the ATMTF (b)(6); (b)(7)(C). He was very involved with the initial concept development, pilot program and initial stages of BCAP execution, but as it grew in scale, his direct involvement lessened, except when distinguished visitors (DVs) went to CAP. He would escort them for a DV day, which allowed DVs to observe BCAP panels on a closed caption television.

⁴⁰ (b)(6); (b)(7)(C) asked CAP for copies of her assessments, but his request was denied.

(b)(6); (b)(7)(C) could not recall a time he had ever “specifically scheduled somebody by-name to see or for a senior leader to observe.” A general officer visiting BCAP usually observed at least two ACTIs; one for a strong candidate and one for an at-risk candidate. In this case, GEN Hamilton did not want to see any candidate except for (b)(6); (b)(7)(C). This single request would not have led him to think anything was unusual; however, GEN Hamilton had also asked him and (b)(6); (b)(7)(C) to provide the peer and subordinate assessments for (b)(6); (b)(7)(C).

GEN Hamilton contacted (b)(6); (b)(7)(C) before (b)(6); (b)(7)(C) panel. In one text message, GEN Hamilton wrote, “Hey, can I would like to talk to the panel members.” (b)(6); (b)(7)(C) told GEN Hamilton he could not provide information on the panel members. GEN Hamilton texted (b)(6); (b)(7)(C) on October 26, asking, “Are 2 stars sitting BCAP thx.” (b)(6); (b)(7)(C) informed GEN Hamilton promotable one-star generals and two-star generals sat on the panels. Three days later, GEN Hamilton texted (b)(6); (b)(7)(C) asking if he knew, “who is the GO on my panel if not I’ll wait until tomorrow.” (b)(6); (b)(7)(C) contacted (b)(6); (b)(7)(C) and asked who (b)(6); (b)(7)(C) panel members would be.⁴¹ She told (b)(6); (b)(7)(C) she did not know. (b)(6); (b)(7)(C) also contacted her about the meeting between GEN Hamilton and (b)(6); (b)(7)(C).⁴²

GEN Hamilton told us he asked (b)(6); (b)(7)(C) if two-star generals were sitting the panel because he wanted to ensure there was the right level of seniority at CAP. He also testified he did not ask anyone who was specifically sitting on (b)(6); (b)(7)(C) panel.

MG Ronald Ragin,⁴³ was at Fort Knox as a BCAP panel member. On October 29, GEN Hamilton called him and asked him if he thought the BCAP process was fair, and MG Ragin told him it was. MG Ragin’s phone records showed he received two phone calls from GEN Hamilton: one on October 29, at 9:48 p.m. and one on October 31, at 9:38 p.m.

GEN Hamilton had an office call with MG Thomas Drew prior to observing (b)(6); (b)(7)(C) ACTI.⁴⁴ MG Drew recalled they talked for about 45 minutes. One of the topics GEN Hamilton discussed was his thoughts that BCAP was “all really biased and, you know, peer and subordinate feedback kind of influenced the careers of very talented people.” MG Drew testified GEN Hamilton was not the only person who shared that opinion with him, but GEN Hamilton was the only visitor who asked very specific questions about what happened if CAP staff thought there was a bias. MG Drew told him he had watched thousands of the panels, and “if anything went outside the lines” he took action to make sure the panel members stayed objective. MG Ragin also had a very short hallway encounter with GEN Hamilton. “I remember

⁴¹ (b)(6); (b)(7)(C) CAP, corroborated (b)(6); (b)(7)(C) contact with GEN Hamilton prior to BCAP in a 25 April 2024 email, Subject: RE: DAIG RFI: She spoke with (b)(6); (b)(7)(C) on two occasions and informed (b)(6); (b)(7)(C) about the discussions. Before the meeting, (b)(6); (b)(7)(C) told her GEN Hamilton asked him to look at (b)(6); (b)(7)(C) ACET information. She told (b)(6); (b)(7)(C) she could not access (b)(6); (b)(7)(C) ACET and he should talk to (b)(6); (b)(7)(C) about the request.

⁴² (b)(6); (b)(7)(C) contacted her to schedule a phone call with (b)(6); (b)(7)(C) and GEN Hamilton during AUSA (October 9-11). The (b)(6); (b)(7)(C) said the topic of the conversation would be Talent Management. At some point, the phone call changed to an in-person meeting at AUSA.

⁴³ (b)(6); (b)(7)(C)

⁴⁴ MG Thomas Drew, CG, HRC, had an office call with GEN Hamilton on 30 October 2023 at 1100 hours.

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that he said he was there working on something for the chief⁴⁵ to check the fairness of the process.”

GEN Hamilton told us he told others he was gathering information for the Chief to be transparent. “Just being very transparent about what I was doing, and then I was going to take this information back to the senior leaders in the Army based on what I observed.”

GEN Hamilton’s visit did not follow the standard VIP protocol. When visiting BCAP, senior leaders received a two-hour introduction and summary of the CAP process, followed by a question-and-answer session. During the visit, VIPs watched two interviews via closed-circuit television. During GEN Hamilton’s visit, (b)(6): (b)(7)(C) was not available, so (b)(6): (b)(7)(C) (b)(6): (b)(7)(C) CAP, hosted him.⁴⁶

According to (b)(6): (b)(7)(C), GEN Hamilton’s visit lasted about “an hour or an hour and a half.” He provided GEN Hamilton an abridged summary of the program and they reviewed a redacted copy of (b)(6): (b)(7)(C) peer and subordinate assessments. GEN Hamilton told (b)(6): (b)(7)(C) he was worried about (b)(6): (b)(7)(C) peer and subordinate feedback, because they were “50/50 positive and negative.” GEN Hamilton also mentioned to him that she had a hard go of things at Fort Cavazos, and he “had to get involved to get her moved out of there.” GEN Hamilton said he had to “call General Rone and intervene on her behalf because of the situation she was in.” (b)(6): (b)(7)(C) recalled GEN Hamilton saying, “This officer was assigned with a number of people who may have been toxic themselves, and I believe she’s taking she’s being held accountable for actions that weren’t hers.”

(b)(6): (b)(7)(C) agreed with GEN Hamilton that (b)(6): (b)(7)(C) assessments were not strong. He also mentioned (b)(6): (b)(7)(C) had some counterproductive leadership tendencies. He explained to GEN Hamilton the interviews allowed the candidates “to contextualize certain times in their careers where they have had rough go’s [sic] at things.”

He and (b)(6): (b)(7)(C) then sat with GEN Hamilton and watched (b)(6): (b)(7)(C) interview on closed-circuit television. (b)(6): (b)(7)(C) recalled (b)(6): (b)(7)(C) interview was “not the greatest.” “She was guarded in her responses,” or not very specific with details of leadership examples of her past. In his view, she did not provide an open and insightful interview to the panel.

GEN Hamilton’s concerns changed immediately after watching the interview. He told (b)(6): (b)(7)(C) the operational psychologist was “too emotional and too negative,” when he briefed the panel on her risks of potential counterproductive or ineffective leadership behaviors if put into command. GEN Hamilton felt the psychologist “dug such a hole” that (b)(6): (b)(7)(C) could not overcome the presentation during the interview.

⁴⁵ An inference to the Chief of Staff of the Army.

⁴⁶ (b)(6): (b)(7)(C) was involved in CAP since the first planning conference in January 2019. He served as a (b)(6): (b)(6) on the first pilot, (b)(6): (b)(7)(C) for BCAP21, then trained other (b)(6): (b)(7)(C) until 2021. In fall 2021, he became the (b)(6): (b)(7)(C) for CAP and then the (b)(6): (b)(7)(C) in 2023.

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(b)(6); (b)(7)(C) also recalled GEN Hamilton saying he believed the way the operational psychologist portrayed the peer and subordinate assessments validated his suspicions. (b)(6); (b)(7)(C) had watched a lot of interviews and did not see anything unusual. “[A]s I got further and further away, I was more and more impressed with how precise we were to protect the integrity of the individual and the process.”

GEN Hamilton told us that his concerns with (b)(6); (b)(7)(C) assessments stemmed from a phone call he received prior to his departure from G-4. The caller told him there was a discussion amongst several officers in the G-4 about weaponizing her peer assessments, and “light[ing] her up.” GEN Hamilton would not provide us the name of the person he spoke to claiming that person feared retaliation.⁴⁷

GEN Hamilton acknowledged that he looked at (b)(6); (b)(7)(C) redacted assessments while at BCAP and he could not tell who wrote them or what assignment they might have originated from. He believed her assessments disadvantaged her because of the information he received that officers were “getting together to light this officer up.” He did not know if the alleged collusion led to inaccuracy or the weaponization of (b)(6); (b)(7)(C) assessments. He simply believed what his source from the G-4 told him; “we’re going to write some negative assessments, whether they’re accurate or inaccurate.” He also told us he did not attempt to determine the accuracy of the assessments.

He used Fort Cavazos as an example when talking to (b)(6); (b)(7)(C) to “open up the thought process” about how someone might need a fresh start after leaving a bad assignment. He was concerned about how peer and subordinate assessments could affect anyone leaving from an environment like Fort Cavazos, and (b)(6); (b)(7)(C) was just an example. The focus of his conversations was about how peer and subordinate assessments could be weaponized. His reason for attending FY25 BCAP was to observe the process and report to Army senior leadership how leaving a bad situation could prevent someone from getting a fair shot. It was not necessarily about (b)(6); (b)(7)(C) it was about “anybody.”

GEN Hamilton watched one presentation by the operational psychologist but did not feel he needed to compare the presentation of (b)(6); (b)(7)(C) file with any other files. GEN Hamilton told us the “psych eval individual took the opportunity to get what I call animated in his delivery...If that's how he did every assessment, he was animated like that, he was still wrong, period.” Once the psychologist finished his presentation, the room “was pretty silent.” He thought the silence was because of how the psychologist presented “in front of me.” He turned to (b)(6); (b)(7)(C) and said, “There’s no way she can recover from that.”

(b)(6); (b)(7)(C) thought the operational psychologist’s presentation to the panel was “standard.”⁴⁸ He went over the facts and briefed the concerns identified through psychometric

⁴⁷ We asked GEN Hamilton’s attorney on two occasions to offer the person the opportunity to testify with anonymity. We did not receive a response from GEN Hamilton or his attorney.

⁴⁸ (b)(6); (b)(7)(C) described the psychologist as charismatic and friendly; he enjoyed what he did and gave a “positive vibe” as he spoke. (b)(6); (b)(7)(C) personally worked with this psychologist for a cycle of 150 candidates, and never

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testing, peer and subordinate feedback, and a psychologist's intake interview.⁴⁹ (b)(6); (b)(7)(C) felt the psychologist gave an appropriate brief for (b)(6); (b)(7)(C) file.

(b)(6); (b)(7)(C) testified GEN Hamilton asked if they would consider repaneling (b)(6); (b)(7)(C). GEN Hamilton testified that (b)(6); (b)(7)(C) told him, "Hey, sir, we may have to look at a re-panel." GEN Hamilton stated he had never heard of the option to re-panel.^{50,51}

GEN Hamilton departed Fort Knox without observing any other interviews that would have assisted him in making observations to Army senior leaders as he had previously stated was the purpose of his visit.

(b)(6); (b)(7)(C) ***First Panel Assessment Details***

An Army Commander Evaluation Tool (ACET) report, dated October 24, 2023, for (b)(6); (b)(7)(C) supplied peer and subordinate feedback, based on observations "within the last 3 years," or "more than 3 years ago." Both of (b)(6); (b)(7)(C) panels viewed the same report, redacted to remove any references to organization or assignment and any inflammatory comments.

Of the 80 requests to subordinates and peers for feedback on (b)(6); (b)(7)(C) 20 completed assessments for her. The written comments varied; there were positive and negative observations. Of the 20 respondents, seven subordinates and three peers responded they would select her to command a battalion or recommend her for a key position. Ten responded they would not.

The Center for Army Leadership (CAL) provided the table below to show the breakdown of (b)(6); (b)(7)(C) peer and subordinate assessments.

had any issues with him being anything other than professional. The psychologists in the panels were senior psychologists that had done predictive operational psychology for 10 to 20 years. They were either out of or retired from Special Operations, brought in on contract.

⁴⁹ Each candidate participated in an interview with an operational psychologist at BCAP.

⁵⁰ GEN Hamilton testified (b)(6); (b)(7)(C) was on MS Teams for this discussion and seemed upset that (b)(6); (b)(7)(C) mentioned the idea of a re-panel. (b)(6); (b)(7)(C) corroborated his participation on MS Teams but told us it was GEN Hamilton who introduced the re-panel for (b)(6); (b)(7)(C).

⁵¹ GEN Hamilton testified he found out later that there were 14 additional repenels in CAP this cycle. He claimed did not initiate the idea of a repanel "at all."

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Based on assessments being sent out in August 2023

		Completed Assessors Recency of Service Overlap							
	Total Assessors	currently work with this leader	Recent / less than 6 months ago	6 months to 1 year ago	1-2 years ago	2-3 years ago	3-4 years ago	4-5 years ago	More than 5 years ago
PEERS									
LTC	7	0	2	1	1	1	1	0	1
SUBORDINATES									
MAJ	2	0	0	0	1	0	1	0	0
CP*	5	0	0	0	3	1	1	0	0
1LT	1	0	0	0	1	0	0	0	0
CW2	1	0	0	0	0	0	1	0	0
SGM	2	0	0	0	1	0	0	0	1
MSG	1	0	0	0	0	0	0	0	0
SFC	1	0	0	0	0	0	1	0	0
OVERALL		0	2	1	7	3	5	0	2

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Evaluation of chart information: Seven of (b)(6); (b)(7)(C) peers worked with her from as long as five years ago and as recent as six months. (b)(6); (b)(7)(C) received feedback from thirteen subordinates. The broad time frames in the table created an overlap in assignments. (b)(6); (b)(7)(C) time in G-4 overlapped with her assignment at Fort Cavazos. There were 13 responses received for that timeframe. Five from Lieutenant Colonels; one from a Major; four from Captains; one from a First Lieutenant, one from a Sergeant Major, and one from a Master Sergeant. It is more likely than not the Captains, the Lieutenant and Non-Commissioned Officers were associated with (b)(6); (b)(7)(C) assignment at Fort Cavazos. At most, that left six officer assessments related to her time in the G-4. These responses did not show an effort of a conspiracy to "Light (b)(6); (b)(7)(C) up" for her time in the G-4.

The Operational Psychology Assessment Summary, used by the operational psychologist to brief both panels, listed (b)(6); (b)(7)(C) as a high command risk.

(b)(6); (b)(7)(C) overall BCAP performance placed her at lowest tier of her cohort and the panel voted 5-0 that (b)(6); (b)(7)(C) was not ready for command.⁵² This panel consisted of a diverse group of General Officers and former Brigade Commanders or their equivalent.

(b)(6); (b)(7)(C) overall BCAP performance placed her in the 1st percentile, meaning 99% of all BCAP candidates scored better than she did. Her leadership, strategic assessment, and written communication ranked in the lowest tier, her verbal communication in second

⁵² To ensure consistence in voting, the panel re-voted all candidates who were found not ready for command at the end of the day before the results were finalized.

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lowest, and her ACFT in the second highest tier. (b)(6); (b)(7)(C) did not receive her scorecard following her first ACTI, but she did receive feedback from the operational psychologist.⁵³

o Activities following first panel on October 30 through re-panel on November 1

(b)(6); (b)(7)(C) testified GEN Hamilton asked about the possibility of re-paneling (b)(6); (b)(7)(C). (b)(6); (b)(7)(C) spoke with (b)(6); (b)(7)(C) and told him he did not think (b)(6); (b)(7)(C) warranted a re-panel. He did, however, believe that because of her file, a re-panel would “highly likely be the same” and show GEN Hamilton that a different panel would yield the same results. (b)(6); (b)(7)(C) recommendation to (b)(6); (b)(7)(C) was to allow her to re-panel. (b)(6); (b)(7)(C) agreed.

According to (b)(6); (b)(7)(C) no other senior leader had asked for a candidate re-panel since CAP began in 2019.⁵⁴ (b)(6); (b)(7)(C) said GEN Hamilton raised the re-panel because he thought the psychometric feedback to the voting panel was “heavy handed and inappropriate.” (b)(6); (b)(7)(C) felt the psychometric feedback was well within the norms of how BCAP presented data to all panels for every candidate.

(b)(6); (b)(7)(C) discussed the re-panel request with MG Drew, Commander, HRC, who reminded him that it was (b)(6); (b)(7)(C) decision to grant or deny the request. (b)(6); (b)(7)(C) granted GEN Hamilton’s request because he believed the results would be the same, and GEN Hamilton would see the process was consistent.

(b)(6); (b)(7)(C) granted (b)(6); (b)(7)(C) a re-panel “based solely on GEN Hamilton’s request.” They had conducted re-panels in the past, usually for administrative or technical reasons. This was the first re-panel BCAP conducted based on a general officer’s request.

(b)(6); (b)(7)(C) called (b)(6); (b)(7)(C) and told her there were “technical difficulties”⁵⁵ with her panel and she could re-panel if she wanted to stay at Fort Knox a few more days. He did not give her the results of the first panel because according to (b)(6); (b)(7)(C) “you don’t want to set them up for failure...then they are going to get highly stressed and be in a high hover, so, that is kind of the standard practice.”

⁵³ It was standard practice for candidates to receive this feedback following their interview; however, it was not normal for anyone who received a re-panel to receive it until after they completed their second ACTI. She received her briefing prior to the decision to re-panel her, providing her insight into her ACTI others were not afforded before their interviews.

⁵⁴ CAP leaders provided us documentation generated for all re-panels conducted between CAP23 and CAP25. Of the 16 re-panels, three were in CAP23, three were in CAP24, and 10 were in CAP25. The candidates in CAP23 and CAP24 were repaneled for a variety of reasons including panel members recognizing the candidate’s voice; panel members reviewing and discussing the file ahead of the interview; and for a candidate identifying himself by name to the panel. Seven candidates were repaneled in CAP25 because there was “previous year’s feedback” contained in each candidate’s ACET report. Two CAP25 candidates were repaneled because of comments made by panel members about the candidate’s ability to speak clearly (the candidates used English as a Second Language (ESL). The last candidate repaneled in CAP25 was (b)(6); (b)(7)(C) at GEN Hamilton’s request.”

⁵⁵ Testimony from (b)(6); (b)(7)(C) and MG Joseph McGee, former Director, ATMTF, explained that every time there was an anomaly during BCAP, it was memorialized.

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GEN Hamilton and (b)(6): (b)(7)(C) texted following (b)(6): (b)(7)(C) first panel. They discussed the request for re-panel, and (b)(6): (b)(7)(C) told GEN Hamilton that two-thirds of officers with similar risk profiles to (b)(6): (b)(7)(C) successfully completed BCAP in their first interview.

(b)(6): (b)(7)(C): Sir. When you have a minute, can I call you please?

Thank you. (b)(6): (b)(7)(C)

GEN Hamilton: (b)(6): (b)(7)(C) land in hr and 40. I think it's the right thing to do

(b)(6): (b)(7)(C): I'll call when you're ready sir. We'll send her to another panel. If you're satisfied with that, I have no need for a call, sir.

GEN Hamilton: Psych guy was way too animated and conclusive. Big thanks (b)(6): (b)(7)(C) you are a gentleman and scholar

(b)(6): (b)(7)(C): Sir. I'll repanel. 2/3 of the officer with risk profiles like this have successfully made it though. But to confirm the fairness, we'll give her another shot. Hope she makes it. (b)(6): (b)(7)(C) will talk with her tonight.

GEN Hamilton: Thx appreciate.

(b)(6): (b)(7)(C): I ask that you let us handle it and not reach out to her sir. She got feedback today, so she has the opportunity to adjust if she's self aware enough to accept it. We can't give her an unfair advantage.⁵⁶

GEN Hamilton and (b)(6): (b)(7)(C) exchanged three or four texts the day GEN Hamilton left Fort Knox, and three or four the following day, all related to (b)(6): (b)(7)(C) GEN Hamilton texted him after her first panel and told him he "[w]anted to provide additional info dating back to Ft Hood⁵⁷ independent review." The next day, GEN Hamilton texted him again, "Once u get a time for tomorrow, let me know time of panel and let me know if she makes it or not."

GEN Hamilton also called several panel members between the time he left Fort Knox and (b)(6): (b)(7)(C) second panel which had been scheduled for November 1.

MG Trevor Bredenkamp, who was a panel member, told us GEN Hamilton asked him how he made decisions on file assessments. MG Bredenkamp said GEN Hamilton never mentioned a specific candidate, nor did he try to get him to say who he was voting on. He reported the call to (b)(6): (b)(7)(C) because he and GEN Hamilton had a conversation about how the board functioned.

⁵⁶ GEN Hamilton testified he found out later that there were 14 additional re-panels in CAP this cycle. He did not initiate the idea of a re-panel "at all." He took offense at (b)(6): (b)(7)(C) asking him not to speak to (b)(6): (b)(7)(C) about her performance. He "took that as being disrespectful in nature, because I don't feel like he said that to any other officer." The texting between him and (b)(6): (b)(7)(C) had three purposes: 1) he was "pinging" (b)(6): (b)(7)(C) on text because it was taking "twice as long to answer basic questions;" 2) he was "pinging" (b)(6): (b)(7)(C) for being disrespectful; and 3) (b)(6): (b)(7)(C) texted him to "make up" for his disrespect and told him about three-quarters of the officers that repaneled were successful.

⁵⁷ Fort Hood was renamed Fort Cavazos.

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Phone records show that MG Jeth Rey, also a BCAP panel member, received three phone calls from GEN Hamilton on November 1. According to MG Rey, GEN Hamilton told him somebody was “going to be coming potentially for my board around the timeframe, I think it was morning time.” MG Rey said that while it was not unusual for GEN Hamilton to call him, their conversation was unusual. He did not know how GEN Hamilton knew he was at BCAP, and the whole conversation consisted of a cordial introduction, GEN Hamilton’s mention of someone appearing at the board, and then GEN Hamilton asking him if MG Hope Rampy⁵⁸ was there. GEN Hamilton wanted MG Rey to let her know he wanted to speak with her. He could not recall if he handed his phone to MG Rampy or passed the message. GEN Hamilton called him again later that day, and said something like, “I don’t think (b)(6) sat in your room, so thanks a lot, appreciate you. Have a good day.” That was the entire conversation. MG Rey could not remember a third phone call.

MG Hope Rampy told us MG Rey handed her the phone while they were on a break, standing in the hallway. They were members of the same BCAP panel. She did not recall GEN Hamilton mentioning a specific name but remembered he spoke with her to “garner support” for an officer’s reconsideration. She told (b)(6); (b)(7)(C) about the phone call at the end of the day. (b)(6); (b)(7)(C) told her he was “having to deal” with GEN Hamilton asking questions, texting, and contacting panel members. She told (b)(6); (b)(7)(C) she had just spoken to GEN Hamilton. She asked (b)(6); (b)(7)(C) if he was “good,” and he replied he just had to follow the process.

(b)(6); (b)(7)(C) told us he found out on November 1 that GEN Hamilton contacted MG Rey, MG Bredenkamp, and MG Rampy to discuss their individual voting philosophies.⁵⁹ MG Bredenkamp pulled him aside and told him GEN Hamilton called him and asked him questions about the conduct of the board, asked who else was there, and if he was on (b)(6); (b)(7)(C) interview panel. (b)(6); (b)(7)(C) asked MG Bredenkamp if he knew of anyone else who “may have had such a conversation.” MG Bredenkamp mentioned MG Rampy and MG Rey. (b)(6); (b)(7)(C) believed GEN Hamilton contacted these officers “trying to find out what was happening” on the second panel on November 1.

GEN Hamilton explained he made calls to general officers he saw while he was at Fort Knox. He saw MG Bredenkamp and MG Rey those were the two he called. MG Rampy was with MG Rey when he called. He talked to them about the BCAP process saying, “you really have to take a very holistic approach to this process. Also convey my concerns with the psych eval and how they got too cozy with the – the panelists.”

⁵⁸ MG Hope Rampy was the Director, Directorate Military Personnel Management (DMPM), and fellow BCAP panel member.

⁵⁹ (b)(6); (b)(7)(C) did not know GEN Hamilton contacted MG Ragin twice before (b)(6); (b)(7)(C) first panel, nor that he contacted MG Rey twice following her second panel.

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(b)(6); (b)(7)(C) *Re-Panel Assessment Details*

On November 1, (b)(6); (b)(7)(C) participated in her second BCAP panel.⁶⁰

(b)(6); (b)(7)(C) performance after her re-panel showed no change in her overall BCAP performance; she remained in the 1st percentile. The only difference between her performance in the two panels was that her leadership and verbal communications switched tiers with each other. Two panel members voted her ready for command; three panel members voted her not ready for command. (b)(6); (b)(7)(C) was assessed not ready for command.

(b)(6); (b)(7)(C) texted GEN Hamilton at 11:40 a.m. that morning to tell him, "Sir. Voting is not complete until the end of the day..." GEN Hamilton replied, "OK understand was just curious how she did coming out of panel but ack process."

At 9:41 p.m. GEN Hamilton texted (b)(6); (b)(7)(C) asking; "(b)(6); (b)(7)(C) didn't hear bac [sic]." (b)(6); (b)(7)(C) replied, "Sir. Not yet certified." (b)(6); (b)(7)(C) knew from his interactions with GEN Hamilton that he was "not happy with the outcome."

(b)(6); (b)(7)(C) updated MG Drew on (b)(6); (b)(7)(C) panel via text, explaining the re-panel found her not ready for command. He also told MG Drew that GEN Hamilton contacted at least one panel member that morning to "find out what's going on at CAP."

Prior to the panel's final vote on November 1, (b)(6); (b)(7)(C) engaged LTG Walter Piatt through LTG Piatt's Executive Officer, (b)(6); (b)(7)(C). LTG Piatt was serving as acting Vice Chief of Staff of the Army⁶¹ and as the Director of the Army Staff. (b)(6); (b)(7)(C) reported what he believed was GEN Hamilton's interference in the BCAP process.

(b)(6); (b)(7)(C) also texted MG Drew and informed him LTG Piatt was going to speak with GEN Hamilton. He added, "For awareness, I now have evidence of GEN Hamilton contacting at least three people on the BCAP ACTI panels to discuss specific candidates and votes... We're compiling the evidence and I'll send it to the VCSA soonest." MG Drew responded, "Wow, very disappointing. Thanks for sustaining sanctity of objectivity in the CAP system (b)(6); (b)(7)(C). Sorry, you were put in that position." (b)(6); (b)(7)(C) authored a memorandum for record detailing the irregularities in (b)(6); (b)(7)(C) BCAP process that same day.⁶²

⁶⁰ The second panel did not know she had been through a panel on October 30, nor did they receive any feedback from her first panel performance.

⁶¹ This position is normally filled by a four-star general, but due to the holdup of confirmations for GOs at the time, and the former CSA's retirement, GEN George, the former Vice, became the CSA, and LTG Piatt was dual hatted as the DAS and the Vice.

⁶² This was the memorandum (b)(6); (b)(7)(C) referred to in his article. The anomalies included GEN Hamilton requesting (b)(6); (b)(7)(C) assessments prior to his visit to BCAP: GEN Hamilton specifically requesting to observe her interview; the conversation GEN Hamilton had with (b)(6); (b)(7)(C) about the presentation by the psychologist and the results of the first panel; GEN Hamilton's request to re-panel (b)(6); (b)(7)(C); GEN Hamilton contacting three panel members prior to her re-panel; the results of the re-panel and; GEN Hamilton's communications with him about the results of the re-panel.

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○ Post FY25 BCAP Actions

GEN Hamilton spoke with LTG Piatt on November 1.⁶³ They discussed GEN Hamilton's thoughts about the need for a "3/4-star override" because of his belief there were "biases" that prevented some officers from "getting a fair shot." LTG Piatt confirmed the call with GEN Hamilton during his interview. GEN Hamilton told LTG Piatt he felt peers "colluded" and worked on statements that would disadvantage the officer. He remembered telling GEN Hamilton, "We need to make the Chief aware because it's the Chief's program."

LTG Piatt saw GEN Hamilton's call as "kind of like elevating a serious incident report." GEN Hamilton told him, "I will talk to the Chief." He never sensed GEN Hamilton was advocating for a specific individual. He believed GEN Hamilton was being a kind, caring leader; however, GEN Hamilton had never contacted him about any other officer who had not successfully completed BCAP.

GEN Hamilton told him the problem with the individual's peer assessments was related to the investigation of a senior official.⁶⁴ He believed GEN Hamilton felt (b)(6); (b)(7)(C) was the victim of retaliation because of statements she made during that investigation.^{65,66} LTG Piatt did not know (b)(6); (b)(7)(C) nor did he feel qualified to determine if collusion played a role in her peer assessments. He accepted GEN Hamilton's position since he was familiar with the officer and the statements from her peers.

On November 2, GEN Hamilton emailed LTG Piatt noting the override discussion they had on November 1st as timely because the "Performance Board is 3-9 Nov."⁶⁷

Between November 2nd and 7th, GEN Hamilton attempted to gather BCAP data on other high-risk candidates to "present thoughts and recommendations to the Chief."⁶⁸ This included speaking with (b)(6); (b)(7)(C) about his request for the BCAP data. (b)(6); (b)(7)(C) confirmed through the Chief and the Vice XOs that GEN Hamilton's request had not come through either of their offices. (b)(6); (b)(7)(C) denied GEN Hamilton's request for the data on November 7. GEN Hamilton then contacted LTG Piatt.

⁶³ LTG Piatt told us he believed the BCAP process was very good overall, but some commanders were skeptical when the panel did not agree with their assessment about some officer's potential for command. No one felt the panels or process were flawed, but there were discussions about there not being a way to re-evaluate panel decisions. Every year, a senior commander questioned an officer or two not found ready for command, but usually that leader went to look at the CAP process and it seemed like they came back confident in the overall system. BCAP25 was the first time anyone acted on a senior commander's concern over an officer's performance at BCAP.

⁶⁴ LTG Gamble was the G-4 GEN Hamilton replaced in 2022.

⁶⁵ DAIG-IN substantiated allegations of counterproductive leadership against LTG Duane Gamble in case 20-00028. (b)(6); (b)(7)(C) was neither a witness nor mentioned during the investigation. The Inspector General did not release the investigation to GEN Hamilton.

⁶⁶ GEN Hamilton testified that following LTG Gamble's investigation and removal, there were "divided camps" within the (b)(6) and he believed (b)(6); (b)(7)(C) was in the middle. "in an awkward position."

⁶⁷ The files of candidates found ready for command at FY25 BCAP were forwarded to the Joint Performance Panel for voting per the legacy board process from November 3-9.

⁶⁸ Quote from (b)(6); (b)(7)(C) testimony.

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GEN Hamilton testified LTG Piatt told him to draft a memorandum requesting an exception to policy and have (b)(6); (b)(7)(C) provide letters of recommendation. GEN Hamilton contacted (b)(6); (b)(7)(C) sometime between November 7th and 9th and asked her to get letters supporting her selection. (b)(6); (b)(7)(C) told us she did not ask him any questions; she got three letters.⁶⁹ She testified she did not know why GEN Hamilton wanted them, but had each letter address her positive leadership attributes. She emailed the letters from her personal email account to one of GEN Hamilton's personal email accounts.⁷⁰

Sometime between November 7 and 9, LTG Piatt engaged the CSA about GEN Hamilton's request. (b)(6); (b)(7)(C) recalled the Chief and the Vice spoke about CAP because there was "somebody making an appeal for a specific officer at CAP." After their conversation, LTG Piatt called LTG Douglas Stitt, G-1, to request options to address GEN Hamilton's concerns.

On November 9, GEN Hamilton spoke with GEN George. GEN George told us GEN Hamilton expressed concern that someone did not get a fair shake because of her peer evaluations. GEN Hamilton told him the officer in question was unfairly singled out by her peers, relating to problems in the G-4. GEN George told GEN Hamilton he would talk to the Vice and recalled telling LTG Piatt to "take a look at it."

In our interview, GEN Hamilton recalled telling GEN George he went to CAP and watched (b)(6); (b)(7)(C) interview. He told GEN George he shared his concerns about the psychologist's presentation with (b)(6); (b)(7)(C) who then brought up the idea of a re-panel. He told GEN George he thought there was a need to do something about the assessments to prevent any "baked in" bias towards a candidate. He believed he told LTG Piatt he called a "couple of panel members just to make sure they took a holistic view but did not tell GEN George."

On November 13, GEN Hamilton emailed LTG Piatt a memorandum requesting an exception to policy (ETP) to certify (b)(6); (b)(7)(C) ready for command. He attached (b)(6); (b)(7)(C) letters of recommendation and then, according to GEN Hamilton, he "broke contact."⁷¹

GEN Hamilton told us he spoke with LTG Piatt and GEN George to report his observations of BCAP. He felt he was very transparent throughout the entire process. GEN Hamilton said "one thing I want to be very frank about, this is not an African American

(b)(6) & (b)(7)(C)

⁷⁰ We found (b)(6); (b)(7)(C) forwarded the letters from her student account at Columbia to GEN Hamilton's (b)(6); (b)(7)(C), (b)(6) @gmail.com. When asked, GEN Hamilton's current staff only knew about his (b)(6); (b)(7)(C), (b)(6) @gmail.com email account.

⁷¹ GEN Hamilton wrote a memorandum for the Chief dated November 10, stating (b)(6); (b)(7)(C) was "not allowed to compete on an equal playing field" due to influences "outside the CAP process." He emailed his request for the exception to policy and the letters of recommendation to LTG Piatt, "per our discussions," on November 13. Evidence showed GEN Hamilton only sent these documents to LTG Piatt.

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problem. This is an Army problem. We have 72% of the African Americans opt out of even going to CAP.”⁷²

GEN Hamilton did not believe his request for an exception to policy disadvantaged any other officers found ready for command. “I think what it did was open up the aperture, that in the future, potentially, this could be a potential solution as we continue to evolve the BCAP or the CAP process.” He believed having a three/four-star override post-BCAP was a necessary evolution. He would have done the same thing for any officer. What made (b)(6): (b)(7)(C) case different was the knowledge he had beforehand about people (b)(6): (b)(7)(C) planning to “light her up” in her peer and subordinate assessments.

Discussion Regarding Prohibited Relationship

We concluded GEN Hamilton engaged in a prohibited relationship with (b)(6): (b)(7)(C) that provided her unfair advantage. GEN Hamilton’s direct actions to assist (b)(6): (b)(7)(C) began with awarding her an impact Legion of Merit and culminated with his request for an exception to policy to certify her ready for command to the Chief of Staff of the Army. GEN Hamilton provided (b)(6): (b)(7)(C) with several advantages he did not provide to other officers.

GEN Hamilton’s justification for awarding (b)(6): (b)(7)(C) an impact Legion of Merit failed to meet the threshold of accomplishments identified in Army regulation. He was unable to clearly describe her accomplishments justifying the award. GEN Hamilton also failed to comply with Army regulation by awarding the Legion of Merit for acts recognized in her Meritorious Service Medal award. The Legion of Merit is a prestigious award, rarely presented to a MAJ. GEN Hamilton only presented an impact Legion of Merit to one MAJ, then (b)(6): (b)(7)(C). GEN Hamilton was aware of the significance of this award and the positive impact it would have on (b)(6): (b)(7)(C) JPP file.

GEN Hamilton improperly extended (b)(6): (b)(7)(C) rating period to allow him to rate her as a LTC after he became a 4-Star General Officer in violation of Army regulation. We found GEN Hamilton’s testimony disingenuous that the delay in (b)(6): (b)(7)(C) evaluation was merely an administrative error. Unlike other late evaluations GEN Hamilton prepared, this was the only evaluation that reflected a change to the end date. The extension of the end date by five months coincided with (b)(6): (b)(7)(C) promotion to LTC. GEN Hamilton ranked her #1 of 111 LTCs he evaluated, though she never worked for him as an LTC. GEN Hamilton’s evaluation of (b)(6): (b)(7)(C) provided her an advantage over her peers.

GEN Hamilton improperly advocated for (b)(6): (b)(7)(C) to be certified ready for command. The evidence did not support GEN Hamilton’s explanation that he advocated for (b)(6): (b)(7)(C) to illustrate his concerns with systemic bias and unfairness in the BCAP process.

⁷² Statistics provided from CAP on African American officers opting out of CAP showed 17%, not 72%. There were no statistics in CAP historical data that showed 72% of any population opted out of CAP or BCAP. The highest percentage of officers opting out of CAP was in FY25 BCAP, when 54% of all eligible officers opted out.

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GEN Hamilton's involvement in the BCAP process was partial only to (b)(6); (b)(7)(C). GEN Hamilton did not contact any other officers not certified for command, he did not observe their interviews or review their assessments. GEN Hamilton only engaged Army senior leaders on (b)(6); (b)(7)(C) behalf. He initiated the idea of an "override" to LTG Piatt specifically for (b)(6); (b)(7)(C) based on her circumstances. Finally, GEN Hamilton only requested an exception to policy for (b)(6); (b)(7)(C).

GEN Hamilton used his position as a senior Army officer to influence the BCAP process to get (b)(6); (b)(7)(C) certified ready for command. (b)(6); (b)(7)(C) and GEN Hamilton downplayed their mentor/mentee relationship and neither testified to ever discussing any details about (b)(6); (b)(7)(C) career, previous assignments or concerns with her peer and subordinate assessments. The evidence showed GEN Hamilton suspected potential problems with (b)(6); (b)(7)(C) assessments. GEN Hamilton attempted to pre-emptively set conditions to support his argument that there was unfairness in the BCAP process in the event (b)(6); (b)(7)(C) was found not ready for command.

GEN Hamilton said he acted on (b)(6); (b)(7)(C) behalf because of information he received from someone who worked in the G-4. Despite how critical this informant was, neither GEN Hamilton nor his attorney were willing to provide us any significant details beyond someone told GEN Hamilton that (b)(6); (b)(7)(C) would be "lit up." When he reviewed her assessments, GEN Hamilton could not relate any of them to her time at Fort Cavazos or in the G-4. GEN Hamilton also told us he was not concerned with the accuracy of (b)(6); (b)(7)(C) assessments, in effect discounting the possibility (b)(6); (b)(7)(C) was a counterproductive leader.

GEN Hamilton also concluded there was an issue with how the psychologist presented information at BCAP. He reached this conclusion after only observing the presentation of (b)(6); (b)(7)(C) file and "didn't need a comparison." Collectively, GEN Hamilton's actions appeared focused on excusing (b)(6); (b)(7)(C) low ratings at BCAP rather than identifying systemic issues with BCAP. At no point in his interview did GEN Hamilton talk about (b)(6); (b)(7)(C) performance, potential, or why she was qualified to be a battalion commander.

GEN Hamilton introduced the idea of weaponizing assessments and how certain assignments could create bias or unfairness in the process during his discussions with MG Drew, (b)(6); (b)(7)(C). At no time during these engagements did he share any evidence in support of his conclusion that (b)(6); (b)(7)(C) assessments were biased against her. Prior to FY25 BCAP, GEN Hamilton discussed the BCAP process with (b)(6); (b)(7)(C) and asked him to review only (b)(7)(C), (b)(6) assessments. GEN Hamilton requested the names of only the GOs on (b)(6); (b)(7)(C) panel. GEN Hamilton asked to observe only (b)(6); (b)(7)(C) interview. He only reviewed (b)(6); (b)(7)(C) assessments and only observed (b)(6); (b)(7)(C) psychologist's presentation. These actions were not consistent with his statement of his observations of systemic issues with bias and unfairness in the assessment process. While at BCAP, GEN Hamilton first focused on how he believed (b)(6); (b)(7)(C) was disadvantaged by her peer

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assessments from Fort Cavazos,⁷³ then later, by the psychologist's presentation. When he spoke to the Chief and the Vice, his focus changed to concerns with (b)(6): (b)(7)(C) peer assessments from the G-4.

We found it more likely than not GEN Hamilton leveraged his rank and his position to pressure CAP staff to re-panel (b)(6): (b)(7)(C). GEN Hamilton testified (b)(6): (b)(7)(C) introduced the idea of the re-panel; however, his testimony was inconsistent with other evidence. Both (b)(6): (b)(7)(C) testified GEN Hamilton requested (b)(6): (b)(7)(C) re-panel. (b)(6): (b)(7)(C) told him (b)(6): (b)(7)(C) did not warrant re-paneling, but GEN Hamilton wanted her re-paneled. (b)(6): (b)(7)(C) both believed the process worked and felt a second panel would yield the same result. According to (b)(6): (b)(7)(C) no senior leader ever made a request to re-panel a candidate. He re-iterated that the only reason he approved the re-panel was because of GEN Hamilton's request.

GEN Hamilton improperly contacted four BCAP panel members. General officers frequently serve on boards and panels and swear an oath to protect the integrity of the process. GEN Hamilton's contact with panel members to discuss their board philosophy put the integrity of the BCAP panel at risk. GEN Hamilton testified he called them to ensure they were conducting panels with a holistic view of a candidate's file. Two of the panel members testified GEN Hamilton mentioned they may see someone he knew. A third testified GEN Hamilton specifically attempted to garner support for a candidate who was being re-paneled.

GEN Hamilton presented the Vice and Chief incomplete information when he argued that (b)(6): (b)(7)(C) was unfairly assessed at BCAP and deserved to be certified ready for command. GEN Hamilton stated his intent of engaging Army senior leaders was to provide them an assessment of a systemic flaw he found in the CAP process. He said he used (b)(6): (b)(7)(C) to illustrate how a weaponization of peer and subordinate assessments led to a qualified officer not being certified ready for command. Her results from both BCAP panels contradicted his assessment of her capabilities, as she rated in the bottom 1% of all BCAP candidates.

GEN Hamilton did not disclose to Army Senior Leaders that he only observed (b)(6): (b)(7)(C) interview. He did not share that he had not determined, nor considered important, whether (b)(6): (b)(7)(C) assessments were accurate. He did not tell the Chief he had contacted panel members at BCAP. He did not share that both (b)(6): (b)(7)(C) panel and re-panel found her not ready for command. Rather, GEN Hamilton leveraged his position as a trusted Army senior leader to convince the Chief and the Vice he was protecting the integrity of the BCAP process by identifying a bias towards a single officer.

Conclusion regarding Prohibited Relationship

We conclude by a preponderance of evidence that GEN Hamilton engaged in a prohibited relationship that caused an actual or perceived partiality or unfairness in violation of AR 600-20.

⁷³ This was an assignment where, according to her unredacted peer assessments, (b)(6): (b)(7)(C) had conflict with subordinates, peers, and superiors. GEN Hamilton did not review the unredacted peer assessments.

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IV: Army Senior Leaders and HQDA Staff

While we concluded GEN Hamilton attempted to influence the command certification to favor (b)(6); (b)(7)(C) he did not have the authority to override the BCAP panel recommendations and find her certified for command. In this section, we reviewed the actions Army senior leaders and staff took in response to GEN Hamilton's contact with the Chief of Staff of the Army and the Vice Chief of Staff of the Army, who was also performing the duties of the Director of the Army Staff, that resulted in (b)(6); (b)(7)(C) being certified ready for command and appearing before the Job Performance Panel (JPP).⁷⁴

The Chief of Staff of the Army, in coordination with ASA M&RA has the authority to modify the CAP process at any time to ensure the integrity and fairness of the selection process. GEN Hamilton's actions marked the first time anyone requested the Chief to make an exception to policy and override a BCAP panel decision. We examined evidence to determine exactly what happened. We started our review from the time GEN Hamilton first presented (b)(6); (b)(7)(C) case to Army senior leaders and ended with the publication of the FY25 Centralized Selection List (CSL) that included her name as a principal for command.

GEN Hamilton spoke with LTG Piatt prior to the final BCAP decision on November 1, and followed up with an email the next day, introducing the idea of a three or four-star override.

Between November 2nd and 7th, GEN Hamilton gathered data to present to Army senior leaders supporting his argument for (b)(6); (b)(7)(C). When (b)(6); (b)(7)(C) denied his request for CAP data on November 7, GEN Hamilton immediately called LTG Piatt.⁷⁵

Due to the passage of time, we were unable to pinpoint the exact date, but in reviewing the evidence, sometime between November 7 and 9, LTG Piatt spoke to the Chief about GEN Hamilton's request. LTG Piatt began staff coordination with LTG Douglas Stitt, G-1, to present options to address GEN Hamilton's concerns.⁷⁶

On November 9, GEN Hamilton spoke to the Chief. GEN George stated GEN Hamilton expressed concern that someone did not "get a fair shake because of peer evals." GEN Hamilton told him (b)(6); (b)(7)(C) was "unfairly singled out" by her peers, relating to problems (b)(6); (b)(7)(C).

⁷⁴ The JPP was the follow-on process to BCAP. Only those individuals found ready for command at BCAP progressed to the JPP. The JPP consisted of a board of officers that voted each candidate's file on a scale of one to six plus. The cumulative score from all the board members determined the candidate's placement on the order of merit list for command and key billets. All candidates whose files went before the JPP were placed on the order of merit list, but that did not guarantee them a command or key billet. A finite number of positions were available each year, and the order of merit determined who was a primary select, and who was an alternate select. Those whose number fell below the named alternates did not receive a command or key billet.

⁷⁵ GEN Hamilton texted (b)(6); (b)(7)(C) on November 7, "Piatt and I will talk in about 30 mins."

⁷⁶ (b)(6); (b)(7)(C) confirmed (b)(6); (b)(7)(C) set up a phone call between LTG Piatt and LTG Stitt that day so LTG Piatt could relay information to the G-1 on what to do about "all of this."

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GEN George recalled telling LTG Piatt to, “take a look at it.”⁷⁷ In our interview, GEN George said he did not know GEN Hamilton went to Fort Knox until he read the article in Military.com. After seeing the article, he read (b)(6); (b)(7)(C) memo and realized “exactly what happened.” He told us he would not have supported GEN Hamilton’s request if he had known the details of (b)(6); (b)(7)(C) file and GEN Hamilton’s involvement at Fort Knox.

(b)(6); (b)(7)(C) remembered when GEN George was the Vice, he got at least three or four phone calls or emails from other four-star generals when someone was not selected for command.⁷⁸ GEN George told us that when he was the Vice and people contacted him, unhappy with the CAP process, he would call the CAP Director and tell him to call the general officer and explain what happened on the board and give them feedback.

GEN Hamilton testified that LTG Piatt told him to draft a memorandum requesting an exception to policy and have (b)(6); (b)(7)(C) provide letters of recommendation. On Friday, November 10, GEN Hamilton drafted the exception to policy request for (b)(6); (b)(7)(C) addressed to the Chief of Staff.⁷⁹

GEN Hamilton sent the exception to policy and letters of recommendation to LTG Piatt on November 13. While GEN Hamilton was preparing the exception to policy, LTG Stitt began drafting courses of action for the Chief’s consideration. Preparing courses of action is a standard staffing process used to provide information and impact analysis to leaders to inform their decision.

On the morning of November 14, LTG Stitt sent the courses of action to the Chief and the Vice. LTG Stitt explained to us that he told LTG Piatt the first two were the preferred options, while the third, allowing the current JPP to vote (b)(6); (b)(7)(C) file and place her on the order of merit list, was a “nuclear option.” He told LTG Piatt, “[T]here’s a lot of chatter already...if the officer is brought forward, you know, this could call a lot of speculation into the process.”

LTG Stitt emailed the three options to the Chief of Staff. The Chief’s response to LTG Stitt’s email was that he “asked LTG Piatt to work this one so please get with him on the recommended way ahead.” LTG Stitt highlighted the risks of these actions to LTG Piatt.

LTG Piatt told LTG Stitt the Chief did not want to send her back in a subsequent iteration of CAP and have her recompute. LTG Piatt said he talked to the Chief, and the Chief “wanted it fixed.”

⁷⁷ GEN George did not recall “exactly all of these conversations...I do remember the specific call. I do remember asking General Piatt to take a look at it, and I know that we had discussed doing another board, that that was one of the possibilities.”

⁷⁸ When GEN George was the Vice, all candidates’ files were voted on at the JPP first, then those with the highest scores went to BCAP for final assessment.

⁷⁹ We presumed this based upon the date on the memorandum. It was not digitally signed, so we did not know exactly what date he signed it.

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LTG Stitt forwarded his recommendations to LTG Piatt on November 15. LTG Piatt responded less than an hour later, "Let's proceed." LTG Stitt directed (b)(6); (b)(7)(C) to "...go ahead and prep the files for voting."

(b)(6); (b)(7)(C) informed MG Drew later that morning that he "had several calls and emails with LTG Stitt over the past two days regarding (b)(6); (b)(7)(C) the officer that GEN Hamilton is concerned about. The CSA has directed us to do something to allow (b)(6); (b)(7)(C) to get a JPP score, so I'm working with the [Command Management Division] and DA [Secretariat] Teams to work the details."

(b)(6); (b)(7)(C) DA Secretariat,⁸⁰ informed us he received information from CAP to add someone found not ready for command to an order of merit list. According to (b)(6); (b)(7)(C) this candidate would stand out because their scorecard would indicate the candidate was found not ready for command. He believed this would create a bias for that candidate. LTG Stitt told him the Chief "wanted the individual's file voted." He reminded LTG Stitt that the MILPER stated only "Certified files would be viewed/voted." LTG Stitt suggested that they put our heads together to "get to yes."

(b)(6); (b)(7)(C) met with Command Management Branch, Officer Management Division, Director of Military Personnel Management (DMPM), and a representative from the Office of The Judge Advocate General (OTJAG)⁸¹ to develop a solution. (b)(6); (b)(7)(C) file would need an exception to policy to certify her ready for command before a board could evaluate her file. "The solution presented was that the only way the file could be seen without creating bias was if an [exception to policy] was included in place of the CAP scorecard. We believed this approach would still highlight the file, but not to the degree of a [Not Yet Certified] scorecard being included."

Everyone in the meeting agreed it was the only solution. They briefed LTG Stitt, and he agreed. LTG Stitt told them to draft the exception to policy and he would sign it. (b)(6); (b)(7)(C) suggested the Chief of Staff of the Army sign the exception to policy because all others were signed by the Chief, and following that precedent, it would not highlight the file.

(b)(6); (b)(7)(C) wrote in an email that there was hesitancy with this approach, but it was the only solution that did not break any published rules or guidance. Everyone was more at ease with this solution with the inclusion of the statement on the exception to policy, "The CSA has determined this officer is Certified for Command."⁸²

⁸⁰ The DA Secretariat was responsible for collecting all CAP scorecards and placing them into candidates' files prior to the JPP board's vote. He received this information as he was preparing the files for the COL JPP.

⁸¹ This group consisted of the subject matter experts from various staff sections familiar with all CAP, JPP and other board processes. Their role was to ensure all board processes were conducted consistent with Army policy and guidance. They also prepared the order of merit lists and all documents for the Chief to review and sign following each board.

⁸² (b)(6); (b)(7)(C) provided similar accounts of this meeting via email to DAIG.

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On November 15, (b)(6); (b)(7)(C) emailed LTG Stitt with several courses of action on how to get (b)(6); (b)(7)(C) file scored by the Job Performance Panel. (b)(6); (b)(7)(C) explained in the email that LTG Stitt was interested in using an exception to policy slide⁸³ in place of a BCAP scorecard in (b)(6); (b)(7)(C) file, so as not to draw attention to any deviations from the normal process. (b)(6); (b)(7)(C) wrote, "Some of the concerns associated with this option are that the CAP process has been circumvented...and a candidate will likely get pushed down the OML once this file score is integrated."

(b)(6); (b)(7)(C) attached three documents to his email to LTG Stitt: 1) a matrix which analyzed the courses of action for its impact on the integrity of CAP and the disruption to the ongoing board (see below); 2) a copy of the CAP out brief "to provide context to what was being supported;" and 3) a proposed exception to policy, writing, "The justification does not include any unnecessary details and the approval line is set up for VCSA/DAS endorsement, consistent with the [exceptions to policy] shown in the third attachment."

⁸³ The exception to policy slide used in place of a scorecard were for candidates with medical exceptions to policy, or for candidates who were unavailable for BCAP.

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	Action Taken	Integrity of CAP	Disruption	Produces OML Score
COA 1	No JPP Vote	No additional process	No additional process	No
	Principal for slating	JPP does not have visibility of this action	Last primary is bumped to 1st alternate	
COA 2	JPP Vote ETP	Execute special panel	Additional panel	Yes
	No Score Card Just 1 officer	ETP provided to JPP panel members	No effect to COL JPP	
COA 2a		Risk of future overrides		Establish ETP language
	JPP Vote ETP	Execute special panel	Additional panel	Yes
	No Score Card	ETP provided to JPP panel members	No effect to COL JPP	
	'19 to 57 other candidate files	Risk of future overrides	Do we also vote the 19 NYC COLs	Establish ETP language
COA 3	No JPP Vote	No additional process	No one is displaced	No
	Bottom of OML	JPP does not have visibility of this action		
COA 4	File Scored By Algorithm	No additional process	Someone is displaced	Yes Manual inject
		JPP does not have visibility of this action	The last primary is bumped to 1st alternate	
			Deferred Principal	
COA 5	Remain 'As Is'	No impact		No

Attachment 1: COA Risk Matrix

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On November 16, LTG Stitt emailed LTG Piatt to explain the justification of the exception to policy and to provide context to the supported action. LTG Stitt did not forward the COA Risk Matrix to LTG Piatt. About 30 minutes after receiving the email, LTG Piatt wrote his assistant executive officers that "I need to action the [exception to policy] today. Please print attachments I will explain in person. The Chief is aware."

At 3:40 p.m., (b)(6) (b)(7)(C) and others received notice from LTG Piatt's (b)(6) (b)(7)(C) that LTG Piatt signed the exception to policy for (b)(6) (b)(7)(C) ⁸⁴ (b)(6) (b)(7)(C) informed LTG Stitt and told him, "This file should be viewed and voted this coming Monday [November 20]."

	FY25 ATTENDANCE DEFERMENT	
Purpose: Decision on CAP 25 Participation. Issue: All candidates invited to attend CAP 25 must attend CAP or else be removed from command/primary general staff officer and brigade command sergeant major consideration unless they receive an approved deferment Discussion: The Commander Assessment Program Participant MILPER States: A candidate with an approved deferment must be found ready for command prior to assuming command. If a candidate receives an approved deferment for CAP25 and was found "Ready" at their most recent previous CAP at that same level, then he/she can take command if selected. If a candidate receives an approved deferment and has not been found "Ready" then they must be found "Ready" at a subsequent CAP (e.g. CAP26) prior to taking command/key billet/CSM positions. Deferred candidates who are determined "Not Yet Ready for Command" the following year will be removed from the command. Candidates may request a deferment to participate in CAP for the following reasons: maternity convalescent leave; pregnant and not medically cleared to participate; hospitalization; officer on emergency leave; and other extenuating circumstances. (b)(6) (b)(7)(C) (b)(7)(C) (b) 08) – The CSA has determined this officer is <u>Certified for Command</u> Recommendation: Final approval authority for BCAP, CCAP, and MCAP deferments: VCSA: (b)(6) (b)(7)(C) ^{(b)(7)(C)} Yes ☐ No ☐		
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On November 20, the JPP voted (b)(6) (b)(7)(C) file with a total score of 63 out of a possible 66. The panel published an order of merit list containing only her name. (b)(6) (b)(7)(C) ⁸⁵ commented, "I also understood that, based on statements made in the call about the officer's strong board file, that she was likely to place high on the OML for (b)(7)(C), (b)(6) officers..."

⁸⁴ LTG Piatt initialed the ETP which included the comment that the Chief certified (b)(6) (b)(7)(C) for command.

⁸⁵ The OTJAG representative for the board processes.

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The group decided that since (b)(6); (b)(7)(C) was now found certified ready for command, the next step was to determine where she ranked in relation to the other 810 officers on the BCAP order of merit list. Their mutual recommendation was to use her board score to determine her ranking. The final product included (b)(6); (b)(7)(C) name on line 100 of the FY25 LTC Command Selection List.

(b)(6); (b)(7)(C) OTJAG, received the final FY25 BCAP and other board order of merit lists for legal review before they went to the Chief for approval. (b)(6); (b)(7)(C) name was included at line 100 of 811 names on the final LTC order of merit list. (b)(6); (b)(7)(C) reminded us that CSL was a policy board, with significant flexibility in procedures than the DA boards that were governed by statutes. Courses Of Action that would have manually inserted her without a vote would have been a greater deviation from process and were not used. Had the staffing packet included the two separate order of merit lists instead of an integrated list, the Chief would have "been at least generally aware" of an anomaly with (b)(6); (b)(7)(C) file.

Observations, assessment, and conclusions on the actions of ASLs and Staff

The Centralized Selection List (CSL) is entirely a matter of Army policy; there is no statutory or DoD policies dictating how to assign commands and key billets. This is a Chief of Staff of the Army program. The Chief historically signs the Memorandums of Instruction for CAP and approves the order of merit list results and final assignment slates. The Chief has delegated authorities as necessary to the Vice Chief of Staff; the Director of the Army Staff; the Commander, Human Resources Command; and to the CAP Executive Director.

GEN Hamilton contacted LTG Piatt and GEN George advocating for their support to certify (b)(6); (b)(7)(C) for command. GEN Hamilton's discussions and emails with LTG Piatt appeared to present a more detailed explanation of (b)(6); (b)(7)(C) situation whereas GEN Hamilton's conversation with the Chief appeared to be a short discussion, after which the Chief asked GEN Hamilton to work with the Vice. This direction to LTG Piatt started a series of actions by the Army staff.

The Army is an organization trained to execute the commander's intent. Although GEN George did not direct (b)(6); (b)(7)(C) certification for command, he asked LTG Piatt to handle it. All interpreted the Chief's intent was to have (b)(6); (b)(7)(C) certified ready for command. None of these senior leaders went back to GEN George to ask for clarification. As LTG Stitt stated, the focus was to find a way to "get to yes" and the staff worked to meet that objective.

Several leaders and staff noted concerns with the impact of adding (b)(6); (b)(7)(C) to the command list and the impact it would have on the BCAP program. Although staff felt the action was irregular, they all testified it was within the CSA's authority for executing CAP.

LTG Piatt discussed (b)(6); (b)(7)(C) situation with LTG Stitt. LTG Stitt and staff developed three courses of action, each having an associated risk. LTG Stitt presented the courses of action and associated risks to GEN George and LTG Piatt. GEN George told

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LTG Stitt that LTG Piatt was working the issue. LTG Piatt eventually settled on a fourth option: "to vote her file like she was certified for command." This action had the highest level of risk because of the greatest deviation from the approved command selection process.

As staff discussed the exception to policy, they knew the ETP would have second and third order effects on the CAP program. They were aware these modifications introduced potential perceptions of unfairness and disrupted a process specifically crafted to eliminate bias and interference. They also recognized the importance of preserving the integrity of CAP.

While GEN George accepted responsibility for the decision, the evidence showed his staff took the actions that placed (b)(6); (b)(7)(C) on the command selection list. We did not find any evidence anyone told the Chief the details of GEN Hamilton's advocacy and interference in the process, the risks associated with certifying (b)(6); (b)(7)(C) for command outside of BCAP, or their concerns with the impact of these actions on BCAP. We did not find evidence that GEN George asked for these types of details.

The net effect of adding (b)(6); (b)(7)(C) an officer not certified ready for command, to the order of merit list ultimately caused concern in the force. This deviation from an established process, at the behest of GEN Hamilton, uprooted trust in the program from not just the affected population, but across the Army. Comments made to (b)(7)(C), (b)(6) article and on social media platforms touted the improved BCAP system failed; returning to a system where relationships with senior officers played a role in command selection vice officers' merit and leadership competency.⁸⁶

⁸⁶ A Reddit thread started upon the publication of (b)(7)(C), (b)(6) article, https://www.reddit.com/r/army/comments/1bixcit/army_4star_used_pressure_campaign_to_push_officer_/, generated nearly 300 comments. Examples of these comments included:

- "My understanding is that the entire reason this board was made was to have the most objective and unbiased assessments on our future leaders in positions of importance. The whole "meritocracy" concept of the Army. Now, a single 4-star has blown all that shit out of the water and everyone who bemoans "good ol boy system", "ring knocker" and "free-mason" are proven correct. Why work hard in a system that cares less about your performance and how well you are assessed and more on who you know personally?"
- "What makes this "special" is the general corrupted a system that was explicitly designed to stop exactly what he did. CAP was made to identify counterproductive (toxic) leaders, prevent them from taking command, and mitigate some of the "like promoting like" when it comes to bad leaders. It also had several mechanisms built-in to prevent abuses like this. Which the general circumvented. So, while I'll agree leaders abusing their power and influence is nothing new, this is particularly bad because it was a system meant to prevent everything he just did."
- So, when I say this incident breaks faith with the current O5s and O6s it's because the whole process and sanctity of CAP is now in question. If a General can ram their LTC through the system and even when they fail, get them a Battalion why does CAP matter?

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V. Overall Conclusions

The scope of our investigation included the allegations that GEN Hamilton engaged in a prohibited relationship with a Soldier of a different grade that caused an actual or perceived partiality or unfairness in violation of AR 600-20 (Army Command Policy), paragraph 4-14(b)(2). We interviewed twenty-six witnesses, spoke with subject matter experts, reviewed phone records, emails, official board records, and other relevant documents, and concluded the following:

1. The allegation that GEN Hamilton engaged in a prohibited relationship with a Soldier of a different grade that caused an actual or perceived partiality or unfairness in violation of AR 600-20 (Army Command Policy), paragraph 4-14(b)(2) **was substantiated.**

GEN Hamilton awarded (b)(6); (b)(7)(C) an impact Legion of Merit.

GEN Hamilton improperly extended (b)(6); (b)(7)(C) rating period.

GEN Hamilton used his position as an Army senior leader to influence the BCAP process and to get (b)(6); (b)(7)(C) certified ready for command.

GEN Hamilton leveraged his rank and his position to encourage CAP staff to re-panel (b)(6); (b)(7)(C)

GEN Hamilton improperly contacted four BCAP panel members while they were in the conduct of their duties.

GEN Hamilton presented the Vice and Chief separate and inconsistent information about his involvement at BCAP when discussing (b)(6); (b)(7)(C) file.

GEN Hamilton leveraged his position as a trusted Army senior leader to convince the Chief and the Vice that he was protecting the integrity of the BCAP process by identifying a bias towards a single officer.

2. We found several indicators of an overly familiar relationship between them, but they did not support a finding that the two were involved in a sexual relationship.
3. GEN Hamilton used his position as a trusted Army senior leader to present a matter of personal interest to the Chief and the Vice in the guise of a systemic problem with BCAP. The Chief took this concern seriously and delegated it to LTG Piatt. LTG Piatt interpreted this as a directive to resolve GEN Hamilton's issue with (b)(6); (b)(7)(C) not being certified for command. This initiated a series of staff actions and decisions to satisfy what they believed to be the Chief's intent. There was clearly concern amongst staff with the impact of the adjustments to the process, but they did not bring these concerns to the Chief of Staff. Oftentimes, Army Senior Leaders are inundated with the requirement to make decisions based on limited information. Most of the time, leaders are presented with enough information to make an informed decision. In this case, the Chief of Staff was led to believe an injustice occurred. The issue was brought to his attention by one of his senior commanders, whom the Chief would have had no reason to believe was not providing him all the relevant information needed. The Chief turned to the Vice to work the action through the staff. Our investigation revealed that while the Chief was aware of the options presented to him by the staff, he was not aware of GEN Hamilton's actions to

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influence the process in favor of (b)(6); (b)(7)(C) In fact, the Chief testified that had he known that information at the time, he would not have made the same decision.

Our investigation determined that while GEN Hamilton was not the first general officer to express concern with the Command Assessment Program, he was the only one to request an exception to policy from the CSA. In fact, our investigation revealed that the Chief, when confronted about the CAP program by senior commanders in the past, told them to visit Fort Knox to learn more about the program. We learned that when commanders conducted these visits, they were convinced that the program was fair. Some were still not happy about the results but conceded the program was fair. The Chief did not require GEN Hamilton to visit Fort Knox to assess the program. He did not spend time asking GEN Hamilton about the situation; instead, he delegated the fact finding to his Vice Chief of Staff and only learned of the certification when the article was published in military.com.

VI. Recommendations

1. This report be approved, and the case closed.
2. Refer this report to the Judge Advocate General for appropriate action.
3. Refer Matters concerning (b)(6); (b)(7)(C) TDYs to DODIG for referral to MDA for action.
4. Refer matters concerning (b)(6); (b)(7)(C) to HRC for action.

(b)(6); (b)(7)(C)

Investigator

APPROVED:

MARTIN, DONNA W. Digitally signed by
HITLEY, (b)(6); MARTIN, DONNA W. HITLEY, (b)(6)
(b)(6); Date: 2024.10.22 14:11:44 -0400

DONNA W. MARTIN
Lieutenant General, USA
The Inspector General