

**Executive Summary: AR 15-6 Investigation into Military Misconduct at
the 2012 Summit of the Americas in Cartagena, Colombia**

1. On 16 April 2012, the USSOUTHCOM Chief of Staff memorialized the USSOUTHCOM Commander's directive to appoint [redacted (b)(6),(b)(7)(C)] pursuant to Army Regulation 15-6, to investigate alleged misconduct by military members in Cartagena, Colombia, supporting the Summit of the Americas (Summit).
2. Based on interviews with US Secret Service, the White House Military Office, and senior DOD officers responsible for the Summit, there is no evidence that US military members' interaction with third country national females presented a risk to US national security or the operational mission.
3. The support to the Summit included three separate groups of DOD military members. One group consisted of those military members assigned to Joint Task Force-Summit of the Americas (JTF-SOA12). The second group of military members consisted of EOD technicians and explosive detection dog handlers embedded with and in direct support of the US Secret Service explosive detection team. The third group comprised military members assigned to the White House Military Office and the White House Communications Agency. While each group [redacted (b)(7)(F)], their leadership emphasized the importance of their mission, of maintaining a low profile, and of conducting themselves in a professional manner.
4. Even though prostitution is legal in Colombia (which does not license or register prostitutes), prostitution and patronizing a prostitute are prohibited by the Uniform Code of Military Justice (UCMJ). Many hotels, such as el Caribe Hotel, require hotel patrons to register any overnight guests, present overnight guest identification at the front desk, and pay an overnight guest fee. At el Caribe Hotel, overnight guests may be present from only 2300 to 0600.
5. The events that precipitated this investigation began with an incident on 11 April, which came to light on 12 April, when the el Caribe Hotel contacted the US Embassy Accommodations Coordinator at approximately 0900 and requested a meeting to discuss several issues concerning USG hotel patrons, to include allowing their overnight guests to remain past 0600, contrary to hotel policy. Acting on initial information obtained from a 0930 meeting with the hotel staff, US representatives began an informal inquiry into circumstances surrounding the hotel complaints. A follow-up meeting with hotel staff at approximately 1500 led to the discovery that several military members may have been implicated, in addition to Secret Service agents. US military leadership on the ground began investigating the hotel's concerns and produced evidence that six military members assigned to JTF-SOA12 had signed in overnight female guests (likely prostitutes) the previous night.
6. On the evening of 12 April, military leaders on the ground, in consultation with US Secret Service, decided to keep the implicated JTF-SOA12 military members in Colombia until the President departed, [redacted (b)(7)(F)]. This decision was briefed to the US Senior Defense Official in Colombia, who in turn briefed the US Ambassador. Both concurred with the decision. On the morning of 13 April, the US Secret Service independently decided to

(b)(7)(F)

7. Several military members assigned to the Summit engaged in Service discrediting misconduct. This misconduct consisted almost exclusively of patronizing prostitutes and adultery in violation of the UCMJ. The misconduct did not originate from a party or other single event, and there is no evidence of a larger coordinated effort to commit or conceal misconduct. A summary of the subject-by-subject misconduct is contained at the end of this Summary. Most of the evidence substantiating misconduct comes from four sources: (1) statements by the subjects and other military members; (2) statements from eight of the prostitutes; (3) log books from the el Caribe Hotel; and (4) security/surveillance video from el Caribe Hotel.

8. There is no evidence that any of the female guests signed in to hotels by military members to el Caribe Hotel were part of a human trafficking network or associated with the FARC or any other terrorist or drug trafficking organization. Eight females were interviewed in the exclusive presence of US personnel, and none of them expressed any concern about their safety or circumstances. Colombian identity documents for 11 of the women were verified to be valid, demonstrating that all were born in Colombia and are over the age of 18. The Colombian National Police performed a background check on each of the 11 women, and none had a criminal record.

9. There are ill-defined relationships and associated procedures between Combatant Commands and various federal agencies with attached military personnel, including military organizations outside the Combatant Commands, fostered differing force protection guidance and communications channels that created a lack of awareness and enabled some military members to enter Colombia without the knowledge of USSOUTHCOM or the US Senior Defense Official in Colombia.

Summary of Misconduct Substantiated by the 15-6 Investigation

Joint Task Force – Summit of the Americas Personnel

- USA (b)(6),(b)(7)(C) (b)(5)
- USA (b)(6),(b)(7)(C) (b)(5)
- USA (b)(6),(b)(7)(C) (b)(5)
- USA (b)(6),(b)(7)(C) (b)(5)

- USA (b)(6),(b)(7)(C) (b)(5)
- USA (b)(6),(b)(7)(C) (b)(5)

US Secret Service Explosives Detection Team Embedded Military Personnel

- USN (b)(6),(b)(7)(C) (b)(5)
- USN (b)(6),(b)(7)(C) (b)(5)
- USMC (b)(6),(b)(7)(C) (b)(5)
- USMC (b)(6),(b)(7)(C) (b)(5)
- USAF (b)(6),(b)(7)(C) (b)(5)

White House Communications Agency Personnel

- USA (b)(6),(b)(7)(C) (b)(5)

10. Recommendations.

- (b)(5)
- (b)(5)
- (b)(5)
- (b)(5)

Exhibit

1

1. Background.

a. On 15 April 2012, General Fraser, Commander, USSOUTHCOM, directed my appointment as the Investigating Officer (IO), and on 16 April 2012, Major General Ayala, the USSOUTHCOM Chief of Staff, signed the appointment order, pursuant to Army Regulation (AR) 15-6, directing me to investigate alleged misconduct by military members present to support the Summit of the Americas (SoA), in Cartagena, Colombia. My appointment stemmed from allegations that military members at the SoA had hired prostitutes. These allegations arose in the context of related reports that members of the United States Secret Service (USSS) had also hired prostitutes. The nature and context of the allegations brought focused interest from within the Department of Defense (DOD), and I flew immediately to Bogotá, Colombia, to begin the investigation. (2,3,4).

b. The U.S. Senior Defense Official (SDO) in Colombia, (b)(3): 10 USC §130b, (b)(6), (b)(7)(C), met us at the Bogotá Airport and escorted us to our hotel, briefing us as we drove. The next morning, we went to the U.S. Embassy and spoke to [redacted] and others in more detail. That afternoon (17 April), we flew to Cartagena, where the incidents had allegedly occurred. I was met in Cartagena by (b)(6), (b)(7)(C) and USMILGP Antiterrorism /Force Protection (AT/FP) Officer, (b)(3): 10 USC §130b, (b)(6), (b)(7)(C), (b)(6), (b)(7)(C) was temporarily assigned to the USMILGP-Colombia, with duty in Cartagena to support the SoA. Shortly after checking into our Hotel in Cartagena, Embassy FP Officer, (b)(3): 10 USC §130b, (b)(6), (b)(7)(C), arrived and briefed us on his knowledge of the incidents I was appointed to investigate. Later that day, we interviewed key military witnesses who had remained in Cartagena after the Summit. These interviews provided the background required to plan and execute the investigation.

(b)(3): 10 USC §130b,
(b)(6), (b)(7)(C)

c. Shortly after the allegations surfaced, [redacted], with General Ayala's consent, verbally directed (b)(6), (b)(7)(C) to begin a preliminary inquiry into the incident. [redacted] directed (b)(6), (b)(7)(C) to gather perishable evidence, such as hotel security camera footage and hotel registration records. (b)(6), (b)(7)(C) did so, providing me the considerable evidence he collected in the initial 2-3 days following the incidents. [redacted] had assisted [redacted] with his preliminary inquiry. Upon my arrival and in brief with [redacted], I took responsibility for the investigation, and (b)(6), (b)(7)(C), [redacted] and [redacted] facilitated the investigation. I spent the remainder of that week in Cartagena, returning to Miami on 20 April, through Bogotá. I spent the next week traveling to four military installations across the U.S., attempting to interview the implicated military members. A detailed chronology of my investigation is at Exhibit 4.

(b)(3): 10 USC §130b
(b)(6), (b)(7)(C)

2. Findings.

a. Force Protection.

(1) (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) was the SDO before, during, and after the SoA, under DODD 5105.75 and DODI 5105.81. As such, he was the Risk Determination Authority responsible for force protection (FP) for DOD personnel in Colombia.

(2) [redacted] issued a FP Policy for the SoA. The Policy addressed, among other topics, alcohol consumption and curfew. It did not prohibit military members from visiting specified locations, but it did provide guidance on types of locations to avoid. It did not prohibit the presence of a foreign national in a military member's hotel room. (127).

(b)(3): 10 USC §130b
(b)(6), (b)(7)(C)

(3) [redacted] briefed U.S. military members supporting the SoA, except those attached to the USSS, the WHMO, or the WHCA. [redacted] created a briefing based on [redacted] SoA-specific FP Policy, and individual military members signed a written acknowledgement that they received, understood, and would comply with the FP Policy. The written acknowledgment also provided notice that violation of the Policy could subject the violator to adverse administrative action or punishment under the Uniform Code of Military Justice. (114, 127, 130).

(4) [redacted] (b)(7)(F) [redacted] received this information from [redacted] (b)(6), (b)(7)(C) WHMO Chief of Security. [redacted] (b)(7)(F) [redacted] in a 6 April Memorandum for Record. (126).

(b)(6), (b)(7)(C)
(b)(3): 10 USC §130b,
(b)(6), (b)(7)(C)

(5) [redacted] (b)(3): 10 USC §130b, (b)(6), (b)(7)(C) separately discussed the SDO's FP Policy with [redacted] (b)(6), (b)(7)(C) a WHMO Security Officer. [redacted] (b)(6), (b)(7)(C) explained that [redacted] (b)(7)(F) [redacted] (114).

(6) The SoA included three groups of military members. Group One consisted of those personnel assigned to Joint Task Force-Summit of the Americas (JTF-SOA). This was a task-organized unit, under the Command of Lieutenant General Rand, who also commands AFSOUTH, the USSOUTHCOM Air Component Command. The senior JTF officer present in Colombia was [redacted] (b)(6), (b)(7)(C) the JTF-Forward Liaison Officer to the JTF. [redacted] (b)(7)(F) [redacted] (b)(7)(F) (101, 127).

(7) Group Two consisted of military EOD technicians and MWD handlers embedded with the USSS explosives detection team. [redacted] (b)(7)(F) [redacted] (b)(7)(F) DODI 3025.13 charges Combatant Commanders supporting the USSS with the responsibility and authority to ensure that military command and control over assigned forces in support of the USSS is maintained and that appropriate coordinating instructions [redacted] (b)(7)(F) are provided. [redacted] (b)(7)(F) [redacted] (b)(7)(F)

(8) Group Three consisted of those DOD personnel assigned to WHMO and the White House Communications Agency (WHCA). [redacted] (b)(7)(F) [redacted] (b)(7)(F) (104, 106).

(9) [redacted] (b)(7)(F) [redacted] did not contribute to the substantiated individual misconduct.

Leaders in Cartagena continuously reinforced applicable FP policies among JSOTF members and EOD/MWD members embedded with the USSS.

b. **Misconduct.** Communication with MILGP FP and legal personnel, and Colombian law enforcement officials, substantiate that prostitution is legal in Colombia. (114).

(1) There are several common ways to procure the services of a prostitute in Cartagena, including, frequently, through a “*prepago*” (prepay) arrangement. Under this arrangement, a prospective client will enter a bar or nightclub that is either exclusively or partially dedicated to prostitution. The client identifies a woman and pays the establishment to leave with her. The client then separately negotiates with and pays her for the services he seeks. Another common method is for a prostitute to present herself as something other than a prostitute at a bar, beach, or other place frequented by tourists. Only after engaging a potential client in conversation will the prostitute raise the topic of payment for sexual services. (114).

(2) Many hotels in Cartagena, including the el Caribe Hotel, allow an overnight guest (commonly a prostitute) to accompany a registered guest to his room, upon payment of a “guest fee.” The overnight guest in question is required to produce a copy of her identification documents and to sign a registration form. The hotel retains a copy of the identification documents and registration form. Overnight guest registration reduces the risk that an overnight guest will drug and/or rob a registered hotel patron. El Caribe Hotel allows overnight guests only from 2300 to 0600 because the hotel does not want families and other registered guests to witness their presence. (112, Tabs F-N, P, Q)

(3) Twelve U.S. military members brought a foreign national female guest to their hotel room prior to the SoA. One military member brought a guest to the Hilton Hotel during the first week of April, and the other eleven each brought an overnight guest to el Caribe Hotel on the evening of 11 April or morning of 12 April. These visits all happened before the President arrived. Of the eleven military members who brought an overnight guest to el Caribe Hotel, six were Army noncommissioned officers assigned to the Joint Special Operations Task Force (JSOTF). The other five were embedded with the USSS explosives detection team (EDT). The actions of these military members precipitated this investigation. See Tabs F through Q for detailed discussion of individual military member misconduct. (19, 81, 108; Tabs F – N, P, Q).

(4) On 12 April, the el Caribe Security Chief called USMILGP FP specialists, [redacted] and [redacted], to discuss his concerns about USG hotel patron conduct. [redacted] and [redacted] then met with the Security Chief at the hotel at 0930. The Security Chief stated that USSS personnel had hired prostitutes, but it was not yet known that military members had also done so. [redacted] immediately reported this information to the Embassy Deputy Regional Security Officer (RSO), [redacted]. (108, 110, 112).

(b)(3): 10 USC §130b
(b)(6), (b)(7)(C)

(5) Other el Caribe Hotel staff separately contacted the US Embassy Accommodations Coordinator, at approximately 0900, requesting a meeting to discuss issues concerning USG hotel patrons. The issues noted were USSS personnel drinking alcohol at the hotel pool and dogs sleeping on beds and soiling linens. The hotel requested a follow-up meeting. (108).

(6) At approximately 1500, the requested meeting began at el Caribe Hotel. A hotel public affairs representative, the chief of security, and housekeeping and reception representatives were present. U.S. attendees were [redacted] (DoS), [redacted] (USA), [redacted] (RSO), USSS Special Agent (SA) [redacted], USSS SA [redacted], [redacted] (JSOTF Commander), [redacted] (JSOTF Sergeant Major), and [redacted]. (108, 110, 112, 113).

(7) The Hotel presented three concerns to the group: (1) Hotel guests were keeping overnight guests in their rooms past 0600; (2) explosive detection dog handlers were allowing their animals to sleep in hotel beds, soil the linens, and urinate and defecate in inappropriate locations on the hotel grounds, leaving the waste; and (3) unidentified hotel guests, thought to be American, were bothering and propositioning college-age female greeters working at el Caribe Hotel with the Colombian Ministry of Foreign Affairs. The Hotel notified meeting attendees that overnight guests would not be permitted for the duration of the SoA. (108, 110, 112, 113).

(8) It remains unclear whether the concerns regarding dogs were limited to US personnel; nevertheless, USSS SA [redacted] immediately corrected USSS and military dog handlers, and the problem stopped. (108).

(9) El Caribe Hotel's concerns included six members of the JSOTF: therefore, [redacted] reported the concerns to the SDO, SOCSOUTH, 7th SFG(A), and the JTF-FWD Senior Officer. [redacted] determined [redacted] (b)(7)(F). Others took similar steps to report and act upon the information they received at the meeting. The details of this parallel reporting will be documented in a separate forthcoming report. (113).

(10) On 13 April, at approximately 0800, [redacted], the senior military member embedded with the USSS EDT, sought legal advice from Joint Forces Headquarters, National Capital Region legal counsel. This conversation is the first known communication to any higher headquarters regarding allegations that additional military members had signed overnight guests into el Caribe Hotel. USSS EDT Leader [redacted] was not obligated to file an operational report through military channels, and he did not do so. Therefore, the SDO did not become aware of the additional military members' involvement until Sunday, 15 April, through evidence gathered by the preliminary inquiry officer. (96, 103, 109, 112).

(11) There is no evidence of a coordinated effort to commit misconduct. While some of the implicated military members were together on 11 April before returning to el Caribe Hotel with female a guest, decisions to bring guests back to hotel rooms and pay for sexual services were individual decisions. Military and civilian leaders did not create or foster an atmosphere of tolerance for prostitution or marital infidelity. (Tab J - Q, S).

(12) There is little indication that implicated service members worked together to “get their stories straight,” or conspire to mislead their leadership or investigators.¹ (b)(6), (b)(7)(C) ordered the six implicated JSOTF members to not discuss the incident with anyone (except legal counsel). Although the service members were primarily engaged in executing their assigned missions, (b)(6), (b)(7)(C) required them to remain in their hotel room—when not at another duty location, dining, or exercising—until their return to the U.S. (113).

(13) The mere fact that a military member(s) signed an overnight guest in to a hotel room did not violate Colombian law, military law, applicable FP Policy, or hotel policy. (114).

(14) The combination of unstructured free time, the prevalence of legalized prostitution, and military members’ individual choice to commit misconduct were the primary causal factors leading to the misconduct in question.

c. Operational Security. U.S. military members’ interaction with third country national females did not present a risk to either the operational mission or to U.S. national security. The Colombian National Police performed a background check on each of the 11 women, and none had a criminal record. The identity of the 12th woman is unknown. No sensitive equipment, government property, or information was determined to be missing or otherwise compromised. (19, 81, 98, 99, 103, 104, 105, 113, 115 – 118).

(1) (b)(7)(F) therefore, it is exceptionally unlikely that any sensitive documents were compromised by the overnight visitors’ presence in military members’ hotel rooms. (19, 26, 103).

(2) JSOTF personnel conducted daily sensitive item checks and equipment turn-in before, during, and after the SoA. No sensitive items were stored or permitted in individual military members’ hotel rooms, and all sensitive items were accounted for during these inventories. The JSOTF thoroughly inventoried sensitive equipment and documents after the President departed Colombia, and all were accounted for. (98, 107, 113, 115 – 118).

(3) The continued presence of the five implicated military members attached to the USSS EDT did not pose an operational security risk. The USSS individually interviewed the five members when it became apparent that they had signed guests into their hotel on the night of 11 April and the morning of 12 April. The USSS sought to determine whether military members’ interaction with the overnight guests could have compromised operational security. After questioning each military member, the USSS agent conducting the interviews determined that their presence did not pose an operational security risk, (b)(7)(F) (b)(7)(F) (103, 106).

¹ There is no direct evidence that service members colluded; however, two military members made identical and factually unlikely statements to an interviewing USSS Special Agent. See Tabs J and Q. Another military member also intentionally misled his Commander about the nature of his relationship with a prostitute, but he acted alone in doing so. See Tab F.

d. **Human Trafficking.** There is no evidence that any of the female guests signed in to hotels were part of a human trafficking network or associated with the FARC or any other terrorist or drug trafficking organization.² Eight of the women signed in by military members were interviewed in the exclusive presence of U.S. personnel, and none expressed a concern about their safety or circumstances. Each presented Colombian identity documents indicating a birthplace in Colombia. The Colombian National Police also verified the authenticity of identity documents for all eleven women, demonstrating that each was born in Colombia and is over age eighteen. (Tab F – N, P, Q).

3. Recommendations.

a. [Redacted] (b)(5)

b. [Redacted] (b)(5)

c. [Redacted] (b)(5)

d. [Redacted] (b)(5)

² The investigation reviewed the U.S. Embassy's Annual Trafficking in Persons Report as background.

Exhibit

2



DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
9301 NW 33RD STREET
MIAMI, FLORIDA 33172-1217


APR 16 2012

REPLY TO
ATTENTION OF
SCCOS

MEMORANDUM FOR [REDACTED] (b)(6),(b)(7)(C)

SUBJECT: Appointment as Army Regulation (AR) 15-6 Investigating Officer (IO) – Allegations of Service Members engaging in Service Discrediting Conduct in Cartagena, Colombia during preparations for the Summit of the Americas.

1. Pursuant to AR 15-6, I appoint you as the IO to informally investigate allegations that Department of Defense military personnel engaged in service discrediting conduct in Cartagena, Colombia, while working with U.S. Secret Service during preparations for the Summit of the Americas. You will investigate and obtain the facts and circumstances surrounding the event, create a chronology, and determine whether and DOD military personnel violated any regulatory requirements, Colombian law, or any provisions of the Uniform Code of Military Justice (UCMJ). Include the details of any violations, as well as any other findings/recommendations you deem appropriate. If you discover any additional misconduct during the course of your investigation, consult with your legal advisor.
2. Use the informal procedures under AR 15-6, Chapter 4, in your investigation. Include in your report specific findings as well as any opinions and recommendations that you consider appropriate. If you suspect a member of the U.S. Armed Forces or Department of Defense civilian employee of committing a criminal offense, contact your legal advisor immediately before proceeding. When possible, witness statements will be sworn and recorded on DA Form 2823. However, if necessary, you may obtain statements from non-local witnesses via e-mail or by conducting telephonic interviews that you summarize in writing.
3. You are to conduct this investigation using the informal procedures outlined in Chapter 4 of AR 15-6. No one has been named as a formal respondent at this time. All interviews will be documented in writing, preferably on DA form 2823 or, if not practicable, via a Memorandum For Records. If during the investigation you suspect any criminal conduct, advise that person of his or her rights under Article 31 of the UCMJ, using DA Form 3881.
4. Before you begin your investigation, consult with [REDACTED] (b)(6),(b)(7)(C), Administrative Law Attorney, at extension [REDACTED] (b)(6), for information concerning the subject of this investigation and a legal briefing. Submit your report of investigation on DA Form 1574 by 1 May 2012. Submit any request for extension of time to complete this investigation in writing to me through the Office of the Staff Judge Advocate (OSJA). The OSJA may grant one extension of ten days or less. Obtain a written legal review before you submit your report of investigation to me.


J.G. AYALA
Major General, U.S. Marine Corps
Chief of Staff