

March 29, 2023

Secretary of the Army  
ATTN: Office of the General Counsel, Room 3C546  
104 Army Pentagon  
Washington, D.C. 20310-0104

To Whom It May Concern,

On June 21, 2021, I submitted a Freedom of Information Act Request to the US Army Special Operations Command for the AR 15-6 investigation of the on-duty Military Freefall incident that resulted on the death of SFC Ethan Carpenter. The incident occurred on 03/15/2019 at the SOCOM Parachute Training and Testing Facility near Marana, AZ. The request was assigned tracking number 21-104 (Attachment Original Case). On 02 February 2022, I received the USASOC response to my request that totaled 97 pages of documentation. As was expected because of the nature of the case there was redacted material and corresponding reference to why the material was redacted. However, there was also material that was clearly missing from the documentation and there was no indication as to why the material was withheld. I began an email correspondence to try to clarify where the material may be. After this unsuccessful attempt, I requested a higher level review of my request which was forwarded to the Army Office of the Judge Advocate General which initiated a review on 03/09/22.

On 26 March 23, I received the OTJAG response to the request. They noted that my request was partially fulfilled and that some information had been withheld under certain authorities. They also provided five pages of what was called additional releasable material. These five pages were already contained in the original USASOC release I received one year prior, contained exactly the same information, and the same redactions. The missing information I have been seeking since I received the original release is still absent. To help clarify exactly what I am seeking in my appeal, I have attached specific reference to the missing material contained within the AR 15-6 material I received from USASOC in February of 2022. I am appealing this case to obtain this information.

Attachments:

Original Case #21-104

OTJAG Response (Response Letter dated 26 March 2023)

Email Correspondence between USASOC and myself concerning missing documentation.

1-Memorandum from LTG Francis Beaudette that referenced Line of Duty Investigation that was likely conducted concurrently with AR 15-6 Investigation.

2-Report of Proceeding by Investigating Officer that noted commencement of 15-6 investigation on 17 March 2019 through appointment on 25 March 2019.

3-List of Exhibits, the first listed exhibit is the Initial Investigation with a completion date of 6 August 2019.

4-Page 2 of a memorandum from the 2<sup>nd</sup> Investigating Officer appointed to the Ethan Carpenter 15-6 investigation. This investigator specifically noted a "hard copy" of the initial investigation he was appointed to continue.

5-Page 5 of the same memorandum quoting material from the Initial Investigation made by the 1<sup>st</sup> Investigating Officer

6-Appointment Memorandum From LTG Francis Beaudette dated 2 August 2019 for the 2<sup>nd</sup> Investigating Officer to the Ethan Carpenter 15-6. This memorandum specifically references an Appointment Memorandum date 25 March 2019.

7-Page 2 of the same memorandum specifically referencing the Appointment Memorandum of 25 March 2019.

8-Title Page of Initial Investigation.

Thank you,

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