



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
JOINT TASK FORCE NORTH
11603 OLD IRONSIDES DRIVE
FORT BLISS, TEXAS 79918

JTFN-IO

7 March 2023

MEMORANDUM FOR Commanding General, Joint Task Force North, 11603 Old Ironsides Drive, Fort Bliss, TX 79918

SUBJECT: Findings and Recommendations for Army Regulation (AR) 15-6 Investigation into allegations of misconduct by LTC Mark Patterson

1. References

- a. Memo of Appointment as IO dated 26 JAN 2023
- b. Army Regulation (AR) 15-6. Procedures for Administrative Investigations and Board of Officers, 1 April 2016.

2. Background.

On 26 Jan 2023, Major General Matthew D. Smith, Commanding General, Joint Task Force North (JTF-N) appointed me as an investigating officer pursuant to AR 15-6. The purpose of the administrative investigation was to determine the circumstances surrounding the following; whether LTC Patterson engaged in counterproductive leadership, as defined in AR 600-100, para 1-11d, specifically, whether LTC Patterson engaged in inappropriate behavior with subordinate female service members; whether LTC Patterson engaged in harassment, bullying or other acts of misconduct, as defined in AR 600-20, para 4-19; whether LTC Patterson violated the alcohol consumption limit or off-limits establishment prohibition as defined in GO1A; whether LTC Patterson solicited (b) (6) (b) (6) (b) (6) to visit his hotel room in violation of the hotel room visitation policy established in GO1A; and whether LTC Patterson keeping an animal in his hotel room is a violation of the TF ARG_FRAGO 01 to OPORD 02-23.

Scope of the Investigation

- (1) Whether LTC Patterson engaged in counterproductive leadership, as defined in AR 600-100, para 1-11d. Specifically, whether LTC Patterson engaged in inappropriate behavior with subordinate female service members.
- (2) Whether LTC Patterson engaged in harassment, bullying or other acts of misconduct, as defined in AR 600-20, para 4-19.
- (3) Whether LTC Patterson violated the alcohol consumption limit or off-limits establishment prohibition as defined in GO1A.

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(4) Whether LTC Patterson solicited (b) (6) to visit his hotel room in violation of the hotel room visitation policy established in GO1A.

(5) Whether LTC Patterson keeping an animal in his hotel room is a violation of the TF ARG_FRAGO 01 to OPOD 02-23.

Additional Inquiries

(1) Whether LTC Patterson sexually harassed any member of his command in violation of AR 600-20, para 7-7. Specifically, whether LTC Patterson's "unwanted physical touch", "comments regarding female appearance", or other behavior qualify as sexual harassment as defined in AR 600-20, para 7-7.

(2) Whether LTC Patterson engaged in counterproductive leadership as defined in AR 600-100, para 1-11d. Including but not limited to, whether LTC Patterson engaged in bullying, retaliation, or other misconduct for the purpose of dissuading Soldiers from reporting misconduct or in response to being confronted about his behavior.

3. Summary.

Before deploying to the SWB the 941ST MP BN received a notice of sourcing (NOS) in Feb 2022 while in New Hampshire for a deployment in support of RFA 23. LTC Mark Patterson is an AGR Soldier in the NHARNG and serves as the 54TH Troop Command BDE XO, the higher headquarters of 941ST MP BN. His M-day position is battalion commander for 941ST MP BN. LTC Mark Patterson traveled TDY ISO RFA 23 as the battalion commander for the 941ST MP Battalion (NHARNG) on at least two occasions from May-Aug 2022. He deployed with his unit for a yearlong deployment in Oct 2022 to Fort Bliss, Texas for mobilization and by the end of the month deployed his battalion to four locations in south Texas; McAllen, Laredo, Harligen, and Brownsville. The battalion has two companies in Laredo (1844TC-ILARNG and 149th EN-KYARNG), one company in Harligen (237th MP-NHARNG), two companies (169TH MP-RIARNG and 941 HHD-NHARNG) and the battalion HQs in McAllen for a total of 446 Soldiers. This is where he was stationed until his suspension of command on dated 26 Jan 2023.

4. Overview.

a. On 26 JAN 2023 I was appointed the 15-6 Investigating Officer with (b) (6) as the Assistant Investigating Officer. (b) (6) and I reviewed the relevant material and met with (b) (6) (b) (6) JTF-N Legal to develop questions to be asked and confirm/refine the scope of the investigation. We traveled to Laredo and

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McAllen, TX from 01-03FEB23 and conducted interviews with members of the 941 MP BN.

b. During interviews, our list of interview candidates grew significantly as information was uncovered. It was decided we would need to return to McAllen the following week from 07-10FEB23 to finish interviews and provide an opportunity for any members of the unit to make additional statements as well as follow up and ask additional questions of multiple individuals. I requested an extension on 08 FEB 23 which was granted and a new suspense of 24FEB23 was assigned. The reason for the extension was due to the amount of witnesses that came forward to afford the time required for a thorough investigation. Through the course of the investigation multiple witnesses were identified across multiple echelons on the SWB and several witnesses that were still at home station of the New Hampshire National Guard. This required multiple telephonic interviews across multiple time zones and time was required to ensure all witnesses were interviewed.

c. Between 11-23FEB, We consolidated all the evidence, thoroughly discussed each item within the scope of the appointment orders and developed the final report. Throughout the investigation it became necessary to reach over to multiple members of the New Hampshire National Guard to corroborate information or provide additional details pertinent to the scope of the investigation. Multiple witnesses expressed that many of the items within the scope of this investigation were taking place prior to the deployment of the SWB so I had to ensure the information we collected from NH NG members not on the deployment was pertinent and viable for use in the final report.

d. There is some evidence that was not able to be gathered because of time restrictions and resources. Each hotel where alleged violations took place had camera surveillance. The managers at each hotel stated we could have access to this footage if requested. However, after completing this findings and recommendations memo and completing a review of the gathered evidence, it did not appear likely that the surveillance footage would impact the findings.

e. As the Assistant Investigating Officer, (b) (b) (6) had several roles. He coordinated with the 941st and all outside witnesses to schedule interview times. He was responsible for sending out and receiving sworn statements and ensuring signed sworn statements were collected from all witnesses. During the interviews he acted as the recorder and captured respondents' answers that he would then send to them for review and editing before they signed. He assisted with the writing of the final report and labeling of evidence.

5. Summary of Relevant & Material Facts.

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a. This summary is intended as an overview of the ultimate findings of this investigation. Specific findings with associated supporting exhibits are found in paragraph 7. There is overwhelming evidence from seventy-nine (79) exhibits, over fifty-four (54) Soldiers' sworn statements, text messages, still images, and audio recordings that since arriving to Texas in Oct 2022, LTC Mark Patterson has been reckless and engaged in counterproductive leadership, displaying the full range of destructive leadership styles as defined in AR 600-100, para 1-11e: insensitive, toxic, and criminal. His counterproductive behavior has been recurrent and deleterious to his unit's command climate and morale. The vast majority of fifty-four (54) Soldiers interviewed stated LTC Patterson bullied subordinate leaders, berated his company commanders and field grade officers for mistakes without clear guidance on his expectations. Many of his key staff members stated he created conflict within his battalion through gossip and spreading rumors, ridiculed others because of the authority he held, was domineering, showed little or no respect to others, insulted, belittled, was condescending, and talked down to his Soldiers. Several officers and senior NCOs stated he was known to be unapproachable and inconsistent with his behavior and pitted Soldiers in his unit against each other. The majority of his Soldiers stated he was known to be arrogant, self-serving, dishonest, and created a hostile work environment for his battalion.

b. According to two senior NCOs' sworn statements, in Oct 2022 at McGregor Base Camp, Fort Bliss, TX, LTC Patterson gave a speech to his battalion leadership and stated he would not enforce the alcohol or fraternization policy and that he would not put up with rumors, complaints or suspicions and he would "kill EO at the lowest levels", which is completely contrary to not only maintaining good order and discipline, but is also a clear violation of the provision of AR 600-20 requiring Commanders to fully support the Army's Equal Opportunity Program. Multiple Soldiers stated, beginning in Oct 2022 LTC Patterson exhibited retaliatory conduct and instruction towards his battalion throughout the deployment stifling the battalion leadership with fear of retribution and reprisal if anyone stood up against him. Multiple Soldiers stated he bragged about how he had been investigated in the past multiple times in New Hampshire and on other deployments, and he would not tolerate anyone going against him, which is wholly inconsistent with the provisions of The Military Whistleblower Protection Act. These actions support the conclusion that LTC Patterson felt emboldened and embraced his abusive behavior.

c. LTC Patterson openly disregarded army standards, regulations and policies. From Oct 2022 thru Jan 2023, as described in the findings below, he sexually harassed female Soldiers in violation of AR 600-20, para 7-7. He took photos of multiple females, without their knowledge, to include one of his (b) (6) and a female waitress, distributed the images to one of his (b) (6) and a (b) (6), He subsequently made inappropriate comments about the photos.

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d. In Nov 2022 he physically assaulted (b) (6) at a public establishment a direct violation of article 128, 133, and 134, UCMJ. This was also a violation of Texas Penal Code section 22.01(a)(3) and 42.01(a)(6).

e. On multiple occasions between Oct 2022 thru Jan 2023, he was known to get intoxicated, which was in violation of the established general order alcohol limits, a violation of article 92, UCMJ. In Dec 2022 he is suspected by the battalion CQ to have operated a motor vehicle under the influence of alcohol and driving erratically in the La Quinta Hotel parking lot in McAllen, TX. On 15 Jan 2023 he violated the JTF-N and 55MEB short-term rental policy and took a government STR vehicle, accompanied by his dog, to South Padre Island for his own R&R, a violation of article 92, UCMJ.

f. Starting in Nov 2022 thru Jan 2023 LTC Patterson willfully violated the hotel visitation and no pets general order on multiple occasions, a violation of article 92, UCMJ. In Jan 2023 he solicited (b) (6), (b) (6) to visit him in his Home2Suites Hotel room via text message in McAllen, TX. Based on sworn statements supplied by several Soldiers on multiple occasions LTC Patterson entertained Soldiers in his hotel room to either drink alcohol or visit with him and his unauthorized pet dog, a golden retriever named Cooper. He allegedly got the dog in Nov 2022 arguing that it was an emotional support dog, but this was still a violation of a TF Argonne order. In Dec 2022 despite the clear order from TF Argonne, he published his own battalion order authorizing himself the dog and tasking (b) (6) with being responsible for the dog's emotional support schedule with troops, in violation of article 92, UCMJ. Some Soldiers complained that LTC Patterson would bring the dog into the battalion TOC and the dog would urinate at their work area and Soldiers were put in a position where they felt it was required to take care the dog during his absence. Multiple Soldiers, interviewed, in his battalion voiced their concern and suspected he used the dog for grooming to gain access to female Soldiers alone and reduce his risk of getting caught or accused of fraternization. Several Soldiers stated they only saw female Soldiers watching the dog.

g. From Oct 2022 to Jan 2023 multiple Soldiers provided sworn statements describing instances where LTC Patterson was fraternizing with female Soldiers in violation of AR 600-20 para 4-14. Multiple witnesses described a perceived inappropriate relationship and preoccupied attachment he had with (b) (6), (b) (6), (b) (6) as well as (b) (6), (b) (6), (b) (6). Many witnesses stated he used the guise they were (b) (6) to cover up his infidelities. When speaking with (b) (6) and (b) (6) they both stated that LTC Patterson's attention was unwanted and both indicated that they felt he used his position to force them to fraternize with him. They expressed during personal interviews that they were coerced to fraternize with LTC Patterson, or they would have to endure his threats, bullying, and anger-motivated aggression.

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h. From Nov 2022 to Jan 2023 LTC Patterson sent photos of himself in bed with no shirt on, at the pool without a shirt on, to both subordinate females along with other inappropriate images and inappropriate text message conversations, a violation of article 134, and 133, UCMJ. Several witnesses attest to him hanging out with one of the female Soldiers at the enlisted swimming pool, both in bathing suites, in Nov2022 at the Home2Suites Hotel in McAllen, TX. There are multiple statements that described instances where LTC Patterson would take them to dinner, professional basketball games, and other outings.

i. LTC Patterson's misbehavior started early on during a PDSS in McAllen, TX in Aug 2022 at 2300hrs. He had an inappropriate exchange with a female (b) (6) (b) (6) that was on CQ duty. He engaged in an inappropriate conversation with her introducing himself by his first name, Mark. The female (b) (6) stated she felt like he was flirting with her. She stated she had seen LTC Patterson earlier in the day with (b) (6) (b) (6), (b) (6) (b) (6). She felt so uncomfortable regarding the exchange that she told her (b) (6) about the interaction the next day. In Oct 2022 LTC Patterson solicited (b) (6) from the previous RFA22 battalion to engage in a prohibited relationship with him during the RIP, a violation of AR 600-20 para 4-14.

j. Four females described situations in their sworn statements where LTC Patterson was following them at local fitness centers/gyms, outside their hotel room, and at their motor vehicle from Oct 2022 to Jan 2023, a violation of article 133, UCMJ. In Dec 2022 a female Soldier attested that LTC Patterson shared an inappropriate cartoon image with her that displayed a man with an extra-large phallus, a violation of article 120c and 133, UCMJ. Two female Soldiers made comments in their sworn statements that LTC Patterson, though married, never wore his wedding ring from Oct 2022 to Jan 2023, but now that he is under investigation, they see it on. Multiple Soldiers put in their sworn statements how LTC Patterson displayed numerous incidents of indecent language a violation of article 133 and 134, UCMJ.

k. Multiple Soldiers in the 941 MP BN stated between Oct 2022 and Jan 2023 LTC Patterson bullied, harassed, was sexist and discriminated against (b) (6) (b) (6), (b) (6) (b) (6). The evidence supports the conclusion that LTC Patterson used the guise of mentorship that he "needed to help (b) (6) (b) (6) since (b) (6) (b) (6) had a couple of SHARPE/EO incidents early in the rotation. Evidence shows this was a pretense for him to harass her. (b) (6) (b) (6), gave a statement stating his concern for how LTC Patterson was negatively treating (b) (6) (b) (6). Initially (b) (6) (b) (6)'s (b) (6) was assigned to TF East but after JTF-N restructured the SWB sectors in Aug 2022 (b) (6) moved from TF East to TF Southeast and was attached to LTC Patterson's battalion. From the very beginning, she and others describe how LTC Patterson was hypercritical towards her,

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made fun of her, and particularly relevant to the scope of this investigation, made sexual comments about her. They stated he also bullied (b) (6), (b) (6), relentlessly daily. Along with a myriad of other insults he was known to call (b) (6) a “useful idiot” in public amongst his peers. These infractions are in violation of article 93, 133 and 134, UCMJ.

I. LTC Patterson was contacted through his assigned TDS counsel and an interview was requested. Through his assigned counsel, LTC Patterson declined to be interviewed, but did indicate a willingness to participate through written communication. Due to this being a less effective manner to gather relevant information and make necessary credibility determinations, written communications were not pursued.

6. Summary of Relevant Facts for Each Investigation Scope Question.

a. Whether LTC Patterson engaged in counterproductive leadership, as defined in AR 600-100, para 1-11d. Specifically, whether LTC Patterson engaged in inappropriate behavior with subordinate female service members.

I find that LTC Patterson engaged in inappropriate behavior with subordinate females starting on the PDSS in August 2022, during the RIP in October 2022, and has continued throughout his time on the SWB. LTC Patterson continually engaged in inappropriate behavior with several female subordinates SWB (Exhibits: 16, 22, 24, 18, 40, 3). Furthermore, LTC Patterson has created a hostile environment where younger females feel targeted, groomed, and threatened. In addition to the females he has maintained a pattern of inappropriate behavior with, there are many more whom LTC Patterson asked probing questions of to the point that they felt uncomfortable (Exhibits: 2, 19, 18, 40, 71). LTC Patterson’s behavior clearly demonstrates a persistent counterproductive toxic leadership style that violates multiple Army Leader Core Competencies and the Army Ethic as described in AR 600-100. His conduct violates the good order and discipline of the unit and brings discredit upon the armed forces. For more specific context regarding how LTC Patterson engaged in counterproductive leadership, see paragraph 7. This behavior violates the following UCMJ articles: article 92 (disobeying an order or regulation), 133 (conduct unbecoming of an officer), and article 134 (Fraternization) of the UCMJ. This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

b. Whether LTC Patterson engaged in harassment, bullying or other acts of misconduct, as defined in AR 600-20, para 4-19.

I find that LTC Patterson willfully engaged in harassment, bullying and other acts of misconduct from the start of his notice of sourcing (NOS) in Feb2022 to his deployment in Oct2022 until his suspension in Jan 2023. There are seventy-six (76) exhibits to

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include forty-nine (49) Soldiers' sworn statements outlining his bullying, harassment and criminal behavior as a battalion commander. There are also text messages, pictures, and audio recordings from LTC Patterson that provide sufficient evidence. (See findings section due to the expansive number of exhibits).

c. Whether LTC Patterson violated the alcohol consumption limit or off-limits establishment prohibition as defined in GO1A.

I find that LTC Mark Patterson willingly and knowingly violated the alcohol consumption limit established in GO1A. He did this through his own admission on private text messages (Exhibit: 48) and multiple eyewitnesses (Exhibits: 24, 16, 2, 22, 18, 19, 32). Furthermore, there are multiple individuals who witness LTC Patterson drink the maximum allowable amount per GO1A and then heard LTC Patterson state he was going to various locations to continue drinking or had stated before the evening started that he had already consumed alcohol prior to them witnessing LTC Patterson drink the allowable limit (Exhibits: 2, 16, 34). From early in the deployment, LTC Patterson through statements, made it known to subordinates down to at least the Company Command Team level and multiple lower enlisted personnel that he did not care for the alcohol restrictions posed by GO1A and that he was not interested in their strict enforcement (Exhibits: 34, 17). This is a violation a general order and article 92, UCMJ

There is insufficient evidence to find that LTC Patterson violated the off-limits establishment prohibition.

d. Whether LTC Patterson solicited (b) (6) to visit his hotel room in violation of the hotel room visitation policy established in GO1A.

I find that on 10 Jan 2023 LTC Patterson willfully solicited (b) (6), (b) (6) to visit him in his Home2Suites Hotel room via text message in McAllen, TX. (Exhibits 19 (pg 3), 62 (pg 1), 57).

e. Whether LTC Patterson keeping an animal in his hotel room is a violation of the TF ARG_FRAGO 01 to OPOD 02-23.

I find that LTC Patterson willfully violated the 55TH MEB order by owning and maintaining an unauthorized pet dog, a golden retriever named Cooper. (Exhibits 15 (pg 2), 24 (pg 3), 34 (pg 2)). He got the dog in Nov 2022 under the guise that it was an emotional support dog. In Dec 2022 and Jan 2023 LTC Patterson text female Soldiers pictures that show him or them with his dog in his hotel room and other locations along the SWB (Exhibits 42, 43, 51, 49, 57). According to (b) (6), (b) (6), "I did not authorize TF SE, specifically the BN Commander, LTC Mark Patterson permission to have a dog for use as an MWR animal." (Exhibit 65). In Dec 2022 he

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erroneously published his own battalion order authorizing himself the dog and tasking (b) (6) with being responsible for the dog's emotional support schedule with troops, in violation of article 92, UCMJ. (Exhibits 2 (pg 3), 3 (pg 3), 15 (pg 3), 21 (pg 5), 37 (pg 3), 61, 74). There are over 40 sworn statements where Soldiers proclaim LTC Patterson owned a dog between Nov 2022 and Jan 2023 while on the SWB mission and that they understood dogs/animals were prohibited on the deployment. A violation of article 92, UCMJ.

f. Whether LTC Patterson sexually harassed any member of his command in violation of AR 600-20, para 7-7. Specifically, whether LTC Patterson's "unwanted physical touch", "comments regarding female appearance", or other behavior qualify as sexual harassment as defined in AR 600-20, para 7-7.

I find that LTC Patterson sexually harassed four (4) of the female Soldiers in his command between October 2022-January 2023. LTC Patterson created a hostile environment for (b) (6), (b) (6), (b) (6), (b) (6), and (b) (6) throughout the deployment and engaged in Quid Pro Quo sexual harassment with (b) (6), (b) (6). His actions have been repetitive and consistent and span multiple incidents with each individual. There is a significant amount of fear of retaliation and reprisal and all parties felt powerless to stop the conduct, which was conveyed to me by the witnesses in personal interviews. Based on the evidence, LTC Patterson has convinced them that he is untouchable and can get away with anything. He pits people against each other so they do not know who can be trusted. His sexual harassment has been verbal, nonverbal, and physical. He has made comments to male and female subordinates which demonstrate a lack of respect for many females and created a hostile environment across the organization from which LTC Patterson could continue to act in an inappropriate manner throughout his time on this mission. The evidence supports that LTC Patterson bragged about beating multiple previous investigations. In the course of this investigation, as has been stated above, a large number of witnesses have been forthcoming about LTC Patterson's misconduct. (b) (6), (b) (6) corroborates this with the statement, "It's as if a veil has been lifted and people are just starting to realize how manipulated they had been." (Exhibit: 2). The members of the 941 MP BN have perceived a pattern of the New Hampshire National Guard looking out for or protecting LTC Patterson. They frankly have no faith in the system to handle it appropriately and fear what LTC Patterson will do to them when he finds out what they said. He has confronted many members of the battalion for making statements against him in previous investigations. This is a violation of article 92 (disobeying an order or regulation), 133 (conduct unbecoming of an officer), and article 134 (Fraternization) of the UCMJ. This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

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g. Counterproductive leadership. Engagement in bullying, retaliation, or other misconduct for the purpose of dissuading Soldiers from reporting misconduct or in response to being confronted about his behavior.

I find that LTC Mark Patterson has been reckless and engaged in counterproductive leadership, displaying the full range of destructive leadership styles as defined in AR 600-100, para 1-11d: insensitive, toxic, and criminal. His counterproductive behavior has been recurrent and deleterious to his unit's command climate and morale. The vast majority of forty-nine Soldiers interviewed stated LTC Patterson bullied subordinate leaders, berated his company commanders and field grade officers for mistakes without clear guidance on his expectations. Many of his key staff members stated he created conflict within his battalion through gossip and spreading rumors, ridiculed others because of the authority he held, was domineering, showed little or no respect to others, insulted, belittled, was condescending, and talked down to his Soldiers. Several officers and senior NCOs stated he was known to be unapproachable and inconsistent with his behavior and he pitted Soldiers in his unit against each other. The majority of his Soldiers stated he was known to be arrogant, self-serving, dishonest, and created a hostile work environment for his battalion.

7. Findings. After carefully considering the evidence, I find that:

a. Whether LTC Patterson engaged in counterproductive leadership, as defined in AR 600-100, para 1-11d. Specifically whether LTC Patterson engaged in inappropriate behavior with subordinate female service members:

(1) AR 600-100, para 1-11d includes the following specific language when defining counterproductive leadership, "Counterproductive leadership can take different forms, from incompetence to abusiveness, all of which have detrimental impacts on individuals, the unit, and the accomplishment of the mission. Counterproductive leadership behaviors can span a range of behaviors to include bullying, distorting information, refusing to listen to subordinates, abusing authority, retaliating, blaming others, poor self-control (loses temper), withholding encouragement, dishonesty, unfairness, unjustness, showing little or no respect, talking down to others, behaving erratically, and taking credit for others' work. One such type of counterproductive leadership is toxic leadership, which is defined as a combination of self-centered attitudes, motivations, and behaviors that have adverse effects on subordinates, the organization, and mission performance. To be classified as toxic, the counterproductive behaviors must be recurrent and have a deleterious impact on the organization's performance or the welfare of subordinates. An exacerbating factor may be if the behaviors demonstrate selfish reasons such as elevating one's own status, grabbing power, or otherwise obtaining personal gain. Counter-productive leadership behaviors prevent the

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establishment of a positive organizational climate, preclude other leaders from fulfilling their requirements, and may prevent the unit from achieving its mission.”

(1) Based on the facts found in the following subparagraphs, I find that LTC Patterson engaged in inappropriate behavior with subordinate females in resulting in a pattern of Toxic leadership that violates the Army Ethic and multiple Army Core Competencies listed in AR 600-100.

(2) LTC Patterson has a continuous pattern of inappropriate behavior around multiple female subordinates that has had adverse effects on them specifically as well as the organization. One overall example of misconduct LTC Patterson would engage in is taking photographs of female subordinates without their knowledge. These were random photos that he later would send them via text message. This behavior only occurred toward female subordinates and there was no purpose for this behavior other than to flirt with those subordinates. Exhibit 43 shows pictures he randomly took of (b) (6) (b) (6) (b) (6) and (b) (6) (b) (6) (Exhibit: 43).

(3) (b) (6) (b) (6) (b) (6) and (b) (6) (b) (6) (b) (6) have been on the receiving end of a significant amount of inappropriate behavior. Based on the following facts, LTC Patterson has regularly and repeatedly demonstrated inappropriate behavior towards both of these subordinate females. He texts them individually and as part of a group text all hours of the day and night and uses his position as the Battalion Commander and their position (b) (6) and (b) (6) to force opportunities for him to engage that they cannot refuse or back out from. His fixation on (b) (6) (b) (6) has been ongoing for over a year as she has worked with him for the past 2 years (Exhibit: 16). (b) (6) (b) (6) is new to the organization for this deployment (Exhibits: 16, 48). (b) (6) (b) (6), (b) (6), stated, “I think he showed extra attention to (b) (6) (b) (6) there were numerous times they would be together by themselves in the office or in the car. He also spent a large amount of time with (b) (6) (b) (6) There seemed to be a fear of sorts for (b) (6) (b) (6) regarding LTC Patterson.” (Exhibit: 5).

(4) During the November 2022 trip to Laredo, LTC Patterson, according to (b) (6) (b) (6) statement, “freaked out” at (b) (6) (b) (6) and (b) (6) (b) (6) when they did not go to dinner with him after work. (Exhibit 16). During this text exchange, (b) (6) (b) (6) responded back to LTC Patterson, “The way you acted and talked to me is so unacceptable I’m not ok with it. I chose to go to dinner with my first line supervisor and the fact that you told me I should feel guilty for that is so unprofessional. You put me in a shitty position and need to treat me like any other (b) (6) in the unit. I’ll watch cooper anytime you need someone to but right now you’re stepping out of line.” He responded by saying, “You need to answer that call” (Exhibit: 47).

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(5) (b) (6) (b) (6) has stated that whenever texts would go too far regarding inappropriate content, LTC Patterson would call her. (Exhibit 16). During the conversation that followed LTC Patterson's text exchange with (b) (6) (b) (6) he responded by threatening her by telling her he would take her short term rental (STR) away and make the rest of your deployment miserable. (Exhibit 16). (b) (6) (b) (6)'s statement corroborates the event. (Exhibit 24).

(6) When LTC Patterson travels around the AO, he regularly took (b) (6) (b) (6) or (b) (6) (b) (6) usually both. (Exhibits: 2, 16, 22, 24) After the event in Laredo in November 2022, (b) (6) (b) (6) and (b) (6) (b) (6) agreed to not let the other go anywhere alone with LTC Patterson. (b) (6) (b) (6) stated that he texted her on 22JAN23 asking her to come down to the office. She responded by telling him that it triggered her anxiety. When she arrived to the office, LTC Patterson stated he did not know where (b) (6) (b) (6) was and that he had checked her car and her room. (b) (6) (b) (6) said he was acting like "his girlfriend was cheating on him. He was worried that (b) (6) (b) (6) had a lot of shit on him". (Exhibits: 16, 24). Numerous Soldiers interviewed observed LTC Patterson's need/desire to have (b) (6) (b) (6) and (b) (6) (b) (6) with him always (Exhibits: 2, 15, 19, 22, 29, 28, 23, 34).

(7) LTC Patterson created an MWR group chat and put (b) (6) (b) (6) (b) (6) (b) (6) and himself as the members. He uses this chat to contact them at all hours under the guise of work. LTC Patterson has spoken to each of them individual of his marital problems and his desire to find a young female their age with to be with. He randomly gave them the day off and insisted on being their driver to take them for breakfast to discuss MWR events, he then insisted on driving them throughout the day. Events like this happened at least 2 other times where he took them to dinner and a movie. After the incident in Laredo where LTC Patterson "blew up" at (b) (6) (b) (6) and (b) (6) (b) (6) over backing out of dinner, the two felt pressured to comply any time he asked them to go places, this is confirmed and corroborated by (b) (6) (b) (6) and (b) (6) (b) (6) (Exhibits: 2, 16, 22, 24).

(8) LTC Patterson sends an excessive number of personal messages in their "MWR" group chat as well as to their personal phone numbers. He sends photos of himself lying in bed, in the pool pointing to (b) (6) (b) (6)'s room window, cruising the beach at South Padre Island, and photos taken within the shower. He is shirtless in many of the photos; however, the pictures are not explicit or graphic in nature. It is the implication of nudity (within the shower), the disappointed face he makes as he points at (b) (6) (b) (6)'s window while in the pool, or the playful "aloof" faces he makes while taking selfies. He often uses a dog he bought as the reason for the photo. (b) (6) (b) (6) stated, "LTC Patterson would utilize the puppy to encourage (b) (6) (b) (6) and I on multiple occasions to come to his room; The dog he got was exactly like the dog I

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have at home, this was after I had shown him pictures of my dog". (Exhibits: 16, 24, 41, 42, 48, 49, 51).

(9) 15JAN23, LTC Patterson sent them a message asking the two of them to go to South Padre Island with him and he said that he had his dog, they both declined. (b) (6) corroborates that LTC Patterson sent the message inviting (b) (6) (b) (6) and (b) (6) (b) (6) to South Padre Island with him in his statement (Exhibit: 28). He even boasted about violating the STR policy and the battalion sign out policy texting (b) (6) (b) (6) the following message, "For clarity...Rules are very important...I simply don't need them. (Exhibits: 26, 24, 41).

(10) In a sworn statement provided by (b) (6) (b) (6), she stated, "(b) (6) (b) (6) told me that there were some inappropriate things going on between her and LTC Patterson, she alluded to bullying...I did not press the issue with her." (Exhibit: 10). This is additional evidence of clearly inappropriate behavior between a battalion commander and subordinate females in his unit. His persistent actions are consistent with the definition of multiple facets of toxic leadership found in AR 600-100.

(11) Prior to the deployment, LTC Patterson made the decision to separate his unit in McAllen TX between two different hotels. In one hotel was E6 and below and the other hotel was E7 and above. He specifically stated the reasoning being so that the lower enlisted did not have to see the Senior members as often and there would be separate pools for each group. This was to prevent fraternization and help each group relax as appropriate in their own space. Multiple people made statements that he would frequent the La Quinta (Enlisted Hotel) pool and hang around female subordinates. (b) (6) (b) (6) stated "LTC Patterson would come over to her hotel a lot. I would see him at our pool around other females. He was the only officer I would see at our pool. (b) (6) (b) (6) and (b) (6) (b) (6) were there also". (Exhibits: 2, 6, 34, 35).

(12) Based on the statements collected, LTC Patterson violates his own guidance regularly specifically to hang around lower enlisted females and young female officers. On one occasion he showed up while (b) (6) (b) (6) and (b) (6) (b) (6) were at the pool. (b) (6) (b) (6) states, "When (b) (6) (b) (6) went to the bathroom he said he was going to go to "On the Border" and get us some drinks. I told him I did not want one, it was clearly inappropriate. He went anyway and brought one back for (b) (6) (b) (6) that she clearly didn't want" (Exhibit 18).

(13) On Veterans day, (b) (6) (b) (6) received a text from (b) (6) (b) (6) asking her to come out to the pool. When she arrived, she "saw LTC Patterson standing in his swim shorts with his shirt off in the shallow end, talking to (b) (6) (b) (6) who was laying on a chair (b) (6) (b) (6)". (b) (6) (b) (6) even confronted LTC Patterson saying, "It's interesting how you stood in front of the unit and said that the purpose of

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the hotel split was so you wouldn't be hanging out in the pool". He responded by looking at her and asking, "Is it making you uncomfortable?". She responded with, "Sir, I am just pointing it out" (Exhibit: 2). (b) (6) (b) (6) also witnessed this situation and went out to the pool area because, "it looked inappropriate, so I engaged by entering the pool area" (Exhibit: 37). These actions violate the Army Core Competencies of Leading by example, Creating a Positive Environment, and Building trust. It demonstrates Toxic leadership by showing a recurrent pattern of behavior that has a deleterious impact on the welfare of subordinates.

(14) LTC Patterson has attended multiple "MWR" events, and demonstrated behavior indicating inappropriate relationships with subordinate females. (b) (6) (b) (6) stated, "LTC Patterson insisted that (b) (6) (b) (6) ride in his car so I would join them in order to prevent her from being alone with him...he would invite her places often and she worried about it, she did not feel comfortable saying no. To mitigate it I went with her to keep her from being alone in that situation." (Exhibit 22). Over the course of several basketball games, LTC Patterson would talk about the cheerleaders' bodies in a sexual manner. (b) (6) (b) (6) stated, "he talked about their breasts and butts. During the first game I attended he made several comments about the female ref that was working. He made statements about how tight her butt looked in the tight black pants." (b) (6) (b) (6) was present for the comments and stated, "the comments rubbed me the wrong way, I felt uncomfortable." (Exhibit 22). (b) (6) (b) (6) stated, "before the game he texted me and said, "you are riding in my car, right". He would always text me after events and things like I was his girlfriend, asking if I had fun (Exhibit 24). Based on the statements collected, no male Soldiers ever received messages asking if they would ride in his car or if they had fun at an event. This pattern of toxic behavior shows a complete lack of respect for his subordinates and has an adverse effect on the work environment. His comments contribute to hostile work environment which in many cases has risen to the level of sexual harassment (to be discussed in section f.)

(15) LTC Patterson demonstrates a pattern of engaging with female subordinates in an inappropriate manner. The instances listed above are women who fell victim to his behavior and were consistently subjected to it. There are many more female subordinates who perceived him behaving inappropriately with the intent of establishing something sexual in nature. I find that two female Soldiers made comments in their sworn statements that LTC Patterson, though married, never wore his wedding ring from Oct 2022 to Jan 2023, but now that he is under investigation, they see it on. (Exhibits 24, 30). Based on this investigation this behavior started during the PDSS in August of 2022. (b) (6) (b) (6) from the (b) (6) (b) (6) was working the CQ desk. She had seen LTC Patterson pass through the TOC with (b) (6) (b) (6) in civilian clothes earlier in the evening, she stated, "I didn't know who he was and he was just staring at me.". LTC Patterson went back to the TOC around 2300, still in civilian

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clothing where she was still on shift alone. "He started asking me some random questions, I asked him who he was and he told me his name was Mark." The questions started out typical, how are you type questions, but they slowly escalated to questions about what floor her room was on and if she had a roommate. He shared with her what floor he was on and asked her about when and where she works out at. LTC Patterson said something along the lines of "maybe I'll bump into you." During this line of questions someone else whom the (b) (6) worked with came into the TOC and noticed something was off and subtly asked her if she was ok. The situation ended after that. (b) (6) (b) (6) stated, "he was being kinda flirty, I feel like if I gave him an opportunity or returned the flirting, he would have pursued it" (Exhibit 71).

(16) During the RIP, (b) (6), (b) (6) (b) (6) had a similar experience. She had heard about the strange interaction that (b) (6) (b) (6) experienced and said it "made me very mindful of potential behavior to look out for. During the RIP, LTC Patterson texted her and asked about having dinner and that if (b) (6) (b) (6) couldn't make it then him and I could hangout. It made me extremely uncomfortable... when I responded I kept emphasizing we and ensured (b) (6) (b) (6) would be attending". The only reason (b) (6) (b) (6) attended was due to (b) (6) (b) (6) insistence. LTC Patterson never intended to invite (b) (6) (b) (6) as evidenced by (b) (6) (b) (6) statement, "(b) (6) (b) (6) texted me and said LTC Patterson wanted to go to dinner. I found it odd that (b) (6) (b) (6) told me about dinner and not LTC Patterson." (Exhibit 32). During the dinner he talked about going through a divorce and now he feels he gets to experience a second childhood, but with money. He also stated, "when I was a college kid all I wanted was to just get laid". LTC Patterson also brought up the upcoming Halloween party and showed them a picture of his proposed costume (short shorts police officer-RENO 911 show) and stated that he showed it to (b) (6) (b) (6) (b) (6) mentioned above) who told him it was inappropriate. Following the meal, LTC Patterson sent each (b) (6) a separate text message. (b) (6) (b) (6) received the following, "Thanks for coming out, looking forward to the year" (b) (6) (b) (6) received, "I am going to finish watching the game if you're interested LMK." (b) (6) (b) (6) statements confirm the text (b) (6) (b) (6) received (Exhibit 32). (b) (6) (b) (6), according to her statement, declined the invitation. When asked what she thought he meant by the invitation she responded with, "my assumption is that he probably would have tried with me if I was more receptive to his texts." (Exhibit 40). (b) (6) (b) (6) feelings are corroborated by a separate statement that LTC Patterson made to (b) (6) (b) (6). (b) (6) (b) (6) states, after they met (b) (6) (b) (6) from the last RFA and were in the car LTC Patterson commented, "Wow she was really good looking, I'd like to get with her." (Exhibit 34). This is another example of LTC Patterson demonstrating inappropriate behavior with a female subordinate with a perceived intent of more. This behavior is also consistent with behavior later observed with subordinates directly under his Command.

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(17) (b) (6) has consistently been on the receiving end of verbal harassment. She summarized her experience working with LTC Patterson with the following statement, "Trying to navigate a narcissistic predator in your direct chain of command is an experience I hope no one ever has to go through...I have served 20 years of service in the National Guard, For LTC Patterson impact someone so intensely that they begin second guessing everything, pulling away, losing weight, and being constantly on edge and utterly exhausted... to have a man tear you down and instill such self doubt in three months is nothing shy of masterful." At times LTC Patterson would be very friendly toward her and the next moment belittling and aggressive. (Exhibit: 19). (b) (6) states that he constantly asks her if she was ok, following her initial counseling he said to her, "this was a lot, I was sure you were going to cry (Exhibit: 19). (b) (6)'s perception of inappropriate treatment is corroborated by multiple individuals who observed LTC Patterson acting in a disrespecting manner to her as described in the following paragraph.

(18) (b) (6) states, "Back in NH during Teams Meetings, he would be mute his microphone and make fun of her while she was briefing. Instead of mentoring, he was teasing her behind her back." (Exhibit 2). (b) (6) stated, "There have been many instances when LTC Patterson has degraded (b) (6)'s competency and leadership in front of the staff while muted on our end as she briefs from Laredo." (Exhibit: 31). (b) (6)'s (b) (6) originally fell under TF East under the command of (b) (6). (b) (6) had worked with (b) (6) during train up and during the RIP process as (b) (6) was re-aligned under TF SE. He was present for a meeting where he observed LTC Patterson treat (b) (6) differently from the (b) (6) and was dismissive of her. This corroborated a concern that she had shared with (b) (6) earlier in the RIP process (Exhibit 69). These facts support that LTC Patterson engaged in counterproductive leadership, which the Army has determined is completely unacceptable for a leader to conduct toward a subordinate.

(19) In (b) (6)'s statement she says LTC Patterson mentioned to her that females like (b) (6) wanted to have sex with him. He would have me act as an adjutant and "counsel" (b) (6) on his behalf. I was used to notify Soldiers of EO investigations. I warned him that he was mistreating her and that it made me nervous she was going to start an investigation. He was sexist toward her. I have heard that he was making passes at her, and she was denying him. Some days he would be all about (b) (6) and other days go on about how she can't do anything right. (Exhibit 24).

(20) In January 2023, during the (b) (6), LTC Patterson sent text messages to (b) (6) inviting her to his room for more wine and to see his dog, which as described above, was being kept in violation of TF Argonne's pet order. Additionally, the invitation to the room was in violation of GO1A, TF Argonne

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Frago 01 to OPOD 02-23, and the professional trust that should exist in an Army Organization per AR 600-100. (Exhibit 57, 69, 7, 3). When (b) (6) was asked what she thought about the messages she responded with, "Nothing says predator like here is my cute dog and some candy....it was beyond unprofessional. He uses the dog as an excuse to get females to his room (Exhibit 19). Further evidence of LTC Patterson mistreating (b) (6) was a comment he made to (b) (6) at a basketball game, LTC Patterson stated he was getting the (b) (6) to write a statement against (b) (6) that she was (b) (6) that he was finally happy to "get her." (Exhibit: 24). There are a significant number of sworn statements that observed and/or mentioned LTC Patterson's different treatment of (b) (6) in their statements. They are (Exhibits 16, 56, 37, 28, 24, 29, 17, 31, 15, 13, 27, 12, 8, 4).

(21) After LTC Patterson was suspended, he reached out to (b) (6). (b) (6) recalls how strange it was because LTC Patterson had been completely dismissive of him and talked down to him because he was a (b) (6) and had barely spoken to him since the beginning of the deployment. About the phone call (b) (6) states, "the purpose of the phone call in my opinion was to get me to speak negatively of (b) (6). He was trying to get me to say that I was having leadership issues with her. He told me that she had filed a complaint on him, and he would be telling them that I had issues with her....I never had any issues." (Exhibit 69).

(22) Another example of inappropriate behavior occurred toward (b) (6). Like many others who have worked with LTC Patterson previously she stated, "everyone knew his reputation of being a creep, he always walks the line of inappropriateness. He added me as a friend on Facebook at 2315 at night, I had never had a conversation with him." Once the deployment started, he said to me "(b) (6), whose boat are you always on." "We had no previous conversations about my personal or social life. The only reference he would have been are photos on Facebook of me in a bathing suit." (Exhibit 30). (b) (6) keeps her distance and limits interactions with LTC Patterson. The fact that he would start a social conversation with (b) (6) with no previous personal rapport with her by referencing a photo of her in a bathing suit is at a minimum unprofessional, but it fits an established pattern LTC Patterson has within the New Hampshire NG and the 941st MP Battalion of him attempting to get closer to female subordinates as supported by the evidence cited throughout this investigation. This violates Army Leader Core Competencies: Builds Trust and Creates a positive environment. This is yet another example of how he fails to Steward the Profession and how he fails to uphold the principles by which all leaders are expected to live by and uphold.

(23) In conclusion, I find that LTC Patterson engaged in inappropriate behavior with the following subordinate female Soldiers: (b) (6), (b) (6), (b) (6), (b) (6), (b) (6) and (b) (6). LTC Patterson has made attempts toward multiple

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females that constitute inappropriate behavior with the perceived intent at an inappropriate relationship: (b) (b), (b) (b) (6), (b) (b). Based on the foregoing facts, I also specifically find that LTC Patterson meets the definition of a counterproductive leader as found in AR 600-100 1-11d. AR 600-100 states that Army Professionals are required to uphold the Army Ethic and the Core Leader Competencies. LTC Patterson continually and persistently violates them and destroys the trust of the organization and of individuals. He has damaged Army credibility within his unit and tainted young Soldiers views on what officership and leadership is supposed to look like. He does not set the example and he fails to uphold the most basic principles of the Army Ethic. His behavior violates, but is not limited to, the following articles of the UCMJ: article 92 (disobeying an order or regulation), 133 (conduct unbecoming of an officer), and article 134 (Fraternization) of the UCMJ. This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

b. Whether LTC Patterson engaged in harassment, bullying or other acts of misconduct, as defined in AR 600-20, para 4-19.

(1) The definition for harassment, bullying or other acts of misconduct in AR 600-20 is as follows, "... (2) Bullying. A form of harassment that includes acts of aggression by Soldiers or DA Civilian employees, with a nexus to military service, with the intent of harming a Soldier either physically or psychologically, without proper military authority or other governmental purpose. Bullying is the exposure of an individual or group to physical and/or emotional aggression with the intent to cause distress or harm. Bullying may involve the singling out of an individual from his or her coworkers, or unit, for ridicule because he or she is considered different or weak. It often is indirect or subtle in nature and involves an imbalance of power between the aggressor and the victim. Bullying can be conducted through the use of electronic devices or communications, and by other means including social media, as well as in person.

(a) Bullying is evaluated by a reasonable person standard and includes, but is not limited to, the following when performed without a proper military authority or other governmental purpose:

1. Physically striking another person in any manner or threatening to do the same;
2. Intimidating, teasing, name calling, mockery, threats of violence, harassment, taunting, social exclusion, isolating, manipulating, blackmailing, and spreading rumors in which there is often a power differential, whether by rank, position, physical stature, social standing or other measures, between the aggressor (one or more) and the victim (one or more);
3. Oral or written berating of another person with the purpose of belittling or humiliating;

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4. Encouraging another person to engage in illegal, harmful, demeaning, or dangerous acts;
 5. Playing abusive or malicious tricks;
 6. Branding, handcuffing, duct taping, tattooing, shaving, greasing, painting, hitting, spitting, shoving another person;
 7. Subjecting another person to excessive or abusive use of water;
 8. Forcing another person to consume food, alcohol, drugs, or any other substance; and
 9. Degrading or damaging another's property or reputation.
- (b) Soliciting, coercing, or knowingly permitting another to participate, solicit or coerce such conduct, may be considered bullying. Soldiers will be held responsible for an act of bullying even if there was actual or implied consent from the victim, without regard to the Service, rank status, or position of the victim.
- (3) Discriminatory harassment. A form of harassment that is unwelcome conduct based on race, color, religion, sex (including gender identity), national origin, or sexual orientation.
- (4) Other acts of misconduct. Misconduct may or may not meet the definitions above for hazing or bullying, yet may violate the dignity and respect of others. Additionally, acts of reprisal or retaliation, as defined in paragraph 5 – 11 or other policy, regulation or law, and/or violations against persons as outlined in the UCMJ may violate the provisions of this paragraph.
- (a) Harassment is prohibited in all circumstances and environments, including off-duty and "unofficial" unit functions and settings.
- (b) Harassment is not limited to superior-subordinate relationships. They may occur between peers or, under certain circumstances, may involve actions directed toward senior personnel by those junior in rank, grade, or position to them.
- (c) Incidents involving sexual assault, harassment, or discrimination must be addressed in accordance with the full display of laws, regulations, and policies pertaining to such allegations. In all cases, appropriate responding and investigative procedures will be followed.

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(5) Online misconduct. The use of electronic communication to inflict harm. Electronic communication is the transfer of information (signs, writing, images, sounds, or data) transmitted by computer, phone or other electronic device. Electronic communications include, but are not limited to: text messages, emails, chats, instant messaging, screensavers, blogs, social media sites, electronic device applications, and Web/video conferencing. Examples of online misconduct include, but are not limited to: hazing, bullying, harassment, discriminatory harassment, stalking, retaliation, or any other types of misconduct that undermines dignity and respect. When using electronic communication devices, Army personnel should apply "Think, Type, and Post": "Think" about the message being communicated and who could potentially view it; "Type" a communication that is consistent with Army values; and "Post" only those messages that demonstrate dignity and respect for self and others.

(2) I find that in Nov 2022 at Top Golf in Phar, Texas, LTC Patterson assaulted (b) (6) (b) (6) (b) (6). The evidence supports the finding that LTC Patterson slapped him in the face and pushing him to the ground during what some in his battalion called a "bar fight." (Exhibit 6, 29). This incident was also disorderly conduct of a nature to bring discredit upon the armed forces. There were several witnesses to the event to include (b) (6) (b) (6) (b) (6) (b) (6) and (b) (6) (b) (6) (b) (6). In (b) (6) (b) (6)'s statement he states, "LTC Patterson started play fighting with (b) (6) (b) (6) and went as far as to slap him in the face, where (b) (6) (b) (6) was caught off guard and shocked. (b) (6) (b) (6), obviously got angry and slapped him back and LTC Patterson pushed (b) (6) (b) (6) to the ground, which is when I then broke it up and stopped it. (b) (6) (b) (6) did not provoke or start anything with LTC Patterson, and it is my belief he was trying to show him who was alpha." (b) (6) (b) (6) made a statement as well regarding the fight. (Exhibits 6, 28, 29, 73). These actions were a violation of article 128, 133, and 134, UCMJ. This is also a violation of Texas Penal Code section 22.01(a)(3) and 42.01(a)(6). This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

(3) I find that LTC Patterson exhibits behaviors that meet the definition of harassment. During the interview with the (b) (6) and the (b) (6) both stated they felt LTC Mark Patterson was a sexual predator. (Exhibit 75 and 76).

(4) I find that LTC Patterson used indecent language to multiple Soldiers in his command which a reasonable person would find offensive. Further, I find that the language he used rises to the level of harassment as defined in AR 600-20 para 4-19.

(4) I find that LTC Patterson engaged in other acts of misconduct under AR 600-20 4-19. (b) (6) (b) (6) stated, "Yes, he makes comments about any female he thinks is attractive. Soldiers and civilians." (Exhibit 34). (b) (6) (b) (6) stated, "He specifically

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said to me after his first trip to Laredo that (b) (6) wanted to 'get with him' (Late Oct/Early Nov). It definitely set a tone. This was at work. The comment was something along the lines of she was 'thirsty' for him. I think (b) (6) was with me at the time. That type of conversation happened regularly. Even on the plane ride here from Bliss, he said the flight attendant wanted to 'get with him'." (Exhibit 22).

(5) I find that LTC Patterson made additional comments in violation of AR 600-20 para 4-19 when describing an (b) (6), (b) (6), (b) (6) (b) (6) (b) (6) (b) (6) (b) (6) stated, "when we met (b) (6) from the last RFA after we met her when we were in the car, he said things like, 'wow she was really good looking, I like to get with her' that's not verbatim but close." (Exhibit 34). During a PDSS in Aug 2022 a female (b) (6) stated she felt like LTC Patterson was flirting with her. She stated she had seen LTC Paterson earlier in the day with (b) (6), (b) (6) (b) (6). LTC Patterson approached her later that night around 2300 while she was on CQ Duty. She felt so uncomfortable regarding the exchange that she told her (b) (6) about the interaction the next day. (Exhibit 71). (b) (6) (b) (6) (b) (6) stated, "He pays an unbalanced amount of attention to females." (Exhibit 17 pg 1). The facts support that LTC Patterson regularly violated the dignity and respect of others in violation of AR 600-20 para 4-19.

(6) I find that LTC Patterson again violated AR 600-20 para 4-19 during an exceptionally inappropriate conversation with (b) (6) in Nov 2022. According to a sworn statement provided by (b) (6) "He told me a story that he went to get a massage here in McAllen and during it he was thinking about me and giving me a massage and that caused him to get an erection." (Exhibit 16).

(7) I find that LTC Patterson again engaged in other acts of misconduct in violation of AR 600-29 para 4-19 when, in Dec 2022, a female Soldier attested that LTC Patterson shared an inappropriate cartoon image with her that displayed a man with an extra-large phallus. (Exhibit 22).

(8) (b) (6) (941 HHD) said in her statement, "...he was telling me a story about the night prior. He went to a G league basketball game with a few people including (b) (6). He said there was a male cheerleader with a funny arm slash hand. He made a comment that they were obviously gay and how do they 'use that hand' for sexual purposes with another man." (Exhibit 18). I find this comment to again be in violation of AR 600-20 para 4-19 as it violated the dignity and respect of others.

(9) On another occasion at the fitness gym, (b) (6) had this to say about an interaction with him, "The comment in the gym about my 'chiseled abs.' It grossed me out, I try not to remember it he makes comments about all good looking females including (b) (6) (Exhibit 18). I find that this comment violated the provisions of AR

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600-20 para 4-19 and specifically find that his comments violated the dignity and respect of others.

(10) I find that multiple Soldiers in the 941 MP BN stated between Oct 2022 and Jan 2023 LTC Patterson bullied, harassed, was sexist and discriminated against his (b) (6), (b) (6) (Exhibits 2 (pg1), 19, 28 (pg 2), 31 (pg2), 12, 8 (pg 2), 7 (pg 5), 27 (pg2)). LTC Patterson used the guise of mentorship, since (b) (6) had a couple of SHARPE/EO incidents early in the rotation. Evidence shows this was a pretense for him to harass her. (b) (6), (b) (6), gave a statement stating his concern for how LTC Patterson was negatively treating (b) (6) (Exhibit 69). Initially (b) (6)'s (b) (6) was assigned to TF East but after JTF-N restructured the SWB sectors in Aug 2022 (b) (6) moved from TF East to TF Southeast and was attached to LTC Patterson's battalion. (Exhibit 69). From the very beginning she and others describe how LTC Patterson was hypercritical towards her, made fun of her, and most damning made sexual comments about her. (Exhibits 29 (pgs 1,3), 15 (pg 3), 16 (pg 1)). (b) (6) states, "He would tease (b) (6) a lot. Back in NH, he would be muted and make fun of her while she was briefing. Instead of mentoring, he was teasing her behind her back." (Exhibit 2 pg 1). I find all of this behavior to violate the provisions of AR 600-20 para 4-19.

(11) I find that in Oct 2022 LTC Patterson used electronic communications to take a photo, via his personal cellphone of (b) (6) without her knowledge and distributed it to his (b) (6) (b) (6) (Exhibit 43). (b) (6) (b) (6) and (b) (6) (b) (6) both mentioned in their statements that LTC Patterson told them "How good (b) (6) looked and how big her breasts were." (b) (6) stated LTC Patterson showed pictures of (b) (6) to him stating how good she looked. (Exhibits 29, 15,16, 43). He also stated to (b) (6) that "She was one of the few females that looks better in uniform then out." (Exhibit 29). This evidence supports the conclusion that LTC Patterson was violating the dignity and respect of others in violation of AR 600-20 para 4-19. It is also direct violation of article 93, and 133, UCMJ. This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

(12) I find that Soldiers in 941ST stated LTC Patterson bullied (b) (6), (b) (6), relentlessly daily. (Exhibits 2, 28, 37). Along with a myriad of other insults he was known to call (b) (6) a "useful idiot" in public amongst his peers. (Exhibit 37). (b) (6) (b) (6) (b) (6) stated, "he constantly berates and belittles him in front of everyone. Instead of being the senior mentor that the officers here should have he belittles them and bullies them constantly." (Exhibit 34). (b) (6) stated, "there was a morning where he came up to the medic room to eat breakfast. During the morning the BC made several comments saying that (b) (6) was useless and his

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position (b) (6) was useless. He said that he makes all the decisions. If find that LTC Patterson's behavior was extreme and pervasive enough that it is unreasonable to conclude that he had a valid military purpose.. These infractions are in violation of article 133, UCMJ.

(13) I find that LTC Patterson was maltreating five members of his battalion by making deliberate and offensive discriminatory comments toward them. (b) (6) (b) (6) (b) (6) stated when asked about LTC Patterson bullying, "Yes, picking on (b) (6) (b) (6) He makes fun of other officers to other officers. He makes fun of people's weight "(b) (6) (b) (6)". He made a comment to him about, 'we don't have to worry about you finishing your burger.' He has made multiple comments about (b) (6) (b) (6) weight from the start of this mission in October to now." (Exhibit 18 (pg 2). (b) (6) (b) (6) (b) (6) stated, "he's made offhanded comments, disguised as playful jokes, about people being overweight or fat in group settings suggesting that they maybe shouldn't order so much food, or he's a big boy. He does this with multiple people. Myself, (b) (6) (b) (6) , (b) (6) (b) (6)." (Exhibit 15 (pg 3). (b) (6) (b) (6) (b) (6) stated, "... I would receive some bullying. LTC Patterson calls me fat or overweight while people were around like he was trying to get a laugh out of others from those around. It first started around Thanksgiving potluck, the person in front of me turned down their portion of something. I said I would like some of it and he responded by getting an even bigger scoop and said well if you want to be fat." (Exhibit 21 pg 2). I find this behavior to be a violation of AR 600-20 para 4-19 and that his comments violated the dignity and respect of others.

c. Whether LTC Patterson violated the alcohol consumption limit or off-limits establishment prohibition as defined in GO1A.

(1) GO1A States "service members will consume no more than two alcoholic drinks within any 24-hour period. Enclosure 1 will assist in what is considered one alcoholic drink. In addition, regardless of the combination of alcoholic drinks, service members are prohibited from consuming alcohol to reach a state of intoxication or a blood alcohol content (BAC) level of 0.08 percent or higher.". Enclosure 1 of GO1A is a color diagram with supporting text that is easily understood as to what constitutes "one alcoholic drink" regardless of the type of beverage consumed. The enclosure even goes so far as to put warning that states, "Be aware that the drink you order at the bar could be equal to two or three "standard drinks". (Exhibit: 62) The enclosure is clearly intended to be posted in areas in and around where service members work and live.

(2) I find that LTC Patterson violated the alcohol consumption limit outlined in GO1A. LTC Patterson violated the policy through his admissions made to others, direct witnesses, and several accounts of him implying to different individuals that he was

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going to continue drinking after they had already witnessed him consume the maximum allowable amount as defined by GO1A.

(3) From the beginning of the deployment (late OCT/early NOV), LTC Mark Patterson briefed a large portion of his formation to include Company leadership, primary staff, and multiple lower/mid-grade NCOs that he did not care for the alcohol limitations contained within GO1A. The (b) (6), (b) (6), (b) (6), stated, "He seemed to have a real problem with the two drink policy and brought it up at a group setting with junior enlisted and officers" (Exhibit 17). This is corroborated in the statement by the (b) (6), (b) (6), (b) (6), who stated that in meeting with all the battalion present he told them he was not going to enforce the fraternization, alcohol, or room visitation polices. He also told them to "squash all rumors at the lowest level". When (b) (6), (b) (6) questioned LTC Patterson on what he had said, LTC Patterson stated directly to him, "I am not a rules guy" (Exhibit: 34). LTC Patterson would often sensationalize alcohol consumption by encouraging "Water Pong" in the TOC (Exhibit 2).

(4) LTC Patterson admitted he was buzzed in a text message he sent to (b) (6), (b) (6) (b) (6) in November 2022 he stated, "I'm sure you don't mean it that way but that's just the way it played out and I'm buzzed and alone in my room... not happy" (Exhibit 48). Furthermore, GO1A does not require a BAC to constitute the violation as it clearly states, "service members are prohibited from consuming alcohol to reach a state of intoxication OR a BAC of 0.08" (Exhibit 62).

(5) In addition to his own admissions heard by other witnesses, multiple service members within his organization have witnessed him consume more than the allotted amount of alcohol outlined within GO1A throughout the deployment. LTC Patterson's organization had a Halloween Party at the end of October 2022. At the party (b) (6), (b) (6) stated LTC Patterson seemed intoxicated, (b) (6), (b) (6) stated she saw him consume two alcoholic beverages and then continued to use some sort of flask the rest of the evening (Exhibits 2, 18).

(6) In early November, LTC Patterson was visiting his companies down in Laredo Texas. When meeting in the lobby to head out to dinner, (b) (6), (b) (6) asked who was going to be driving, to which LTC Patterson stated, "I am four drinks in already". (b) (6), (b) (6) witnessed him drink 2 additional drinks throughout the evening. (b) (6), (b) (6) witnessed this exchange (Exhibit 2, 16). (b) (6), (b) (6) who was also present, stated that she watched LTC Patterson consume at least 4 alcoholic beverages that night (Exhibit 24). I find that LTC Patterson violated GO1A.

(7) In November 2022, LTC Patterson attended a basketball game with (b) (6), (b) (6), (b) (6) and (b) (6), (b) (6). (b) (6), (b) (6) observed LTC Patterson

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consume one drink prior to attending the game and 3 at the game (Exhibit 22). I find that LTC Patterson violated GO1A.

(8) At another basketball game attended by (b) (6) she stated that LTC Patterson had two drinks at Texas Roadhouse followed by two more at the basketball game. (Exhibit 24). I find that LTC Patterson violated GO1A.

(9) In November 22, LTC Patterson took (b) (6) and (b) (6) to Top Golf and Buffalo Wild Wings where he consumed two alcoholic drinks at each establishment (Exhibit 22). I find that LTC Patterson violated GO1A.

(10) At a New Years Eve Party on December 31, 2022, 1LT (b) (6) said she saw LTC Patterson consume four or five "white claw" type beverages (Exhibit 22). I find that LTC Patterson violated GO1A.

(11) In January 2023, LTC Patterson hosted a (b) (6) for his companies. While at dinner (b) (6) he consumed two glasses of wine. The glasses were 9oz each, GO1A states defines one serving of wine as 5oz. Even if LTC Patterson ordered the smaller volume from the menu in 64, he would still have exceeded the allowable limit in GO1A. Following the dinner, LTC Patterson invited (b) (6) (b) (6) to his room for more wine and to give his unauthorized dog a bone. (Exhibits: 19, 57, 64, 62). The text messages provided in Exhibit 57 also provide evidence of a pattern of LTC Patterson being observed drinking two beverages and then in the same evening inviting others to his room to continue drinking. I find that LTC Patterson violated GO1A.

(12) The day before LTC Patterson was suspended from command he called (b) (6), (b) (6) (b) (6) (b) (6) stated, "the day before he got suspended he called me to ask me if I knew how much he had to drink at dinner during the Commanders Conference. I advised LTC Patterson that I saw him have two glasses of wine. It was at this time I felt that something was off" (Exhibit 32). If LTC Patterson consistently followed GO1A he would not need to call a subordinate to find out how much he had consumed. Furthermore if he consistently followed GO1A he would never have to be concerned with being in a situation where he has to call a subordinate to ask, or worse yet pressure them to be loyal to him in an upcoming investigation. I find that this is further evidence that LTC Patterson regularly violated GO1A.

(13) One evening in December 2022, LTC Patterson was observed acting erratically while frantically trying to find the location of a subordinate female officer (b) (6) (Exhibit 15). Multiple people across the battalion witnessed this.

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(14) LTC Patterson was observed driving erratically in the parking lot while an enlisted member at the battle desk claims he may have smelled alcohol on LTC Patterson when he was “grilling” them in the TOC about the STR sign out sheet (Exhibits 15, 5).

(15) (b) (6) who is assigned to Laredo TX, has heard rumors that LTC Patterson “drinks a lot” (Exhibit 35). (b) (6) who is assigned to Harlingen TX, has heard stories of LTC Patterson drinking more than the authorized amount and inviting other junior Soldiers to drink with him. He has advised his Company Command team to be weary of LTC Patterson’s invitations. This is corroborated by (b) (6) (b) (6) who has witnessed junior officers entering LTC Patterson’s room two 12 packs of “White Claw” type beverages (Exhibits 23, 34). LTC Patterson spends most of his time at the battalion headquarters in McAllen TX, so the fact that people at his farthest outstations hear rumors about him drinking is telling. At the very least the perception exists. Once LTC Patterson was suspended, (b) (6) (b) (6) was tasked with cleaning out LTC Patterson’s suite. Inside the room, (b) (6) (b) (6) packed a couple bottles of wine, some liquor bottles, nips, and four or five large “Texas Size” Bud Lights, which were larger than 24 ounces each (Exhibit 34). A quick google search states the “Texas Size” Bud Light mentioned above as 25oz. This evidence supports the finding that LTC Patterson regularly violated GO1A.

(16) LTC Patterson violated the policy evidenced by his personal admissions made to others, direct witnesses, and several accounts of him implying to different individuals that he was going to continue drinking after they had already witnessed him consume the maximum allowable amount as defined by GO1A. Furthermore, there is a widespread perception that LTC Patterson does not care about the alcohol provisions in GO1A, that rules don’t apply to him, and that he can get away with it. Multiple Soldiers in his formation have received UCMJ in the form of Article 15s for violating the policy (Exhibit 45). Because the battalion leadership openly violates the policy, some members fear reprisal if they were to speak up and have lost trust in someone who should be a standard bearer in the organization (Exhibit 2). His violation of GO1A is not only a direct violation of a punitive order, but is also further evidence of his counterproductive leadership. His actions are a violation of article 92 (disobeying an order or regulation), 133 (conduct unbecoming of an officer), and article 134 (Fraternization) of the UCMJ.

(17) There was not sufficient evidence to conclude whether LTC Patterson violated the off-limits establishment provision listed in GO1A.

d. Soliciting (b) (6) (b) (6) to visit his hotel room in violation of the hotel visitation policy.

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(1) Pursuant to GO1A, Soldiers are prohibited from visiting the hotel rooms to which they are not assigned except due to operational necessity. (Exhibit 62)

(2) I find that while in Laredo, Texas on 10 Jan 2023, LTC Patterson solicited (b) (6), (b) (6) via a personal cellphone text message to visit him in his room so she could "feed his dog his T-bone." Based off evidence she never visited his room. (Exhibits 19,17, 57, 62, 12). I find that LTC Patterson attempted to have (b) (6) enter his hotel room, which would be a violation of GO1A. I also find that this attempt to violate GO1A is prejudicial to good order and discipline.

e. Whether LTC Patterson keeping an animal in his hotel room is a violation of the TF ARG_FRAGO 01 to OPORD 02-23.

(1) Pursuant to TF ARG_FRAGO 01, personnel assigned to TF Argonne are not permitted to keep animals. (Exhibit 63)

(2) I find that in Dec 2022 and Jan 2023 LTC Patterson failed to obey an order by owning and keeping a dog in his hotel room. There is abundant evidence through sworn statements and pictures he texted female Soldiers that show him or them with his dog in his hotel room and other locations along the SWB (Exhibits 37, 42, 43, 51, 49, 57, 3). In Dec 2022 he, without proper authority, published his own battalion order authorizing himself the dog and tasking (b) (6) with being responsible for the dog's emotional support schedule with troops, in violation of article 92, UCMJ. (Exhibits 2, 3, 15, 21, 37, 61). There are over 40 sworn statements where Soldiers proclaim LTC Patterson owned a dog between Nov 2022 and Jan 2023 while on the SWB mission. (b) (6) (b) (6) (b) (6) when asked if LTC Patterson had a dog stated, "Yes, approximately a month and a half ago, I entered the battalion TOC for the first time and observed a golden retriever puppy running around the TOC. Service members from battalion advised that it was LTC Patterson 's dog. I observed the dog pee on the floor of the TOC, only for a service member to clean the floor with rug cleaner. I then saw a policy for military service dogs and a request form for the dog to visit companies come down the chain of command." (Exhibit 33). A violation of article 92, UCMJ.

(3) I find most Soldiers interviewed all understood that no pets were allowed on the deployment. When asked if he had any knowledge of whether LTC Patterson has kept a dog in his hotel room, (b) (6) (b) (6) stated, " Yes. LTC Patterson started asking (b) (6) (b) (6) about the policy. When she told him it was not authorized and I asked him about it he said he reached out to (b) (6) and got approval to have the dog. I recommended he speak to (b) (6) about it and he said he would do what his rank can handle. The BC made a policy that made (b) (6) (b) (6) the conduit for units to request a dog for visits." (Exhibits 15, 21).

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(4) According to the (b) (6), (b) (6), "I did not authorize TF SE, specifically the BN Commander, LTC Mark Patterson permission to have a dog for use as an MWR animal." (Exhibit 36, 74).

(5) (b) (6) (b) (6) (b) (6) (b) (6) stated that in Dec 2022, " He invited (b) (6) and I to his room to see his dog..." (Exhibit 16). (b) (6) (b) (6) (b) (6) observations on the unauthorized dog LTC Patterson kept, "on(6) December the 7th, he briefed us all that he had implemented a policy to allow us to have a dog. He said that he was solely responsible for the dog and that he would be getting trained as a therapy dog, similar to the therapy dog we have in in NH. He made it sound as though he had approval. That same afternoon, he brought the dog into the toc. His policy was signed after the dog had been introduced. It was evident based on the age and lack of training that the dog had no formal obedience training. The dog frequently peed all over the TOC. I did speak with the director of psychological health to confirm that LTC Peterson's dog did not get sponsored in any way from NH. The only part that NH played in the acquisition of the dog was he forwarded Colonel Patterson a copy of the policy." (Exhibit 2).

f. Whether LTC Patterson sexually harassed any member of his command in violation of AR 600-20, para 7-7. Specifically, whether LTC Patterson's unwanted physical touch, comments regarding female appearance, or other behavior qualify as sexual harassment as defined in AR 600-20, para 7-7:

(1) Pursuant to AR 600-20, para 7-7, sexual harassment is defined as:

a. Title 10 USC 1561 defines the term "sexual harassment" to mean any of the following:

(1) Conduct that involves unwelcome sexual advances, requests for sexual favors, and deliberate or repeated offensive comments or gestures of a sexual nature when—

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career; or

(b) Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment; and

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(d) Is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

(2) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a member of the Armed Forces or a Civilian employee of the DoD.

(3) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any member of the Armed Forces or Civilian employee of the DoD.

b. There is no requirement for concrete psychological harm to the complainant for behavior to constitute sexual harassment. Behavior is sufficient to constitute sexual harassment if it is so severe or pervasive that a reasonable person would perceive, and the complainant does perceive, the environment as hostile or offensive.

c. Sexual harassment can occur through electronic communications, including social media, other forms of communication, and in person.

d. The use of disparaging and/or sexualized terms may contribute to an unlawful hostile environment and thus will not be tolerated. Leaders at all levels will protect their teams against sexual harassment and proactively ensure that their environments are free from all forms of sexual harassment.

e. This paragraph is punitive, and violations may be punished under UCMJ, Art. 92. Leaders who fail to address complaints or document sexual harassment may also be subject to punitive and/or adverse administrative action.

(2) I find that LTC Patterson sexually harassed 4 of the female Soldiers in his command between October 2022- January 2023. LTC Patterson created a hostile environment for (b) (b) (6) (b) (b) (6) (b) (b) (6) and (b) (b) (6) throughout the deployment and engaged in Quid Pro Quo with (b) (b) (6). His actions have been pervasive and span multiple incidents with each individual. Through my investigation, I found that there is a significant amount of fear of retaliation and reprisal and the identified individuals felt powerless to stop the conduct.

(3) I find that LTC Patterson created a hostile work environment that discouraged the reporting of EO complaints. He bragged to members in the unit that he has beaten as many as 6 investigations and that he is untouchable and can get away with anything. (b) (b) (6) stated about LTC Patterson, "He has a way about him that feels creepy, he acts one way around a certain group and another when he was not, he seemed like he knew how to walk the line and get away with his actions." (Exhibit 35). His manipulation of people and ability to pit people against each other have allowed him to operate in an

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inappropriate manner for quite some time. LTC Patterson told (b) (6) that the (b) (6), (b) (6) was not to be trusted (Exhibit 22). (b) (6) the (b) (6) stated that at the Commander's Conference, LTC Patterson was speaking to the Company Commanders about loyalty and stated, "we slit the throats of those who are disloyal." This statement is corroborated by (b) (6) in his statement. (Exhibits 15, 29).

(4) I find that LTC Patterson created a hostile work environment through repeated inappropriate comments. (b) (6) (b) (6) (b) (6) stated, "When (b) (6) (b) (6) (b) (6) and I were discussing a sharp case with LTC Patterson and trying to protect one of our soldiers he brought up 'Only Fans' to (b) (6) and asked us if we have checked to see if the accused Soldier or any of our other female soldiers were on it- it was very inappropriate and showed a serious fault in leadership and a lack of empathy for the soldier in question." (Exhibit 23).

(5) LTC Patterson has shown multiple people a picture of (b) (6) in uniform and made a statement about her breasts and how she looks good (Exhibits 15, 29, 22, 24, 28). I find that this behavior contributed to the creation of a hostile work environment.

(5) When he was speaking to (b) (6) in December 2022 about (b) (6) coming in from Ohio, LTC Patterson stated to (b) (6) (b) (6) (b) (6), "Eventually when I am single, I am gonna move to Ohio because that's where all the young hot bitches are at." (b) (6) stated that it was inappropriate. I find that this is additional evidence of LTC Patterson creating a hostile environment in violation of AR 600-20 para 7-7.

(6) LTC Patterson talked openly about getting "strange" while on the SWB, told stories about women asking him if he was "DTF" and took every opportunity to point out how women were into him (Exhibits 29, 28). I find that this is additional evidence of LTC Patterson creating a hostile environment in violation of AR 600-20 para 7-7.

(7) LTC Patterson got a dog while on rotation. He lied to his entire battalion about getting approval from the (b) (6) and created a battalion policy allowing him to have the dog, the (b) (6) never approved keeping a dog (Exhibits 36, 61). Many individuals in the unit expressed that LTC Patterson's only motivation for getting the dog was to get close to the females and "groom" them (Exhibits 2, 5, 24 16, 22, 28, 23, 17, 19). The evidence supports that LTC Patterson's behavior created a hostile environment in violation of AR 600-20 para 7-7.

(8) The evidence supports the finding that LTC Patterson only had females take care of the dog and he referred to the females taking care of his dog as his "girls". (b) (6) corrected him when he used the term in front of her (Exhibit 3).

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(9) From the beginning of the deployment, LTC Patterson has created an environment that shows a lack of respect for the women in the unit. (b) (6) recalls an example in October 2022 while the unit was still at Ft. Bliss. She stated, "while we were on the bus, LTC Patterson saw (b) (6) walking on the sidewalk. He made a comment along the lines of, "Hey there you want a ride" but his inflection was similar to a cat-call. I spoke up and said to him, "Sir, that's the line right there.". She stated that he responded defensively with "I didn't mean it like that". (b) (6) then reminded LTC Patterson, "Sir, it's not how you meant it, it's how I perceived it." (Exhibit: 2). I find that this is further evidence of LTC Patterson's behavior creating a hostile environment in violation of AR 600-20 para 7-7.

(10) When asked about the climate in the organization (b) (6) stated, "for some people it is better than others, as a female there are times when it is more difficult." (Exhibit 6). The hostility created in the unit along with the counterproductive leadership listed in other sections of this report made for an ideal environment for LTC Patterson to operate in a manner that violates the provisions of AR 600-20 para 7-7. LTC Patterson's use of disparaging comments about females subordinate, disrespectful comments about females in general, and frequent use of sexualized terms along with his actions created an unlawful hostile environment for the 941st MP Battalion. (Exhibits 2, 18, 22)

(11) I find that four females described situations in their sworn statements where LTC Patterson made them uncomfortable by following them at local fitness centers/gyms, outside their hotel room, and at their motor vehicle from Oct 2022 to Jan 2023, a violation of AR 600-20, para 7-7. (b) (6) stated, "He told me that he takes the dog out right outside my window and looks inside or waits for me to open the shade." (Exhibits 2, 18, 22).

(12) In reference to LTC Patterson's behavior at the local gym, (b) (6) stated, "He stands really close to (b) (6) He would come in the TOC in gym clothes and be stretching on the floor while talking to (b) (6) and (b) (6). These actions were awkward and made me feel uncomfortable. He could have done his personal hygiene and change before he came to the TOC. I felt like it was blatant attempt to show off in front of them." (Exhibit 34).

(13) I find that LTC Patterson sexually harassed (b) (6) through both categories of sexual harassment (Quid Pro Quo and Hostile Environment) by engaging in verbal, nonverbal, and physical contact forms of sexual harassment. LTC created a hostile environment for (b) (6). This hostile environment has been in place the entire deployment.

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(14) LTC Patterson verbally sexually harassed (b) (6) in several ways. She describes him as manipulative and overbearing. "He texts me and (b) (6) at all hours and days off, we made an agreement that we would never let each other be alone with him. Throughout the deployment LTC Patterson's conversations with (b) (6) have turned extremely personally and unprofessional. He speaks at length of his marital problems, his attraction to her, his desire for a relationship with a younger female, and would often speak in a demeaning manner about other females. "He told me several times he is attracted to me even after I told him how comfortable it makes me." In December 2022, (b) (6) stated, "he told me a story that he went to get a massage and during it he was thinking about me and giving me a massage and that caused him to get an erection. This made me so uncomfortable just seeing him at work made me feel sick but when I started to avoid him, he would become irritable and mentally unstable. He often made comments about my appearance and body." (Exhibit 16). LTC Patterson's deliberate and repeated sexually graphic comments and expressed fantasies told to (b) (6) clearly meet the definition of verbal sexual harassment and created a hostile environment for (b) (6) in violation of AR 600-20 para. 7-7.

(15) LTC Patterson participated in nonverbal sexual harassment through multiple text messages, sending photos, and casual touching, winking, and body language. Exhibit 51 shows multiple photographs LTC Patterson sent via text message. He is shirtless or in a towel in all of them. Two of the photos show him in bed while one of them he is in the pool pointing to (b) (6)'s window with a sad face. There is no professional reason that any of these photos should have ever been shared with a subordinate female and I find they contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(16) In October 2022, (Exhibit 50) LTC Patterson sent (b) (6) a picture of a sexually themed Halloween costume "Beer Garden Babe" with a message, " I mean...if you wanna change your mind lol". (Exhibit 47). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(17) In the course of this investigation, a text thread was found that shows the aggressive and emotionally possessive nature in which LTC Patterson treats (b) (6). It is in reference to the trip to Laredo where (b) (6) and (b) (6) do not go to dinner with him and he "blew up at them". In this text thread (b) (6) tells him, "The way you acted and talked to me is unacceptable, I'm not ok with it, I chose to go to dinner with my first line supervisor and the fact that you told me I should feel guilty for that is unprofessional. You put me in a shitty position and need to treat me like any other (b) in the unit." (Exhibit 48) I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

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(18) Another text thread demonstrates an obsessive, hostile, and possessive treatment and attitude toward (b) (6) by LTC Patterson. Throughout the messages he expresses that he wants to “take care of her” and being “comforted by her presents...” He gets angry with her and states, “I’m isolated from everyone but you... so when I am frustrated I have no where to turn, TXT sucks.. if you want to talk about it I’m up I’m just needing to get this off my chest, I’d like to explain how I feel.” When she replies saying she is going to sleep and doesn’t want to talk, his anger escalates and he responds, “No, I want to talk, I’m not going to sleep, Seriously, you can’t give me 10-15 minutes?”. (b) (6) pushes back and states “No, this is the stuff I’m talking about, its too much stress and not fair to put this on me, I’m doing nothing wrong”. Her response shows that this isn’t the first time she has told him he crosses the line. On New Years eve LTC Patterson sends (b) (6) a photo of the dog in the shower and says “LMK if you want to see him”. She states she is going to bed and “Happy New Year”. He responds with “Happy New Year...sleep good beauty.” (Exhibit: 16, 49). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(19) LTC Patterson has also sexually harassed (b) (6) through physical contact. (b) (6) states, “He would also touch my shoulder or give me a light slap jokingly, I would pull away and told him it made me uncomfortable, he did the same thing to (b) (6) (b) (6) stated, “He would always block (b) (6) ’s path.” (Exhibit 22). “At one point in the private office in McAllen, (b) (6) states, “he once cornered me and forced me to stand there while he hugged me. I later told him how uncomfortable this made me.” (Exhibit:16). I find that this is sexual harassment through physical touching, while also further evidence of the creation of a hostile environment, all in violation of AR 600-20 para 7-7.

(20) There is sufficient evidence to find that LTC Patterson engaged in Quid Pro Quo sexual harassment in violation of AR 600-20 para 7-7 with (b) (6) LTC Patterson held the STR, special treatment, and future jobs as the “Quid”. He offers to let her keep the STR he gave her and the “special treatment” he gives her as long as she allows him to continue to act toward her in the way he wants to, which in this case is to continually sexually harass her for his own gratification. When she told him he needed to treat her like the other LTs, she states, “he threatened me and said I will take you STR away and make the rest of your deployment miserable.” (Exhibit 16).

(21) When asked about LTC Patterson’s treatment of (b) (6) (b) (6) stated “He threatened to withhold command from her when she confronted him about the way he treats her.”(Exhibit 24). On 22JAN23 when (b) (6) begin to push back to the point that LTC Patterson was concerned that he may get in trouble (b) (6) stated, “he wanted to know how to punish or push away from (b) (6) he wanted

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(b) (b) (6) to “fuck” up so he could push (b) (b) (6) to Laredo so he didn’t want to be around her”. (Exhibit 24).

(22) I find that LTC Patterson engaged in sexual harassment towards (b) (b) (6) and the evidence supports the conclusion that he enjoyed his possessive relationship with (b) (b) (6) that was persistently sexual in nature. (b) (b) (6) summarizes it best in her statement, “there is definitely a feeling created that everything is transactional. If we did not do what he asked, there would be repercussions.” (Exhibit 22). Further evidence proving the existence of Quid Pro Quo sexual harassment is found in (b) (b) (6)’s statement. He says, “(b) (b) (6) advised that LTC Patterson was acting strange and was teetering on the fence of inappropriateness, but without making it obvious, almost as if it was some sort of test. (b) (b) (6) wanted to make someone aware of the incident in the event something ever came up. (b) (b) (6) was fearful that if I approached LTC Patterson about it, it would negatively impact her in some manner.” (Exhibit 37). LTC Patterson engaged in sexual harassment in all forms described in AR 600-20.

(23) I find that LTC Patterson sexually harassed (b) (b) (6) (b) (6) by engaging in verbal, nonverbal, and physical contact forms of sexual harassment. LTC Patterson created a hostile environment for (b) (b) (6) LTC Patterson would speak at length with (b) (b) (6) about several inappropriate sexual topics. She states, “He told me he wanted to just decide with his wife whether they were going to get a divorce or not and that there had been too much limbo because he wanted to focus on starting a new family with a female between 24-26 years of age.” (Exhibit 24). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(24) I find that (b) (b) (6) also put LTC Patterson on notice that his behavior was unacceptable. She stated that she told him he needs to watch how he texts me because the implications of the messages instill anxiety. At a basketball game LTC Patterson was oversexualizing a calendar and commenting on the cheerleaders to (b) (b) (6) and (b) (b) (6). He also stated, “(b) (b) (6) should get out there and join them and that meetings would be more interesting if that type of entertainment was provided. (Exhibits: 22, 24). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(25) While (b) (b) (6) was riding in a vehicle with LTC Patterson and (b) (b) (6), LTC Patterson was discussing liking (b) (6), he made a sexual comment about it. (b) (b) (6) recalls (b) (b) (6) looking uncomfortable and LTC Patterson noticed and said to (b) (b) (6), “(b) (6)’s good”. (b) (b) (6) stated that this made her uncomfortable. (b) (b) (6) corroborates the statement and said LTC Patterson told a story where he “bragged about getting notes from his wife’s friends

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that said DTF. (Exhibits: 24, 29). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(26) In November, 2022 (b) (6) (b) (6) was alone with LTC Patterson in the car and he talked to her about previous girlfriends and having a thing for (b) (6) (b) (6). (b) (6) (b) (6) stated that he would make any excuse to keep them alone together. She states that he would use her position (b) (6) (b) (6) to force one on one time that outsiders couldn't question because it was (b) (6) (b) (6). (Exhibit 24). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(27) LTC Patterson engages in nonverbal sexual harassment by sending the same photographs or the same type of photographs he sent to (b) (6) (b) (6). Based on the statements provided, I find that the perception was that LTC Patterson was being flirtatious and that he used the unauthorized dog as a pretext for the photograph. (Exhibits 24,42,43). LTC Patterson would often seek (b) (6) (b) (6) out at the enlisted pool (other pool situations mentioned previously). (b) (6) (b) (6) states, "On multiple occasions I would be in my bikini after work, and LTC Patterson would come and sit next to me, this made me extremely uncomfortable but there was no way for me to leave the area because it would make him recognize that I wasn't happy, and he would have an emotional fit and act as if I was his girlfriend." (Exhibit: 24). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(28) (b) (6) (b) (6) stated that LTC Patterson would seem to test the waters with pats on the back. He would wink at her and give her looks in the TOC. She states that he gives her looks and hovers around her desk. When she asks him if he needs something he says no and just stands there and smirks at her. He sent her a text message when he was out of town stating, "I know you miss me with a winky face." He sends her winky face emojis at least 25 times (Exhibits: 24, 41). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(29) LTC Patterson engaged in physical sexual harassment through multiple bumps and touches. (b) (6) (b) (6) stated that he would seem to test the waters to see what he could get away with. In December, he summoned her to the office, when she knocked on the door he invited her in. He did not have a shirt on. LTC Patterson preceded to ask her to help him put a bandage and ice on his shoulder. About the situation (b) (6) (b) (6) stated, "I felt like I had no choice but to do what he asked because he is the BN Commander and I didn't want him to be upset and make my life hell here." (Exhibit: 24). In that case, LTC Patterson, through the use of his position, ultimately put (b) (6) (b) (6) in the position that she felt she was required to physically touch LTC Patterson in violation of AR 600-20 para 7-7. This incident is corroborated

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by (Exhibits: 16, 37). (b) (6) was already scared of LTC Patterson after he “blew up” and her and (b) (6) previously when they didn’t have dinner with him, mentioned previously. She felt powerless to rebut him. The situations listed above clearly violate AR 600-20 Chapter 7-7.

(30) The following exhibits further corroborate the findings above of violations of AR 600-20 para 7-7 as to (b) (6) and (b) (6)

i. (b) (6) stated, “I think he showed extra attention to (b) (6) he also spent a large amount of time with (b) (6) The amount of time they were together seemed inappropriate (Exhibit 5).

ii. (b) (6) stated regarding LTC Patterson’s actions toward (b) (6) “She felt like she had to maintain a good relationship with him because of her position, in spite of the fact that there were times where she felt uncomfortable, LTC Patterson was strangely possessive over her and as they spent more time together, LTC Patterson would find reasons to occupy her time.” Regarding (b) (6) an (b) (6) she stated “he would take (b) (6) and (b) (6) out for lunch and then to Top Golf for the afternoon, he was very protective of them, he would refer to them as “the girls” and try to isolate them.”(Exhibit: 2). He also referred to (b) (6) and (b) (6) as “the girls” to (b) (6) (b) (6) (Exhibit 3).

iii. (b) (6) was asked if LTC Patterson ever made unwelcome sexual advances toward anyone. (b) (6) responded, “I have heard about two people (b) (6) (b) (6) potentially being a victim of it.”(Exhibit:35).

iv. (b) (6) states, “He (Patterson) would only travel with (b) (6) or (b) (6) or both. He made multiple statements to me about (b) (6) or other females going to his room to take care of the dog.” (Exhibit 19).

v. (b) (6) stated, “He has made it so (b) (6) plays a significant role in his daily activities. He has also kept (b) (6) by his side at all things. (b) (6) (b) (6) would be given tasks that are outside her scope of responsibility. When he would travel he would frequently take them with him, there didn’t always seem to be a need for them.” (Exhibit 15)

vi. (b) (6) (b) (6) stated, “(b) (6) (b) (6) and I had a good working relationship previously, but on this rotation he (Patterson) told her she could not trust me.” “He would come in the TOC in gym clothes and be stretching on the floor while talking to (b) (6) (b) (6) and (b) (6) (b) (6) These actions were awkward and made me feel uncomfortable, he is always standing awkwardly close to them. I felt he was doing it for the sole purpose harassing them (Exhibit 34).

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vii. (b) (6) observed stalking and sexually harassing behavior from LTC Patterson toward (b) (6). "He waited outside for a female (b) (6) at her car and then questioned her where she was going, I was often unsettled on how close he would sit to, be interested in, and hang out with (b) (6) (Exhibit 23).

viii. (b) (6) stated, "I observed a jovial and flirtatious exchange between them (Patterson and (b) (6). They were having a push up contest and he talked to her in a somewhat degrading way for a senior officer to talk to a junior female. Several Soldiers have made presumptuous statements about LTC Patterson being involved with (b) (6) these rumors have been discussed frequently among many personnel within HHD (Exhibit 31). This statement demonstrates a shared perception of the personnel working in the TOC.

ix. (b) (6) stated, "It boils down to young females being treated special, specifically (b) (6) and (b) (6). He would take (b) (6) to MSC sites and no one else, he would make sure (b) (6) and (b) (6) were in his car when travelling and direct all other parties to ride in the other car. (b) (6) eventually pulled me aside and said something needed to stop, she explained that she does not feel safe around him (Patterson) and was afraid of angering him. She said she does whatever she can to keep him calm out of fear of what he may do. I consider his possessive grooming behavior toward (b) (6) and (b) (6) as sexual harassment (Exhibit 17)

x. (b) (6) stated, "It is very clear who LTC Patterson likes (b) (6) (b) (6) (b) (6) is a phenomenal leader who deserves the accolades that come her way but it very clearly crossed a line (SHARP related). He spends a huge amount of time with (b) (6) even at home he is always in her office, and they go places together, it is pretty telling looking back."(Exhibit 30).

xi. (b) (6) stated, "LTC Patterson told (b) (6) that he created a policy to check vehicles in order to keep track of her, I began to notice certain dynamics with how he (Patterson) treated (b) (6) it was apparent to me he was doing this to ensure (b) (6) remained close to him."(Exhibit 29).

xii. (b) (6) stated, "LTC Patterson seemed to have a direct personal relationship with female subordinates, he would go to (b) (6) and (b) (6) directly. (b) (6) shared an incident with me of LTC Patterson acting strange, teetering on inappropriateness, she was fearful that if I brought it up it would negatively impact her in some manner."(Exhibit 37)

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xiii. (b) (b) (6) stated, “with (b) (b) (6) there was always a lot of favoritism. He (Patterson) spends a significant amount of time with her which appears like a personal relationship, it made me feel uncomfortable, I was concerned for her. He would always pull her out for coffee under the guise of MWR and they would spend the whole day together, (b) (b) (6) would often be included. This happened three times that I know of. After he (Patterson) told me that he can get away with anything I kind of lost hope in being able to stop him, I was convinced I couldn’t stop him, and that I was at the mercy of him so I decided all I could do was do my best to mitigate. I think he was trying to groom me and the other females.” (Exhibit 22).

(31) LTC Patterson sexually harassed (b) (b) (6) through verbal and nonverbal sexual harassment. (b) (b) (6) observed what (b) (b) (6) was going through and made an agreement with her to not let her be alone with LTC Patterson if she could help it. LTC Patterson took (b) (b) (6) and (b) (b) (6) to Top Golf (November 2022). At top golf (b) (b) (6) states LTC Patterson, “was showing pictures of his ex-girlfriend and asking me if I thought she looked like (b) (b) (6) he kept trying to get us to agree that (b) (b) (6) looked like his ex.” I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(32) LTC Patterson also discussed with (b) (b) (6) the desire to start a new family and have kids until he is 50. He showed her pictures of older men with younger women close to her age. She pushed back and told him she did not want to have that kind of conversation with him, but he persisted by showing her pictures of children and told her, “how would you not want to produce more of these.” She stated it made her extremely uncomfortable. (Exhibit 22). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(33) (b) (b) (6) stated that LTC Patterson brags about being able to get away with anything and has bragged about beating multiple investigations. Her impression is that he was trying to groom her and other females to be convinced that they are powerless to do anything about it (Exhibit 22). As previously stated, (b) (b) (6) was present for the basketball games where LTC Patterson talked at length about the cheerleaders and female referees breasts and butts. (b) (b) (6) also stated “he spoke about all the girlfriends he had previously quite often and often the women’s behavior in bed was a topic. He also told many jokes about the women he slept with during his enlisted days in the Navy...the comments were explicit and in mixed company. (Exhibit 22). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(34) Early in the deployment on a trip to Laredo, LTC Patterson told (b) (b) (6) “(b) (b) (6) wanted to get with him, and that she was “thirsty” for him”. He even stated to her that he made comments that the flight attendant on the plane ride to the SWB

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from Ft. Bliss that the flight attendant wanted to “get with him”. I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(35) LTC Patterson also subjected (b) (6) to nonverbal sexual harassment in the following ways. (b) (6) states, “he would wink at me and stand over me making me feel self-conscious and uncomfortable. He would always look us up and down, it didn’t matter whether we were in civilian clothes or in uniform. He does this pretty much daily, he does it to all the females.” She says LTC Patterson would often show inappropriate memes on his phone and he sometimes would preface it by saying, “this is probably inappropriate” but show them anyway. One meme she recalls was referencing a man’s penis and had a large cartoon penis drawn on it (Exhibit 22). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(36) Another example of nonverbal sexual harassment revolved around the dog. (b) (6) was supposed to watch the dog. At approximately 2100, LTC Patterson comes to her door, she states, “I didn’t necessarily let him in the room, he just kind of came in. I didn’t really feel like I could challenge him or tell him not to come in. I was very much uncomfortable with him being there and ensured I stayed between him and the door and it stayed propped open.” She went on to describe that LTC Patterson does not seem like someone who takes no for an answer, he doesn’t regulate his emotions well, and she is afraid of what his reaction would be. There was another instance where LTC Patterson told her he takes the dog right outside of her window and looks inside or waits for her to open the shade (Exhibit 22). All the actions that (b) (6) experienced are consisted with the behavior and things he does to the other subordinate females that he fixates on and pursues. I find that this behavior contributed to the creation of a hostile environment and meets the definition of sexual harassment in violation of AR 600-20 para 7-7.

(37) I find that the evidence supports the finding that LTC Patterson sexually harassed (b) (6) verbally. (b) (6) is a (b) (6) whose headquarters is in Harlingen TX, about 45 minutes from McCallen. At the beginning of the deployment, after meeting (b) (6) LTC Patterson decided she would be (b) (6) in the McAllen TOC leaving the 237th without at (b) (6). LTC Patterson stated to (b) (6), “Yeah you’re not going to get (b) (6) (Exhibit 28). (b) (6) stated, “LTC Patterson has always been a creep with female servicemembers.” (Exhibit 28). Taken as an isolated incident, this does not appear to be potential sexual harassment, but based on the behavior found during this investigation, this is another indication that LTC Patterson was engaging in behavior in violation of AR 600-20 para 7-7.

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(38) The multiple pool incidents described in the findings portion of this memorandum along with the following show that (b) (6) was among several females he was pushing boundaries with to get toward something more. (b) (6) (b) (6) and (b) (6) all work out together at the closest gym. LTC Patterson would always come up and talk to them, it was uncomfortable so they started going to a gym 20 minutes away to get away from them. Within a few days he started showing up at other gym they had started going to. At the gym LTC Patterson came up to (b) (6) and made a comment about her "chiseled abs", she says it grossed her out (Exhibits 16, 24, 18). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(39) LTC Patterson made the same comments about wanting a younger woman to (b) (6). She stated, "It's clear he is interested in younger women and makes it very uncomfortable for anyone who fits that criteria, including myself." (Exhibit 18). (b) (6) also attended a basketball game with LTC Patterson and (b) (6) at the game LTC Patterson made comments about a male cheerleader. (b) (6) stated, "He said there was a male cheerleader with a funny arm/hand, they were obviously gay and inquired about how do they "use that hand" for sexual purposes with another man. When (b) (6) was asked about her general impression of LTC Patterson around females, she stated, "He is not like a LTC, he is around frequently, wants to hang out, and make friendships with them. (b) (6) was also involved in the pool incident mentioned previously where LTC Patterson came to the enlisted pool and approached her and offered to buy her a drink (Exhibit 18). I find that this behavior contributed to the creation of a hostile environment in violation of AR 600-20 para 7-7.

(40) When going to events LTC Patterson often tries to get (b) (6) into his car, she said, "I don't want to ride with him but I can't say out loud why I don't want to, what would others think." (Exhibit 18). Like the cases mentioned above (b) (6) feels helpless to act and fears pushing back because of the appearance that LTC Patterson can get away with anything and how constantly brags about beating multiple previous investigations (Exhibit 18). LTC Patterson violated AR 600-20 paragraph 7-7 by sexually harassing (b) (6) by creating a hostile environment through verbal and nonverbal sexual harassment.

(41) LTC Patterson violated AR 600-20, paragraph 7-7 by engaging in sexual harassment of multiple females in his organization. His sexual harassment took the form of verbal, nonverbal, and physical harassment. He created a hostile sexually charged environment and engaged in a Quid Pro Quo relationship with (b) (6). LTC Patterson created a hostile environment for (b) (6), (b) (6), (b) (6) and (b) (6) throughout the deployment. His actions have been severe and pervasive as established by the findings above. LTC Patterson's actions are in violation of article 92 (disobeying an order or regulation), 133 (conduct unbecoming of an officer),

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and article 134 (Fraternization) of the UCMJ. This behavior may also violate other provisions of the UCMJ and/or punitive regulations.

(42) I find that the evidence supports the conclusion that LTC Patterson has actively acted in a manner inconsistent and in violation of the Army's Equal Opportunity Program and SHARPE program.g. **Counterproductive leadership. Engagement in bullying, retaliation, or other misconduct for the purpose of dissuading Soldiers from reporting misconduct or in response to being confronted about his behavior in violation of AR 600-100 1-11d.**

(1) I find that LTC Patterson bullied, started rumors, and pitted Soldiers against each other in his battalion in violation of AR 600-100 1-11d.

(2) Observations from (b) (6) (b) (6) (b) (6) on bullying and pitting individuals against each other by LTC Patterson support the finding that LTC Patterson engaged in counterproductive leadership. He stated, "bullying was a constant, as mentioned above. He talks bad about the (b) (6) (b) (6) he divided everyone, that was his goal. He divided myself and (b) (6) (b) (6) who had a past good working relationship. (b) (6) (b) (6) and I had a good working relationship previously, but on this rotation he told her she could not trust me period now that he is gone we have all talked and realized that he told each of us that we could not trust the others. (b) (6) (b) (6) and I worked out some problems between the two of us and realized that he told (b) (6) (b) (6) that I was not the friend he thought I was and not to trust me. (b) (6) (b) (6) confided that he told her not to listen to me I don't know what I am talking about. Those are just two instances that I have become aware of after he left." (Exhibit 34 pg 2). When asked how he would describe LTC Patterson's leadership style, (b) (6) (b) (6) (b) (6) stated, "Horrible, if there were as a worse word than horrible I would use it. He berates his officers in front of other officers and enlisted. He does not help them grow. He constantly does that to (b) (6) (b) (6). He did not ever help him. He constantly berates and belittles him in front of everyone..."(Exhibit 34).

(3) (b) (6) (b) (6) also discussed how LTC Patterson would pit people against each other, "...he did this to (b) (6) (b) (6), he tried to get rid of (b) (6) (b) (6) prior to the mission and would tell me I couldn't trust (b) (6) and not to trust him. He would try to pit people against each other or attack people for minor infractions."(Exhibit 15). (b) (6) (b) (6) also stated, "LTC Patterson discounted the (b) (6) right away and degraded him." (Exhibit 15). I find that this behavior violates AR 600-100 1-11d.

(4) (b) (6) (b) (6) observations on how LTC Patterson would make statements to divide his unit, "(b) (6) (b) (6) has shared with me that LTC Patterson has outwardly told her not to trust (b) (6) (b) (6) (b) (6) for no real substantiated reason. She has also

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shared with me that he told her that (b) (6) (b) (6) was not to be trusted. Those types of statements caused a lot of distrust for an (b) (6) towards superiors." (Exhibit 22). I find that this behavior violates AR 600-100 1-11d

(5) (b) (6) (b) (6) (b) (6) stated he heard LTC Patterson make the following disparaging about (b) (6) (b) (6) in Nov 2022, " he made a disparaging comment about the (b) (6) taking a long time to read and said it takes NCOs a long time to read. Everyone present in the battalion TOC remained quiet on the comment leaving a sense of tension in the room." (Exhibit 32). I find that this behavior violates AR 600-100 1-11d.

(6) (b) (6) (b) (6) (b) (6) on how LTC Patterson threatens his company commanders, "He brings up firing the commanders for small things they are struggling with or working on. He relentlessly belittles commanders during CUBs/meetings." (Exhibit 16). I find that this behavior violates AR 600-100 1-11d.

(7) (b) (6) (b) (6) (b) (6) (b) (6) on how LTC Patterson would talk about his (b) (6) "He has made comments about (b) (6) behind his back that he is useless and no one wants to be around him. He said (b) (6) (b) (6) got to where she is by sleeping her way there. He would tell us (b) (6) (b) (6) is not to be trusted." (Exhibit 24). I find that this behavior violates AR 600-100 1-11d

(8) (b) (6) (b) (6) (b) (6) stated, "on 10 Dec, he talked to the (b) (6) s of my unit, when asked a question about how to handle junior soldiers complaining, LTC Patterson responded by saying 'tell them to shut the fuck up and do your job, but tone it down in a more appropriate way' and laugh. This stood out to me because my command team kept saying how by the book they are. I don't find the battalion commanders answer to be by the book moreover like hey NCO 's look at me I'm cool I'm your bro. (Exhibit 14). I find that this behavior violates AR 600-100 1-11d

(9) (b) (6) (b) (6) (b) (6) stated, "LTC Patterson isolated and alienated people to the point they were no longer able to share experiences. Soldiers often disclosed that they felt trapped. He turned people against one another and fostered an environment of mistrust. He had a direct involvement in damaging friendships. He forced (b) (6) (b) (6) (b) (6) (b) (6) and I into isolation. He promised LTs that he would take care of them if they follow him. He has confronted people who have made statements against him in previous investigations." (Exhibit 2) I find that this behavior violates AR 600-100 1-11d.

(11) (b) (6) (b) (6) (b) (6) (b) (6) stated this regarding his leadership style, "Manipulative and threatening. He says do this or I will relieve you sometimes very

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directly sometimes he would casually mention he could do it..." (Exhibit 19 pg 1). She also discussed the threat of sending people to Laredo, "When I mentioned previously that Laredo was the escape from McAllen for the battalion staff it was also deemed the island of misfit toys, everyone that was a threat and/or was not willing to blindly comply to Patterson was pushed to Laredo." (Exhibit 19). I find that this behavior violates AR 600-100 1-11d.

(12) (b) (b) (6) (b) (6) stated, "I have been interviewed three times regarding LTC Patterson. In March 2022 I was interviewed regarding his Toxic Leadership and bullying. He has implied that if I go against him I won't get to be a commander. I think this is his 7th investigation. We all are in disbelief that the state of NH would let him command this BN. In Jan 2020 he was investigated for sexually harassing a female (b) on our last deployment, I made a statement that he later read my statement and confronted me about it." (Exhibit 16 pg 2). "Since we arrived on this rotation he has become manipulative and overbearing. When I have pushed back it has become toxic and abusive." (Exhibit 16 pg 1). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(13) (b) (6) (b) (6) (b) (6) (b) (6) stated in Oct 2022, " at the beginning of the rotation he made it clear that he was not going to enforce the alcohol policy he was not going to enforce the fraternization policy he told us he would kill EO at the lowest level." (Exhibit 34) "In a meeting of all battalion Soldiers he told us that he was not going to enforce the fraternization, alcohol, or room visitation policies and to squash all rumors at the lowest level." (Exhibit 34). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(14) (b) (b) (6) (b) (6)) made this statement regarding LTC Patterson and reprisal, "in March 2022. Myself, (b) (b) (6) and (b) (6) (b) (6) heard him say he read the statements from a previous investigation specifically said he was going to seek reprisal on two of them. The fact he has remained unscathed through multiple investigations many of us have lost hope in the system and fear speaking up because he won't be held accountable and those that speak up against him will suffer the repercussions. He is a manipulative narcissist who uses previous investigations as AARs to beat the next one. The past three years spent working with LTC Patterson have been the worst of my 22 year military career."(Exhibit 15) I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(15) (b) (b) (6) (b) (6)) stated, "Everyone in the unit knows he has been investigated for toxicity and has always skated through and bragged about it.

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People are afraid to speak for fear of reprisal as he always returns and seeks out who made statements against him." (Exhibit 17). "He brags that the NH structure is such that he is guaranteed war college and promotion..." (Exhibit 17). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(16) (b) (6) (b) (6) (b) (6) (b) (6) stated, "there has been a fear of reprisal since I've worked with him I directly engaged him about this and he went to the brigade..." (b) (6) "...to get ahead of it and afterwards the (b) (6) (b) (6) (b) (6) came to me and my NCOIC and told us we needed to support LTC Patterson. He has bragged about the network he has when he was under investigation in March 2022 for toxic leadership as well as other allegations. I was interviewed and I gave a candid statement, I was about to become (b) (6) and feared reprisal for making a statement. He brags about beating multiple investigations. He has a grip on the organization where people fear to act or speak out against it... He has extreme mood swings, very Jekyll and Hyde." (Exhibit 15). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(17) (b) (6) (b) (6) (b) (6) (b) (6) stated, "I think people are scared to speak out against the Battalion Commander for fear of reprisal. After he brags about winning and getting through past investigations unscathed and being able to get away with anything it makes us feel powerless to do anything. (Exhibit 22).

(18) (b) (6) (b) (6) (b) (6) had this to say on why he thought he was put in Laredo, " I think I am in Laredo because he is annoyed with me or does not like me being around. I didn't feel comfortable being here in McAllen because I thought he would try to REFRAD me. He seemed to try and get rid of people that are not on his team." (Exhibit 35). This is additional evidence that LTC Patterson fostered an climate where Soldiers within the unit feared retaliation.

(19) (b) (6) (b) (6) (b) (6) begins to journal her experiences because she believes LTC Patterson is targeting her and looking for reasons to get rid of her. (Exhibit 2). This is additional evidence that LTC Patterson fostered an climate where Soldiers within the unit feared retaliation.

(20) (b) (6) (b) (6) (b) (6) stated that during RIP process in Oct 2022, "LTC Patterson made a big speech about using 'adult rules' he said that 'he doesn't like rumors and that complaints or suspicions should be squashed at the lowest level and shouldn't be escalated' he mentioned frequently 'just don't be stupid.' I remember at the conclusion of the meeting a feeling of unease. It almost seemed as though he was discouraging reporting, telling people to squash problems and not

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perpetuate rumors of fraternization. I can't recall the specifics of the meeting but I remember pulling aside several people afterwards to clarify what it was that I heard." (Exhibit 2 pg 5). Speaking on the command climate she stated, "It was awful. The joke was that if we got on his bad side, then he would send us to Laredo. He would find the individuals who were not afraid to do the right thing and he would seek out ways to ostracize him. (b) (6) (b) (6), (b) (6) was always open about following the regulation. I remember before we left, LTC Patterson told me that, 'I was too black and white, like (b) (6) (b) (6) (b) (6) I need to learn how to be more in the grey.' I remember this comment making me feel uneasy as this was after I had received a warning from peers and leaders about his reputation.' (Exhibit 2). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

(21) Several other Soldiers made statements regarding concerning LTC Patterson's intimidation and reprisal. (b) (6) (b) (6) said, "It is very clear that if you get on his bad side, your career will suffer and/ or at least your time here on deployment will be miserable." (Exhibit 30). (b) (6) (b) (6) (b) (6) (b) (6) stated, " I was hesitant when I got to the unit because he has bragged about beating past investigations in the past and his behavior was extremely egotistical." (Exhibit 24). "He tells people he is unstoppable." (Exhibit 23). I find that this behavior violates AR 600-100 1-11d and AR 600-20 as it demonstrates that he does not support the Army Equal Opportunity Program.

h. I find that LTC Patterson engaged in other related misconduct.

(1) (b) (6) (b) (6) (b) (6) (b) (6) stated, "I think he was trying to groom me and the other females. The things he says and when he says them or purposefully and deliberate to retain power and the upper hand." "The dog is a tool he uses to get close to females. He only had females on dog duty were used to take care of the dog." (Exhibit 22).

(2) (b) (6) (b) (6) (b) (6) stated, "it is clear he got the dog because he wanted it so he would have an excuse to engage with female soldiers. He appointed only females to be the dog caretaker team when he leaves town... The dog felt like a manipulation tool. By having the dog and having other people take care of it he could normalize people coming in and out of his room. It eventually wouldn't raise any eyebrows seeing people come and go from his room or even talking about someone in his room because it could all be dog related." (Exhibit 17).

(3) (b) (6) (b) (6) (b) (6) had this to say about a conversation he had with LTC Patterson early in the deployment in Oct 2022 that he felt was wrong, "LTC Patterson would often talk to us about 'trusted agents' he explained that 'trusted agents'

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are people that would have his back and have loyalty to him no matter the situation. LTC Patterson told us, (b) (6) and I, that we were his trusted agents. When (b) (6) and I left the conversation, I would explain that I would not lie for him or cover for him if the situation were to arise (b) (6) agreed and said the same." (Exhibit 29).

(4) (b) (6) (b) (6) (b) (6) had this to say about his first time meeting LTC Patterson in Aug 2022, "The first time I met LTC Patterson, LTC Patterson said to me, 'why are you walking like you have a stick up your ass?' (b) (6) and (b) (6) who were also present, heard this, and also thought that it was uncalled for. This statement made them feel uncomfortable as well. Personally, this caught me completely off guard. In my eyes, this is just one example of him breaking someone down to show them that he has power over them." (Exhibit 37).

(5) (b) (6) (b) (6) (b) (6) on how LTC Patterson would abuse his power an example from an event that took place in JAN 2023, "the last weekend LTC Patterson was in the AO I had let some soldiers use my STR so it was not parked where it usually is. He responded by freaking out and took another STR to go and look for it. He then implemented a policy to check STR's every two hours. It seemed he was looking for me. The following Monday he came into the office in a bad mood, and pulled me from many of my typical (b) duties and suggested to (b) (6) that he should send me to Laredo and away from the HQ. I confronted him and asked why I was being pulled out of several things and why he implemented the STR checks he said he was freaking out when he didn't know where I was on Saturday (I was in my room) and now he would know where I was at all times." (Exhibit 16).

(6) When describing his leadership (b) (6), (b) (6) (b) (6) had this to say about LTC Patterson, "his style is so unpredictable and he has significant emotional swings. He verbally beats up junior officers. There is never a right answer from individuals he dislikes. He seems to like exerting his dominance. He makes comments to people and in group settings to show he is the alpha. He always puts it under the guise of 'constructive criticism.'" (Exhibit 15).

(7) (b) (6) (b) (6) (b) (6) observations in regards to counterproductive leadership from LTC Patterson, " LTC Patterson used first names all the time, even during briefings. He would use nicknames such as 'donkey' for (b) (6) (b) (6) (b) for (b) (6) he allowed (b) (6) to call him 'Skipper.'" (Exhibit 2 pg 2). " during our transport to the MOB site, he cut in front of the entire line of soldiers to check in at the airport, in spite of being on the later chalk. He selfishly waved to everyone on his way to security. As we were rushing through the airport to get to our gate on time, we saw LTC Patterson sitting at the bar in Logan airport with a drink, he 'cheers' at us as we walked past..."(Exhibit 2).

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(8) (b) (b) (6) (b) (6) stated, “The only term that was used, and I corrected him was “girls”. I was asking him about the age of the dog, and he said he was taking the dog to get its shots and he said the girls were going to watch him. I questioned who the girls were and he said, (b) (6) (b) (6) I corrected him and said, you mean (b) (b) (6) and (b) (b) (6) And he replied ‘yes’”.

(9) I find that since LTC Patterson has been suspended from command he has contacted several Soldiers and based on the evidence, and his identified pattern of behavior, that he was attempting to secure support from those Soldiers. (Exhibits 16, 24, 32, 37, 69, 70)

(10) (b) (b) (6) (b) (6) (b) (6) captured this statement in a conversation she had with LTC Patterson that she audio recorded with her phone on late Jan 2022. “The day that LTC Patterson found out he was being investigated he called me to tell me he was suspended of CMD because (b) (b) (6) filed a complaint against him.’ He said she was ‘trying to frame him’ and called her a ‘cunt’.” (Exhibit 16) and (Exhibit 70).

(11) (b) (b) (6) (b) (6) stated LTC Patterson called him twice after he had been suspended. He believed LTC Patterson was trying to get him on his side. “LTC Patterson stated he ‘did not do anything...’ and then stated that ‘it was because of the whole dog thing, and (b) (b) (6) “While LTC Patterson was speaking to me, I acted genuine, and verbally displayed a level of trust by stating that I had his back. I have grown accustomed to this as a defensive, survival tactic, so that I would not be relieved or reprimanded in any way shape or form, because I knew that LTC Patterson had this power. I want it to be known that I have never condoned any of LTC Patterson’s behavior or actions.” (Exhibit 37).

(12) (b) (b) (6) (b) (6) (b) (6) stated On Thursday 26 JAN 2023, the day before he got suspended LTC Patterson called him, “to ask me if I knew how much he had to drink at dinner during the company commanders conference dinner on 10 Jan 2023. I advised LTC Patterson that I saw him have two glasses of wine. It was at this time I felt that something was off especially because earlier in the conversation he advised me that he would not be returning to the AO.” (Exhibit 32).

(13) (b) (b) (6) (b) (6) (b) (6) had this to say about a phone call she received from LTC Patterson after he was suspended from command in Jan 2022. “LTC Patterson called me after he was notified about his investigation. He is very manipulative, I think he was calling me to (b) (6), I reached out to (b) (b) (6) (b) (6) for guidance, (b) (6). I think he was trying to get information on whether I would be on his side.” (Exhibit 24).

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(14) (b) (b) (b) (b) had this to say about a phone call he received from LTC Patterson after he (Patterson) was suspended from command in JAN 2022. I thought it was strange because LTC Patterson had been completely dismissive of me and talked down to me because I was a (b) and he had barely spoken to me since the beginning of the deployment. About the phone call (b) (b) states, "the purpose of the phone call in my opinion was to get me to speak negatively of (b) (b). He was trying to get me to say that I was having leadership issues with her. He told me that she had filed a complaint on him, and he would be telling them that I had issues with her. I told him I would be honest in my answers" (Exhibit 69).

(15) I find that during the timeframe from Oct 2022 to Jan 2023 LTC Patterson fraternized with multiple female subordinate Soldiers (b) (b) (b) (b) (b) (b) (b) (b) (b) (b) in the 941ST MP BN which caused them emotional distress and anxiety. (b) (b) (b) (b) observations on LTC Patterson's behavior toward (b) (b) and (b) (b). "He often referred to them as 'the girls'. "He would try to isolate them. He would do whatever he could to justify having them around. To me, a relationship like that between a LTC and a (b) or (b) is inappropriate and unprofessional and meets the definition of fraternization. At times, it was difficult to see what was mutual and what was not. This is because of survivability. LTC Patterson has a wide reach in terms of influence. With regards to a relationship I wholeheartedly believe that any level of consent that was given was based on survival. Surviving the deployment with your career and mental health as intact as possible. Consent based on around lies manipulation mistrust or survivability is not consent in my opinion ". (Exhibit 2). "He would take (b) (b) and (b) (b) out for lunch for "MWR" stuff and he would take them to play top golf for the afternoon." "She (b) (b) felt like she had to maintain a good relationship with him because of her position, in spite of the fact there were times where she felt uncomfortable... LTC Patterson was strangely possessive over her and as they spent more time together, LTC Patterson would find reasons to occupy her time or separate us... He made a last minute change to car arrangements on our way to Laredo so that he, (b) (b) and (b) (b) would ride in one car and myself (b) (b) and (b) (b) were in another. He told the (b) that it was due to needing to (b) (b) however, (b) (b) is not a typical part of (b) (b) (b) (b) (Exhibit 2).

(16) I find that on 15 Jan 2023 LTC Patterson violated JTFN FRAGORD 4 dated 12 October 2022 and TF ARGONNE FRAGO 2 to OPOD 02-23 order by misusing a government provided short-term rental (STR) vehicle for his personal use to travel to South Padre Island by himself for R&R. (Exhibits 22, 28, 26, 24, 48, 49). This was also an unauthorized removal of government property as he did not sign the STR out based

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off their unit SOP (Exhibit 5). South Padre Island is seventy-three miles from McAllen, TX. A violation of article 92, UCMJ.

7. Recommendations. In view of the above findings, I recommend that:

a. Due to the serious misconduct uncovered in the course of this investigation, that the imposition of all available military justice and adverse administrative action options should be fully considered, up to and including General Court-Martial, by the appropriate Commander.

b. Recommend LTC Mark Patterson be relieved of his position as a battalion commander of the 941ST MP BN immediately. I recommend that this investigation, after final approval, should be forwarded to LTC Patterson's NHARNG chain of command for appropriate action.

c. (b) (5)

d. Recommend all 54TH Troop Command, 941ST MP BN and subordinate RFA 23 companies' EO and SHARP cases be reviewed that occurred during the timeframe LTC Mark Patterson was the battalion commander and BDE XO.

e. Recommend additional training to all members of the 941ST MP BN and subordinate units to include: EO, SHARPE, Reprisal and counterproductive leadership training from a source outside of their battalion.

f. Recommend all Soldiers in 941ST MP BN and subordinate companies conduct a unit standdown day to cover all Joint Task Force North general orders/policies, and 55TH MEB orders/policies that pertain to alcohol consumption, hotel visitation, short-term rental (STR) vehicle usage, leave/pass, and pet policy.

g. Recommend all Soldiers be given their IG office POC.

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8. POC is the undersigned at (b) (6)

(b) (6)

(b) (6)

Investigating Officer