

Military Reprisal Complaint

REPRISAL DETERMINATION RECOMMENDATION Version Date: 20200812.1

Complainant Name:

Service Case #

D-CATS Case #

Complainant Duty Position:

Recommendation

Dismiss

Investigate

OR

Date Investigation Began

Note: Date marks the start date for 180-Day notifications; if initiating investigation, proceed to section 8, sign and submit

Dismissal of Certain Cases

Duplicate complaint

Complainant did not cooperate

Complaint filed after 1 year of
PA knowledge

Complainant withdrew complaint

1. General Information**Was the Complainant interviewed (if not, explain in Section 5, Comments)?****Date of Complaint Clarification****If recommending dismissal, why?** (Select the options that apply) [DoD OIG Approval Required]

No protected communication (PC)

No personnel action (PA)

PA occurred before PC

No inference of knowledge of PC by Subject

No possible inference of causation

Complainant not covered by DoDD
7050.06**Reprisal Elements** (Cite evidence/exhibits supporting analysis)**2. Protected Communication / Disclosure (PC/PD):** Did Complainant make or prepare to make a PC, or was complainant perceived as making or preparing a PC?

PC #1 Summary:

To Whom:

Date of PC:

Protected under
DoDD 7050.06?

Yes
No

Explain if not protected:

PC #2 Summary:

To Whom:

Date of PC:

Protected under
DoDD 7050.06?

Yes
No

Explain if not protected:

PC #3 Summary:

To Whom:

Date of PC:

Protected under
DoDD 7050.06?

Yes
No

Explain if not protected:

If you have more PCs to list, check this box and list them in the comments section

3. Personnel Action (PA): Was an unfavorable PA taken or threatened to be taken against Complainant, or was a favorable PA withheld or threatened to be withheld from complainant? (Note: Include full name, rank, and Subject duty position)

PA #1 Summary:

By Whom:

Date of PA:

PA per DoDD
7050.06?

Yes
No

Explain if not considered a PA
under DoDD 7050.06:

PA #2 Summary:

By Whom:

Date of PA:

PA per DoDD
7050.06?

Yes
No

Explain if not considered a PA
under DoDD 7050.06:

PA #3 Summary:

By Whom:

Date of PA:

PA per DoDD
7050.06?

Yes
No

Explain if not considered a PA
under DoDD 7050.06:

If you have more PAs to list, check this box and list them in the comments section

4. Inference of Knowledge: Could the Subject have known of the PC or perceived that the PC was being prepared or made by the Complainant? Yes
No

Explain:

FOR OFFICIAL USE ONLY

5. Comments (List additional PCs and PAs in a format similar to above; indicate changes to the original Subjects listed in the notification, address other relevant information regarding case handling including background or context not otherwise addressed, define acronyms/abbreviations)

6. Possible Inference of Causation: Enter concise analysis indicating whether a causal connection exists between the PC(s) and PA(s). If recommending dismissal for no inference of causation, present analysis indicating how the evidence indicates no causal connection exists between the PC(s) and PA(s) using one or more of the four variables for Causation analysis. Cite and include supporting evidence. [Spell out acronyms, list additional Complainants, Subjects, or other appropriate comments]

General Guidance for presentation:

Timing and Sequence between PAs and PCs - Indicate how the sequence of events indicates a PA is unrelated to PCs, it is usually advisable to identify the causal event in the analysis.

Disparate Treatment - If comparative data is available, refer to it to show how an individual was treated consistently with other individuals in similar, though not necessarily exact, situations.

Motive (including animus) - Supportable if the evidence indicates PCs did not involve or reflect on the individuals or organization that would create motive or animus for reprisal.

Reason - Present if the Subject's stated reason(s), which may be derived from documentary evidence for a dismissal recommendation, supported by corroborating evidence indicates the basis for an action was unrelated to PCs.

While each case is different, for dismissal recommendations, Timing and Sequence and Disparate Treatment tend to be the most likely of the four variables indicating no inference of causation.

Inference of Causation (Continued)

7. Recommending IG Attestation: I have received training as an IG; I am outside the immediate chain of command of both the complainant and all subjects or at least one organization higher in the chain of command than the organization of the complainant and all subjects; I am free of personal, financial, or other interests that could influence or be perceived as influencing my handling of this matter; no one has interfered with or unduly influenced my handling of this matter; I have not had a conflict of interest with any witness, the complainant, or any subject during the conduct of this matter.

In signing this form, I attest the above statement is true.

8. Recommending IG

Name (Last, First, MI)

Rank / Service

Location (unit and base)

E-mail

Telephone Number

Signature

9. Additional administrative guidance:

Include all supporting evidence with the case file submission to DoD OIG, WRI. In order to enhance efficient review and approval; catalog, label, and sequence supporting evidence in a manner consistent with the presentation and analysis.

Case should be packaged and presented in a manner so that a reviewing action officer or interested party without specific background or experience can understand the salient issues and make informed decisions.

This form is designed for use and submission as a "live" form; it should not be printed or saved as a PDF. Submission as a live form facilitates the review and approval process at DoD OIG, WRI. Should circumstances require you to print the form, since the text boxes do not expand when printed, use continuation sheets for any text or information not visible when printed.

When filling out this form, remember the reviewing official may not be familiar with your Service or Agency customs, terms, acronyms, unit / organizational designations, or position descriptions. Ensure you clearly define terms. Use full name, rank, and duty position at the time of the events. Explain your recommendation in a way so that someone without your familiarity with the case will clearly understand who is involved along with the evidence and analysis supporting the recommendation.

FOR OFFICIAL USE ONLY