

IV. STATEMENT

del // SEE ATTACHED // *del*

V. OATH/SIGNATURE

"I heraby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge." *del*

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of April, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

(b)(6)

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ____ of ____ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

I.O. Exhibit 5
del
page 2 of 4

On 24 Mar 12 I met up with (b)(6), Bob Pearson, and Mitchell, Sharwood at the main billeting office on Knives AB, Italy at approximately 1815. We then proceeded to walk to the PTHD to attend the Saether concert. We ran into Tanya Manning and Dawn Brock in the billeting parking lot along with a few other people from the MDS walking to the concert as well. We all walked to the concert and enjoyed the concert. At approximately 2100 the concert ended and we proceeded to the club on base. There were many people at the club as most of the people from the concert went to the club as well. At the club I had two vodka and red bulls and was standing with (b)(6), Tanya Manning, Dawn Brock and other people (b)(6) was drinking a mixed drink and talking to some people I didn't know so I decided to find my other friends Bob and Mitchell, Bob, Michelle and I then went to billeting across the street to my friend Phillip Sharwood's room as he was having a party there. We were waiting outside the billeting building for one of them to come down from the room and let us in the building as they need a key to get inside. We then got a call from Phil saying that they were leaving the room and going back to the club. I was tired and decided to go to my own billeting room which was in the building next to Phil's building. I then went to sleep. I received a call from (b)(6) at 0300 which lasted for 10 minutes. During the phone call (b)(6) was very upset and told me she was walking down the street because the people's houses she was sleeping had kicked her out. I asked her what happened and she told me she was asleep and that the man of the house had come into the room she was sleeping in and sexually assaulted her. She thought she was dreaming until the light came on and she saw the man's wife and she was talking at her to get out of her house. I then asked (b)(6) where she was and she stated she didn't know. I asked her if there was anyone around last and she said there were some guys walking. I told her to ask them where she was and she did. She put one of the guys on the phone and he told me they were in Poveradori but the club is over there said they would stay with her until I arrived which was 10 minutes later. When I picked her up she was visibly upset and was crying. I asked her how she got there and she said she had went with Tanya and Dawn as one of them knew the man. She said he was a MSgt but didn't give me his name. She said that Tanya left with a man that was there and that Dawn got mad that Tanya left and so she left too. (b)(6) in the meantime was talking to the MSgt's wife and was getting along well with her. She then said the wife told her that Tanya and Dawn had left. (b)(6) said she was going to call someone to come pick her up but the wife insisted she stay the night in their spare room (b)(6) decided to stay and then she told me she was having an erotic dream that someone was fondling her but she thought she was dreaming. She woke up when the lights came on and she saw

At the wife in the doorway screaming at her to get out. She then realized that the wife's husband was in bed with her. The wife was yelling at her to get out that she had trusted her and let her into her home and this is what happened. (b)(6) was very on case. She thought she was dreaming the sexual assault. She said she grabbed her things and left. She then realized she left her purse and shoes but the wife would only give her her purse. She then started walking and then called me. When I got her back to the main building she made me promise not to say a word to anyone as she was afraid she would get fired. She is a contractor. She kept blaming herself for falling asleep. There I told her she was sexually assaulted and that it was not her fault and that she should report it. She said she needed to sleep and that she would think about it tomorrow. On Monday, I IM'd her on the computer to see if she was ok and she said she was but still asked that I not say anything to anyone. I have not until now.

At // END OF STATEMENT // x

(b)(6)
 I.O. Exhibit 5
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Witness Statement for MSgt Danielle Dunnivant

On 24 Mar 2012 I met up with (b)(6), Bob Pearson, and Michelle Sherwood at the main billeting office on Aviano AB, Italy at approximately 1815. We then proceeded to walk to the PAHA to attend the Seether concert. We ran into Tanya Manning and Dawn Brock in the billeting parking lot along with a few other people from the MDG walking to the concert as well. WE all walked to the concert and enjoyed the concert. At approximately 2100 the concert ended and we proceeded to the club on base. There were many people at the club as most of the people from the concert went to the club as well. At the club I had two vodka and red bulls and was standing with (b)(6), Tanya Manning, Dawn Brock and other people. (b)(6) was drinking a mixed drink and talking to some people I didn't know so I decided to find my other friends, Bob and Michelle. Bob, Michelle and I then went to billeting across the street to my friend Phillip Sherwood's room as he was having a party there. We were waiting outside the building as you need a key to get inside. We then get a call from Phil saying that they were leaving the room and going back to the club. I was tired and decided to go to my own billeting room which was in the building next to Phillip's building. I then went to sleep. I received a call from (b)(6) at 0302 which lasted for 10 minutes. During the phone call, (b)(6) was very upset and told me she was walking down the street because the peoples' house she was sleeping had kicked her out. I asked her what happened and she told me she was asleep and that the man of the house had come into the room she was sleeping in and sexually assaulted her. She thought she was dreaming until the light came on and she saw the man's wife and she was yelling at her to get out of her house. I then asked (b)(6) where she was and she stated that she didn't know. I asked her if there was anyone around to ask and she said there were some guys walking. I told her to ask them where she was and she did. She put one of the guys on the phone and he told me they were in Roveredo by the church tower. They said they would stay with her until I arrived which was 10 minutes later. When I picked (b)(6) up she was visibly upset and was crying. I asked her how she got there and she said she had went with Tanya and Dawn as one of them knew the man. She said he was a MSgt but didn't give me his name. She said that Tanya left with a man that was there and that Dawn got mad that Tanya left and so she left too. (b)(6) in the meantime, was talking to the MSgt's wife and was getting along well with her. She then said the wife told her that Tanya and Dawn had left. (b)(6) said she was going to call someone to come pick her up but the wife insisted she stay the night in their spare room. (b) decided to stay and then she told me she was having an erotic dream that someone was fondling her but she thought she was dreaming. She woke up when the light came on and she saw the wife in the doorway screaming at her to get out. She then realized that the wife's husband was in the bed with her. The wife was yelling at her to get out that she had trusted her and let her into her home and this is what happened. (b)(6) was very confused, she thought she was dreaming the sexual assault. She said she grabbed her things and left. She then realized she left her purse and shoes but the wife would only give her the purse. She then started walking and then called me. When I got her back to the main billeting building she made me promise not to say a word to anyone as she was afraid she would get fired. She is a contractor. She kept blaming herself for falling asleep there. I told her

I.O. Exhibit 6
page 1 of 2

she was sexually assaulted and that it wasn't her fault and that she should report it. She said she needed to sleep and that she would think about it tomorrow. On Monday, I IM'd her on the computer to see if she was ok and she said she was but still asked that I not say anything to anyone. I have not until now.

I.O. Exhibit 6
page 2 of 2

STATEMENT OF SUSPECT/WITNESS/COMPLAINANT

SUSPECT
 WITNESS/COMPLAINANT

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397

PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.

ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.

DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.

I. STATEMENT INFORMATION

DATE (YYYYMMDD) 20070419	TIME 1100	LOCATION AND INSTALLATION (Bldg/Room No) Bldg 600, Avion AB IT	UNIT TAKING STATEMENT AFOSI DET 531	REPEAT (If known) <input type="checkbox"/> OFFENSE <input checked="" type="checkbox"/> COMPLAINT
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II. PERSONAL IDENTIFICATION (Print or Type)

NAME (Last, First, Middle Initial) BERRONG, SUZANNE L.	SSN (b)(6)	STATUS/GRADE CONTR (GSETR)
LOCAL ADDRESS (Include Zip Code) (b)(6)	DATE AND PLACE OF BIRTH (If required) (b)(6)	TELEPHONE HOME (b)(6) DUTY 5071
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code) (b)(6)	MILITARY ORGANIZATION/EMPLOYER	DEROS undef.

SPONSOR INFORMATION

NAME (Last, First, Middle Initial) SELF	GRADE	SSN	ORGANIZATION	DUTY PHONE
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III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)

I have been advised that I am suspected of the following offenses:

ADVISED BY (Full Name and Rank)	INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.)
---------------------------------	--

SUSPECT INITIALS	and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.
	I have the right to remain silent - that is to say nothing at all.
	Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.
	I have the right to consult with a lawyer.
	I have the right to have a lawyer present during this interview.
	I may obtain a civilian lawyer of my own choice at no expense to the government.
	I may request a lawyer any time during this interview.
	If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.
	MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.
	CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.

SUSPECT INITIALS	I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial One)
	I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.
	I do not want a lawyer and I do not wish to make a statement or answer any questions.
	I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.

I fully understand my rights and that my signature does not constitute an admission of guilt.

SIGNATURE OF SUSPECT	SIGNATURE OF WITNESS/INTERVIEWER
----------------------	----------------------------------

I.O. Exhibit 7

page 1 of 10

IV. STATEMENT

PLEASE Attached III SB

SB

SB

SB

V. OATH/SIGNATURE

"I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge. SB

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6)

SA

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of Apr, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

(b)(6)

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ____ of ____ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

page 2 of 10 SB

On Friday night of Seether Concert I had contact w/ (b)(6) to see how the concert and here evening ~~was~~ going. Toward the end of the evening, she indicated she was w/ Capt Manning, Capt Brode, and a 'big wig' from the base. They were going in his car to another place, I'm not for sure if this was before or after the club. At the club (b)(6) had some vodka I believe, and had already had some liquor and wine prior to and after but the amount didn't seem like a lot but ~~the~~ the mixture of wine and alcohol was unusual. I did receive a call maybe midnight (?) or so about her situation of having been left at someone's house and that she didn't know where she was or who the people were. The 'big wig' had already left as had Capt Manning and Capt Brode either via the big wig or by someone's wife. ~~Had~~ Someone came to her where she was with the kids and told her someone left. I offered to come and get her but she couldn't tell me where ~~she~~ she was. I heard a female voice and had asked (b)(6) if she could ask the lady where she was - or hand her the phone but while I was asking two of (b)(6) was talking w/ the lady asking her if she knew Sergeant Berrong. She answered No. (b)(6) indicated the lady was making her tear and she would be staying there. I then asked her to call if she needed anything. I woke up to 3-4 missed calls, maybe 1:00 - around 0600. I can't remember exactly when I called her but by 0900 or so we were on our way to 317061 - when I called in at and actually ~~she~~ spoke, (b)(6) started relaying events of the night and I realized she didn't remember speaking to me. I let her peruse her thought and told her she had called me and told me that already. (b)(6) looked surprised as she didn't remember in the ~~as~~ when we talked again) she proceeded to tell me that she woke up with 'the wife' flipping the lights on 'what the hell...' and when (b)(6) ~~she~~ was able to wake up the man of the house was in bed with her, she could see his face and his hand starting to go down her pants at the waistline. She felt very confused and drugged. She quickly gathered her self and kept saying I'm sorry - but not for sure what happened. and left the house. She had ~~been~~ calling me to come and get her but I failed - my rings was off and I missed her calls. Sgt Duhwant came and collected her and took her to TIF. I'm not for sure how she got home to Saules. We discussed if she thought anything had happened. She denied that she felt she was raped, or that she had ~~sex~~

Signature of Individual Making Statement: (b)(6)

Page 3 of 4

I should say but that she felt drugged. We talked about everything she had drunk, and the vodka was from an outside source, and the tea the wife made. She didn't know if anyone else felt the same way. We talked about options if she wanted to go to Pordenone or MOG, private etc. Restricted/Nonrestricted options but if she thinks she was drugged, she needs to go now. We decided on 31 MOG and came to Clinic. When I went to pick (b)(6) up at Seattle, she did not look herself, little messy and I could still smell alcohol, which I told her. We talked on way in to base. Her story never changed, it was very steady. She did not cry but was upset - we went to MOG and spoke to provider Maj O'Keefe about lab and options for her. Labs were drawn and we left. It is difficult to recall everything - but (b)(6) ~~was~~ did start off by saying if felt like she was dreaming the event of lights coming on because of how she felt drugged. In speaking to her during the first phone call - she was slurring in speech and did not seem herself. I have gone out to her before and she usually drinks 2-3 beers, not a mix of alcohol - wine etc. Generally always pleasant and in control, easy going. On our way in to clinic we did discuss about to you think it really happened - and she said yes - it was real or something to that effect. Because these are very serious statements and she needed to swear. She was very firm on her account of what happened and we were at the clinic. - When she was asked to leave she did indicate she left her shoes and a sweater. Since the event we haven't really discussed the details again I do inquire how she is doing or if she needs anything. She did indicate she has seen someone and is doing better everyday. For clarification - I gathered 'the big unit' was Col Ostorich (she referred to as second in command of base) and Capt Flaming, Capt Brock, herself and maybe one other person in unit for sure. The driver of the car was Col Ostorich. Kim indicated that Col Ostorich ~~was~~ ^{with} Capt Flaming and Capt Brock was taken by 'a wife' but did not indicate who or where people went after. //END OF STATEMENT//

Signature of Individual Making Statement:

(b)(6)

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I.O. Exhibit

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STATEMENT OF SUSPECT/WITNESS/COMPLAINANT

SUSPECT

WITNESS/COMPLAINANT

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397

PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.

ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.

DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.

I. STATEMENT INFORMATION

DATE (YYYYMMDD) 2012 04 19	TIME 1135	LOCATION AND INSTALLATION (Bldg/Room No.) Bldg 600, Avion AB IT	UNIT TAKING STATEMENT AFOSI Det 531	REPEAT (If known) <input type="checkbox"/> OFFENSE <input checked="" type="checkbox"/> COMPLAINT
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II. PERSONAL IDENTIFICATION (Print or Type)

NAME (Last, First, Middle Initial) Berrong, Suzanne L.	SSN (b)(6)	STATUS/GRADE Contractor/Civ
LOCAL ADDRESS (Include Zip Code) (b)(6)	DATE AND PLACE OF BIRTH (If required) (b)(6)	TELEPHONE HOME (b)(6) DUTY 5071
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code) (b)(6)	MILITARY ORGANIZATION/EMPLOYER 31 MOG	DEROS Indef

SPONSOR INFORMATION

NAME (Last, First, Middle Initial)	GRADE	SSN	ORGANIZATION	DUTY PHONE
		NA		

III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)

I have been advised that I am suspected of the following offenses:

ADVISED BY (Full Name and Rank) _____ INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.) _____

SUSPECT INITIALS _____ and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.

- I have the right to remain silent - that is to say nothing at all.
- Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.
- I have the right to consult with a lawyer.
- I have the right to have a lawyer present during this interview.
- I may obtain a civilian lawyer of my own choice at no expense to the government.
- I may request a lawyer any time during this interview.
- If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.
- MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.
- CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.

SUSPECT INITIALS _____ I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial Only)

- I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.
- I do not want a lawyer and I do not wish to make a statement or answer any questions.
- I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.

I fully understand my rights and that my signature does not constitute an admission of guilt.

SIGNATURE OF SUSPECT _____

SIGNATURE OF WITNESS/INTERVIEWER _____

IV. STATEMENT

SP1A-SEG ATTACHED 11/12

SPB

SPB

SPB

V. OATH/SIGNATURE

I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge.

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6)

SA

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of Apr, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

(b)(6)

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ___ of ___ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

SPB

Last Name of Individual Making Statement: BERRONG

Date: 19 Apr 2012

Regarding the midnight move. During the conversation (b)(6) I asked if she knew the name Roscoe as that may be where she was. She seemed knowing. This name. I knew the potential location of where they were from an SMS or call from Col Ostroch of [redacted] being at Roscoe or I guessed because they hang out in the area there. After checking phone - MATC that I understood they were at this Roscoe's place. @ around 2330 was the call from Col Ostroch. Through previous discussion w/ Col Ostroch I also knew or believe the wife's name to be Betty [redacted] END OF STATEMENT

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SP

Signature of Individual Making Statement: (b)(6)

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STATEMENT OF SUSPECT/WITNESS/COMPLAINANT				SUSPECT
				<input checked="" type="checkbox"/> WITNESS/COMPLAINANT
PRIVACY ACT STATEMENT				
<p>AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397</p> <p>PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.</p> <p>ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.</p> <p>DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.</p>				
I. STATEMENT INFORMATION				
DATE (YYYYMMDD)	TIME	LOCATION AND INSTALLATION (Bldg/Room No)	UNIT TAKING STATEMENT	REPEAT (If known)
20120420	1630	Bldg 121, Rm 2B30	Arcost Det 531	<input checked="" type="checkbox"/> OFFENSE <input type="checkbox"/> COMPLAINT
II. PERSONAL IDENTIFICATION (Print or Type)				
NAME (Last, First, Middle Initial)		SSN	STATUS/GRADE	
Berrang, Suzanne L		(b)(6)	Civ	
LOCAL ADDRESS (Include Zip Code)		DATE AND PLACE OF BIRTH (If required)	TELEPHONE	
(b)(6)		(b)(6)	HOME (b)(6)	DUTY 5071
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code)		MILITARY ORGANIZATION/EMPLOYER	DEROS	
(b)(6)		31 MDG	/	
SPONSOR INFORMATION				
NAME (Last, First, Middle Initial)	GRADE	SSN	ORGANIZATION	DUTY PHONE
_____	_____	NA	_____	_____
III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)				
I have been advised that I am suspected of the following offenses:				
ADVISED BY (Full Name and Rank)		INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.)		
SUSPECT INITIALS	and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.			
	I have the right to remain silent - that is to say nothing at all.			
	Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.			
	I have the right to consult with a lawyer.			
	I have the right to have a lawyer present during this interview.			
	I may obtain a civilian lawyer of my own choice at no expense to the government.			
	I may request a lawyer any time during this interview.			
	If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.			
	MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.			
	CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.			
SUSPECT INITIALS	I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial One)			
	I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.			
	I do not want a lawyer and I do not wish to make a statement or answer any questions.			
	I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.			
I fully understand my rights and that my signature does not constitute an admission of guilt.				
SIGNATURE OF SUSPECT		SIGNATURE OF WITNESS/INTERVIEWER		
[Signature]				

I.O. Exhibit 7
page 8 of 10

IV. STATEMENT

8/11 SEE ATTACHED 28

SB

V. OATH/SIGNATURE

"I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge."

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6)

SA

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of April, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

(b)(6)

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ___ of ___ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

known Sunday sometimes I was speaking to COL Stover and did not of course court see asking about some one's well being how something was going for someone, I did mention I had taken (b)(6) to the ER clinic and that she was seen. I do not remember the amount of detail but a general statement. I did mention that she was doing OK. The conversation was brought about by me mentioning (b)(6) vs my friend who left and something may have happened (b)(6) she was in hospital. I do not recall the detail or how it was used. I asked or inquired - I can't remember her exactly - (b)(6) Dean mentioned that Poscoe / Beth mentioned that was drunk and walking down through the house. I think something about she was found in the bed with one child or more than one child. Also that Poscoe felt he may have been drugged as well. I believe they (LOD, Capt U, Capt B, Kim et al) may have drank the same stuff from the same bottles. So, maybe that is where it could have come from. I don't remember exactly what was said - but that Beth was asking her to leave the house that she was being a little belligerent (so?) and Beth asked her to be quiet not to wake the kids. I said earlier that I spoke generally - but if Poscoe may have said I may have mentioned that (b)(6) felt like she had been drugged. MC Dean mentioned Poscoe felt like he had been drugged as well. //END OF STATEMENT//

On Friday night of Seether concert I had contact w/ (b)(6) to see how the concert was and her evening was going. Toward the end of the evening, she indicated she was w/ Capt Manning, Capt Brock, and a "big wig" from the base. They were going in his car to another place, I'm not for sure if this was before or after the club. At the club (b)(6) had some vodka I believe, and had already had some liquor and wine prior to and after but the amount didn't seem like a lot but the mixture of wine and alcohol was unusual. I did receive a call maybe midnight (?) or so about her situation of having been left at someone's house and that didn't know where she was or who the people were. The "big wig" had already left as had Capt Manning and Capt Brock, either via the "big wig" or someone's wife. Someone came to her where she was with the kids and told her everyone left. I offered to come and get her but she couldn't tell me where she was. I heard a female voice and had asked (b)(6) if she could ask the lady where she was or hand her the phone but while I was asking this of (b)(6) was talking w/ the lady asking her if she knew Suzanne Berrong. The answer "no". (b)(6) indicated the lady was making her tea and she would be staying there. I then asked her to call if she needed anything. I woke up to 3-4 missed calls, maybe 1 SMS around 0600. I can't remember exactly when I called her but by 0900 or so we were on our way to 31 MDG. When I called in AM and actually spoke, (b)(6) started relaying events of the night and I realized she didn't remember speaking to me. I let her finish her thought and told her she had called me and told me that already. (b)(6) looked surprised as she didn't remember in the car when we talked again. She proceeded to tell me that she woke up with the wife flipping the lights on "what the hell..." and when (b)(6) really was able to wake up the man of the house was in bed with her. She could see his face and his hand starting to go down her pants at the waistline. She felt very confused and drugged. She quickly gathered herself and kept saying I'm sorry, but not for sure what happened. And left the house. She had tried calling me to come and get her but I failed, my ringer was off and I missed her calls. Sgt Dunnivant came and collected her and took her to TLF. I'm not for sure how she got home to Sacile. We discussed if she thought anything had happened. She denied that she felt she was raped or that she'd sex. I should say, but that she felt drugged. We talked about everything she had drank and the vodka was from an outside source and the tea the wife made. She didn't know if anyone else felt the same way. We talked about options if she wanted to go to Pordenone or MDG, privacy, restricted/non-restricted options but if she thinks she was drugged, she needs to go now. We decide on 31 MDG and came to clinic. When I went to pick (b)(6) up at Sacile she did not look herself, little messy and I could still smell alcohol, which I told her. We talked on way in to base. Her story never changed, it was very steady. She did not cry but was upset. We went to MDG and spoke with provider Maj O'Keefe about labs and options for her. Labs were drawn and we left. It is difficult to recall everything, but (b)(6) did start off by saying it felt like she was dreaming the event of lights coming on because of how she felt drugged. In speaking with her during the first phone call, she was slurring in speech and did not seem herself. I have gone out with her before and she usually drinks ale/cider, not a mix of alcohol, wine etc. Generally always pleasant and in control easy going. On our way out of clinic we did discuss about do you think it really happened and she said yes. It was real or something to that effect, because these are very serious statements and she needed to be sure. She was very firm on her account of what happened and she did

Name of Individual Making Statement: BERRONG

DATE: 19 Apr 2012

indicated she left her shoes and a sweater. Since the event we haven't really discussed the details again I do inquire how she is doing or if she needs anything. She did indicate she has seen someone and is doing better every day. Clarification I gathered the "big wig" was Col Ostovich (she referred to as second in command of base) and Capt Manning, Capt Brock, herself and maybe one other person, I'm not for sure. The driver of the car was Col Ostovich. (b) indicated that Col Ostovich left with Capt Manning and Capt Brock was taken by "a wife" but did not indicate who or where people went after. ^{SB}///END OF STATEMENT///. ^{SB}

Typed/Transcribed by Suzanne Berrong on 19 June 2012 (b)(6)

Page 2 of 2

I.O. Exhibit

page 2 of 4

Name of Individual Making Statement: BERRONG

DATE: 19 APR 2012

Regarding the midnight phone call. During the conversation I asked if she knew the name of Roscoe as that maybe where she was. She denied knowing this name. I knew the potential location of where they were from an SMS or call from Col Ostovich of being at Roscoe's or I guessed because they hang out and or goes there. After checking phone via TC that I understood there are at this Roscoe's place. @ /around 2330 was the call from Col Ostovich. Through previous discussion with Col Ostovich I also knew or believe the wife's name to be Beth. ~~///END OF STATEMENT///~~ *SB*

SB
Typed/Transcribed by Suzanne Berrong on 19 June 2012

(b)(6)

Page 1 of 1 *SB*

I.O. Exhibit 8

page 3 of 4

SB Around Sunday sometime I was speaking with Col Ostovich and did, out of common courtesy asking about someone's well being, how something was going or someone. I did mention I had taken (b) to the MDG clinic and that she was seen. I do not remember the amount of detail but a general statement. I did mention that she was doing ok. The conversation was brought about by me mentioning (b)(6) was my friend who was left and something may have happened. She was upset. I didn't go into detail. We haven't discussed since. When asked or inquired – I can't remember exactly- Dean mentioned that Roscoe/Beth mentioned that (b) was drunk and up walking around through the house. I think something about she was found in the bed with one child or more than one child. Also that Roscoe felt he may have been drugged as well. I believe they (Col O, Capt M, Capt B, (b) et al) may have drank the same tuff from the same bottle. So, maybe that is where it could have come from. I don't remember exactly what was said – but that Beth was asking her to leave the house that she was being a little belligerent (sp?) and Beth asked her to be quiet not to wake the kids. I was earlier that I spoke generally – but I may have mentioned that (b) felt like she had been drugged b/c Dean mentioned Roscoe felt like he had been drugged as well. *SB* //END OF STATEMENT// *SB*

STATEMENT OF SUSPECT/WITNESS/COMPLAINANT

SUSPECT

WITNESS/COMPLAINANT

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397

PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.

ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.

DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.

I. STATEMENT INFORMATION

DATE (YYYYMMDD) 20120423	TIME 0830	LOCATION AND INSTALLATION (Bldg/Room No) Aviano AB, Italy	UNIT TAKING STATEMENT Apost Det 581	REPEAT (If known) <input type="checkbox"/>
				OFFENSE <input type="checkbox"/>
				COMPLAINT <input type="checkbox"/>

II. PERSONAL IDENTIFICATION (Print or Type)

NAME (Last, First, Middle Initial) Ostovich, DEAN	SSN (b)(6)	STATUS/GRADE AD/O-6
LOCAL ADDRESS (Include Zip Code) (b)(6)	DATE AND PLACE OF BIRTH (If required) (b)(6)	TELEPHONE HOME (b)(6) DUTY 632-4700
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code) (b)(6)	MILITARY ORGANIZATION/EMPLOYER 31 Fw/CU	DEROS 15 Jun 13

SPONSOR INFORMATION

NAME (Last, First, Middle Initial)	GRADE NA	SSN NA	ORGANIZATION	DUTY PHONE
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III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)

I have been advised that I am suspected of the following offenses:

ADVISED BY (Full Name and Rank)	INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.)
---------------------------------	--

SUSPECT INITIALS	and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.
	I have the right to remain silent - that is to say nothing at all.
	Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.
	I have the right to consult with a lawyer.
	I have the right to have a lawyer present during this interview.
	I may obtain a civilian lawyer of my own choice at no expense to the government.
	I may request a lawyer any time during this interview.
	If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.
	MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.
	CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.

SUSPECT INITIALS	I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial One)
	I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.
	I do not want a lawyer and I do not wish to make a statement or answer any questions.
	I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.

I fully understand my rights and that my signature does not constitute an admission of guilt.

SIGNATURE OF SUSPECT	SIGNATURE OF WITNESS/INTERVIEWER
----------------------	----------------------------------

page 1 of 3 * 41

IV. STATEMENT

/// SEE ATTACHED ///

V. OATH/SIGNATURE

"I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge."

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of April, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

(b)(6)

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ___ of ___ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.



DEPARTMENT OF THE AIR FORCE
31ST FIGHTER WING (USAF)

20 Apr 12

AM

MEMORANDUM FOR AFOSI DET 531

FROM: 31 FW/CV

SUBJECT: Statement regarding events of 23-24 Mar 12

1. On 23 Mar 12, I attended the Seether concert with Lt Col Wilkerson, Maj Lowe, and Maj Goldsberry. After the concert, I met with the band and thanked people for making the event happen. As there was a delay between the concert ending and the band leaving the dressing room for the meet and greet, Wilkerson, Lowe and Goldsberry had left the PAHA for the Club. I drove to the Club and initially went towards the Officer's Bar. It was closed. I then went over to the enlisted bar where I found Wilkerson, Lowe, and Goldsberry with other concert goers to include Capt Manning, Capt Brock, and a (b)(6) named (b)(6)

2. I drove the 5 officers and (b) to Lt Col Wilkerson's house at around 1030L and stayed at the Wilkerson's until around midnight. Beth Wilkerson joined the group. Wine and liquor was served.

3. During the time at the Wilkerson's, I talked to everyone there but probably spent most of the time talking to Beth, as well as Capts Manning and Brock. I didn't remember anyone out of control or overly intoxicated but it was obvious that people had been drinking. When I left I don't remember anything being out of the ordinary, people were just having fun. Prior to me leaving, Beth Wilkerson drove Capt Brock back to base. *don't recall looking for (b)(6) States while at the party*

4. On 24 Mar 12, at around noon, I swung by the Wilkerson's house and talked to both Beth and Lt Col Wilkerson. When I went in, Lt Col Wilkerson looked a bit tired and commented that he felt like he'd been ruffed. While talking to Beth, she mentioned that (b) had ended up staying at the house and had been visibly intoxicated. Beth had put her in a guest room but found her roaming the house later on at least one occasion. I can't remember Beth's words with certainty but it sounded like Beth told her she had to either stay in bed or she'd have to leave. Sometime after this (b)(6) left and did so without her shoes. *AM*

5. In the week or two after, I heard from both Capt Manning and Suzanne Berrong that according to (b)(6) something had happened while she was at the Wilkerson's. The details were sketchy. Both Capt Manning and Suzanne reached out to (b)(6) to get her help.

6. On 13 Apr 12, Ms Rebecca White, 31 FW SARC, notified me of an allegation involving a contractor victim and one of our Airmen that had occurred within 30 days and was an unrestricted report. She also mentioned that the OSI was investigating this. *MEMO OF STATEMENT*

(b)(6)

DEAN R. OSTOVICH, Colonel, USAF
Vice Commander

(b)(6)

"Return With Honor"

I.O. Exhibit

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page 3 of 3



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS THIRD AIR FORCE (USAFE)

31 MAY 2012

MEMORANDUM FOR COLONEL DEAN R. OSTOVICH

FROM: 3 AF/CC

SUBJECT: Grant of Testimonial Immunity and Order to Testify

1. An investigation has revealed you have knowledge of offenses allegedly committed by Lt Col James H. Wilkerson, 31st Operations Group, Aviano Air Base, Italy. The offenses in question involve rape and associated crimes.
2. By authority vested in me in my capacity as a general court-martial convening authority, under Rule for Court-Martial 704(c)(1), Manual for Courts-Martial, United States, I hereby grant you testimonial immunity and order you to answer any questions posed to you by investigators and counsel pertaining to, and to testify at any proceeding held pursuant to the Uniform Code of Military Justice (Title 10, United States Code, Sections 801, *et. seq.*), concerning any offenses alleged against the military member identified above. If you have knowledge of offenses committed by others who are connected with this investigation, you are to answer questions pertaining to such offenses, as well.
3. Under this immunity, your testimony and statements, as well as information directly or indirectly derived there from, may not be used against you in a later trial by court-martial. However, this immunity does not bar the use of your testimony, or information derived from it, in prosecuting you for perjury, giving a false statement, or otherwise failing to comply with this order to testify.

(b)(6)

CRAIG A. FRANKLIN
Lieutenant General, USAF
Commander

I.O. Exhibit 10
page 1 of 1

STATEMENT OF SUSPECT/WITNESS/COMPLAINANT

SUSPECT
 WITNESS/COMPLAINANT

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 8013; 44 U.S.C. 3101; and EO 9397
 PRINCIPAL PURPOSES: Used to record information and details of criminal activity which may require investigative action by commanders, supervisors, security police, AFOSI special agents, etc.; and to provide information to appropriate individuals within DoD organizations who ensure proper legal and administrative action is taken.
 ROUTINE USES: Information may be disclosed to local, county, state, and federal law enforcement/investigative authorities for investigation and possible criminal prosecution or civil court action. Information extracted from this form may be used in other related criminal and/or civil proceedings.
 DISCLOSURE IS VOLUNTARY: SSN is used to positively identify the individual making the statement.

I. STATEMENT INFORMATION

DATE (YYYYMMDD) 2012 04 28 ^{only} AFZ	TIME 1950	LOCATION AND INSTALLATION (Bldg/Room No) Grp Ignitrus Air Base Novotel Hotel Business Center	UNIT TAKING STATEMENT AFOSI Det 531	REPEAT (if known) OFFENSE COMPLAINT
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II. PERSONAL IDENTIFICATION (Print or Type)

NAME (Last, First, Middle Initial) LOWE, ALBERT F	SSN (b)(6)	STATUS/GRADE ^{only} AD / AD (MAS)
LOCAL ADDRESS (Include Zip Code) (b)(6)	DATE AND PLACE OF BIRTH (if required) (b)(6)	TELEPHONE HOME: (b)(6) DUTY: 632-8813
PERMANENT ADDRESS OR HOME OF RECORD (Include Zip Code) (b)(6)	MILITARY ORGANIZATION/EMPLOYER USAF / 31 FW / 510 FS	DEROS FEB 14

SPONSOR INFORMATION

NAME (Last, First, Middle Initial) SELF // N/A	GRADE	SSN	ORGANIZATION	DUTY PHONE
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III. ACKNOWLEDGEMENT OF OFFENSES AND 5TH AMENDMENT/ARTICLE 31 RIGHTS ADVISEMENT (Suspect Only)
 I have been advised that I am suspected of the following offenses:

ADVISED BY (Full Name and Rank) _____ INDIVIDUAL IDENTIFIED HIMSELF/HERSELF AS A (SF, special agent, etc.) _____

SUSPECT INITIALS _____ and advised me that I have the following rights according to the 5th Amendment of the U.S. Constitution/Article 31 of the Uniform Code of Military Justice.

I have the right to remain silent - that is to say nothing at all.

Any statement I make, oral or written, may be used as evidence against me in a trial or in other judicial, non-judicial, or administrative proceedings.

I have the right to consult with a lawyer.

I have the right to have a lawyer present during this interview.

I may obtain a civilian lawyer of my own choice at no expense to the government.

I may request a lawyer any time during this interview.

If I decide to answer questions with or without a lawyer present, I may stop the questioning at any time.

MILITARY ONLY: If I want a military lawyer, one will be appointed for me free of charge.

CIVILIANS ONLY: If I cannot afford a lawyer and want one, a lawyer will be appointed for me by civilian authorities.

SUSPECT INITIALS _____ I have read my rights as listed above and I fully understand my rights. No promises, threats, or inducements of any kind have been made to me. No pressure or coercion has been used against me. I make the following choice. (Initial One)

I do not want a lawyer. I am willing to answer questions or make a statement or both, about the offense(s) under investigation.

I do not want a lawyer and I do not wish to make a statement or answer any questions.

I want a lawyer. I will not make any statement or answer any questions until I talk to a lawyer.

I fully understand my rights and that my signature does not constitute an admission of guilt.

SIGNATURE OF SUSPECT _____ SIGNATURE OF WITNESS/INTERVIEWER _____

11
APZ
I.O. Exhibit _____
page 1 of 3

IV. STATEMENT

SEE ATTACHED TYPED STATEMENT X ATC

RLT

X ATC

V. OATH/SIGNATURE

"I hereby voluntarily and of my own free will make this statement without having been subjected to any coercion, unlawful influence, or unlawful inducement. I swear (or affirm) I have read this statement, initialed all pages and corrections, and it is true and correct to the best of my knowledge."

SIGNATURE OF PERSON MAKING STATEMENT

(b)(6)

SIGNATURE OF WITNESS/INTERVIEWER

(b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of APRIL, 2012 (year).

SIGNATURE OF PERSON ADMINISTERING OATH

VI. INSTRUCTIONS FOR CONTINUATION PAGE(S)

Use plain bond paper (both sides optional). At the top right of each page, print or type "(Last name of Individual making the Statement) on (Date)." At the bottom of each page, print or type: "Page ___ of ___ Pages." The individual must initial the top and bottom entries and sign his/her name at the bottom of each page.

RLT

I.O. Exhibit 11

page 2 of 3