

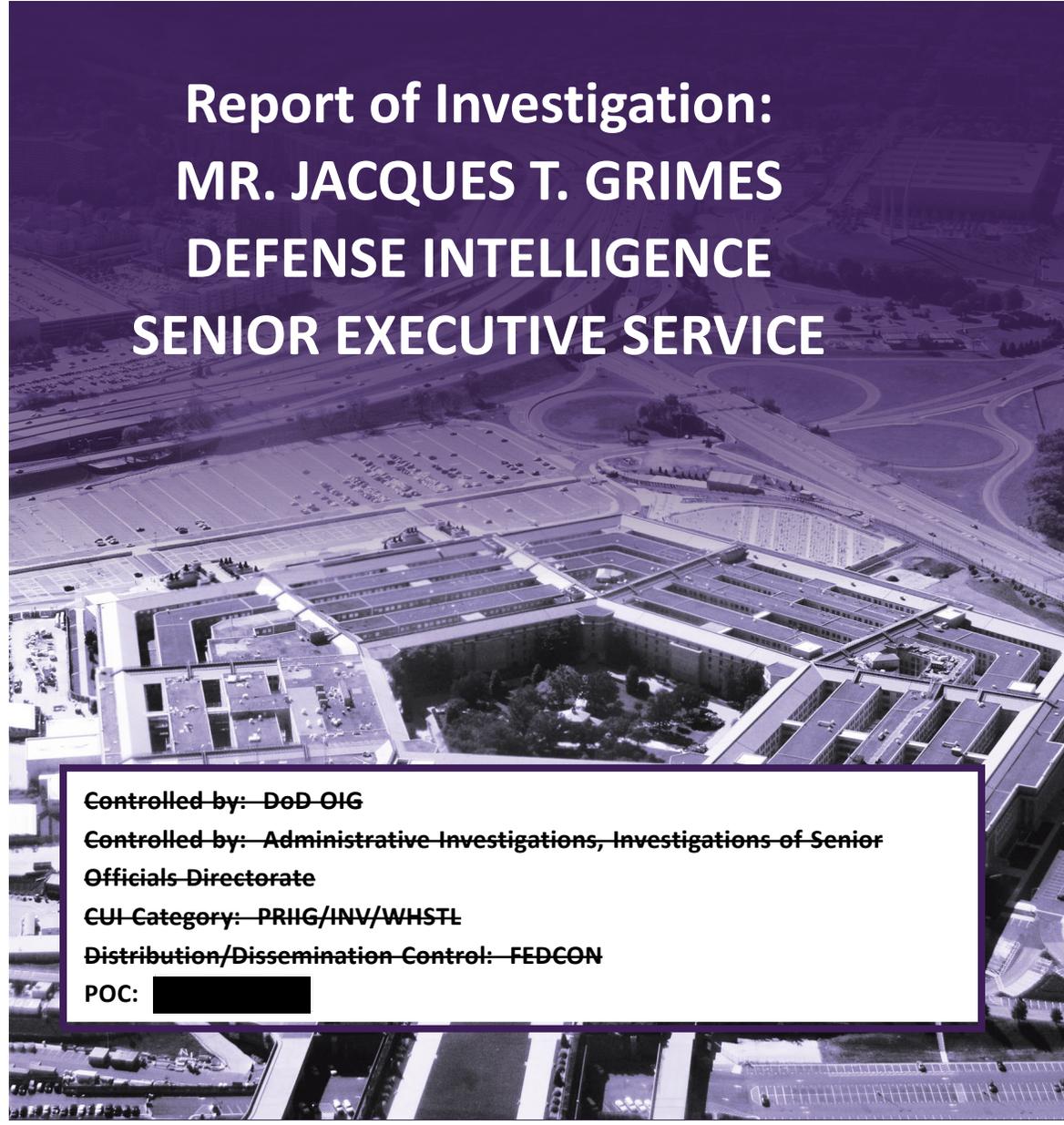
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INSPECTOR GENERAL

U.S. Department of Defense

NOVEMBER 14, 2023



Report of Investigation: MR. JACQUES T. GRIMES DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE

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Table of Contents

Introduction and Summary

Complaint Origin and Allegation 1

Scope and Methodology of the Investigation 1

Conclusion 2

Detailed Results of Our Investigation 4

Background

Mr. Grimes 5

Organization 5

Analysis of the Allegation

Chronology of Significant Events 6

Alleged Sexual Harassment of a Subordinate 6

Overall Conclusion

..... 27

Recommendation

..... 28

..... 29

DoDD 1440.1, “The DoD Civilian Equal Employment Opportunity (EEO) Program,”
 May 21, 1987 (Certified Current as of November 21, 2003) 29

Acronyms and Abbreviations

..... 30



REPORT OF INVESTIGATION: MR. JACQUES T. GRIMES DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE

Introduction and Summary

Complaint Origin and Allegation

The DoD Hotline received a complaint against Mr. Jacques T. Grimes, Senior Executive Service, then-Director, Commonwealth and Partner Engagement (C&PE), Office of the Under Secretary of Defense (Intelligence & Security) (USD[I&S]) on June 29, 2021.¹ The DoD Office of Inspector General (DoD OIG) initiated an investigation on October 12, 2021, into an allegation that Mr. Grimes sexually harassed a subordinate (Subordinate 1) on September 26, 2019, and January 6, 2020, during official travel.

We evaluated the alleged misconduct against the standard summarized throughout this report. We present the applicable standard in Appendix A of this report.

Scope and Methodology of the Investigation

We interviewed 18 witnesses, including Subordinate 1, and Mr. Grimes.

Six witnesses, including Mr. Grimes, indicated to us that they had difficulty recalling details about events due to the separation in time between the incidents, which occurred in late 2019 and early 2020, and our receipt of a complaint and subsequent interviews in 2021 and 2022.

We also reviewed Mr. Grimes's and Subordinate 1's official, unclassified emails from September 1, 2019, through November 30, 2021, but found no information relevant to the allegation. We attempted to retrieve and review text messages from government cell phones during the relevant time of the two instances of alleged sexual harassment, September 2019 and January 2020. However, neither of the two cell phone carriers, AT&T and Verizon, retained copies of the text messages or content from that period.

We reviewed the standard relevant to the allegation. DoD Directive (DoDD) 1440.1, "The DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1997 (Certified Current as of November 21, 2003), prohibits discrimination based on sex. This standard defines sexual harassment as a form of sex discrimination that involves unwelcomed sexual advances,

¹ Although Mr. Grimes retired from Federal service on March 31, 2022, we continued our investigation consistent with our standard practice. The Directorate was previously known as "Defense Analysis and Partner Engagement"; however, as part of a reorganization in January 2019, the Directorate was renamed "Commonwealth and Partner Engagement." To minimize confusion, we refer to the Directorate as "Commonwealth and Partner Engagement" or "C&PE" throughout this report.

requests for sexual favors, and other verbal or physical conduct of a sexual nature when, in part, such conduct interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

DoDD 1440.1 further states that any military member or civilian employee who makes deliberate or repeated unwelcomed verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.²

Conclusion

We conclude that Mr. Grimes sexually harassed Subordinate 1 while on official travel to [REDACTED] [REDACTED] in 2019, and [REDACTED] [REDACTED] in 2020, in violation of DoDD 1440.1.

Mr. Grimes retired from Federal service on March 31, 2022. Accordingly, consistent with our practice in such circumstances, we will forward our report to the Director, Washington Headquarters Services, for inclusion in Mr. Grimes's personnel file.

Alleged Sexual Harassment

The allegation against Mr. Grimes concerns two incidents between Mr. Grimes and Subordinate 1 during two separate official Government trips—one to [REDACTED] and the other to [REDACTED]. Mr. Grimes denied that he sexually harassed Subordinate 1 in [REDACTED] or [REDACTED].

[REDACTED]

We concluded by a preponderance of the evidence that Mr. Grimes made an unwelcomed sexual advance toward Subordinate 1 in [REDACTED] on September 26, 2019, and that it is more believable than not that Mr. Grimes said to Subordinate 1 in substance, "I think we'd be great in bed together. Let's have sex." We found that Subordinate 1 confided in two colleagues, who did not work at C&PE, about Mr. Grimes's conduct shortly after the incident in [REDACTED]. We determined that the near-contemporaneous statements about the events, along with Subordinate 1's troubled emotional state that her colleagues related to us, lent additional support that Subordinate 1's testimony was credible.

Colleague 1 testified to us that Subordinate 1 told her on several occasions in 2019 that her supervisor "hit on her" or "there was like a pass made" at her. Colleague 2 told us that about a week after Subordinate 1 returned from [REDACTED] Subordinate 1 said that Mr. Grimes made "advances" toward her during that trip, and tried to "manipulate" her and coerce her to engage in sex with him. Colleague 2 also told us that Subordinate 1 expressed "concern" about an upcoming trip with Mr. Grimes to [REDACTED].

² We considered DoD Instruction 1020.04, "Harassment Prevention and Responses for DoD Civilian Employees," June 30, 2020. However, the allegation concerning the two instances of sexual harassment occurred before the Instruction's effective date.

Subordinate 1 told us that just over 3 months later, in January 2020, in [REDACTED] Mr. Grimes, after attending a dinner party, asked her to join him for more drinks at his hotel in an effort to be alone with her, stay out drinking, or both. Mr. Grimes testified to us that he became “tipsy,” but not inebriated, while attending the dinner party, and Subordinate 1 and several other people escorted him back to his hotel. Significantly, in this case, an independent third party, a Service member, witnessed the incident in [REDACTED] and provided a clear and independent account to us of Mr. Grimes’s words and actions toward Subordinate 1.

The Service member was escorting Mr. Grimes and Subordinate 1 from the dinner party to Mr. Grimes’s hotel room door and witnessed Mr. Grimes “gently” grab Subordinate 1’s arm, pull her slightly forward, and invite her to join him for an alcoholic drink. The Service member told us that Mr. Grimes implied the drink would be in his room because they were standing at his hotel room door. According to the Service member, Mr. Grimes was looking directly at Subordinate 1, did not extend the invitation to the Service member, and seemed to ignore the Service member. Based on Mr. Grimes’s actions, the Service member believed that Mr. Grimes wanted to have a sexual relationship with Subordinate 1.

Additionally, Subordinate 1 told us that she informed seven additional witnesses of Mr. Grimes’s alleged misconduct immediately before leaving C&PE for a new position, or shortly thereafter. All seven witnesses corroborated the fact to us that Subordinate 1 told them Mr. Grimes sexually harassed her. Furthermore, we found no evidence that Subordinate 1 had any animosity towards Mr. Grimes that might have suggested a motive for her to falsely accuse Mr. Grimes.

Therefore, we determined by a preponderance of the evidence that Mr. Grimes made an unwelcomed sexual advance toward Subordinate 1 while on official Government travel in [REDACTED]. We also determined that, a few months later, Mr. Grimes asked Subordinate 1 at his hotel room door in [REDACTED] to join him for drinks and to further his desire to be alone with her and pursue a sexual relationship with her.

Mr. Grimes’s Response to our Conclusions

We provided Mr. Grimes our tentative conclusions on June 30, 2023, for his review and comment before finalizing our report. Mr. Grimes provided his response, through his attorney, on August 16, 2023.

We carefully considered Mr. Grimes’s comments on our preliminary conclusions and adjusted our report where appropriate. We include his comments, in part, throughout this report.³

³ We incorporated in this report what we believe is a reasonable synopsis of Mr. Grimes’s response.

In his response, Mr. Grimes wrote, in part, that our tentative conclusion did not meet the preponderance of the evidence standard for establishing that Mr. Grimes sexually harassed a subordinate in violation of DoDD 1440.1, and that our preliminary conclusion was based on an incomplete investigation of the facts. Additionally, Mr. Grimes stated that the Service member's independence was questionable as he interacted in a "casual and familiar manner" with Subordinate 1, and the tenor of the Service member's testimony "evinced hostility" toward Mr. Grimes. We discuss Mr. Grimes's response in detail later in the report.

After carefully considering Mr. Grimes's response, we reexamined previously collected evidence and conducted additional interviews and document reviews. The additional reviews and fieldwork did not change our determination by a preponderance of the evidence that Mr. Grimes engaged in the alleged misconduct. Therefore, we concluded that Mr. Grimes violated DoDD 1440.1 when he sexually harassed Subordinate 1 while on official travel on two occasions.

We provide more information about Mr. Grimes's response in the Analysis of the Allegation section.

Detailed Results of Our Investigation

The following sections of this report provide the detailed results of our investigation. We first provide background information on Mr. Grimes's responsibilities as the C&PE Director and on the C&PE organizational structure. We then discuss the allegation that Mr. Grimes sexually harassed Subordinate 1 in [REDACTED] and next discuss the allegation that Mr. Grimes sexually harassed Subordinate 1 in [REDACTED]. We then discuss Mr. Grimes's response to our tentative conclusion letter. Finally, we present our conclusion and recommendation.⁴

⁴ We based our conclusion on a preponderance of the evidence, consistent with our normal process in administrative investigations.

Background

Mr. Grimes

Mr. Grimes assumed duties as the Director of C&PE on January 4, 2016. According to his biography, Mr. Grimes provided direction and oversight of the Department's Intelligence Analysis Enterprise and its U.S. Government and international partnerships. His duties included working with other Office of the Secretary of Defense and Intelligence Community offices, the Combat Support Agencies, the Military Services, Combatant Commands, Allied governments, and the Northern Atlantic Treaty Organization to enhance military intelligence sharing and to make the Intelligence Analysis Enterprise as effective as possible.

Organization

C&PE consists of approximately 30 Government and contract personnel assigned primarily to either the Foreign Disclosure office or one of six Partner Engagement teams. The Partner Engagement teams include one functional team and five teams aligned with specific geographical regions of the world. [REDACTED]

[REDACTED] The C&PE Director reports to the Director for Defense Intelligence (Warfighter Support), who reports to the USD(I&S).

did not experience any negative impact on her performance evaluations or bonuses from Mr. Grimes for declining his two sexual advances during her tenure at C&PE. Subordinate 1 stated that she felt compelled to remain silent because of Mr. Grimes's power over her career.

Official Travel to [REDACTED]

Mr. Grimes, Subordinate 1, and a C&PE contractor visited [REDACTED] on official business from September 22 to 27, 2019, to meet with their [REDACTED] government counterparts and a small delegation of U.S. personnel from the U.S. Indo-Pacific Command (USINDOPACOM). Subordinate 1 told us that she and Mr. Grimes went to a cocktail bar on September 25, 2019, and Mr. Grimes provided us a similar description of their going to the bar. Subordinate 1 told us that they met again at a different bar the next night, September 26, 2019, and that Mr. Grimes solicited her for sex. Mr. Grimes only recalled meeting Subordinate 1 at a bar on one occasion and denied ever asking Subordinate 1 for sex. We present additional details of their testimony about these two incidents in the paragraphs below.

September 25, 2019

Subordinate 1 was familiar with [REDACTED] and offered to show Mr. Grimes some of the local sights on the evening of September 25, 2019. Both Mr. Grimes and Subordinate 1 stated that after walking through the street market with their colleagues that evening, the two traveled by taxi to a cocktail bar that Subordinate 1 selected. Both Mr. Grimes and Subordinate 1 also stated that they discussed Subordinate 1's professional career path in the intelligence community. Mr. Grimes and Subordinate 1 told us that they each consumed two cocktails while at the bar.

Subordinate 1 told us that they discussed some personal challenges that Mr. Grimes was experiencing in his own family and marriage. Subordinate 1 stated that she then recalled informing Mr. Grimes at the bar that [REDACTED], Washington, D.C., still did not feel like home for her. Subordinate 1 also recalled that she told Mr. Grimes about instances [REDACTED] in which male acquaintances had tried to pressure her into a physical relationship that she had no interest in pursuing, and how she felt they were trying to take advantage of her.

Mr. Grimes told us that they enjoyed the various food entrées and talked about work-related projects and how proud he was of his children, and that they discussed "nothing deep or nefarious, or malicious, or anything like that." Mr. Grimes told us that he did not recall any discussions with Subordinate 1 about moving from [REDACTED] to Washington, D.C. Mr. Grimes told us that they left the bar together, took a taxi back to their hotel, and went to their respective rooms.

September 26, 2019

Subordinate 1 stated that on the evening of September 26, 2019, Mr. Grimes told her that they should meet for a trip wrap-up discussion and nightcap. Subordinate 1 told us that she selected a wine and coffee bar across the street from the hotel and felt no concern about meeting Mr. Grimes at the bar because their trip had been very successful, and she was excited to share their observations.

Subordinate 1 told us that Mr. Grimes was already at the bar when she arrived and was not drinking. Subordinate 1 recalled that she ordered a glass of wine and that Mr. Grimes may have ordered a glass of wine as well. Subordinate 1 stated that within 5 or 10 minutes of her arrival, Mr. Grimes stated in substance, "I think we'd be great in bed together. Let's have sex." She told us, "It was very, very bold and forward and complete[ly] caught me off guard." She told us she did not recall the exact words because it was so uncomfortable and shocking, but it was "crystal clear in that he wanted to start a sexual relationship with me."

Subordinate 1 added that Mr. Grimes was sober and serious. Subordinate 1 told us that she informed Mr. Grimes that she was married and had no desire to break her marriage vows, but that even after that, Mr. Grimes tried to use "coercive arguments" to persuade her to engage in sex with him. For example, Subordinate 1 told us that Mr. Grimes stated, "Everybody in the office already thinks we are sleeping together, we might as well do it." She told us that she "was horrified and extremely uncomfortable and a little like terrified or frightened."

Subordinate 1 told us that Mr. Grimes's conduct made her feel like he did not value or respect her for her performance, but merely viewed her as a sexual object that was available to him. Subordinate 1 added that his conduct demeaned her and that she lost respect for Mr. Grimes.

Subordinate 1 told us that after she declined Mr. Grimes's suggestion of a sexual relationship, Mr. Grimes departed, she finished her glass of wine and "sort[ed] out" what Mr. Grimes had said, and she left shortly thereafter. Subordinate 1 told us that they were at the bar together for only about 45 minutes.

Mr. Grimes only recalled meeting Subordinate 1 on a single occasion, which he described in the events as reported above on the evening of September 25, 2019. Mr. Grimes told us that Subordinate 1 performed very well in her job and that he interacted with her daily. We asked Mr. Grimes if he and Subordinate 1 ever talked about sex or his marriage during the trip to [REDACTED] and he replied "No" to both questions. We asked Mr. Grimes to respond to the assertion that he asked Subordinate 1 to engage in a sexual relationship with him while in [REDACTED]. Mr. Grimes responded, "No. I've never asked for that, wanted that, or even alluded to it. I don't know where you're getting your information, but that's not true." Mr. Grimes told us, "I do not sexually harass, nor have I ever sexually harassed any subordinate in the 39 years of my service to this Nation."

September 27, 2019

Mr. Grimes, Subordinate 1, and a C&PE contractor returned to the United States on September 27, 2019. The travelers flew from [REDACTED] to San Francisco, and after they went through customs, the travelers boarded separate flights to Washington, D.C.

Subordinate 1 told us that Mr. Grimes texted her after they went through customs, suggesting that she and he, with no mention of the contractor, meet during their layover. Subordinate 1 said that she texted Mr. Grimes that they should meet at the United Airlines lounge. Subordinate 1 told us that she and Mr. Grimes sat at a table and that Mr. Grimes told her words to the effect of “Hey, I just want you to—just want to know that this isn’t going to come up again when we get back to D.C. and we’re in a good place, we’re okay, right?” Subordinate 1 stated that she replied that she was ready to put the incident behind her and that she advised Mr. Grimes that he needed to catch his connecting flight that departed much earlier than hers did.

Mr. Grimes told us that he, Subordinate 1, and the contractor arrived on separate return flights to the San Francisco airport. Mr. Grimes told us that Subordinate 1 texted him that they should meet at the United Airlines lounge. Mr. Grimes told us that he met briefly with Subordinate 1 at the lounge, talked about the trip, and writing the trip report. We asked Mr. Grimes to respond to the assertion that at the lounge, he suggested to Subordinate 1 in substance that she should remain silent about his conduct in [REDACTED]. Mr. Grimes told us that he did not recall “at all” making such a suggestion to Subordinate 1. Mr. Grimes told us that he was not aware of any change in his relationship with Subordinate 1 after the trip to [REDACTED].

The C&PE contractor stated that he was not aware of any inappropriate actions by Mr. Grimes toward Subordinate 1 in [REDACTED] or at any other time. The contractor stated that he returned from [REDACTED] through the San Francisco airport but did not recall seeing Subordinate 1 or Mr. Grimes there, and Subordinate 1 never mentioned anything to him about any concerns she had about actions at the airport.

Incident in [REDACTED]

Subordinate 1, Mr. Grimes, and a DoD Senior Official (hereafter “Senior Official”) visited [REDACTED] on official business from January 5 through 8, 2020. On the evening of January 6, 2020, the U.S. Defense Attaché to [REDACTED] hosted a dinner at his residence for the C&PE travel party, a Service member from USINDOPACOM, and the Deputy Defense Attaché. The dinner started at 7:00 p.m., but the Senior Official had to leave the dinner shortly after arriving due to an allergic reaction to the Attaché’s cats. Subordinate 1, Mr. Grimes, a Service member from USINDOPACOM, and the Deputy Defense Attaché remained at the dinner until 10:00 or 11:00 p.m., when the four walked back to the hotel.

Subordinate 1

Subordinate 1 told us that Mr. Grimes became “a bit inebriated” during the dinner, as evidenced by his slurred speech, overly jovial actions, and unsteady appearance on his feet. Subordinate 1 stated that she did not recall how much alcohol Mr. Grimes consumed, but they had been served whiskey most of the night. She stated that although she was drinking also, she was sober and coherent. Subordinate 1 also told us that Mr. Grimes was “severely intoxicated” and that she wanted to ensure he returned safely to his room and could participate in their busy schedule the next day. We asked Subordinate 1 if Mr. Grimes made any inappropriate remarks to her during the dinner, such as commenting on her appearance. Subordinate 1 told us that she did not recall Mr. Grimes commenting on her appearance during the dinner.

Subordinate 1 told us that she quietly asked the Service member not to leave her alone with Mr. Grimes, because Mr. Grimes was inebriated, and asked that he help get Mr. Grimes to his room. Subordinate 1 told us that once she, the Service member, and Mr. Grimes arrived at Mr. Grimes’s room, Mr. Grimes could not find his room key. Subordinate 1 stated that Mr. Grimes said, “We should stay out for another drink” and “I can’t get in my room so let’s go upstairs [to the bar], and go have some more drinks.” Subordinate 1 told us that Mr. Grimes directed his comment to her about going out for more drinks. Subordinate 1 told us that she told Mr. Grimes that going to the bar was not a good idea and that they would escort him to the lobby to obtain another room key.

Subordinate 1 said that the three of them went to the lobby, obtained another key, and took the elevator to Mr. Grimes’s floor. Subordinate 1 told us that she and Mr. Grimes exited the elevator, but the Service member, contrary to her hope that he would help, remained on the elevator, and she believed that he continued to his room on a separate floor. Subordinate 1 told us that she escorted Mr. Grimes alone to his room door, and then he reached into his pocket and found two sets of keys—the original and the one they just procured.

Subordinate 1 told us that she believed Mr. Grimes falsely maintained that he lost his room key to get her alone, stay out drinking, or both. Subordinate 1 stated that Mr. Grimes then asked where her room was and that she was afraid that he might try to gain entry to her room. Subordinate 1 said that she told Mr. Grimes her room was down the hall, and she walked to the end of the hall and “ducked” into an alcove out of his sight, waited until she heard his door close, and returned to her room across from his.

Subordinate 1 stated that she came to breakfast later than usual the next morning, January 7, 2020, because she was sick with a “nasty cold.” Subordinate 1 told us that Mr. Grimes did not appear for breakfast as usual, so she and the Senior Official went to Mr. Grimes’s hotel room and woke him up. Subordinate 1 said that Mr. Grimes later joined her and the Senior Official for breakfast. Subordinate 1 told us that she then rearranged their meeting schedule that day because of the delay caused by Mr. Grimes.

Subordinate 1 asserted that at dinner in the hotel restaurant the same day, January 7, 2020, with Mr. Grimes and the Senior Official, Mr. Grimes made a statement that concerned her. Subordinate 1 stated that Mr. Grimes told her, while the Senior Official was away, that he was not getting sufficient “alone time” with her and asked what needed to happen for him to get time with her away from the rest of the travel party. Subordinate 1 stated that she informed Mr. Grimes that they were all part of the travel team and that she did not intend to leave anyone out. Subordinate 1 said that Mr. Grimes conveyed disappointment that she could not make time for “professional development” conversation.

Subordinate 1 stated that Mr. Grimes told her, with no witnesses present, that they needed to discuss her career development. Subordinate 1 told us that Mr. Grimes said several times, “I feel like we need to follow up on that ... conversation we had in [REDACTED] Subordinate 1 told us that she replied, “[W]e’re part of the travel team and [the Senior Official] is coming with us to dinner.’ I just made it clear that I didn’t want to break off alone.”

Subordinate 1 told us that Mr. Grimes’s conduct made her feel uncomfortable and that she tried to avoid being alone with him during her remaining tenure at C&PE. Subordinate 1 further explained to us that whenever she subsequently met alone with Mr. Grimes in his office on work matters, she ensured the office door was open. Subordinate 1 also told us that she declined Mr. Grimes’s offer to work on a C&PE strategic planning team in 2020, which would have required her to work closely, sometimes alone, with Mr. Grimes. She declined Mr. Grimes’s offer to work for him in another duty position for which he was being considered. Subordinate 1 told us that no additional incidents of alleged sexual harassment by Mr. Grimes occurred during her term at C&PE.

The Service Member

The Service member stated that he had never met Mr. Grimes, Subordinate 1, or the other C&PE member before the trip to [REDACTED] and that he was not involved in the C&PE team’s visit. The Service member was assigned to [REDACTED], a USINDOPACOM subordinate Component command, and was traveling to the Defense Attaché’s office on official Government business separate from Mr. Grimes and Subordinate 1. The Service member described Mr. Grimes as intelligent and comfortable interacting with people and said that Mr. Grimes led the majority of the conversation during the dinner hosted by the Defense Attaché. However, the Service member said that he noticed that Mr. Grimes occasionally slurred his words and often repeated himself. The Service member added that Mr. Grimes appeared to engage in a mentoring session with the Defense Attaché and, toward the end of the evening, appeared to be the only person still drinking while everyone else waited for him to finish his conversation.

The Service member stated that Mr. Grimes consumed at least two, possibly as many as four, drinks of whiskey with ice during the evening. The Service member said that he recalled Mr. Grimes stating at the dinner table, "I'm drunk" or "I'm wasted." The Service member told us that he noticed that Mr. Grimes appeared to lose his balance when putting on his coat when preparing to leave.

The Service member also told us that Subordinate 1 consumed about two drinks, as did he, and that Subordinate 1 displayed no signs of inebriation.

The Service member told us that he, Subordinate 1, and the Deputy Defense Attaché walked with Mr. Grimes to the hotel along the icy sidewalk. The Service member explained that it appeared that Mr. Grimes was an important person and that "we probably should take care of him." The Service member stated that it was apparent to him as they walked that Mr. Grimes was inebriated. The Service member told us that Mr. Grimes lost his balance a couple of times and that they grabbed Mr. Grimes twice by the arm to prevent him from slipping. We asked the Service member whether Mr. Grimes stumbled due to the icy sidewalk or because he was inebriated. The Service member replied, "Because he was drunk."

The Service member told us that at Subordinate 1's request, and due to Mr. Grimes's inebriation, he helped her escort Mr. Grimes to his room. The Service member added that Subordinate 1's request was not in the sense of "can you help [keep] me from this man" but in the sense of "can you help me get him to his room."

The Service member recalled that Mr. Grimes could not find his room key when they first got to his room, so the three of them went to the lobby to obtain a new key. The Service member added that the three of them returned to Mr. Grimes's room and opened the door.

The Service member told us that at his hotel room door, Mr. Grimes asked Subordinate 1 if she wanted to have a drink, "gently" pulled her forearm, and stated words to the effect of "You want to join [me] and have a drink?" The Service member told us that Mr. Grimes implied the drink would be in his room since they were standing at his hotel room door.

The Service member told us that Subordinate 1 informed Mr. Grimes several times that he needed to go to bed and that she would see him in the morning. The Service member told us that he "forcefully pushed" Mr. Grimes into his room, told him, "Sir, you need to go to bed. See you tomorrow" morning, and closed the door.

The Service member stated that he did not believe that Mr. Grimes included him in his invitation to have another drink because Mr. Grimes seemed to ignore him and was looking at Subordinate 1 when he suggested they have a drink. The Service member also told us that Mr. Grimes asked Subordinate 1 twice what room she was staying in and that Subordinate 1 told him that she was not going to answer that question.

The Service member told us that he believed Mr. Grimes's conduct towards Subordinate 1 at the hotel room indicated that he had a sexual interest in her. However, the Service member told us that he did not recall Mr. Grimes specifically asking Subordinate 1 for sex.

The Service member stated that as he walked to the elevator to return to his room, he was thinking that he should have first escorted Subordinate 1 to her room but then continued to the elevator because he did not know her room number.

The Service member told us that he saw Mr. Grimes the next morning, and other than maybe saying good morning, the first thing that Mr. Grimes said almost immediately when he showed up for breakfast was, "Oh man, that was one heck of a night last night, I don't remember anything." The Service member said, "I know I didn't say anything but I remember thinking like, 'Okay. That's kind of your excuse'" and that Mr. Grimes "knew that maybe he acted inappropriately."

The Service member told us that he believed Mr. Grimes's inappropriate conduct towards Subordinate 1 would continue if they traveled together again.

The Service member told us that he did not recall discussing Mr. Grimes's conduct in [REDACTED] with Subordinate 1 or anyone else, and he had no further contact with them after their visit to [REDACTED]

We asked Subordinate 1 to clarify several issues that we identified after interviewing the Service member. Subordinate 1 told us that she did not recall Mr. Grimes grabbing her arm while standing in the hallway the night they escorted him to his room. [REDACTED] [REDACTED] us that the Service member did not exit the elevator on the second occasion when she escorted Mr. Grimes alone to his hotel room door but, rather, she believed that the Service member continued to his room on another floor. Subordinate 1 stated, "I distinctly remember a sense of dread when the elevator door shut and I was left alone with Mr. Grimes."

Subordinate 1 also confirmed that when Mr. Grimes asked where her room was, she told him that her room was down the hallway, even though it was across the hall from his, because she did not want him to attempt any additional unwanted sexual advances.

We then asked the Service member to verify his initial account of the events at the hotel. The Service member confirmed his testimony that he was present on the second occasion when Mr. Grimes invited Subordinate 1 for drinks at his hotel room door. The Service member also told us that, after further reflection, he believed the Deputy Defense Attaché (Deputy Attaché) entered the hotel with them and waited until they obtained a new key before departing for his residence, but that he was not present when Mr. Grimes invited Subordinate 1 for drinks.

The Senior Official

The Senior Official told us that he attended the dinner party for about 45 minutes but departed early [REDACTED]. The Senior Official told us that he did not observe any conduct between Mr. Grimes and Subordinate 1 during the trip that he thought was inappropriate. The Senior Official told us that the morning after the dinner party, he did not see Mr. Grimes at breakfast as he typically did. The Senior Official added that Subordinate 1 was also not at breakfast but that he was not surprised because she had a “serious” cold. The Senior Official told us that he called Subordinate 1, who did not mention any concerns about Mr. Grimes’s conduct the previous night, and that they went to Mr. Grimes’s hotel room to check on him. The Senior Official told us that after he knocked on the door “for a while,” Mr. Grimes came to the door and informed them that he had overslept and would be ready in a few minutes. The Senior Official stated that he did not detect any signs that Mr. Grimes had been drinking. The Senior Official told us that they then modified the schedule to give Mr. Grimes more time to prepare for the day’s meetings.

The Senior Official told us that Subordinate 1 informed him, more than a year after completing the trip, that Mr. Grimes sexually harassed her after leaving dinner at the Defense Attaché’s residence. The Senior Official told us that Subordinate 1 told him that she and another individual escorted Mr. Grimes back to the hotel, Mr. Grimes lost his room key, and Mr. Grimes “propositioned” her for sex, but provided no specifics. Subordinate 1 told him that she did not enter his room and that once Subordinate 1 and the other individual escorted Mr. Grimes to his room, she went to her room.

The Senior Official told us that Subordinate 1 did not elaborate on what Mr. Grimes said. The Senior Official did not say whether Subordinate 1 indicated Mr. Grimes was inebriated, but Subordinate 1 told him that they both had been drinking. The Senior Official said that he was “floored” when Subordinate 1 disclosed this information to him and added that Subordinate 1 did not mention any other instances of misconduct by Mr. Grimes. The Senior Official told us that he believed Subordinate 1’s account of the matter as they had an honest relationship. The Senior Official told us that Subordinate 1 asked him not to report her allegation [REDACTED]. The Senior Official stated that by his observation, the interactions between Subordinate 1 and Mr. Grimes at the C&PE office appeared normal and that the office environment was “positive.”

The Defense Attaché

The Attaché stated that Mr. Grimes gave no appearance of inebriation during the dinner, displayed no physical impairments such as stumbling or slurred speech, and said nothing that made him feel uncomfortable. The Attaché recalled that Mr. Grimes appeared tired and took his time putting on his jacket and saying farewell; he appeared exhausted from the flight and the 13-hour time difference. The Attaché recalled that after the dinner, Mr. Grimes, Subordinate 1, and possibly another C&PE staff member walked the short distance back to

the hotel from his residence.⁵ The Attaché added that the sidewalks were “treacherous” in the winter due to ice and that several of his staff members were injured when they slipped on them.

The Attaché told us that after Mr. Grimes and Subordinate 1 finished breakfast the next morning, Mr. Grimes told him in the hotel lobby, “Thanks again for last night. Love drinking your Old Fashioned. I’ve got a headache.”⁶ The Attaché also recalled that Mr. Grimes asked for some ibuprofen. The Attaché added that he escorted Mr. Grimes in the embassy vehicle to begin his day’s scheduled meetings.

Deputy Attaché

The Deputy Attaché told us that it had been nearly 3 years since the dinner and that he did not recall Mr. Grimes being inebriated at the dinner or his conduct being improper. The Deputy Attaché told us that although he typically escorted guests back to their hotels after dinner parties, he did not recall escorting Mr. Grimes to his hotel on this particular evening. The Deputy Attaché also stated that his duties included coordinating the schedule for Mr. Grimes’s travel to [REDACTED] but that he did not recall that the schedule was modified the day after the dinner party on January 7, 2020.

Mr. Grimes

Mr. Grimes told us that he, Subordinate 1, the Senior Official, and two or three officials from USINDOPACOM attended the dinner hosted by the Attaché. Mr. Grimes said that the dinner lasted from around 7:00 p.m. to 10:00 p.m. Mr. Grimes told us that a lot of alcohol was served at the dinner and that he consumed a “shot” of whiskey and a beer during the evening that made him “tipsy.” Mr. Grimes told us that alcohol does not “sit well” with him and that he wanted to return to the hotel. Mr. Grimes explained that he, Subordinate 1, and some officials from USINDOPACOM walked the short distance to the hotel, the sidewalks were covered with ice and slippery, and he fell once on the sidewalk. Mr. Grimes added that he had knee replacement surgery, the fall was painful, and he was anxious to return to his hotel room. Mr. Grimes told us again that he was “tipsy” on the walk back but that he was “in total control of [his] faculties” and was not inebriated.

Mr. Grimes told us that Subordinate 1 and the two USINDOPACOM officials from the dinner accompanied him to his room, where he discovered that he had lost his room key. Mr. Grimes recalled that he walked to the hotel lobby, possibly accompanied by Subordinate 1 and the USINDOPACOM officials, obtained another key, and returned to his hotel room. Mr. Grimes told us that Subordinate 1 and the USINDOPACOM officials were at his hotel room door, concerned that his knee was painful, and wanted to ensure that he was feeling okay.

⁵ The other C&PE staff member told us that she attended a dinner party at the Attaché’s residence during previous travel and was not on this trip.

⁶ An “Old Fashioned” is a cocktail typically made with whiskey or bourbon and mixed with sugar, bitters, and water.

Mr. Grimes told us that once he unlocked his hotel room, he “wished everyone a pleasant evening, and thank[ed] them, and they left, and I went to bed.” Mr. Grimes stated that once they arrived back at the hotel, he did not ask anyone to go out for another drink and denied that he grabbed Subordinate 1’s arm at the hotel. We asked Mr. Grimes to respond to the assertion that he told Subordinate 1 that he was not getting enough “alone time” with her. Mr. Grimes replied, “I don’t know what this is. I honestly don’t know what you are referring to.”

We asked Mr. Grimes to tell us about his schedule the following morning after the dinner party. Mr. Grimes told us that it was difficult for him to recall but that he did not believe that he, Subordinate 1, and the Senior Official went to the embassy that day, but they could have.⁷ Mr. Grimes told us that he believed that they missed their scheduled return flight that day but were able to reschedule another flight for the same day. Mr. Grimes told us that he joined Subordinate 1 and the Senior Official for breakfast and that he did not feel any adverse effects of the alcohol that he consumed the previous evening.

Other Witnesses

We interviewed six C&PE witnesses—one man and five women, including the Deputy Director—about the working relationship between Mr. Grimes and Subordinate 1. None of the witnesses informed us that they saw any inappropriate conduct by Mr. Grimes toward Subordinate 1. However, one of the witnesses told us that she noticed that Subordinate 1 became “more distant and quiet” in the office in the months before departing C&PE and often stayed at her desk.

We also asked these same six witnesses whether Mr. Grimes treated women as professionally as he treated men. None of the six witnesses believed Mr. Grimes treated women differently. We also asked eight witnesses, including several who observed Mr. Grimes in social settings, about their knowledge of Mr. Grimes’s alcohol consumption. None of the eight witnesses indicated any concerns about Mr. Grimes’s alcohol use and generally described him as a light or social drinker.

Subordinate 1 told us that within a week of returning from her trip to ██████ in 2019, she informed two career intelligence community colleagues, who were not C&PE employees, that her supervisor sexually harassed her. We discuss their testimony below.

Colleague 1 told us that Subordinate 1 told her on several occasions in 2019 that her supervisor (without identifying the supervisor by name) sexually harassed her. Colleague 1 said that Subordinate 1 told her that her supervisor “hit on her” or “there was like a pass made” at her and that she seemed stressed and told Colleague 1 that her work environment

⁷ We believe that Mr. Grimes may have confused the morning after the dinner party, January 7, 2020, with their actual departure date of January 8, 2020. The Senior Official told us that they missed their scheduled flight on January 8 but were able to reschedule it for the same day.

was “unsustainable.” Colleague 1 told us that Subordinate 1 did not offer any specifics regarding the alleged sexual harassment. Colleague 1 also recalled that before Subordinate 1’s trip to ██████ Subordinate 1 was “anxious” about the trip but otherwise provided no additional information about that trip.

Colleague 2 told us that Subordinate 1 informed her about a week after she returned from ██████ that Mr. Grimes made “advances” during that trip, which included touching her legs and making descriptive comments about her body. Colleague 2 stated that due to the passage of time, it was difficult to recall all of the specifics of her conversations with Subordinate 1. However, Colleague 2 said that she recalled that Subordinate 1 told her that Mr. Grimes tried to “manipulate” her and coerce her to engage in sex with him. She told us that Subordinate 1 told her that on the return trip from ██████ she met Mr. Grimes at the airport, and he tried to “smooth things over” about his actions on the trip and wanted to know if everything was going to be all right when they returned to the office.

Colleague 2 told us that Subordinate 1 sought her advice about ██████ and that she was nervous ██████. Colleague 2 stated that Subordinate 1 felt this way because Mr. Grimes was her boss, she was concerned that the work environment would become “awkward,” and she feared she would be treated differently than her colleagues in the office. Colleague 2 explained that Subordinate 1 was concerned about retribution and the impact on her job because she declined Mr. Grimes’s advances. Colleague 2 also told us that Subordinate 1 was worried about the upcoming trip to ██████ and was feeling uncomfortable about traveling with Mr. Grimes after the incident in ██████

Colleague 2 recalled that after Subordinate 1 returned from ██████ Subordinate 1 informed her that on the trip, Mr. Grimes remarked during a dinner party at the Attaché’s residence that Subordinate 1 was “beautiful” and made remarks about her body and “looks.” Colleague 2 told us that Subordinate 1 told her that Mr. Grimes tried to follow her to her hotel room and that Subordinate 1 had to hide in the hotel corridor to avoid Mr. Grimes. The colleague conveyed that Subordinate 1 was “really upset” and “angry” that Mr. Grimes put her in this position. Colleague 2 added that Subordinate 1 was concerned about something similar happening on future travel and that Mr. Grimes might spread rumors about her that could affect her career.

Subordinate 1 also told us that in addition to the Senior Official, she informed six other witnesses, seven total, of her concerns regarding sexual harassment ██████. We discuss their testimony below.

The first witness told us that Subordinate 1 told him as early as 2020, and then over the course of several years, without providing a name, that a superior in her office propositioned her for a sexual relationship. The first witness stated that this behavior made Subordinate 1 uncomfortable and contributed to her desire to find another job. However, this witness told us that Subordinate 1 provided no details regarding the alleged sexual harassment.

The second and third witnesses told us that Subordinate 1 told them that Mr. Grimes became inebriated at the Attaché's residence during travel to [REDACTED]. The second witness told us that she had visited the Attaché's residence [REDACTED] and that the Attaché poured strong drinks. The second witness said that Subordinate 1 told her that she and another man walked Mr. Grimes to his hotel room and opened his door, and Mr. Grimes asked her if she wanted to come inside for a drink. The second witness told us that Subordinate 1 told Mr. Grimes that she was married and that Mr. Grimes replied that he was married also. The second witness told us that Subordinate 1 then returned to her room.

The third witness told us that she was shocked at what Subordinate 1 told her because Mr. Grimes's alleged actions seemed so out of character for him, and she could not imagine him sexually harassing anyone. Nevertheless, the third witness told us that Subordinate 1 was a good colleague who would not make up [REDACTED] and that she believed that what Subordinate 1 said was true.

The fourth witness told us that Subordinate 1 told her that Mr. Grimes asked her to engage in a sexual relationship during official travel and that she [REDACTED]. The fourth witness told us that she could only recall that Subordinate 1 stated that Subordinate 1, Mr. Grimes, and another person were all staying in the same hotel, and Subordinate 1 just wanted someone to escort her to her hotel room to make sure she got there. The fourth witness added, "That's all I know."

The fifth witness, a DoD senior official, told us that he served in the [REDACTED] and interacted daily with Mr. Grimes. The fifth witness stated that he never observed Mr. Grimes act inappropriately toward anyone at C&PE. However, the fifth witness told us that around May 2021, Subordinate 1 informed him t [REDACTED] alleging that Mr. Grimes sexually harassed her during official travel. The fifth witness said that he encouraged Subordinate 1 [REDACTED].

The fifth witness told us that Subordinate 1 did not provide specific details about the alleged harassment but mentioned that Mr. Grimes once suggested in a conversation that they engage in a sexual relationship. The fifth witness also said that Subordinate 1 also told him of a second occasion when, at a "fairly late hour," Mr. Grimes suggested that the two of them have a cocktail and socialize. The fifth witness also told us that Subordinate 1 was then concerned that Mr. Grimes might follow her to her hotel room. The fifth witness added that Subordinate 1 was very competent, [REDACTED]. The fifth witness stated that he trusted Subordinate 1 and had no reason to doubt her concerns.

The sixth witness, another DoD senior official, told us that she served from [REDACTED] [REDACTED] in the Office of the USD(I&S) and interacted weekly with Mr. Grimes. The sixth witness told us that she served as a mentor to younger professional women, including Subordinate 1. The sixth witness told us that Subordinate 1 came to her on two or three occasions in late 2020 or early 2021, “near tears,” to discuss her concerns about Mr. Grimes’s conduct towards her. The sixth witness stated that Subordinate 1 expressed fear that he would engage in misconduct regarding her or other women and sought her advice on [REDACTED].

The sixth witness told us that Subordinate 1 alluded to, but did not provide the specifics of, inappropriate “touching” by Mr. Grimes and expressed discomfort about traveling with him. The sixth witness told us that Subordinate 1 did not indicate that Mr. Grimes propositioned her to engage in a sexual relationship. The sixth witness added that she provided Subordinate 1 information [REDACTED]

[REDACTED] sexual harassment, and she told Subordinate 1 that she was available [REDACTED].

DoD OIG Conclusion on Alleged Sexual Harassment

The allegation against Mr. Grimes concerns two incidents between Mr. Grimes and Subordinate 1 during two separate official Government trips—one to [REDACTED] and the other a few months later to [REDACTED]. Subordinate 1 told us that Mr. Grimes asked Subordinate 1 to engage in a sexual relationship with him in [REDACTED]. Subordinate 1 also stated that in [REDACTED] Mr. Grimes asked her to join him for drinks in an effort to be alone with her. Subordinate 1 stated that she also feared Mr. Grimes might follow her and try to gain entry to her room. Mr. Grimes denied that he ever sexually harassed Subordinate 1.

DoDD 1440.1 defines sexual harassment as a form of sex discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, in part, such conduct interferes with an individual’s performance or creates an intimidating, hostile, or offensive environment.

DoDD 1440.1 further states that a civilian employee who makes deliberate or repeated unwelcomed verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

In this section, we evaluate the information provided by Subordinate 1, Mr. Grimes, and other witnesses. We considered in our evaluation that seven witnesses and Mr. Grimes indicated that they had difficulty recalling details about events due to the passage of time between the incidents, which occurred in late 2019 and early 2020, and our subsequent interviews in 2021 and 2022.

██████████

We find it more likely than not that Mr. Grimes made unwelcomed sexual advances toward Subordinate 1 in ██████████ on September 26, 2019, and told her in substance, “I think we’d be great in bed together. Let’s have sex.” We found that Subordinate 1 confided in two colleagues shortly after the incident in ██████████ about Mr. Grimes’s conduct. We determined the near contemporaneous statements of the events along with Subordinate 1’s troubled emotional state as related by her colleagues lend additional support to the credibility of Subordinate 1’s testimony.

Specifically, Colleague 1 told us that Subordinate 1 told her on several occasions in 2019 that Subordinate 1’s supervisor “hit on her” or “there was like a pass made” at her. Colleague 1 also told us that Subordinate 1 appeared stressed and stated that her work environment was “unsustainable.”

Additionally, Colleague 2 told us that about a week after Subordinate 1 returned from ██████████ Subordinate 1 said that Mr. Grimes made “advances” toward her during that trip, and tried to “manipulate” her and coerce her to engage in sex with him. Colleague 2 stated that Subordinate 1 told her that on the return trip from ██████████ Mr. Grimes tried to “smooth things over” and wanted to know if everything was going to be all right when they returned to the office. Colleague 2 stated that Subordinate 1 feared retribution and the impact on her job because she declined Mr. Grimes’s advances. Colleague 2 also told us that Subordinate 1 expressed “concern” about an upcoming trip with Mr. Grimes to ██████████

Mr. Grimes denied the allegation that he sexually harassed Subordinate 1 in ██████████

██████████

Mr. Grimes admitted that he became “tipsy” while attending the dinner party at the Attaché’s residence but said that he was not inebriated. Mr. Grimes recalled that Subordinate 1 and two USINDOPACOM officials escorted him to his room door where he discovered he was missing his room key.

Mr. Grimes stated that all four returned to the lobby and obtained a new key, and then they escorted him back to his room, where he thanked them for the escort and closed the door. We acknowledge the specificity of Subordinate 1’s recollection regarding the trepidation she recalled feeling when the Service member did not accompany her from the elevator to Mr. Grimes’s door. However, we also give significant weight to the Service member’s recollection of the incident at Mr. Grimes’s hotel room door. The Service member was a disinterested, independent third party who had no prior association with either Mr. Grimes or Subordinate 1 and has not been in contact with either of them since his encounter with them in ██████████ The Service member also had no prior knowledge of the relationship

between Mr. Grimes and Subordinate 1 and provided us with details of Mr. Grimes’s conduct towards Subordinate 1 that was consistent in significant respects with Subordinate 1’s own recollection of the situation.

Subordinate 1 told us that she felt compelled to remain largely silent because of Mr. Grimes’s power over her career, telling only Colleagues 1 and 2 about Mr. Grimes’s conduct shortly after the trip to [REDACTED]. Colleague 1 stated that, before Subordinate 1’s travel to [REDACTED] Subordinate 1 was “anxious” about the trip. Colleague 2 stated that Subordinate 1 informed her that after the dinner party, Mr. Grimes tried to follow her to her hotel room and that Subordinate 1 had to hide in the hotel corridor to avoid Mr. Grimes. Subordinate 1 added that she was angry that Mr. Grimes put her in this position, and she was concerned about something similar happening on future travel.

Similarly, Subordinate 1 told us that, due to concerns about Mr. Grimes’s power over her career, Subordinate 1 waited [REDACTED] [REDACTED] to inform seven additional witnesses of Mr. Grimes’s alleged misconduct. All seven witnesses corroborated the fact that Subordinate 1 told them Mr. Grimes sexually harassed her. Table 2 summarizes the testimony from the seven witnesses and the senior official.

Table 2. Testimony from the Seven Additional Witnesses

Witness	Testimony Summary
First Witness	Subordinate 1 told him that over a course of years since 2020, a superior in her office propositioned her for a sexual relationship.
Second and Third Witnesses	Subordinate 1 told them that Mr. Grimes became inebriated at the Attaché’s residence during travel to [REDACTED]. The second witness said that Subordinate 1 and another man escorted Mr. Grimes to his hotel door, and Mr. Grimes asked her to come inside, but Subordinate 1 told him she was married, and Mr. Grimes replied that he was also married.
Fourth Witness	Subordinate 1 told her that Mr. Grimes asked her while on travel to engage in a sexual relationship with her; she also told her that she, Mr. Grimes, and another person were all staying in the same hotel, and Subordinate 1 just wanted someone to escort her to her hotel room to make sure she got there.
Fifth Witness	Subordinate 1 informed him around May 2021 that Mr. Grimes sexually harassed her during official travel, and described an instance when Mr. Grimes suggested in conversation that they engage in a sexual relationship, and another instance that they have drinks, and Subordinate 1 feared that Mr. Grimes might follow her to her hotel room.
Sixth Witness	Subordinate 1 on several occasions discussed with him Mr. Grimes’s conduct toward her and feared Mr. Grimes might engage in similar misconduct with other women.
The Senior Official	Subordinate 1 informed him that she and another individual escorted Mr. Grimes to the hotel, Mr. Grimes lost his key, and Mr. Grimes “propositioned” her for sex.

Source: The DoD OIG.

The Service member's description of Mr. Grimes's conduct in [REDACTED] also indirectly supports Subordinate 1's testimony that, while in [REDACTED] a few months earlier, Mr. Grimes expressed sexual interest in Subordinate 1 and asked her to have sex with him.

Additionally, Subordinate 1's testimony that Mr. Grimes referred to their conversation in [REDACTED] while trying to get "alone time" with her in [REDACTED] and asked her about the location of her hotel room also supports this conclusion. Furthermore, we found no animosity by Subordinate 1 toward Mr. Grimes that would suggest any motive for her to falsely accuse Mr. Grimes. Subordinate 1 described their relationship as "cordial, it was open. He freely sought my advice ... and I freely sought his" Similarly, no witness described any hostility by Subordinate 1 toward Mr. Grimes before the alleged sexual harassment.

Therefore, we determined by a preponderance of the evidence that Mr. Grimes asked Subordinate 1 to engage in a sexual relationship with him while on official Government travel in [REDACTED]

We also determined that Mr. Grimes asked Subordinate 1 at his hotel room door in [REDACTED] to join him for drinks to be alone with her. We further determined that Mr. Grimes made other efforts, such as asking where her hotel room was and commenting to her the following morning that he was not getting sufficient "alone time" with her, to engage in a sexual relationship with her.

Subordinate 1 told us that Mr. Grimes's conduct made her feel like he did not value or respect her for her performance, but merely viewed her as a sexual object that was available to him. Subordinate 1 added that his conduct demeaned her and that she lost respect for Mr. Grimes.

Subordinate 1 told us that Mr. Grimes's conduct made her feel uncomfortable and that she tried to avoid being alone with him during her remaining tenure at C&PE. Subordinate 1 further explained to us that whenever she subsequently met alone with Mr. Grimes in his office on work matters, she ensured the office door was open. Subordinate 1 also told us that she declined Mr. Grimes's offer to work on a C&PE strategic planning team in 2020, which would have required her to work closely, sometimes alone, with Mr. Grimes. She said that she declined Mr. Grimes's offer to work for him in another duty position for which he was being considered.

We conclude that Mr. Grimes sexually harassed Subordinate 1 while on official travel to [REDACTED] [REDACTED] in 2019, and [REDACTED] [REDACTED] in 2020, in violation of DoDD 1440.1.

Mr. Grimes's Response to Our Conclusion

Mr. Grimes identified three events in his response that he asserted demonstrated that Subordinate 1 did not attempt to avoid contact with Mr. Grimes after he allegedly sexually harassed her in ██████ in September 2019 and ██████ in January 2020. Mr. Grimes expressed that these three events undermined Subordinate 1's credibility and refute the allegation that he subjected her to a hostile work environment.

Drawing on Windshield

According to Mr. Grimes, he walked to his car in the Pentagon parking lot (before August 2019) and found a "picture of lips or some type of picture" drawn in lipstick on his windshield. According to the Tentative Conclusions Letter response, Mr. Grimes saw Subordinate 1 and two other women in the parking lot "observe him discovering" the drawing, and they laughed as he wiped the lipstick off his windshield. Mr. Grimes then reportedly asked them who drew the image, and they responded, "You will never know." Mr. Grimes wrote that he believed Subordinate 1 drew the image and that he was embarrassed and believed the event was disrespectful toward him.

Subordinate 1 told us that she and two former C&PE employees pulled a prank on Mr. Grimes in the Pentagon parking lot. We refer to the former employees as "Employee 1" and "Employee 2." Subordinate 1 told us that after work, she, Employee 1, and Employee 2 located Mr. Grimes's car in the Pentagon parking lot. Subordinate 1 told us that she used lip balm to draw the "shape of a sun with beams and a smiley face" on the driver side window. Subordinate 1 stated that drawing the image was only "intended for a laugh." Subordinate 1 added that when Mr. Grimes later inquired if the three were involved, they denied it, but Mr. Grimes knew they had done it because they had previously asked him where he parked his car.

Employee 1 told us that she, Employee 2, and Subordinate 1 happened on Mr. Grimes's car in the Pentagon parking lot, and Subordinate 1 stated they should play a joke on Mr. Grimes. Employee 1 said that Subordinate 1 used lipstick to write a message. She told us that she believed the message was possibly "hello" but did not recall drawing lips or anything suggestive, and added that Subordinate 1's actions were an "innocent fun joke."

Employee 2, who departed C&PE before ██████ recalled that Subordinate 1 used lip balm to draw an image of lips on the side window of Mr. Grimes's car after work but did not recall why Subordinate 1 drew the image. Both Employee 1 and Employee 2 told us that they did not see Mr. Grimes in the Pentagon parking lot when he discovered the image. However, they each told us that Mr. Grimes inquired about the event in the office afterwards. Employee 1 told us that she believed Subordinate 1 told Mr. Grimes that she drew the image because "the topic [about the event] died."

Mr. Grimes asserted that this incident was evidence that Subordinate 1 was not trying to avoid him after the sexual harassment incidents in [REDACTED] and [REDACTED]. However, the preponderance of evidence supports that the incident occurred before Employee 2's departure from C&PE on July 31, 2019—at least 1 month before the sexual harassment during the [REDACTED] trip.

Accordingly, we determined that Subordinate 1's action of drawing the image on Mr. Grimes's car occurred before the substantiated sexual harassment and did not negatively affect Subordinate 1's credibility with respect to her testimony that she tried to avoid him after the [REDACTED] trip.

New Zealand Embassy Photo

Mr. Grimes asserted that Subordinate 1 sent him photographs of herself and several female coworkers on Tuesday, September 1, 2020, holding wine glasses at an event at the New Zealand Embassy in Washington, D.C., celebrating the signing anniversary on September 1, 1951, of the Australia, New Zealand, and United States Security Treaty.

Mr. Grimes's Tentative Conclusions Letter response stated that Subordinate 1 called Mr. Grimes on a weekend evening at Mr. Grimes's home in 2020 or 2021 and invited Mr. Grimes to a reception at the New Zealand Embassy in Washington D.C., which he had previously declined. Mr. Grimes indicated that Subordinate 1 sent him a photo on his mobile telephone that was of Subordinate 1 and two other women holding wine glasses along with a text that stated, in substance, "You don't know what you are missing."

Subordinate 1 told us that she, Employee 1, and another former C&PE employee, whom we refer to as "Employee 3," attended a reception at the New Zealand Embassy on Friday, October 4, 2019, not Tuesday, September 1, 2020. Subordinate 1 provided us a copy of the photo that she supposedly sent Mr. Grimes, which matched the description he provided us—Subordinate 1 and "several female coworkers holding wine glasses." We examined the metadata on the picture and confirmed that it was taken on October 4, 2019, at 6:37 p.m.

Subordinate 1 recalled that many Defense intelligence senior leaders attended, and she believed that Mr. Grimes was supposed to attend, but did not. Subordinate 1 stated that she called Mr. Grimes that evening and gave him a "little light-hearted criticism about missing a wonderful culture event ... and social engagement."

Mr. Grimes confirmed that Subordinate 1 sent him the same photo that Subordinate 1 provided us, the date was October 4, 2019, and the identities of Employee 1 and Employee 3 were accurate. However, Mr. Grimes recalled a similar second photo that he referenced in his response to us that was taken inside the embassy with all three women holding wine glasses and had a caption with words to the effect of "you don't know what you are missing."

Mr. Grimes stated that he chose not to attend the event because he wanted to spend time at home with his family after working his usual 14-hour day and knew that C&PE would be well-represented at the event.

Employee 1 told us that they attended the event because it was associated with their C&PE responsibilities for that geographic world region, and Subordinate 1 sent a photograph to Mr. Grimes to demonstrate their attendance at the event.

Mr. Grimes asserted that Subordinate 1's action of sending him this photo and calling him about his attendance was evidence that Subordinate 1 was not trying to avoid him after the sexual harassment incidents in [REDACTED] and [REDACTED]

While Subordinate 1 communicated the photo to Mr. Grimes in what she acknowledged to us was a "light hearted" manner, the photo she sent depicted C&PE personnel attending an official function and demonstrated that she was performing work responsibilities at the event. Therefore, we do not find that this incident is inconsistent with our findings as to Mr. Grimes's conduct when they were traveling abroad together.

Vacation Photo

According to Mr. Grimes, Subordinate 1 sent a single photo to him while she was on vacation in Utah, but he did not recall when the picture was sent. Mr. Grimes recalled that the photo contained mountains and may have been taken from inside an airplane.

Subordinate 1 told us that she made two separate ski trips to Utah in 2020 and sent Mr. Grimes a photo while returning from vacation either in January 2020, before traveling to [REDACTED] or shortly afterward, in March 2020. Subordinate 1 told us that the photo's context was "simply a polite text to let my supervisor know I was returning from leave, had not broken any bones ... and was feeling rejuvenated and de-stressed after spending time in the mountains." Subordinate 1 stated that she wanted their working relationship to return to "normal and professional," and she did not want to experience any adverse career impacts because she had declined Mr. Grimes's sexual advances.

Mr. Grimes asserted that Subordinate 1 sending him this photo of her ski trip was evidence that Subordinate 1 was not trying to avoid him after the sexual harassment incident in [REDACTED]. However, we found credible Subordinate 1's testimony to the effect that she was trying to normalize their relationship to avoid potential negative career consequences for rejecting his sexual advances.

Accordingly, as with the picture from the Embassy, we determined that Subordinate 1's action of sending a photo and text message to Mr. Grimes at the conclusion of her ski trip before returning to work did not undermine our conclusion regarding Mr. Grimes's conduct.

Mr. Grimes's Additional Concerns

Mr. Grimes also identified several concerns about why he believed that our preliminary conclusion should not be sustained. We carefully considered the entirety of Mr. Grimes's response and discuss below what we believe represents a reasonable synopsis of Mr. Grime's concerns.

Mr. Grimes stated that the preliminary report failed to make factual findings necessary to a determination under DoDD 1440.01 that Mr. Grimes used implicit or explicit sexual behavior to control, influence, or affect Subordinate 1's career or pay, or to create a hostile work environment.

However, Subordinate 1 did not allege, nor did we find, that Mr. Grimes used implicit or explicit sexual behavior to control, influence, or affect Subordinate 1's career. However, we determined that Mr. Grimes's conduct created a hostile work environment for Subordinate 1.

Mr. Grimes also asserted that the investigators did not question the Service member's involvement and independence. Mr. Grimes stated that he believed that the Service member and Subordinate 1 appeared to be "friends" and that they interacted in a "casual and familiar manner with each other." Mr. Grimes asserted that the "tenor" of the Service member's answers to investigators' questions evinced hostility towards Mr. Grimes. We found no evidence that the Service member knew Subordinate 1 or Mr. Grimes before meeting them in [REDACTED] in fact, Subordinate 1 did not recall the Service member's name when we interviewed her. In our review of Subordinate 1's emails, we found no communications between Subordinate 1 and the Service member.

We found no evidence that the Service member displayed any bias or hostility toward Mr. Grimes. The Service member answered our questions, under oath, to the best of his recollection. Furthermore, acting in a "casual and familiar manner" with a person met during official travel is not indicative of anything suggesting bias or hostility toward Mr. Grimes.

Overall Conclusion

After carefully considering Mr. Grimes's response, conducting additional interviews, and reviewing the evidence and our investigative process, we concluded that Mr. Grimes violated DoDD 1440.01 when he sexually harassed a subordinate while on official travel to [REDACTED] in 2019 and [REDACTED] in 2020.

Recommendation

We provide this report to the Director, Washington Headquarters Services, for inclusion in Mr. Grimes's personnel file.

Appendix A – Standard

DoDD 1440.1, “The DoD Civilian Equal Employment Opportunity (EEO) Program,” May 21, 1987 (Certified Current as of November 21, 2003)

Section 4.5. Prohibits discrimination based on sex and applies to civilian employees and applicants in the Office of the Secretary of Defense and activities supported administratively by that Office, Military Departments, Chairman of the Joint Chiefs of Staff and the Joint Staff, Unified and Specified Commands, Defense Agencies, Army and Air Force Exchange Service, National Guard Bureau, Uniformed Services University of the Health Sciences, Office of Civilian Health and Medical Programs of the Uniformed Services, and DoD Dependents Schools.

E2.1.10. Defines Sexual Harassment as a form of sex discrimination that involves unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

E2.1.10.1. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person’s job, pay, or career; or

E2.1.10.2. Submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person, or

E2.1.10.3. Such conduct interferes with an individual’s performance or creates an intimidating, hostile, or offensive environment.

Any person in a supervisory or command position who uses or condones implicit or explicit sexual behavior to control, influence, or affect the career, pay, or job of a military member or civilian employee is engaging in sexual harassment. Similarly, any military member or civilian employee who makes deliberate or repeated unwelcomed verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

Acronyms and Abbreviations

C&PE	Commonwealth and Partner Engagement
DoD OIG	DoD Office of Inspector General
DoDD	DoD Directive
USD(I&S)	Under Secretary of Defense (Intelligence & Security)
USINDOPACOM	U.S. Indo-Pacific Command

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