



DEPARTMENT OF THE ARMY
OFFICE OF THE INSPECTOR GENERAL
1700 ARMY PENTAGON
WASHINGTON DC 20310-1700

OCT 6 2012

US ARMY INSPECTOR GENERAL AGENCY
PRELIMINARY INQUIRY
(Case 11-00101)

NAME/POSITION: (b)(7)(C)

(b)(7)(C) BG (Ret) Timothy B. Britt, former Chief of the
Joint Staff, Georgia National Guard (JANG); (b)(7)(C)

(b)(7)(C)

BACKGROUND: On 13 April 2011 through 28 September 2011, DAIG received six complaints on JANG personnel. Four of the six complaints with allegations against

(b)(7)(C) were

addressed in DIG 11-00046. The remaining two complaints with allegations against

(b)(7)(C) BG Tim Britt, (b)(7)(C) are addressed in this inquiry.

ALLEGATIONS AND CONCLUSIONS:

1. The allegation that BG Tim Britt and COL (b)(7)(C) engaged in an inappropriate relationship was substantiated. The preponderance of evidence indicated that BG Tim Britt and COL (b)(7)(C) engaged in a romantic relationship prior to BG Tim Britt's divorce in September 2010. A witness testified that she saw BG Tim Britt and COL (b)(7)(C) kiss in 2009. Testimony evidence indicated that the perception of an inappropriate relationship has existed since 2005. This perceived relationship resulted in BG Tim Britt's and COL (b)(7)(C) removal from the JANG. Given witness testimony of their intimate behavior and the duration of their perceived relationship, the allegation that BG Tim Britt and COL (b)(7)(C) engaged in an inappropriate relationship was substantiated.

(b)(7)(C)

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(b)(7)(C)

ALLEGATION 1: BG Tim Britt and COL (b)(7)(C) engaged in an inappropriate relationship. (Substantiated)

STANDARD: AR 600-100, states in paragraph 2-1(a), every leader would set and exemplify the highest ethical and professional standards as embodied in the Army values.

ANALYSIS/DISCUSSION:

1. The evidence indicated there was a strong perception in the GANG that BG Tim Britt and COL (b)(7)(C) had an inappropriate relationship that breached ethical and professional standards. The complainant, (b)(7)(C) (b)(7)(C), indicated that BG Tim Britt was accused of having an affair with a COL (b)(7)(C) that led to his divorce from MG Maria Britt. LTC (b)(7)(C) (b)(7)(C) GANG, testified that he first heard rumors of marital discord between the Britts back in 2005. It was at that time that he also first heard rumors of a romantic relationship between BG Tim Britt and COL (b)(7)(C) COL (b)(7)(C) GANG, testified that in 2006 when he first arrived in the GANG, he was told of a romantic relationship between BG Tim Britt and COL (b)(7)(C) COL (b)(7)(C) GAARNG, also heard of the rumors and testified that four years ago, (b)(7)(C) told him that he witnessed BG Tim Britt and COL (b)(7)(C) at an Atlanta Braves baseball game and she had her legs over his and they were kissing.

[IO Note: (b)(7)(C) later testified that he did not witness BG Tim Britt and COL (b)(7)(C) kissing at a baseball game and would not have told anyone if he did.]

2. Rumors of the alleged relationship between BG Tim Britt and COL (b)(7)(C) began to reemerge after BG Tim Britt redeployed from Afghanistan in July 2009. (b)(7)(D) testified that he heard rumors of BG Tim Britt and COL (b)(7)(C) "making out" in the parking lot, going on motorcycle rides and showing up at parties together. COL (b)(7)(C)

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perception was that their relationship was open, but they never told him that they were involved. In COL (b)(7)(C) opinion, BG Tim Britt and MG Maria Britt got divorced because of BG Tim Britt's infidelity.

3. COL (b)(7)(C) GAARNG, testified that he did not have any firsthand knowledge about the relationship of BG Tim Britt and COL (b)(7)(C) however, he started to hear rumors of their relationship in the summer of 2009 and was told that it had gone on for years prior. There were a lot of rumors of different times they were seen together that added credibility to the notion of an inappropriate relationship. Their relationship was a big source of conversation throughout the organization and polarized many into one of two camps, the camp that supported BG Tim Britt and the one that supported MG Maria Britt.

4. Col (b)(7)(C) testified that MG Nesbitt contacted him early in 2010 and said he wanted COL (b)(7)(C) to come work for him (Col (b)(7)(C) in the (b)(7)(C) MG Nesbitt said he needed to get her out of the HQ because there were allegations concerning her involvement with BG Tim Britt. COL (b)(7)(C) told Col (b)(7)(C) that MG Nesbitt had recently counseled her, and she was frightened. COL (b)(7)(C) said that MG Nesbitt called her into his office and really got loud and in her face. He acted very threatening and finished the counseling by saying "he was not done punishing her and that her future was gone." Col (b)(7)(C) asked her why MG Nesbitt was so upset and she replied, "it's about Tim and I." Col (b)(7)(C) said she never admitted to an inappropriate relationship, but he knew that at that time BG Tim Britt and MG Maria Britt were still married.

5. MAJ (b)(7)(C) (b)(7)(C) to MG Maria Britt, testified:

a. (b)(7)(C) and thought they (MAJ (b)(7)(C) and MG Maria Britt) had a good relationship. At that time MAJ (b)(7)(C) was a member of the Gate City Guard with BG Tim Britt and COL (b)(7)(C). She recalled attending a meeting in the spring of 2009 when they all attended. Prior to the meeting, MG Maria Britt contacted her by e-mail and asked if there was going to be a meeting that night and when. She was concerned that MG Maria Britt might show up and there could be a confrontation between MG Maria Britt, BG Tim Britt, and COL (b)(7)(C).

b. When the meeting was over, MAJ (b)(7)(C) saw BG Tim Britt and COL (b)(7)(C) leave. She followed them to see if MG Maria Britt would confront them in the parking lot. There was no sign of MG Maria Britt, although MAJ (b)(7)(C) suspected she might be watching. BG Tim Britt and COL (b)(7)(C) departed in separate vehicles, and she

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followed wondering if MG Maria Britt had seen them depart and would follow them as well. BG Tim Britt and COL (b)(7)(C) then pulled over at a nearby Starbucks. MAJ (b)(7)(C) stopped at the adjacent Fuddruckers parking lot to observe. BG Tim Britt and COL (b)(7)(C) parked their vehicles, approached each other and kissed, then walked to the outside café area for a table. She did not think it was a particularly romantic kiss, but it was on the lips and like they had done it many times before.

c. MG Maria Britt e-mailed MAJ (b)(7)(C) again and asked if the meeting was over. MG Maria Britt then called MAJ (b)(7)(C) and MAJ (b)(7)(C) told her what she had just witnessed. At the time, MAJ (b)(7)(C) was not sure if MG Maria Britt had also followed them to Starbucks and observed her watching and was now testing her to see if she would tell the truth. She had worked for BG Tim Britt years ago, and she was not sure if MG Maria Britt would question her loyalty. MAJ (b)(7)(C) also knew that the Britt's were still married at that time.

d. This was not the first time MAJ (b)(7)(C) heard of a potential relationship between BG Tim Britt and COL (b)(7)(C). Well before the Starbucks incident, there were a few situations that she heard about from MG Maria Britt. The first was an observation made by MG Maria Britt's (b)(7)(C) that caused her mother to warn MG Maria Britt to keep an eye on COL (b)(7)(C) and BG Tim Britt. There was also a blackberry note from COL (b)(7)(C) to BG Tim Britt that MG Maria Britt noticed that stated, "I hope I was not too obvious." Later when BG Tim Britt was deployed to Afghanistan, MG Maria Britt noticed a bill for BG Tim Britt's government cell phone that listed a lot of personal calls between BG Tim Britt and COL (b)(7)(C). All this occurred before they were divorced.

e. MAJ (b)(7)(C) thought the Britt's relationship had a significant impact on the GAARNG HQ. Initially, when the Britt's relationship was good, you needed to be affiliated with one of them to get ahead. When their relationship started to sour, those affiliated with BG Tim Britt were out of favor because MG Maria Britt was the Commanding General of the GAARNG.

6. MG Nesbitt testified:

a. That he was aware of a strong perception in the GANG of an inappropriate relationship between BG Tim Britt and COL (b)(7)(C) prior to BG Tim Britt's divorce from MG Maria Britt (September 2010). When he first heard rumors of their relationship in 2009, he was told that it had been going on for at least two years. MAJ (b)(7)(C) reported that she saw them at a local Starbucks embracing and kissing. COL (b)(7)(C) (b)(7)(C) GANG, also reported that he saw BG Tim Britt's truck in COL (b)(7)(C) driveway overnight. MG Nesbitt did not have any firsthand observations himself, but

knew the relationship was real and obviously started some time ago because he heard they were planning to get married soon (June 2012).

b. When MG Nesbitt first learned of the rumors, he took action by counseling them and ordering them to cease any further contact. He spoke with MG Maria Britt and learned that she had also confronted them, but had no firsthand knowledge of improper actions. BG Tim Britt and COL (b)(7)(C) told him that their relationship was not romantic but merely a close friendship. He became convinced of an inappropriate relationship after the Starbucks incident and thought the rumors had a significant impact on the organization's morale. MG Nesbitt testified that he eventually forced BG Tim Britt to retire because he thought BG Tim Britt continued this relationship with COL (b)(7)(C) despite his direction to cease. COL (b)(7)(C) (then a LTC) was allowed to transfer to the Army Reserve (AR) with a verbal agreement that she would retire as a LTC with only 20 years service. He later attempted to stop her promotion to COL but was unsuccessful because she was outside the GANG at the time.

7. COL (b)(7)(C) GANG, testified from August 2008 until December 2010, he was the (b)(7)(C)

(b)(7)(C) Near the end of 2010, he was approached by COL (b)(7)(C) (then a LTC) to request his assistance to have (b)(7)(C) LTG Harold B. Bromberg, promote her to COL. LTG Bromberg agreed, but on the day of the ceremony, LTC (b)(7)(C) approached COL (b)(7)(C) almost in tears to say that she had to call off the ceremony because her promotion orders had been revoked. COL (b)(7)(C) learned that the GANG had revoked her transfer orders to the AR and the AR then revoked her promotion orders. He looked deeper and heard that she allegedly had an affair with BG Tim Britt who at the time was still married to MG Maria Britt. Soon thereafter, LTC (b)(7)(C) contacted him to request assistance from (b)(7)(C). He asked her, "If I get (b)(7)(C) three-star involved, are we going to find a skeleton in the closet?" LTC (b)(7)(C) said no, but it appeared to him that she may have been lying. Later that day, she called him back and said that she did not need his assistance because NGB Officer Policy had determined that the GANG's revocation of her transfer orders was improper and she would be reinstated in the USAR and promoted to COL.

8. COL (b)(7)(C) testified:

a. He thought BG Tim Britt and COL (b)(7)(C) had an inappropriate relationship that was romantic while BG Tim Britt was still married to MG Maria Britt. He first became aware of this possibility when serving as the (b)(7)(C) (b)(7)(C) around Valentine's Day in 2008/2009. One of (b)(7)(C) technicians said they noticed an inappropriate e-mail between BG Tim Britt and COL (b)(7)(C) that had been caught in

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the DOIM's profanity filter. He did not see the e-mail for himself, but the awareness of such an e-mail started to raise his concerns about their relationship.

b. He was invited to go with BG Tim Britt and others to the Myrtle Beach Bike Week in 2007/2008. He was surprised to hear that COL (b)(7)(C) was also going to join them on her own motorcycle because he thought it was going to be a guy's only event. He noted that BG Tim Britt and COL (b)(7)(C) were often together during the trip, but he did not see them act romantically. Later, he accompanied that same group to a Daytona Beach motorcycle event. Through it all, he always got the sense that BG Tim Britt and COL (b)(7)(C) were a couple. He later attended a party thrown for BG Tim Britt prior to his 2009 deployment. He noted that BG Tim Britt and COL (b)(7)(C) were a few of the guests to spend the night, although he did not actually witness them sleeping together. (b)(7)(C) to COL (b)(7)(C) and thought at one point he saw BG Tim Britt's vehicle parked there.

c. He recalled more than one occasion when he confronted BG Tim Britt on the question of his relationship with COL (b)(7)(C). BG Tim Britt never denied their relationship, which seemed to COL (b)(7)(C) to confirm a romantic relationship. A close friend of BG Tim Britt's also confided in COL (b)(7)(C) that BG Tim Britt and COL (b)(7)(C) were in fact having a sexual relationship. COL (b)(7)(C) talked with MG Maria Britt who told him that BG Tim Britt admitted that he was in a relationship with COL (b)(7)(C). He also learned that COL (b)(7)(C) had come to MG Maria Britt and confessed that she loved BG Tim Britt and that she was sorry, but she could not change her feelings. It was shortly after that that MG Nesbitt directed/allowed COL (b)(7)(C) to be reassigned to FORSCOM.

d. BG Tim Britt and COL (b)(7)(C) relationship had an "absolute" impact on the command. The senior officers were very challenged to remain neutral when the Britts' marriage started to unravel. He personally felt very conflicted because (b)(7)(C) (b)(7)(C). It got to a point where junior members of the command could be heard in the hallways talking about the Britts and COL (b)(7)(C).

9. BG Tim Britt testified that shortly after his redeployment in July 2009, he and MG Maria Britt started to have serious discussions about a divorce. Their divorce was final in September 2010, and he retired from the military on 7 November 2010. He is currently in a relationship with COL (b)(7)(C) and they were planning to be married in June 2012.

10. COL (b)(7)(C) testified that she was divorced from her first husband in December 2006 and started dating BG Tim Britt in the November/December 2010 timeframe. She

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knew that MG Nesbitt was frustrated by her relationship with BG Tim Britt and thought MG Nesbitt forced BG Tim Britt to retire early because of BG Tim Britt's actions to end his marriage to MG Maria Britt. COL (b)(7)(C) was not sure of the date that BG Tim Britt and MG Maria Britt were finally divorced although she knew that they lived separately for quite awhile.

[IO Note: BG Tim Britt and COL (b)(7)(C) testified to allegations in DIG 11-00046. However, once notified that they were now considered subjects in regard to an inappropriate relationship, they both exercised their rights to remain silent.]

11. The preponderance of evidence indicated that BG Tim Britt and COL (b)(7)(C) engaged in a romantic relationship prior to BG Tim Britt's divorce in September 2010. A witness testified that she saw BG Tim Britt and COL (b)(7)(C) kiss in 2009. Testimonial evidence indicated that the perception of an inappropriate relationship existed since 2005. This perceived relationship resulted in their removal from the GANG. Given witness testimony of their intimate behavior and the duration of their perceived relationship, the allegation that BG Tim Britt and COL (b)(7)(C) engaged in an inappropriate relationship was substantiated.

(b)(7)(C)

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(b)(7)(C)



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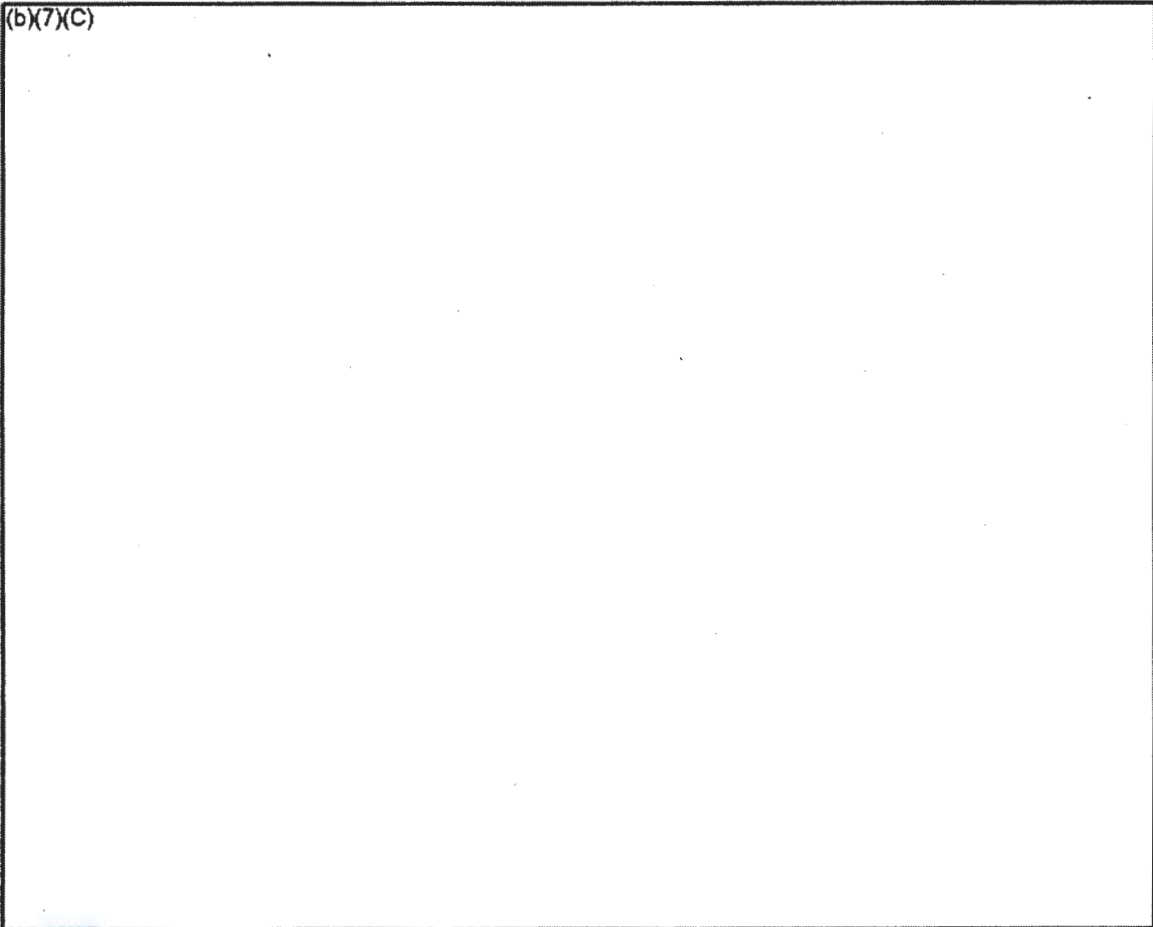
(b)(7)(C)



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(b)(7)(C)



(b)(7)(C)



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RECOMMENDATIONS:

1. Record the allegation that BG Tim Britt and COL (b)(7)(C) engaged in an inappropriate relationship in the IN database as substantiated.

(b)(7)(C)

4. Refer this report to the Office of the Judge Advocate General and the Chief of Staff, FORSCOM (COL (b)(7)(C) Senior Rater).

(b)(7)(C)

6. File this report as DIG 11-00101.

(b)(7)(C)

LTC, IG
Investigator

APPROVED:



PETER M. VANGJEL
Lieutenant General, USA
The Inspector General

COORDINATION:

IN, Legal
Chief, PI Br
IG, Legal
Chief, IN Div

for Initials
Initials
Initials
Initials

(b)(7)(C)

Date: 20120912
Date: 12 Sep 12
Date: 20 Sep 12
Date: 27 Sep 12

Ends

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LIST OF EXHIBITS

EXHIBIT

ITEM

A Complaints/Allegations

- A-1 (b)(7)(C) Complaint, 12 April 2011
- A-2 (b)(7)(C) Complaint, 28 September 2011

B Standards:

- B-1 AR 600-100, Army Leadership, dated 8 March 2007
- B-2 5 USC, Section 2301
- B-3 5 CFR 2635.101

C Documents:

- C-1 COL (b)(7)(C) legal representation documentation
- C-2 E-mail from BG Britt invoking his right to remain silent

C-3 (b)(7)(C)

C-4

C-5

C-6

C-7

C-8

C-9

D Testimony

- | | | |
|------|--------------------------|-----------|
| D-1 | LTC (b)(7)(C) | FOIA: Yes |
| D-2 | COL (b)(7)(C) | FOIA: No |
| D-3 | COL (b)(7)(C) | FOIA: No |
| D-4 | Col (b)(7)(C) | FOIA: Yes |
| D-5 | MAJ (b)(7)(C) | FOIA: No |
| D-6 | MG (Ret) William Nesbitt | FOIA: No |
| D-7 | COL (b)(7)(C) | FOIA: Yes |
| D-8 | COL (b)(7)(C) | FOIA: No |
| D-9 | BG (Ret) Timothy Britt | FOIA: No |
| D-10 | COL (b)(7)(C) | FOIA: No |
| D-11 | COL (b)(7)(C) | FOIA: No |

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D Testimony (Con't)

D-12 COL (b)(7)(C)
D-13 MSG (b)(7)(C)
D-14 1LT (b)(7)(C)

FOIA: No
FOIA: Yes
FOIA: NA

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LIST OF ACRONYMS

ACRONYM	DEFINITION
AGR	Active Guard Reserve
CFR	Code of Federal Regulations
CG	Commanding General
DOIM	Director of Information Management
FORSCOM	U.S. Forces Command
GAARNG	Georgia Army National Guard
GANG	Georgia National Guard
HRO	Human Resources Office
MilTech	Military technician
NG	National Guard
NGB	National Guard Bureau
Ret	Retired
SAO	State Aviation Officer
TAG	The Adjutant General
USC	U.S. Code
USAF	U.S. Air Force
USPFO	U.S. Property and Fiscal Officer

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