



**Office of Inspector General**  
**Program Integrity Division**  
 U.S. Department of the Interior

**Report of Investigation**

Case Title Carrizo Plain Incident	Case Number [REDACTED] ex. 2 and 6
	Related File(s)
Case Location Washington, D.C.	Report Date April 19, 2006
Report Subject Report of Investigation	

**SYNOPSIS**

The Office of Inspector General (OIG) initiated this investigation on October 2, 2005, at the request of Kathleen Clarke, Director, Bureau of Land Management (BLM), for an independent review of issues surrounding the death of former Carrizo Plain Monument Manager Marlene A. Braun. Braun received a 5-day suspension for criticizing her supervisor, [REDACTED] Field Manager, Bakersfield Office, in an August 11, 2004 e-mail to the Carrizo Plains National Monument managing partners. She appealed the matter to the California State Director, who sustained the 5-day suspension, and Braun ultimately served her suspension in January 2005. On May 2, 2005, after a year of increased tension and conflict at work, Braun committed suicide at her home on the Carrizo Plains. In her suicide note, Braun wrote that she could no longer take [REDACTED] abuse, humiliation, and lies about her abilities and character.

The OIG determined that BLM was compliant with federal law and Department of the Interior (DOI) personnel regulations regarding the suspension and treatment of Braun; however, BLM did not take action to resolve longstanding differences between Braun and [REDACTED] or to diffuse inter-office conflict, despite the availability of alternative dispute resolution methods. These personal differences between Braun and [REDACTED] remained unresolved, leading to a breakdown in trust, communication, and cooperation between the two, which adversely affected management of the Carrizo Plains National Monument, as well as development of the monument's Resource Management Plan.

On the date of Braun's death, BLM law enforcement personnel, at the request of [REDACTED] Assistant Field Manager, Bakersfield Field Office, entered her residence and removed BLM-owned office equipment. However, BLM law enforcement personnel failed to properly inventory the removed property or document their actions as required by BLM policy.

**All Deletions X-6/7**  
**Unless Marked Otherwise**

Reporting Official/Title [REDACTED] Investigator	[REDACTED]
Approving Official/Title Scott Culver/DAIGI/PID	Signature [REDACTED]

Distribution: Original - Case File Copy - SAC/SIU Office Copy - HQ Other

# All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

ex. 2 and 6

## BACKGROUND

On October 2, 2005, at the request of BLM Director Kathleen Clarke, the OIG initiated an investigation into the issues surrounding the May 2, 2005 suicide of former Carrizo Plain Monument Manager Marlene A. Braun (Attachment 1). The OIG Special Agent in Charge of the Western Region had previously referred this matter to BLM for "action as deemed appropriate," on July 1, 2005, following the OIG's receipt of a complaint, through Congressman William Thomas' Office (CA), from [REDACTED] friend of Braun (Attachment 2). [REDACTED] had also sent letters to Congressman John B. Larsen (CT) (Attachment 3) and [REDACTED] BLM California State Director (Attachment 4). [REDACTED] alleged that Braun's supervisor, [REDACTED] Field Manager, Bakersfield Field Office, created a hostile work environment, through inappropriate and excessive disciplinary actions, that ultimately contributed to Braun's suicide. Additionally, [REDACTED] faulted BLM's emergency response to Braun's residence on the date of her death and the unauthorized removal of United States Government property from Braun's home by BLM employees.

Independent of the OIG's investigation, on June 10, 2005, [REDACTED] California State Director, commissioned an internal management review by BLM to assess the appropriateness of personnel practices and procedures applied in Braun's case (Attachment 5). A review team consisting of the Oregon Deputy State Director for Management Services, the BLM National Safety Director, and the former Oregon Human Resources Officer conducted their review from June 20-22, 2005. A final draft report detailing their findings was submitted to [REDACTED] California Associate Director, and [REDACTED] Director, Law Enforcement and Security, on September 9, 2005. The review team's report was never finalized; however, a draft copy was provided to OIG investigators (Attachment 6). Additionally, the review team provided OIG investigators with records, documents, and notes collected during their review.

On September 8, 2005, the State Director submitted a memorandum, *Results of Emergency Response and Management Reviews Regarding Death of BLM Employee Marlene Braun*, to the Director of BLM, through the Director, Law Enforcement, Security, and Protection (Attachment 7). The State Director's memorandum summarized the findings of the management review team, as well as the results of a review of BLM's emergency response on May 2, 2005, conducted by [REDACTED] BLM Special Agent in Charge of Law Enforcement in California (Attachment 8). The State Director wrote that "personnel practices and procedures were technically in compliance with federal regulations," although opportunities to resolve disagreements between Braun and [REDACTED] through improved supervisory counseling, coaching, or mentoring were not exercised. The State Director also noted that, according to [REDACTED] BLM's response on May 2, 2005, was proper and did not deviate from accepted practice or policy. A copy of the State Director's memorandum was provided to the OIG with the Director's request for an independent investigation.

## DETAILS

The OIG Program Integrity Division conducted an investigation into the circumstances surrounding, and the events leading up to, Marlene Braun's suicide. The purpose of this investigation was to conduct an independent review to identify human resource and programmatic issues relevant to the incident and address the allegations regarding BLM's emergency response on May 2, 2005. OIG investigators utilized information gathered during previous reviews in addition to information obtained during the course of this investigation.

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX-2 AND 6

Additionally, investigators reviewed a copy of a 30-page chronology, prepared by Braun, memorializing her relationship and conflicts with her supervisor [REDACTED] spanning the timeframe between February 2004 and October 2004. Excerpts of Braun's chronology, along with e-mails, memoranda, and other documents, were used to provide Braun's perspective on issues related to this investigation.

### Braun's Selection and Probationary Period as Monument Manager at Carrizo Plains

The Carrizo Plains National Monument (CPNM) is located in California's San Joaquin Valley, approximately 55 miles from Bakersfield, CA. It comprises approximately 250,000 acres of land managed by the BLM in partnership with The Nature Conservancy (TNC) and the California Department of Fish and Game, herein referred to as the managing partners. The CPNM is home to the highest concentration of threatened and endangered plant and animal species in California, and is the most significant remaining example of the area's historic ecosystem. It also holds great Native American historical and cultural significance.

Braun was named CPNM's first Monument Manager (GS-340-13) in December 2001. Prior to accepting this job, Braun held non-supervisory positions at BLM locations in Alaska and Nevada and was unfamiliar with the management of national monuments. Former Field Manager [REDACTED] selected Braun as the monument manager through a competitive process. [REDACTED] Assistant Field Manager, Bakersfield Field Office (BFO), who aided in the selection process, stated that Braun was chosen for the position based on her excellent communications skills. Since this was her first supervisory assignment after 15 years with BLM, Braun served a 12-month probationary period that ended in December 2002.

Braun's position description provided that, as Monument Manager, she was responsible for the overall direction, execution, and review of all activities within CPNM. Braun operated under the general administrative and technical supervision of the BFO Field Manager, who provided overall guidance on policy and organizational matters, as well as program goals (Attachment 9). Braun's responsibilities included ensuring that all BFO assignments were accomplished and that the Field Manager was kept informed of progress and of all potentially controversial matters.

Braun was also responsible for coordinating and completing the CPNM Resource Management Plan (RMP). Development of the RMP was to be a collaborative effort between Braun, Assistant Monument Manager [REDACTED] and a BLM interdisciplinary staff consisting of a botanist, archaeologist, wildlife biologist, land coordinator, recreation planner, oil and gas specialist, and a soil, air, and water specialist. The purpose of the RMP was to establish guidelines for cattle grazing, wilderness land management, the protection of Native American painted rocks, and vehicle access on the CPNM. Braun wrote in a May 4, 2004 entry into her chronology, "The old Field Manager, [REDACTED] had demanded, after [REDACTED] hired me, that I change our grazing on the monument. [REDACTED] told me there was too much of it, that it wasn't justified scientifically, was highly criticized by the public, and didn't fit in with the mission of the national monument. [REDACTED] made it my job to get past the parochial views in the office and bring Carrizo out of the dark ages of BLM management" (Attachment 10, Page 5).

Braun worked remotely from the CPNM, traveling to Bakersfield once or twice each week for meetings and other activities. This work arrangement afforded Braun little direct daily contact with BFO management and staff. According to Braun's chronology, [REDACTED] focused [REDACTED] attention on BLM's external partners and constituents, and left administrative control of the BFO to [REDACTED]

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]  
EX. 2 AND 6

Braun moved to the CPNM in early 2003, initially living in BLM housing at the Washburn Ranch. In June 2004, she moved to the Goodwin Ranch, a 40-acre property owned by the TNC, managing partner of the CPNM. She lived there rent free, in exchange for providing upkeep for the property. BLM equipped Braun's home with office equipment and internet access so that she could work remotely from the CPNM. Routine daily communications with the BFO were conducted by e-mail or telephone.

According to [REDACTED] during Braun's probationary year, she developed a controlling management style that offended the RMP development staff (Attachment 11). Staff members described her as confrontational, one-sided, and hard to deal with, resulting in inter-office conflicts (Attachments 12-17). These inter-office conflicts became obstacles that hindered the completion of the RMP. Staff felt that Braun discounted their professional opinions related to the RMP and changed portions of it to reflect her personal views and opinions.

[REDACTED] told investigators that during Braun's probationary year, [REDACTED] informally coached her in an unsuccessful attempt to correct her management shortcomings and improve her interpersonal skills; however, [REDACTED] kept no record of these coaching sessions. Braun also rejected management's offers to send her to supervisory training or to other national monument locations so that she could see how they were managed.

According to [REDACTED] as Braun completed her probationary year in late 2002, BFO senior management questioned her suitability to continue as CPNM Manager. Braun was at a crossroads, and [REDACTED] abdicated [REDACTED] responsibilities as the rating official to [REDACTED] leaving [REDACTED] to decide if Braun should continue as CPNM Manager. [REDACTED] explained that since no records had been kept to document Braun's performance deficiencies, [REDACTED] could not justify her removal. Braun's Employee Performance Plan and Results Report (EPPRR) for 2001 showed that she had achieved all required performance objectives and failed to mention her performance deficiencies, perpetuating the lack of documentation.

### Conflicts between Braun and BLM Staff over Grazing Issues

According to [REDACTED] Braun became focused on RMP livestock grazing issues, and showed little interest in other aspects of the RMP's development. Livestock grazing had become a contentious issue between BLM and environmental groups including the managing partners who see livestock grazing only as a tool to control the proliferation of foreign plant species that endanger indigenous species.

[REDACTED] State Environmental Coordinator, advised that approximately 1,000 acres of the CPNM's valley floor was sold to BLM by TNC with the agreement that BLM would allow livestock grazing there only to control plant growth that threatened endangered native species (Attachment 18). Free use permits, issued yearly to cattlemen, provided BLM control over grazing by regulating whether and when cattle could enter the area. According to [REDACTED] grazing in the CPNM's "upland areas" is managed through the use of 10-year, traditional grazing permits. Traditional grazing permits are less restrictive than free use permits and provide BLM little control over how grazing is managed. The upland areas have been considered overgrazed by many conservation groups including the managing partners.

[REDACTED] stated that like the managing partners, Braun thought that the upland areas had been overgrazed and she advocated the involuntary phasing out of the existing traditional permits in exchange for free use permits. According to [REDACTED] current grazing regulations make it very difficult to limit grazing without cause, and currently there is no evidence to clearly show a problem in the upland grazing areas that would benefit from controlling or completely eliminating grazing in those areas. As a result, Braun's opinions on grazing and her desire to convert traditional permits to free use permits were inconsistent with

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]  
EX-2 AND 6

BLM policy and with the views of the RMP development staff. Later, they also brought her into conflict with [REDACTED], following [REDACTED] appointment to BFO Field Manager in March 2004.

Unresolved conflicts between Braun and the RMP development staff over grazing continued long after the completion of her probationary year. Staff members complained to [REDACTED] Assistant Field Manager for Resources, who attempted unsuccessfully to intervene. [REDACTED] provided the OIG with documentation dating back to April 3, 2003, detailing complaints from staff members about Braun's involvement in the RMP's development (Attachment 19). In an April 1, 2004 memorandum to [REDACTED], [REDACTED] complained that Braun's unsolicited modifications to the RMP draft reflected opinions not commonly accepted by professionals having knowledge or experience with the species. [REDACTED] also identified a "no grazing" bias in the RMP modifications made by Braun. Due to Braun's modifications, [REDACTED] concluded, "the quality of the draft document was compromised and the efficiency of its development reduced" (Attachment 19, pages 3-6).

In an August 18, 2004 memorandum to [REDACTED] wrote (Attachment 19, page 7):

I would like to document my extreme displeasure with the way the draft RMP is being developed, specifically, the manner in which staff input is being revised and sent out to our partners and eventually to the public without staff review or knowledge...By having my name on the document, the BLM is implying that I helped prepare certain portions of this document that have been changed from my original input, and this will reflect poorly on my professional reputation for which I have worked for over [REDACTED] years.

[REDACTED] prepared an analysis of the inter-office conflicts (Attachment 19, pages 15-19) to present to Braun, in an attempt to improve working relationships and increase effective staff support. [REDACTED] noted that Braun was reluctant to accept criticism and unwilling to discuss her staff's complaints in general terms. On April 3, 2003, [REDACTED] suggested to Braun that they have a meeting with the staff to "fix problems." Braun rejected the offer, according to [REDACTED] stating that the group would gang up on her and have a "feeding frenzy"; she would only deal with them individually.

[REDACTED] provided OIG investigators with copies of documents prepared by [REDACTED] and [REDACTED] showing examples of text changes and edits made by Braun that differed from the author's initial intent (Attachment 20). These documents were initially prepared on November 24, 2003, and March, 3, 2004, respectively.

### Braun's Failure to Meet RMP Completion Deadlines and Replacement as RMP Coordinator

According to Associate State Director [REDACTED], under Braun's direction, the CPNM RMP fell behind schedule and exceeded its budget (Attachment 21). BLM's Primary Management Objectives for FY 2003 indicated that the RMP draft would be completed by September 30, 2003 (Attachment 22). In January 2004, State Director [REDACTED] submitted a memorandum to the BLM Director, requesting a change in the RMP planning schedule and proposing that a final RMP be made available to the public in September 2004 (Attachment 23). [REDACTED] did not know why the RMP had fallen behind schedule, but directed [REDACTED] to finalize a plan for its completion.

Despite Braun's inability to meet RMP completion deadlines, and her conflicts with the RMP development staff, her EPPRRs for the next 2 years showed that she had achieved all required

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX-2 AND 6

performance objectives, including those related to the development and timely completion of the RMP (Attachment 24 & 25). Additionally, the EPPRRs showed that she achieved all human resource management performance objectives, including accomplishing priority work, fostering teamwork, and ensuring consistency with BLM program policies. [REDACTED] was the reviewing official for Braun's 2001 through 2004 EPPRRs, and while [REDACTED] was aware of her performance deficiencies, [REDACTED] did not include them in the reports.

In March 2004, [REDACTED] replaced [REDACTED] as BFO Field Manager and was directed by [REDACTED] to give the RMP [REDACTED] immediate attention in order to meet deadline goals. [REDACTED] hands-on management style was much different than that of [REDACTED] and [REDACTED]. [REDACTED] was a career BLM employee who previously held management positions in [REDACTED] and [REDACTED]. [REDACTED] held employees accountable for meeting deadlines and wanted to be kept informed of the status of BFO programs and priorities.

According to [REDACTED], in April 2004, Braun had fallen behind schedule in her work and had asked for an assistant to coordinate RMP development (Attachment 26). [REDACTED] was also aware of Braun's conflicts with the RMP development staff. [REDACTED] conferred with [REDACTED] and [REDACTED] and selected [REDACTED] to replace Braun as the RMP coordinator. [REDACTED] was a [REDACTED]-year veteran of the Carrizo Plains National Monument, and BFO management felt [REDACTED] had the ability to re-focus the staff and meet RMP deadlines.

Braun opposed her removal as RMP coordinator and [REDACTED] selection for the position. She wrote in her chronology on May 4, 2004, "[REDACTED] apparently met with [REDACTED] sometime this week or weeks prior, and [REDACTED] had made a decision to make [REDACTED] my planning lead who would transition [REDACTED] out of the job." She added that she was concerned that [REDACTED] had not consulted with her before selecting [REDACTED]. Braun also wrote, "[REDACTED] took away almost all my influence on the plan. This was extremely damaging to my sense of self worth at my job, especially since [REDACTED] did it by essentially ignoring me and going around me" (Attachment 10, page 5). Despite [REDACTED] removal of Braun as RMP coordinator, [REDACTED] still expected her to prepare a comprehensive review of the draft RMP.

Braun also criticized [REDACTED] intent to meet the September 30, 2004, RMP deadline mandated by the State Director. She added, "I think [REDACTED] misunderstood the deadline and never talked to me about it. [REDACTED] decided the deadline was more important than anything else and was worried about pleasing [REDACTED] and [REDACTED] without knowing the details of the planning process."

### Conflicts between Braun and [REDACTED]

During June 2004, a series of incidents occurred that further strained the relationship between Braun and [REDACTED]. According to Braun's chronology, the first incident occurred on June 20, 2004. [REDACTED] and Braun participated in a conference call with the California State Office, during which a heated discussion occurred regarding a June 18<sup>th</sup> memorandum detailing recent RMP grazing decisions and the potential for changing free use grazing to traditional grazing on the valley floor (Attachment 27). Braun represented the interests of the managing partners during the conference call, and explained that TNC and BLM had entered into a legal agreement in 1996, prohibiting such a change. Her views on grazing were inconsistent with those expressed by the State Office and by members of the (BLM) BFO staff.

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX-2-1100-6

Braun wrote that prior to the conference call, she discussed the June 18<sup>th</sup> memorandum with [REDACTED] of TNC. Unbeknownst to Braun, following their conversation, [REDACTED] passed on the information to [REDACTED], also of TNC. Later that day, [REDACTED] called the State Director's office at approximately 5:00 p.m., to discuss the contents of the memorandum (Attachment 10, Page 8).

The next day, [REDACTED] called Braun to advise her that the State Office had complained that she had called TNC after the telephone conference to report what was discussed. Braun wrote that she tried to explain that the State Office was incorrect and that she had actually talked [REDACTED] prior to the conference call.

On June 28, 2004, Braun was again confronted, this time by [REDACTED], about discussing the conference call with [REDACTED]. According to Braun's chronology, [REDACTED] told her to "never ever" leak internal information again (Attachment 10, Page 9). She described [REDACTED] demeanor during this meeting as that of "an angry father talking to a child." Later she wrote, "I felt like a bully had just beaten me up. Not only was I yelled at for a situation that [REDACTED] exaggerated and distorted... but [REDACTED] was not the least bit interested in hearing my side of the story." [REDACTED] counseling of Braun, on June 28, 2004, was not formally documented and she was not provided written direction concerning her communications with the managing partners.

A second incident occurred during a meeting with the managing partners on June 30, 2004, after which [REDACTED] alleged that Braun made inappropriate remarks to the attendees. According to Braun's chronology, [REDACTED] accused her of telling the managing partners that she was concerned about recent changes to the draft RMP and that, as cooperating agencies, they had the right to request a 30-day review under current regulations and she encouraged them to do so. Additionally, Braun told them that there had been subtle changes throughout the RMP draft and that a more comprehensive review was needed. According to [REDACTED] prior to her making this statement, the managing partners were willing to review only the chapters that had been changed in the RMP. [REDACTED] felt that Braun's comments left the impression that BLM had been less than candid about issues of significance to the plan, and had made the managing partners reluctant to conduct a focused review until the plan was finished. [REDACTED] concluded that Braun's behavior undercut TNC's trust in BLM.

Braun disputed [REDACTED] account of the meeting, stating that the managing partners had asked for a 30-day review for the latest draft, the same amount of time that Braun had allowed them to review the previous draft in February 2004 (Attachment 10, Page 11). She also noted that there was no discussion at the meeting about BLM not being candid with the managing partners.

Later on June 30, 2004, Braun wrote an e-mail to [REDACTED] stating that she was upset with [REDACTED] recent treatment of her (Attachment 28). In it, she accused [REDACTED] of yelling at her and belittling her in private and in public and stated that she was afraid to disagree with [REDACTED] or freely express her opinions on work related matters. Additionally, she pointed out that their oral communications had not been effective, so she offered to write out her concerns and present them to [REDACTED]. Braun offered to work out their differences in private if [REDACTED] was willing.

According to Braun's chronology, on July 1, 2004, she asked [REDACTED] if [REDACTED] had received her June 30<sup>th</sup> e-mail and if [REDACTED] was willing to work together to try to improve their working relationship. Braun wrote that [REDACTED] told her that she needed to do as [REDACTED] said and to stop objecting to [REDACTED] directions. Their conversation reportedly digressed, by Braun's account, and there was no willingness on [REDACTED] part to change (Attachment 10, Page 11).

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX 2 AND 6

On August 4, 2004, [REDACTED] and Braun attended a meeting with the managing partners to provide them an opportunity to offer early feedback to BLM staff regarding the RMP and discuss the structure and detail of the remaining review process to ensure their support of the RMP. Minutes of the meeting were taken by [REDACTED] of the TNC and, on August 9, 2004, were made available to the attendees. On August 10, 2004, [REDACTED] added [REDACTED] remarks to the draft minutes and distributed them via e-mail to the attendees.

Braun disagreed with [REDACTED] remarks and openly criticized [REDACTED] in an August 11, 2004 e-mail to the managing partners (Attachment 29). In it, she stated:

I have factual info on the traditional leases that differs considerably from [REDACTED]. [REDACTED] was wrong on the ephemeral leases (they are only allowed in areas specified in 1960's legislation and in no way can be applied here) and [REDACTED] was wrong on several technical issues in [REDACTED] e-mail and subsequent comments regarding the traditional leases as well.

Additionally, Braun stated that she would send her comments on "[REDACTED] e-mail" and would provide [REDACTED] a copy. Additionally, Braun proposed that she meet with the managing partners alone on August 18, 2004, to discuss her position.

Braun did not provide [REDACTED] an opportunity to discuss [REDACTED] remarks with her prior to sending the e-mail nor did she include [REDACTED] on the list of e-mail recipients. After sending it, she realized that she also sent it to [REDACTED]. Braun wrote in her chronology that she "accidentally" included [REDACTED] the only BLM employee on the recipient list (Attachment 10, Page 14). Braun asked [REDACTED] not to forward it to anyone and to delete it. [REDACTED], however, was troubled by the e-mail's contents and forwarded it to [REDACTED] without Braun's knowledge.

On August 13, 2004, Braun sent an e-mail to [REDACTED] and the managing partners including her comments on the August 4, 2004, draft notes from the CPNM managing partners meeting (Attachment 30). These comments further explained her objection to [REDACTED] position on grazing, and supported her August 11, 2004 e-mail.

On August 16, 2004, Braun met with [REDACTED] and [REDACTED] to discuss her annual job performance review, not knowing that [REDACTED] had received a copy of her August 11, 2004 e-mail. According to Braun's chronology, once they finished discussing her performance review, she got up to leave and was told by [REDACTED] to "sit back down." [REDACTED] then confronted her about sending the disparaging e-mail. As a result of the e-mail, [REDACTED] directed Braun to send all further communications with the managing partners concerning the RMP through [REDACTED]. At the conclusion of their meeting, [REDACTED] advised Braun that [REDACTED] would be issuing her a "letter of reprimand" (Attachment 10, Page 14).

On August 17, 2004, Braun met with [REDACTED] at the BFO, where they discussed [REDACTED] response to her August 11, 2004 e-mail, and [REDACTED] direction to her to send all further communications with the managing partners concerning the RMP through [REDACTED]. Braun memorialized portions of their conversation in her chronology. She wrote:

The TNC was also my landlord, and to have [REDACTED] tell me not to talk to them or to work with them was more than awkward, it put all of us in an untenable situation,



**All Deletions X-6/7**

Case Number: [REDACTED]

**Unless Marked Otherwise**

and was very counterproductive. They were also my friends and we socialize together. I also said that I had not embarrassed [REDACTED] with TNC; that [REDACTED] had told them things over the past months that had upset them, and that [REDACTED] had caused a reduction in trust in [REDACTED] not BLM, or in me. My e-mail had absolutely no influence on TNC's opinion of BLM or of [REDACTED]. [REDACTED] had set those examples long ago. The e-mail really only just surfaced a huge problem that had been brewing a long time.

On August 18, 2004, [REDACTED] sent an e-mail to Braun, stating:

As of right now, as I told you, I want all communications with the [managing] partners to go through me. I will address that at the meeting on Friday [August 20, 2004] since they will all be here. If there are issues to be addressed with the partners that I need to attend to, I expect you to bring them to my attention. Believe me, this is as inconvenient for me as it is for you...As of this point, your input to the plan will be through me. Your other duties on the Carrizo will remain the same until I give you further definition through the letter of reprimand (Attachment 31).

Later, on August 18, 2004, [REDACTED] sent an additional e-mail, directing Braun not to arrive at the Friday meeting with the managing partners before 9:00 a.m. (Attachment 32).

On August 20, 2004, Braun sent an e-mail from her personal computer to the managing partners in which she discussed their upcoming meeting scheduled for that afternoon (Attachment 33). In it, Braun addressed their concerns about her planned attendance at the meeting against their advice, her health and recent weight loss, her relationship with [REDACTED] and issues affecting the RMP. This e-mail was never forwarded to BLM and was obtained by investigators from [REDACTED]. In the e-mail she wrote:

Things are a mess and have degenerated quickly. I have not supported the agenda [REDACTED] is currently pushing. Much of [REDACTED] marginalization of me follows from that, along with what I feel are some serious personal shortcomings on [REDACTED] part. But I will ultimately have to accept what [REDACTED] says...I have no choice since [REDACTED]. You all however, do not, and have much power to influence the future of the Carrizo today, next week, and hopefully for the indefinite future.

**Proposes a 5-Day Suspension for Braun**

[REDACTED] coordinated the preparation of Braun's Notice of Proposed Discipline with [REDACTED] Human Resource Specialist, California State Office. OIG investigators interviewed [REDACTED] concerning involvement in the disciplinary process and how the proposed discipline jumped from a letter of reprimand, as initially proposed by [REDACTED], to a 5-day suspension (Attachment 34). [REDACTED] advised that supervisors and managers frequently use the term "letter of reprimand" when discussing administrative actions with employees. They do so before contacting [REDACTED] or reviewing the *DOI Handbook on Charges and Penalty Selection for Disciplinary for Adverse Actions*, which defines the Douglas Factors<sup>1</sup> and provides the DOI Table of Discipline (Attachment 35). Frequently, the offense for which the employee is accused carries a greater penalty than initially thought by the supervisor; such was the case of Braun.

<sup>1</sup> The Merit Systems Protection Board established 12 criteria that supervisors must consider in determining an appropriate penalty to impose for an act of employee misconduct, commonly referred to as "Douglas Factors."

# All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX 2 AND 6

During August 17-18, 2004, [REDACTED] and [REDACTED] communicated via e-mail and determined that Braun should be charged with "making irresponsible, disrespectful, or disparaging remarks about a supervisor" (Attachment 36). The DOI Table of Penalties provides that employees accused of sending disparaging e-mails about their supervisors, even for a first offense, may receive punishment ranging from a letter of reprimand to termination (Attachment 35, page 14). [REDACTED] and [REDACTED] agreed that a 5-day suspension was appropriate based on [REDACTED] responses to Douglas Factors. They subsequently prepared a draft copy of the Notice of Proposed Suspension.

[REDACTED] submitted the draft Notice of Proposed Suspension along with a copy of Braun's August 11, 2004 e-mail to [REDACTED] for review; it is the responsibility of the Regional Solicitor's Office to review all administrative disciplinary actions for legal sufficiency. [REDACTED]

EX. 5

As of September 10, 2004, Braun's Notice of Proposed Suspension had not yet been handed down when she contacted [REDACTED] Dispute Resolution Program Manager, to request mediation (Attachment 38). Braun advised [REDACTED] that she was about to receive some type of disciplinary action, possibly a written reprimand. [REDACTED] subsequently contacted [REDACTED] on September 21, 2004, to schedule mediation. According to [REDACTED], [REDACTED] was fine with it, and never refused to attend mediation." [REDACTED] also stated that during her conversations with Braun, she learned that Braun was afraid of [REDACTED] and would not meet with [REDACTED] alone.

On September 20, 2004, [REDACTED] denied Braun's request for annual leave because she had not finished her review of the RMP. Braun had submitted a leave request almost 2 weeks earlier and, according to Braun, [REDACTED] allegedly waited until the last minute to deny her leave. After learning that her annual leave had been denied, Braun met with [REDACTED] who suggested that she go home, get some rest, and take some time off.

On the morning of September 22, 2004, [REDACTED] sent Braun an e-mail directing her to provide her substantive comments on the draft RMP by the close of business on September 24, 2004 (Attachment 39). She had originally been told to prepare her comments in May 2004, but she had failed to do so. [REDACTED] accused Braun of failing to meet [REDACTED] in July and August to discuss her review comments, opting instead to meet with [REDACTED]. [REDACTED] also told her that [REDACTED] wanted an overall strategy, with timeframes for completion of the RMP by September 24, 2004, as well; these requests were made of Braun even though she had been removed from her leadership role and [REDACTED] was now in charge of the development of the RMP.

Later that same day, [REDACTED] and [REDACTED] traveled to Braun's home at the Goodwin Ranch to deliver Braun's Notice of Proposed Suspension (Attachment 40). This came 5 weeks after [REDACTED] initially told her that she would be receiving only a letter of reprimand. In the Notice of Proposed Suspension, [REDACTED] cited Braun's disparaging e-mail dated August 11, 2004, and how it adversely affected [REDACTED] relationship with the managing partners, [REDACTED] reputation as a manager, and BLM's reputation as well. [REDACTED] wrote that Braun had followed up those comments in an additional e-mail dated August 13, 2004, that supported her position on the draft RMP. [REDACTED] also cited Braun's inappropriate comments at the June 30, 2004 meeting with the managing partners, and concluded that her cumulative

**All Deletions X-6/7**

Case Number: [REDACTED]

**Unless Marked Otherwise**

EX-2 AND 6

behavior had undercut TNC's trust in BLM. Braun's performance plan and responsibilities as monument manager remained unchanged despite [REDACTED] e-mail to Braun on August 18, 2004, in which [REDACTED] stated that [REDACTED] would redefine her duties in her letter of reprimand.

After receiving the Notice of Proposed Suspension on September 22, 2004, Braun contacted [REDACTED] to postpone mediation. According to [REDACTED] Braun was disappointed to learn that instead of a letter of reprimand as anticipated, she would receive a proposed 5-day suspension. Braun felt that the proposed suspension was excessive and had changed the climate of the situation. [REDACTED] explained that participation in the mediation process was voluntary and that Braun could not be forced to attend.

On September 24, 2004, 2 days after Braun received her notice of her proposed suspension, she sought medical treatment purportedly for [REDACTED]. [REDACTED] provided Braun with a handwritten note requesting sick leave (Attachment 41). The note read, "Please excuse the above named patient [Marlene Braun] 9/20/04 - 10/8/04 due to medical reasons." The note did not give a medical diagnosis. Braun had already been on sick leave since September 22, 2004, making it impossible for her to meet [REDACTED] September 24, 2004 deadline for completing the RMP review.

On Monday, September 27, 2004, Braun traveled to the BFO to attend a weekly management team meeting and to meet with [REDACTED] to discuss the RMP. Following the management team meeting, Braun told [REDACTED] that she did not feel well and was going home. She left [REDACTED] note in [REDACTED] in-basket and went home without personally telling [REDACTED] she was leaving. Later that day, she sent an e-mail to [REDACTED] explaining that she had been under a lot of stress that was affecting her both mentally and physically. Braun offered to telecommute from home while on sick leave and assured [REDACTED] that CPNM activities would not fall behind schedule.

On September 29, 2004, [REDACTED] sent an e-mail to Braun in response to her request for sick leave and her offer to telecommute (Attachment 42). [REDACTED] wrote, "Employees do not get to pick and choose how to adhere to a doctor's recommendations. If your doctor says you should be off for two weeks then you should honor it. Any return sooner would require another note from your doctor revising the original diagnosis/prognosis." Additionally, [REDACTED] stated that the diagnosis of [REDACTED] was too vague and told Braun that she would need to provide additional information to verify that her sick leave was warranted.

Braun returned to work on October 4, 2004, rather than October 8, 2004, as requested. Upon her return, Braun sent [REDACTED] an e-mail pointing out that she had taken only 3 days of sick leave during the previous week because she telecommuted, and she had provided [REDACTED] a doctor's note beforehand (Attachment 43). Additionally, she noted that [REDACTED] had sent her a three-page letter on her second day on sick leave, asking for detailed documentation of the nature of her illness. In the e-mail, Braun stated that she [REDACTED] request was unwarranted and explained that during the fiscal year 2004, she had used only [REDACTED] hours of sick leave and [REDACTED] hours of annual leave. Braun's annual leave balance as of October 4, 2004, was [REDACTED] hours. (Investigator's note: A review of Braun's Official Personnel File revealed that she had no history of leave abuse.)

**Braun's Appeal of the 5-Day Suspension and Successful Performance Evaluation**

On October 13, 2004, Braun submitted her Response to the Notice of Proposed Suspension to the Associate State Director [REDACTED] after being granted a one-week extension to compete it (Attachment 44). In her response, Braun apologized for her August 11, 2004 e-mail and acknowledged that it seemed

(All Information is True)

Case Number: [REDACTED] EX-2 AND 6

# Unless Marked Otherwise

"blunt and subject to misinterpretation." She explained, however, that her intent was not malicious, nor was the note intended to disparage [REDACTED] or damage [REDACTED] relationship with the managing partners. Despite her apology, she took issue with [REDACTED] account of what happened and its perceived affects on [REDACTED] relationship with the managing partners. Additionally, she asked that the proposed suspension not be implemented because it was too severe for what she maintained was an "unintentional error in communication." If implemented, she felt it would scar her record of more than 15 years of distinguished government service. Braun rallied support from the managing partners by asking them to provide letter of support. She received 10 such letters and attached them to her response memorandum for consideration by [REDACTED]

On November 1, 2004, Braun met with [REDACTED] to discuss the proposed suspension, the disciplinary review process, and her communication shortcomings with [REDACTED]. According to [REDACTED], Braun was concerned that the 5-day suspension would ruin her career. Braun admitted to [REDACTED] that her e-mail to the managing partners was inappropriate and that it undermined [REDACTED] authority. Further, she agreed that it was subject to interpretation and that she had been wrong in sending it. [REDACTED] reminded Braun that [REDACTED] was her supervisor, that she was [REDACTED] subordinate, and that ultimately [REDACTED] was responsible for the completion of the RMP. [REDACTED] also explained that [REDACTED] direction for the RMP was consistent with BLM's livestock grazing policy and that [REDACTED] had been told to work within established regulatory guidelines. [REDACTED] suggested that she meet with [REDACTED] to show support for [REDACTED] management of the RMP.

[REDACTED] and Braun also discussed issues resulting from her relationship with [REDACTED]. According to [REDACTED], Braun felt that she was inappropriately removed from the RMP planning effort and that, as a result, the RMP had been adversely affected. She also questioned how she could continue to perform her duties as monument manager if she was not able to talk to the managing partners as directed by [REDACTED]

On November 8, 2004, Braun sent an e-mail to [REDACTED] as a follow-up to their meeting (Attachment 45). In it, she discounted [REDACTED] recommendations for corrective action and defended her actions. Additionally, she was more critical of [REDACTED] than in previous communications. She wrote:

I feel that it doesn't make sense for a competent monument manager to be left out of the monument planning process after two years of effectively and efficiently overseeing that same process... It doesn't make sense to me to expect that same manager to support and implement the vastly-changed plan with unnecessary (and correctible) flaws, after being left out of the process while the changes were made.

Braun criticized [REDACTED] treatment of the managing partners and also accused [REDACTED] of providing them misinformation on more than one occasion. Additionally, Braun asked [REDACTED] for explicit clarification of her duties as monument manager since her position description and EPPRR clearly did not define her amended job responsibilities. She also asked to be told what her deficiencies as a manager were, and why so many of her duties and decision making responsibilities were taken away.

According to [REDACTED], sometime in November 2004, [REDACTED] and [REDACTED] met with Braun to discuss her EPPRR covering the rating period October 1, 2003, until September 30, 2004 (Attachment 46). [REDACTED] served as the rating official and prepared the evaluation. Despite Braun's management shortcomings during that timeframe, her failure to meet RMP deadlines, and the disparaging e-mail about [REDACTED], none of these issues were addressed in her evaluation. The evaluation showed that she had

## All Deletions X-6/7 Unless Marked Otherwise

Case Number: [REDACTED]

EX. 2 AND 6

achieved all performance objectives, as well as high marks for the quality of her work, teamwork, and communication skills. When later questioned by investigators about these ratings, [REDACTED] explained that they did not want to appear too hard on Braun, following [REDACTED] recommendation for the suspension. [REDACTED] advised that during the meeting Braun appeared happy with the evaluation and expected to receive a lower score after not meeting deadlines for the draft RMP review.

[REDACTED] suggested to Braun that they begin meeting on Mondays to improve communications between them. This would prove to be the first of several unsuccessful attempts by [REDACTED] to schedule meetings with Braun to establish dialogue between the two. No other corrective steps were taken to clarify Braun's performance responsibilities or deficiencies, or to define plans for improvement.

In early December 2004, Braun requested 1 week of annual leave to begin on December 11, 2004, to vacation in Mexico with a friend. [REDACTED] approved her leave conditional on her completion of the overdue RMP draft review. Braun did not complete the review; however, she cancelled the vacation on December 8, 2004.

Prior to [REDACTED] finalizing [REDACTED] decision to suspend Braun for 5 days, Assistant Regional Solicitor [REDACTED] reviewed the file for legal sufficiency.

[REDACTED]

On December 9, 2004, [REDACTED] handed down Braun's suspension, effective January 3 through January 7, 2005 (Attachment 48). [REDACTED] felt Braun's claim that she did not intend to disparage [REDACTED] was not credible. Instead, [REDACTED] concluded that Braun was in complete disagreement with [REDACTED] comments on grazing, and that the purpose of her e-mail was to inform the managing partners that her information, not [REDACTED] was correct. [REDACTED] also felt that Braun's e-mail left the impression that there was an internal discord within BLM on the critical issue of grazing that could cause the public to question the credibility of the BLM.

[REDACTED] Dispute Resolution Program Manager, called Braun on December 12, 2004, to see if she was still interested in attending mediation. [REDACTED] recalled that Braun wanted to use mediation as a bargaining chip to mitigate her punishment; during their conversation, Braun told [REDACTED] that she would only participate in mediation in lieu of the suspension or punishment. [REDACTED] explained that mediation could not replace the discipline process, and told her that she would have to grieve her punishment through the administrative appeal process. Since Braun had described her punishment and denial of leave as harassment, [REDACTED] suggested that she file an Equal Employment Opportunity (EEO) complaint. [REDACTED] provided Braun the name and telephone number of the EEO Counselor, however, Braun never followed up her complaint to EEO.

Braun later wrote in an e-mail to [REDACTED] Chief, Human Resource Services, "My request for mediation was intended as a way to more positively deal with the issues at hand, and as a suggested part of the resolution to the grievance. The request was not intended to slow down the grievance process, but to show my own perspective on possible options for the decision-maker to consider" (Attachment 49).

All Decisions A-0//  
**Unless Marked Otherwise**

Case Number: [REDACTED]

EX. 2 AND 6

On January 10, 2005, Braun appealed [REDACTED] decision and requested a 1-week extension to grieve her suspension, citing that the grievance period included three holidays and that she was also sick with the flu during part of the time. [REDACTED] granted the extension, and Braun was notified by a memorandum dated January 25, 2005. Initially Braun was informed that the venue for hearing the grievance would be either in Denver, CO, or Washington, D.C.; however, she was later told that [REDACTED], California State Director, had been selected as the deciding official for the formal administrative grievance.

Braun submitted an interim response to the Formal Administrative Grievance on January 31, 2005 (Attachment 50). She was concerned that her grievance had been referred to [REDACTED] after she had initially been told that there would be a change of venue to either Denver, CO, or Washington, D.C. Additionally, she questioned how [REDACTED] could be unbiased when [REDACTED] Associate had already ruled against her.

On February 9, 2005, [REDACTED] provided [REDACTED] formal decision in Braun's administrative grievance (Attachment 51). [REDACTED] concluded that Braun's e-mail was intended to challenge [REDACTED] authority and to make [REDACTED] look bad, and gave the managing partners the impression that [REDACTED] was uninformed. Additionally, [REDACTED] stated that her actions were serious enough to warrant a 5-day suspension, and denied her grievance.

Braun chose not to appeal [REDACTED] decision to the Office of Hearing and Appeals. On February 27 or 28, 2005, during a conversation with her friend [REDACTED] Braun said she was not going to fight her suspension any further (Attachment 52). She had reconciled herself to the fact that she had to move on, and inquired about a position in Washington, D.C., even though she did not feel [REDACTED] would give her a favorable recommendation. Without [REDACTED] recommendation, Braun did not think she could get another position in BLM.

**Braun Continues to Defy [REDACTED] Instructions**

On April 19, 2005, Braun's communications with the managing partners were again called into question by [REDACTED]. In an e-mail to [REDACTED] concerning the RMP review, Braun asked for a minimum of eight copies of the document so she and the managing partners could review it (Attachment 53). She also stated that she would e-mail the managing partners to see how long they would need to review the draft plan.

[REDACTED] received a copy of Braun's e-mail and felt that it violated [REDACTED] previous direction controlling her communications with the managing partners. On April 21, 2005, [REDACTED] forwarded a copy of the e-mail to the Human Resource Specialist in the State Office, stating that the e-mail warranted further disciplinary action.

On April 22, 2005, Braun sent an e-mail to [REDACTED] berating [REDACTED] for changing the cover of the draft RMP, and criticizing the revised cover for not including the logos of the managing partners (Attachment 54). She also questioned why they must "constantly retrace all this ground again and again." The e-mail was not only sent to [REDACTED], but also to [REDACTED], [REDACTED], the State Office, and the managing partners.

After reviewing Braun's April 22, 2005 e-mail, [REDACTED] sent her an e-mail stating, "You are to immediately desist from sending e-mails outside the organization on issues related to the management of

All PAGES ARE A-011  
**Unless Marked Otherwise**

Case Number: [REDACTED]

EX. 2 AND 6

the Carrizo, and specifically on issues related to the management plan. I will discuss this with you on Monday [April 25, 2005]" (Attachment 55).

On April 25, 2005, Braun, [REDACTED] and [REDACTED] met to discuss Braun's Employee Performance Appraisal Plan (EPAP), during which [REDACTED] provided her with an amended performance plan (Attachment 56). Braun was critical of some of the new performance standards, and objected strongly to the standard related to relationships with "constituent groups." She denied responsibility for the strained relations between BLM and the managing partners, and stated that she still communicated with them on a regular basis. During the meeting, [REDACTED] provided Braun with two memoranda; the first instructed her that until further notice, she was to have no further communications with the managing partners (Attachment 57). The second addressed three objectives: to establish mandatory weekly meetings; to limit Braun's visits to the BFO to once a week; and to provide instructions for managing grazing permits (Attachment 58).

Despite [REDACTED] memorandum prohibiting Braun from communicating with the managing partners, later on April 25, 2005, Braun sent an e-mail to [REDACTED] copied to the managing partners, suggesting that she call the grazers and postpone rescheduling their meeting until June (Attachment 59). Braun also sent a copy of the e-mail to [REDACTED], who replied to it stating, "Marlene, I sent you an e-mail Friday and handed you a copy of it less than an hour ago, instructing you not to send e-mails to the managing partners. I expect my direction to be complied with."

Braun sent an e-mail to [REDACTED] and [REDACTED] on April 27, 2005, that again violated [REDACTED] directive on grazing permits (Attachment 60). Braun also criticized [REDACTED] for "treating her like a 'kindergartner'" and for making decisions regarding her duties without consulting her first.

Relations between Braun and [REDACTED] had deteriorated and on April 27, 2005, [REDACTED] contacted [REDACTED] requesting mediation. According to [REDACTED] [REDACTED] told [REDACTED] that the situation between Braun and [REDACTED] had, "gotten out of control." [REDACTED] immediately called Braun in an attempt to schedule mediation; however, Braun did not answer her telephone. [REDACTED] left a telephone message for Braun, assuming from past contacts with her that she would immediately call back. This time, however, she did not.

### Braun's Suicide

On the morning of May 2, 2005, Braun was scheduled to attend the first of her Monday morning meetings with [REDACTED] and [REDACTED]. However, instead of traveling to the BFO that morning, she sent a two-page e-mail (Attachment 61) to [REDACTED] stating, "I cannot bear the thought of coming into the office this morning or ever again to meet with [REDACTED]. I cannot take any more abuse from [REDACTED]. [REDACTED] lies about my character and my abilities, and any more of the humiliation I have had to endure for the past year."

BLM and San Luis Obispo Sheriff's Department personnel responded to the Goodwin Ranch to check on her well being, and located Braun in the front yard, suffering from a gunshot wound to the head. A suicide note (Attachment 62) was found on a table near Braun that stated, "I have committed suicide. This is not a homicide." Braun also identified [REDACTED] as her next of kin with legal authority over her care and estate. Braun's two dogs were found nearby, both dispatched by apparent gunshot wounds.

ALL INFORMATION CONTAINED

# Unless Marked Otherwise

Case Number: [REDACTED]

EX 2 AND 6

Braun, who was still alive when emergency personnel arrived at the scene, was transported by helicopter to Marian Medical Center in San Luis Obispo, CA, where she was pronounced dead at 12:09 p.m. Her death was later ruled a suicide by the San Luis Obispo County Sheriff-Coroner's Department (Attachment 63).

Following Braun's death, [REDACTED] received an eight-page letter from Braun written on April 30, 2005, in which she explained her reasons for taking her life (Attachment 64). [REDACTED] later provided the OIG a copy of the first page of the eight-page letter, but chose not to copy the remaining seven pages because that contained financial and personal information. Braun wrote:

I am very weary of working, of moving, and of dealing with conflict over environmental decisions that mean a lot to me. I can't face what appears to be required to continue to live in my world, at least as I see it. I am also weary of heartache and loneliness. Most of all, I can not bear to leave Carrizo, a place where I finally felt like I found a home, and which I now love dearly. [REDACTED] has made my life utterly unbearable this past year, and my hopes that things might get better have been dashed by [REDACTED] latest round of brow-beating and new charges of lies. [REDACTED] would have forced me to leave Carrizo soon enough.

On May 3, 2005, an external examination of Braun's body was conducted by Forensic Pathologist [REDACTED] who determined that the cause of her death was a perforating gunshot wound to the head

[REDACTED]



Case Number: [REDACTED]

[REDACTED] (Attachment 68). (Investigator's note: During the interviews with Braun's friends and coworkers in this investigation, no one had been told by Braun or otherwise suspected that Braun was contemplating suicide.)

The U.S. Department of Labor ruled that there was insufficient evidence to show that Braun's death connected to her federal employment (Attachment 69). In a letter to Hermes, dated September 25, 2005, they wrote:

There is insufficient evidence to establish Ms. Braun's suicide is causally related to her federal employment. Although extensive factual information has been provided by the [REDACTED] there is no medical evidence connecting the claimant's death to her employment at BLM. The required chain of causation test has not been met.

### BLM's Emergency Response on May 2, 2005

OIG investigators prepared a timeline (Attachment 70) of events detailing BLM's response to Braun's May 2, 2005 e-mail, through interviews and from reviewing documents provided by: BLM; the Central California Interagency Communications Center (CCIC); California Shock/Trauma Air Rescue (CALSTAR); and the San Luis Obispo Sheriff - Coroner's Department. (Attachment 71 thru 80). All times noted are approximations.

At 9:10 a.m., Braun sent a two-page e-mail from her home computer to Assistant Field Manager [REDACTED] and Administrative Officer [REDACTED]. Braun's e-mail did not specifically mention suicide, but provided specific directions for BLM's response to the Goodwin Ranch and for notification of her next of kin. [REDACTED]

At 9:30 a.m., [REDACTED] retrieved the e-mail, and after reading it, suspected that Braun was contemplating suicide. [REDACTED] printed a copy of the e-mail and took it to [REDACTED] office where [REDACTED] and [REDACTED] were participating in a weekly teleconference with Associate State Director [REDACTED]. [REDACTED] interrupted the conference call and advised them of the e-mail. [REDACTED] subsequently directed BLM Acting Special Agent in Charge [REDACTED] to have law enforcement personnel go to Braun's home to check on her wellbeing. During that same time, [REDACTED] attempted unsuccessfully to contact Braun by telephone.

At 9:45 a.m., [REDACTED] contacted Special Agent [REDACTED] at the BFO and directed [REDACTED] to go to the Goodwin Ranch. [REDACTED] and [REDACTED] left the BFO at 9:55 a.m., en route to the Goodwin Ranch. The Goodwin Ranch is located approximately 75 miles from the BFO. [REDACTED] did not accompany [REDACTED] and [REDACTED] to the Goodwin Ranch and remained at the BFO.

At 10:05 a.m., [REDACTED] attempted to contact Paso Robles Resident Ranger [REDACTED] via cellular telephone, but received no answer. At 10:10 a.m., [REDACTED] contacted Field Staff Ranger [REDACTED] who was near Santa Clarita. [REDACTED] directed [REDACTED] to respond to the Goodwin Ranch and to contact the BLM dispatcher at the CCIC. [REDACTED] contacted the CCIC and advised the BLM dispatcher that [REDACTED] was responding from Placerita, approximately 3 hours away.

At 10:22 a.m., the CICC notified the San Luis Obispo Sheriff's Department and requested their assistance. [REDACTED] was dispatched to the Goodwin Ranch at 10:28 a.m.

MIL DIGIUIIS A-U/I

# Unless Marked Otherwise

Case Number: [REDACTED]   
 2K-2 4ND 6

Also at 10:28 a.m., Ranger [REDACTED] contacted [REDACTED] by telephone and was told of the incident. [REDACTED] advised [REDACTED] that [REDACTED] was responding from Atascadero, approximately 62 miles away. CALSTAR was also notified and assigned a helicopter to the incident. The helicopter was airborne at 10:51 a.m.

Because Braun was known to possess firearms, responding emergency medical personnel from the California Division of Forestry did not immediately go to the Goodwin Ranch, but staged nearby pending the arrival of law enforcement personnel. At 11:06 a.m., the CALSTAR helicopter landed at the Goodwin Educational Center, approximately 3 miles from the Goodwin Ranch.

At 11:18 a.m., [REDACTED] and [REDACTED] arrived at the Goodwin Ranch and located Braun lying in a makeshift bed, near the northeast side of the residence. Braun was suffering from an apparent gunshot wound to the right side of her head. [REDACTED] examined Braun for signs of life and discovered that she was still breathing. [REDACTED] removed a handgun from her right hand and placed it a short distance away from her body. A suicide note was found on a table near Braun that stated, "I have committed suicide... This is not a homicide." Braun also identified [REDACTED] as her next of kin. Braun's two dogs were found dead nearby. Both had apparent gunshot wounds to the head.

At 11:22 a.m., [REDACTED] advised the CICC dispatcher, "On scene...keep emergency and med coming. We have a person down at this time. She is still alive, no estimate on how bad injuries are." Emergency medical personnel arrived on scene at 11:25 a.m. and initiated first aid.

Deputy [REDACTED] and Ranger [REDACTED] arrived at 11:35 a.m. [REDACTED] wanted to check the inside of the house for additional victims but found the house to be locked. Ranger [REDACTED] retrieved a key from a nearby shed and the two [REDACTED] check the inside of the house. Inside, they found that belongings had been sorted and labeled. Some items, such as two computers and a fax machine, were labeled "BLM."

At 11:52 a.m., Braun was airlifted to the Marian Medical Center where she was pronounced dead at 12:19 p.m. [REDACTED] arrived at the scene at 12:15 p.m.

[REDACTED] examined the scene, collecting physical evidence including the suicide note and handgun. [REDACTED] was assisted by [REDACTED] and [REDACTED]. The three entered the house, where [REDACTED] photographed and [REDACTED] videotaped its condition, noting that Braun had separated and labeled property according to its intended recipients. *(Investigator's note: According to the time recorded on the video tape, the interior of the house was videotaped at 12:30 p.m.)*

At 3:25 p.m., [REDACTED] concluded [REDACTED] investigation and left the scene.

*(Investigator's note: [REDACTED] and [REDACTED] told investigators that they received Deputy [REDACTED] approval before removing property from the house. [REDACTED] however, told investigators that [REDACTED] never discussed the removal of property with either [REDACTED] or [REDACTED] nor did [REDACTED] authorize the removal of any property. Additionally, [REDACTED] said that no computer equipment was removed from the house while [REDACTED] was conducting [REDACTED] investigation at the Goodwin Ranch.)*

After leaving the house, they turned the computer equipment over to BLM [REDACTED] [REDACTED] who returned the equipment to the BFO. [REDACTED] took custody of Braun's government vehicle. The house was subsequently secured and a new padlock was placed the front gate, securing the driveway. [REDACTED] advised investigators that [REDACTED] did not inventory the property taken from Braun's

**Unless Marked Otherwise**

Case Number: [REDACTED]

EX-2 AND 6

residence nor did [REDACTED] include it in [REDACTED] report because it was immediately turned over to [REDACTED] and was not being taken into law enforcement custody.

At the request of State Director [REDACTED] reviewed BLM's response to the May 2, 2005, suicide of Marlene Braun. [REDACTED] inquiry included interviews of [REDACTED] Deputy [REDACTED] and CICC dispatch personal. [REDACTED] forwarded [REDACTED] results via memorandum, Emergency Response Review, Incident # [REDACTED] dated August 5, 2005, to State Director [REDACTED] (Attachment 72).

EX-2

[REDACTED] told investigators that [REDACTED] was named Special Agent in Charge and [REDACTED] (Attachment 81). One of [REDACTED] first assignments after reporting there was to conduct this review. [REDACTED] provided investigators with copies of [REDACTED] review, [REDACTED] chronology, and dispatch records provided to [REDACTED] by the CICC.

According to [REDACTED] Braun was still alive when taken to the hospital; however, because her actions clearly indicated a suicide attempt, Deputy Sheriff [REDACTED] "did not treat the location as a crime scene."

It was [REDACTED] understanding that [REDACTED] had obtained [REDACTED] permission to remove the items from the house that were labeled BLM property. This resulted in removal of computers and a fax machine with the understanding that these items would remain under "government control" in case they contained Indian Trust information. Later, this equipment proved to contain no such information.

Since removal of the computers by [REDACTED] and [REDACTED] was not considered a law enforcement function, the removal of the equipment from Braun's home was not inventoried in accordance with BLM Law Enforcement General Order #28, Property and Evidence.<sup>4</sup> [REDACTED] did not question their re-entry into Braun's home, their photographing of its contents, nor removal of equipment, and concluded that the BLM response was "appropriate and in accordance with established protocol." However, investigators learned that [REDACTED] never visited the Goodwin Ranch, nor did [REDACTED] know that it was not United States Government Property.

**Attachments**

1. Memorandum: Director, BLM, to the Inspector General, Management Review-Carrizo Plains Incident, October 3, 2005
2. Letter: [REDACTED] to Congressman William Thomas, May 24, 2005
3. Letter: [REDACTED] to Congressman John B. Larsen, May 24, 2005
4. Letter: [REDACTED] to the BLM State Director, May 28, 2005
5. Memorandum: Request for Management Review, June 10, 2005
6. Management Review (Draft), July 11, 2005

<sup>4</sup> BLM General Order #28, Property and Evidence, Section IV., C., requires that any property that is taken into possession by law enforcement officers during the course of their duties (e.g., abandoned property, lost property, property secured incident to arrest, etc., including tents, camping equipment, and the contents of any closed containers, etc.) must also be completely inventoried.

# Unless Marked Otherwise

Case Number: [REDACTED]  
EX-2 11/10/06

- 7. Memorandum: Results of Emergency Response and Management Reviews Regarding Death of BLM Employee Marlene Braun, September 8, 2005
- 8. Memorandum: Emergency Response Review, August 5, 2005
- 9. Position Description, Carrizo Plains Monument Manager, November 11, 2000
- 10. Braun's Chronology: February to December 2004
- 11. Investigative Activity Report: Interview of [REDACTED] October 19, 2005
- 12. Investigative Activity Report: Interview of [REDACTED] October 19, 2005
- 13. Investigative Activity Report: Interview of [REDACTED] October 18, 2005
- 14. Investigative Activity Report: Interview of [REDACTED] October 18, 2005
- 15. Investigative Activity Report: Interview of [REDACTED] October 19, 2005
- 16. Investigative Activity Report: Interview of [REDACTED] October 19, 2005
- 17. Investigative Activity Report: Interview of [REDACTED] October 25, 2005
- 18. Investigative Activity Report: Interview of [REDACTED] January 26, 2006
- 19. Documentation Faxed by [REDACTED] to OIG, January 9, 2006
- 20. E-mail: [REDACTED] to OIG, January 26, 2006
- 21. Investigative Activity Report: Interview of [REDACTED] October 20, 2005
- 22. BLM Primary Level Management by Objectives, March 2003
- 23. Memorandum: CA State Director to Director, BLM, January 26, 2004
- 24. Employee Performance Plan and Results Report, rating period 01-07-02 to 09-30-02
- 25. Employee Performance Plan and Results Report, rating period 10-01-02 to 09-30-03
- 26. Investigative Activity Report: Interview of [REDACTED] October 19, 2005
- 27. Memorandum: [REDACTED] to [REDACTED] June 18, 2004
- 28. E-mail: Braun to [REDACTED] June 30, 2004
- 29. E-Mail: Braun to Managing Partners, August 11, 2004
- 30. E-Mail: Braun to BLM and Managing Partners, Draft notes from August 5<sup>th</sup> meeting, August 13, 2004

**Unless Marked Otherwise**

Case Number: [REDACTED]

EX-2 1106

31. E-mail: [REDACTED] to Braun, August 18, 2004
32. E-mail: [REDACTED] to Braun, August 18, 2004.
33. E-mail: Braun to Managing Partners, August 20, 2004
34. Investigative Activity Report: Interview of [REDACTED], January 26, 2006
35. DOI Handbook on Charges and Penalty Selection for Disciplinary and Adverse Actions
36. E-mails: Between [REDACTED] and [REDACTED] August 17-18, 2004
37. Investigative Activity Report: Interview of [REDACTED] January 26, 2006
38. Investigative Activity Report: Interview of [REDACTED], January 23, 2006
39. E-mail: [REDACTED] to Braun, September 22, 2004
40. Memorandum: Notice of Proposed Suspension, September 22, 2004
41. Doctor's Sick Leave Note, September 24, 2004
42. E-mail: [REDACTED] to Braun, September 29, 2004
43. E-mail: from Braun to [REDACTED] October 4, 2004
44. Memorandum: Response to the Notice of Proposed Suspension, October 13, 2004
45. E-mail: Braun to [REDACTED] dated November 8, 2004
46. Employee Performance Plan and Results Report, rating period 10-01-03 to 09-30-04
47. Investigative Activity Report: Interview of [REDACTED] January 24, 2006
48. Memorandum: Decision to Suspend for 5 Calendar Days, December 9, 2004
49. E-mail: Braun to [REDACTED] Interim Response to Formal Admin. Grievance, February 14, 2005
50. Interim Response to Formal Administrative Grievance, January 31, 2005
51. Memorandum: Formal Decision-Administrative Grievance, February 9, 2005
52. Investigative Activity Report: Interview of [REDACTED] November 15, 2005
53. E-mail: Braun to [REDACTED] April 19, 2005
54. E-mail: Braun to [REDACTED] April 22, 2005

All DELETIONS A-O //  
Unless Marked Otherwise

Case Number: [REDACTED]

55. E-mail: [REDACTED] to Braun, April 22, 2005
56. Braun's Employee Performance Appraisal Plan, April 25, 2005
57. Memorandum: [REDACTED] to Braun, Directive on Future Communications with the Managing Partners, April 25, 2005
58. Memorandum: [REDACTED] to Braun, Directive to Meet Weekly on Mondays, Limit to Field Office Visits, and Directive to Properly Manage Grazing permits, April 25, 2005
59. E-mail: Braun to [REDACTED] and Managing Partners, April 25, 2005
60. E-mail: Braun to [REDACTED] [REDACTED] and [REDACTED] April 27, 2005
61. E-mail: Braun to [REDACTED] May 2, 2005
62. Copy of Suicide Note
63. Coroner's Report, San Luis Obispo County Sheriff-Coroner's Department, June 7, 2005
64. Letter: Braun to [REDACTED] April 30, 2005
65. Postmortem Examination Report, May 5, 2005
66. Toxicology Report, May 10, 2005
67. Investigative Activity Report: Interview of [REDACTED] November 21, 2005
68. Blue Shield Insurance Bill with Diagnosis Code Information
69. Department of Labor Memorandum: Case of Marlene Braun, September 27, 2005
70. Investigative Activity Report: Emergency Response Timeline
71. Incident Investigation Report, BLM, May 2, 2005
72. BLM, Significant Activity Report, May 2, 2005
73. California Division of Forestry Agency Incident Report
74. Central California Interagency Communications Center Incident Report
75. BLM (CCIC) Dispatch Report
76. Incident Report, San Luis Obispo Sheriff's Department, May 2, 2005
77. Investigative Activity Report: Interview of [REDACTED] October 18, 2005

# Unless Marked Otherwise

Case Number: [REDACTED]

*EX. 2 AND 6*

78. Investigative Activity Report: Interview of [REDACTED] October 19, 2005

79. Investigative Activity Report: Interview of [REDACTED] November 16, 2005

80. Investigative Activity Report: Interview of [REDACTED] October 19, 2005

81. Investigative Activity Report: Interview of [REDACTED] October 17, 2005