

## Case Study: Wedding Fraud by E-4

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| <b>Description:</b> | <p>A Navy E-4 assigned to the personnel support detachment (PSD) at a Navy base marketed fraudulent marriages to sailors. The scheme involved linking the Sailors to female foreign nationals who were working at a local dance club. The E-4 (and others) was charged with conspiracy, marriage fraud, false claims, and theft of government property, false statements related to naturalization or citizenship, and naturalization fraud.</p> <p>E-4 was awarded NJP and was eventually dishonorably discharged. He is currently incarcerated in a federal penitentiary.</p> |
| <b>Background:</b>  | <p>An informal investigation was convened to explore the case and to determine what decisions, events and circumstances contributed to the behavioral failing. The investigation was initiated following the results of the UCMJ and criminal court proceedings.</p>  |

### Findings:

1. E-4 was separated from his wife and had two small children. He was current with all his alimony and child support payments.
2. E-4 drove a new Chevrolet Camaro ZL1 and lived in an expensive apartment in an upscale part of the city.
3. E-4 knew the various processes to apply for marriage benefits.
4. E-4 was outgoing and charismatic. He was a fixture at the base enlisted club, gym and all base sports events.
5. E-4 said that one night the previous year, he dropped by a local exotic dancing establishment for a beer. He said he had not been off base in a month. He struck up a conversation with the bartender who was soon giving him drinks on the house. He said he began to drop by the club nightly and soon knew everybody, including the bartender's niece. He said that a month after his first visit, the bartender told him

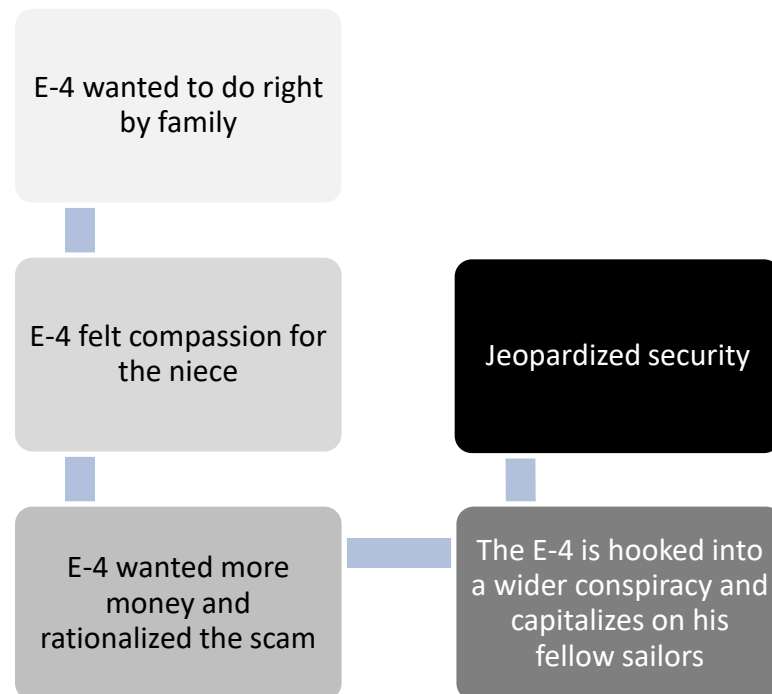
his niece had to leave the country because her visa was expiring. That conversation continued for several nights until the bartender said that he would give the E-4 \$1000 if he could find someone to “marry” his niece. He said that the man did not have to actually live with her, etc., it was just to get the immigration papers. The E-4 said he really liked the niece and, besides, he needed the money. He said he knew a fellow Sailor assigned to a local squadron and convinced him to do it. The Sailor married the niece via a civil marriage commissioner and began receiving the extra BAH. The niece was able to get a permanent visa due to her married status. The two never lived together.

6. The E-4 said that the bartender knew of many young ladies who worked in the exotic dancing industry that just needed a break with immigration. He told the E-4 that he would give him \$1000 for each Sailor that married one of the girls. The bartender said that the girls were hard workers who would benefit the country; the Sailors could get the extra cash from BAH and nobody was harmed.
7. The E-4 at first rejects the offer but the bartender pressures him.
8. The E-4 continues to reject it until the bartender says, “Look, you are in this thing. You work with me or I will have my niece call your commander.”
9. The E-4 began to bring Sailors into the establishment, drink with them and introduce them to the ladies.
10. The ladies would befriend the Sailors and explain how they were having trouble making ends meet and how nice it would be to be able to “become an American.”
11. Twenty-nine Sailors signed up for this fraud over the course of the year and the E-4 made quite a handsome profit from his thriving business.
12. The E-4’s chief petty officer (at PSD) said he began to get suspicious when the money did not add up. He said he originally felt good about the E-4, who had moved back on base after separating from his wife. The chief said the E-4 showed him his leave and earnings statement indicating a large allotment to his wife’s bank account. He said he and the E-4 had discussed it and both of them were proud of the fact that he was taking care of his family. He said he stayed in close contact with the E-4, who was clearly out of money and spending most of his time in the barracks. He said he and his wife had the E-4 over for

Thanksgiving and Christmas Day dinner. He said that the E-4 often talked about wanting things like the chief had; a house, a new car, etc. The chief said he explained that he and his wife had worked for years before they could afford those things. He said he was perplexed when two months later the E-4 moved into an apartment in an expensive part of town and bought the new Camaro. He said he asked the E-4 how he was doing all that and that the E-4 had responded, "Just good luck, chief." The chief said his suspicions heightened when an audit revealed the large number of BAH cases the E-4 was handling. The chief asked the E-4 to explain and he just shrugged his shoulders. The chief said he called NCIS and they began an investigation.

## Thought-to-Action Chain

1. Diagram the thought-to-action chain for the E-4
  - a. E-4 wanted to do right by family, he felt compassion for the niece, he wanted money and rationalized the marriage scam, he becomes vulnerable to a wider scam and brings other Sailors into the scam, he jeopardizes our national security.



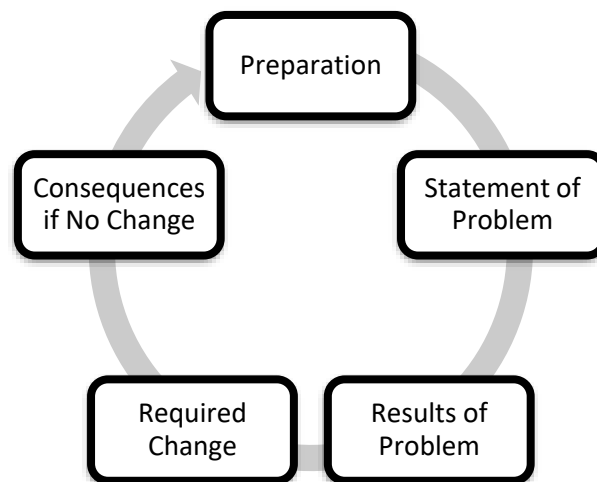
2. Discuss the character traits of the E-4
3. The E-4 is a good man. When did he go wrong? At what point in the chain do you think he made his choice to betray the Navy? What do you think caused it?
4. What else could he have done?
5. Why do you suppose he made such a large, dangerous leap to violate regulations and to prey upon other military members?

## Constructive Confrontation Discussion:

1. The first opportunity for constructive confrontation is internal. In this case, the E-4 would benefit from a constructive confrontation with himself. Had he completely understood the gravity of what he was doing he may have made a

different selection. If he had honestly questioned what he was doing, he would have arrived at the conclusion that if they were legally entitled to the BAH, the Navy would have provided it to them.

2. A next opportunity for confrontation might come from a friend or colleague. These “on-lookers” often know about or strongly suspect instances of misbehavior. Have you ever been in such a situation? Approaching a friend or co-worker would be very difficult and you would have to be sure that real, negative consequences were likely. Approaching a senior would be even harder. Using the case study, your own observations, or a hypothetical example, how would you realistically handle such a confrontation? Look at the wheel below for a template.



#### **Preparation:**

1. What does this step mean to you? How would you prepare? In what setting would this type of confrontation best take place?

#### **Statement of Problem:**

1. What is the problem (or likely result) of the misbehavior? What problem is it for you? What problem is it for the unit, etc.?

2. How would you state this to your colleague/friend?
3. Listen.

#### **Results of Problem:**

1. Using the example, what are the likely results or negative outcomes from the problem and how would you state that to the friend?
2. Listen.

#### **Required Change:**

1. What change in behavior do you want to see?
2. Listen.

#### **Consequences If No Change:**

1. Hopefully, by this point in the confrontation you are having a discussion and not a shouting match. The understanding of consequences would be something that both of you agree to vice you listing them.

#### **Case Conclusions:**

1. What main points did you take from this case study?
2. What are your concerns as a facilitator with this case study?