

Secretary Gale Norton
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

June 10, 2005

Dear Secretary Norton:

We are writing to request that you instigate a formal review of the events leading to the suicide death of BLM Carrizo Plains Manager Marlene Braun, who died from a self-inflicted gunshot wound at her home at Carrizo Plain National Monument on May 2, 2005. Based upon our personal contact with her, we strongly believe that Marlene's death was not an isolated tragedy but the direct result of management practices within the Department of Interior.

Marlene Braun had an impeccable 12-year employment record with BLM. She was assigned to the newly designated Carrizo National Monument as its first Manager in 2002. Her duties included developing, in cooperation with Managing Partners (The Nature Conservancy and California Department of Fish and Game), a Resource Management Plan for the Monument. That work was close to completion when Mr. Ron Huntsinger was assigned to be the Bakersfield Field Office Manager.

The draft RMP's grazing criteria directed, in accordance with agreements with the Managing Partners, that grazing was only to be used as a tool for improving conditions for listed species. Almost from the time of Mr. Huntsinger's arrival, it became clear that his agenda was to modify the special grazing standards in the RMP contrary to the agreement with the Managing Partners to be more in line with normal BLM grazing standards. It is also clear that Marlene Braun was perceived as an obstacle to the changes that Mr. Huntsinger (perhaps at the direction of BLM management) wished to make in the Carrizo Plains RMP.

When Ms. Braun pointed out the discrepancies between the now-emerging BLM grazing posture and the agency's agreements with the Managing Partners, she was subjected to a hostile work environment in which she was bullied, humiliated, denied annual and medical leave and effectively removed from all her duties that related to the RMP. There are numerous witnesses, both within BLM and among the Managing Partners, to the abuse Ms. Braun suffered at the hands of Mr. Huntsinger.

Ms. Braun received a 5-day suspension for an email she sent to the Managing Partners conveying factual information concerning the RMP. The basis for the adverse action was “making disparaging remarks about your supervisor in an email” because Marlene conceded that Huntsinger was “wrong” on several technical issues in a communication to the Managing Partners.

Not only was Mr. Huntsinger’s response to this accurate communication with RMP partners inappropriate, defensive and over-reactive but the manner in which he brought the charges seemed calculated to maximize distress. He first threatened a Letter of Reprimand, leaving her in an extreme state of stress for 5 weeks. Then he gave her, not a Letter of Reprimand, but a 5-day suspension. He offered her no explanation why he had raised the proposed penalty for her unwelcome honesty.

As a hard-working, dedicated employee with an unblemished record, Marlene regarded the action as the end of her career. She fought with all her heart to remove the black mark this appeal left on her employment record. She appealed the suspension, first to Deputy State Director Jim Abbott and then to State Director Mike Pool. In both cases she made in-person appeals, begging these officials to mitigate this action.

Prior to her suspension, Marlene had requested mediation to help remedy the toxic atmosphere between her and Ron Huntsinger, but the suspension forced the postponement of that mediation. Once Mr. Huntsinger proposed to discipline Marlene, the prospects for mediation vanished.

Regardless of whether the suspension letter was originally dictated in whole or part by the State Office, it appears clear that the very people who had been involved in the original action reviewed Marlene’s appeal. After Jim Abbott (who hired Mr. Huntsinger) denied Marlene’s first request for relief, Marlene asked the Human Resources Director to whom she should direct her appeal. She was told her appeal would go to Washington D.C. and framed her appeal accordingly. When Ms. Braun later submitted her appeal she was told it would go to Mike Pool, who upheld the suspension. When one reads the letters from Jim Abbott and Mike Pool in response to Marlene’s grievance letters, it is patently apparent that they were not dispassionately weighing the facts but instead were contorting the record in order to justify Mr. Huntsinger’s actions.

Perhaps Marlene never appreciated the forces working against her. She believed she was still working for the same agency that had rewarded her efforts in the past. Since she was doing the same job, using the same ethics, for which she had been previously commended, Marlene sincerely believed that it was just a matter of making her superiors understand her good intentions and efforts. She never understood that it was those very same qualities that were the reasons why her own management needed to get rid of her.

Marlene was supremely loyal to the BLM and the Department of Interior. She never contemplated taking an action that would embarrass the agency even if it would help her. Marlene was caught in an unbearable knot – her devotion to her job and Carrizo would end up costing her both.

The growing belief that her own management would not allow her to stay gnawed at her and grew into a dark despair. Facing another disciplinary meeting with Ron Huntsinger, Marlene shot herself. A note she left said Huntsinger had made her life “utterly unbearable.”

In the depths of this darkness, when she reached out for a final time for help, it was not forthcoming. When Mr. Huntsinger received the message that Marlene intended to take her life, rather than calling 911, or immediately calling someone on the Carrizo to go to the Goodwin Ranch, he instead sent two employees on the 2-hour drive from Bakersfield. We understand Marlene was still breathing when they found her and one can only speculate whether a more timely and responsible response could have prevented her death.

While we are aware that some of the BLM managers involved help facilitate grief counseling for Marlene’s co-workers and that you have directed all DOI employees to take computerized whistleblower sensitivity training by July 31, we sincerely do not think that either of these actions meaningfully responds to what has happened on the Carrizo Plain.

In order to adequately address the troubling questions raised by this case, PEER respectfully requests that you undertake three actions:

1. Personally Protect Employees Who Tell the Truth

Marlene Braun was being punished simply for being truthful. Apparently, the fact that she communicated factual information to long-time partners mattered little to her chain-of-command. We trust that you agree that no DOI employee should be put into a position where they are expected to lie to the public or to stakeholders.

The action taken against Marlene runs counter to your own dictate that all DOI employees should practice the “Four C’s– communication, consultation and cooperation – all in the name of conservation.” She argued in vain to both Abbott and Pool that the Four C’s required that she be straightforward with the partners. Moreover, Candor among the partners was essential, in her mind, to maintaining the trust required to make the Carrizo partnership work.

The fact that Marlene faced sanctions for honestly addressing concerns by stakeholders undermines both the spirit as well as the practice of your stated philosophy. In order to undo that damage, PEER asks that you immediately direct all managers to cease any actions that punish employees for honesty with the public. Any charge against a DOI employee on the basis of that person’s speech merits your scrutiny. PEER strongly urges that you create DOI-wide guidance to managers that honesty cannot be the basis for discipline.

Your personal intervention is needed to send a strong signal to all DOI managers that the Four C's are more than an empty slogan, and that they apply to all the public, not just grazing permittees, mining operators or off-road interests.

2. Dispel the “Culture of Fear”

As you know, last year the Interior Inspector General sent you an “Evaluation of Conduct and Discipline” which found that workers within the Department of Interior live in a “culture of fear” where “hatchet people” mete out punishment based on office politics.

As part of this evaluation, your Office of Inspector General (OIG) conducted an agency-wide survey. OIG sent its survey sent out to more than 25,000 employees, including supervisors, human resource managers and lawyers in agencies such as the National Park Service, Bureau of Land Management and the Fish & Wildlife Service. Nearly 40% of those who received surveys responded, with key results including—

- More than one-quarter of staff fear retaliation for reporting problems;
- A solid majority do not see the disciplinary system as being fairly administered on a consistent basis; and
- Nearly half believe that discipline is taken on the basis of whom the person knows rather than what they did.

Those survey results mirror reports from Interior staff received daily at PEER from employees ranging from rank and file staff to park superintendents and other top managers who feel that they cannot disclose problems without facing retribution. Certainly these results reflect the realities faced by Marlene Braun.

It has been nearly a year since the OIG presented this evaluation to you. One method that you could use to reverse the strong perceptions found in that evaluation would be to adopt a policy that discourages discipline as a first resort. Instead, the Department of Interior should encourage mediation and non-adversarial dispute resolution.

Loyalty is a far better motivator than fear. *Esprit de corps* is often an overlooked asset. Former President George H.W. Bush once invoked the vision of a “kinder, gentler America.” PEER believes that it would also serve the national interest for you to contemplate the need for a kinder, gentler Department of Interior as a place that fosters mutual respect among employees, is capable of forgiveness and practices a basic decency in dealing with each other.

As you may appreciate more than most, public service can be highly stressful, especially when public servants are in positions that require balancing competing interests. Marlene Braun occupied such a position. You should also appreciate how support from your chain-of-command can help public servants handle the unease, tension and sometimes

conflict that go with the territory. Marlene would still be with us today if her agency had offered her any alternative to having to choose between confrontation and humiliation.

3. Look at the Conduct of the Managers in This Case

We are well aware of the many issues that cross your desk every day. Nonetheless, PEER believes that you should personally examine the conduct of the three BLM managers in this case.

Ron Huntsinger's treatment of Marlene Braun could only be termed brutal. There is no doubt in the minds of anyone familiar with the conditions under which Marlene Braun worked since his assignment as Bakersfield Field Manager, that he is responsible for her death. The question for you is whether this man should ever again be allowed to supervise another employee.

Mike Pool and Jim Abbott should be held accountable for their roles in this tragedy as well. They fully understood the hostility with which Mr. Huntsinger treated Ms. Braun. Marlene had requested Mr. Abbott's assistance in finding another job, but was denied that help. These two men backed up the bully, rather than assist his victim. Compassion seems to be a quality completely lacking in the BLM California State Office.

While you were not personally involved, the actions taken in Marlene's case were taken in your name and under the authority you have conferred on these responsible officials. Marlene's death was a terrible tragedy but your inaction will deprive her life of the redemptive meaning to those left behind.

We know that PEER may not be your favorite acronym, but we ask you to look beyond the messenger and look at the message. We are asking you to help restore decency, fair play and humane values that make the employees of the Department of Interior part of a working family. You are the head of that family but your charges are in trouble and need you to become involved.

If you have any questions or wish to obtain access to records regarding this matter, please do not hesitate to contact us.

Sincerely,

Karen Schambach
California Coordinator

Jeff Ruch
Executive Director