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**RIGHT OF BANG  
ACCOUNTABILITY: THE  
DOD'S MISCONDUCT  
REFORMS MISS THE  
TARGET**





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### ***Right of Bang Accountability: The DoD's Misconduct Reforms Miss the Target***

A recent *Army Times* headline reads, “[Army updates misconduct investigations, will punish false accusations.](#)” The story suggests progress: an Army working to reduce harm from false reports and career-crippling flags during ongoing investigations. But beneath the surface, the changes reveal a familiar pattern—one the military repeats with disturbing frequency.

They're addressing the *symptoms*—everything that happens right of bang.

In military parlance, “bang” is the moment of contact—the IED explosion, the gunshot, the breach. “Left of bang” means all the indicators and preventive actions that happen *before* the crisis. As Marine Corps combat veterans Patrick Van Horne and Jason Riley argued in their book [Left of Bang: How the Marine Corps' Combat Hunter Program Can Save Your Life](#), the goal is to act early enough to prevent the event entirely.

But the Department of Defense has flipped this logic on its head.

Instead of improving how investigations are *conducted*, the Army's new policy tweaks what happens afterward: If an accusation is proven false, the accuser may now face punitive action. And individuals will no longer be flagged automatically during investigations, to reduce unwarranted career damage.

That might sound fair—until you ask, *What's being done to prevent unjust investigations in the first place?*

The Core Problem: Investigative Injustice

[The Watchdog Turned Lapdog report](#), issued by the [Walk the Talk Foundation](#) in June 2024, outlines the six major systemic failures that plague the military's



investigatory system. Every one of them is left of bang—and none are meaningfully addressed in the Army’s new guidance:

1. **Lack of Due Process & Transparency:** Service members are often denied access to evidence, left out of timelines, and never informed about investigation status or conclusions.
2. **Conflicts of Interest:** IGs and Command-Appointed Investigating Officers often report to the very commanders implicated in the case—or are subordinate to the accused or complainant’s chain of command.
3. **Inadequate Training:** Most IGs receive little more than a three-day crash course on complex legal and procedural frameworks. Command appointed investigating officers receive zero investigative training. This results in wildly inconsistent findings, procedural errors, and failure to protect rights.
4. **Lack of Timeliness:** Investigations often drag on for months—sometimes years—without resolution. This delay becomes the punishment itself.
5. **Mental Health and Suicide Crisis:** The DoD’s own Suicide Event Report ([DODSER](#)) reveals that 29% of active-duty service members who die by suicide were under investigation or administrative action. That is not a coincidence—it is a warning.
6. **Normalization of Deviance:** Leaders have grown accustomed to the procedural rot. Denied FOIAs. Blocked Privacy Act requests. Refusal to update records. The abnormal has become the standard.

### A Dangerous Shell Game

The Army’s new misconduct policy creates the appearance of balance, but it’s the wrong kind of balance. It’s *reactive justice*, not *preventive reform*. It’s a shell game that shifts attention to the aftermath rather than the process.

We’re told: “Don’t worry, if it’s a false claim, we’ll punish the liar.”

But what about the *command climate* that fosters retaliation or deters legitimate reporting? And will unsubstantiate complaints in the service of retaliation?

We’re told: “We won’t flag you for an accusation anymore.”

But what about the *investigator* who lacks neutrality, experience, or oversight?



We're told: "Trust the system."

But what if the system *is* the threat?

Left of Bang Reform: The Real Work

If the DoD were serious about fixing its investigatory failure, here's what it would do:

1. Require that all investigating officers are from outside either the subject or complainant's command.
2. Mandate standardized training and certification before either IGs or command appointed investigating officer begin an investigation.
3. Impose reasonable but firm deadlines for completing investigations—with accountability for delay.
4. Enforce transparency requirements: subjects and complainants must be informed of process milestones, must have the right to review all evidence being used against them (if the subject of an investigation), and must have the right to immediately appeal the results of the investigation and subsequent punishment to an outside, unconflicted party.
5. Audit and publicly disclose outcomes to track disparities, misuse, and patterns of abuse.
6. Reform FOIA and Privacy Act practices to prevent stonewalling and misdirection.

Until those changes are made, the military remains trapped in a cycle of reacting to "bang"—forever firefighting while the real arsonists go unchallenged.

If the Department wants to protect the force and build trust, it must shift its weight left of bang. Anything less is just damage control.



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Feel free to reach out privately at [francescagraham@walkthetalkfoundation.org](mailto:francescagraham@walkthetalkfoundation.org) or in the comments.

**PETITIONS:** [SIGN THIS PETITION](#) demanding that our leaders in Congress change the DoD's unjust administrative investigatory system.

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