Failures at Fort Hood:  
A Study of Administrative Shortcomings in Combating Ethnic Tension

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Case Study: Failures at Fort Hood

As the day dawned over Fort Hood, Texas on November 5, 2009, 71,000 civilians, active duty and reserve soldiers woke to start the workday. Fort Hood is the largest active duty United States military base in the world and employs many people in many different positions, including civilians working with the Department of Defense and soldiers preparing to deploy. Besides being home to 42,000 soldiers and their families, Fort Hood houses an arsenal with more than 500 tanks, multiple combat and command units and an army hospital. What started off as a normal day quickly turned deadly when Major Nidal Hasan, a US Army psychiatrist stationed at the army base, yelled “Allahu Akbar” and opened fire, murdering thirteen people and wounding more than thirty others. The armed forces are trained in combat and intelligence to be able to go abroad and defend the United States, however, they were not prepared to defend themselves against an internal attack. Unexamined internal resource problems, such as ethnic tension, which has arisen due to the War on Terror, cause tension in an otherwise fraternal organization.

Army administrative failures

Nothing can justify Hasan murdering thirteen people and gunning down thirty-two others, especially when most of these people were getting ready to deploy to the Middle East to fight on the United States’ behalf. As such, this case study does not seek to make light of what he did, or even to paint him as the victim of a system gone awry, but to examine the administrative shortcomings that led to this event. The atrocities that he

committed are nearly incomprehensible, yet this study will seek to determine what led him to these actions and what administrative procedures should have caught the problem early.

Major Hasan had a history of espousing radical views. He was singled out in the workplace for being Muslim and told his family that he felt discriminated against. Colleagues noted Hasan's struggle over aligning his career with his religious beliefs, yet they did not following standard operating procedure, which would have given him medical attention. The army has protocol to catch these risks and to prevent against outbursts such as the shootings that occurred at Fort Hood. Among these procedures are policies for Equal Employment Opportunity claims, protocols for evaluating mental health and laws governing the Joint Terrorism Task Force.

Army Regulation 690-600 outlines the procedures for filing discrimination claims, stating that “any employee... who believes that he or she has been discriminated against because of race, color, religion... and/or reprisal in an employment matter... may initiate the EEO [Equal Employment Opportunity] complaint process.”

Representative of the Orthodox view of administration, the army has a highly bureaucratic way of dealing with discrimination. Army Regulation 690-600 features a flow chart detailing the procedures for filing a complaint. There are four phases in the procedure: informal, formal, appeal and judicial. The entire process can take up to 765 days, after which time the case may be referred to civilian court for further action. But what happens when one step in the process fails? The discrimination still occurs, but the victim's animosity continues to build, as was the case with Hasan.

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Hasan failed to document any specific instances of discrimination that he endured; yet interviews with his family tell that discrimination was a major source of discontentment in his work life that frequently frustrated him. Even though the army’s official policy is to not conclude Hasan’s actions were due to his ethnicity or religious beliefs, many lower-level officials and soldiers showed prejudice against him for these reasons. Hasan, though, never formally reported these instances, failing to invoke the procedures meant to remedy the discrimination. Speculations into why he did not file a discrimination claim suggest that the army’s environment is not conducive to stepping out of the chain-of-command and drawing attention to oneself.

Hasan’s background

Major Hasan was born in Virginia in 1970 to Palestinian parents. He attended Virginia public schools through high school. Upon graduation, he matriculated at Virginia Western Community College and graduated summa cum laude with an associate’s degree in science. From there, he enrolled in Virginia Polytechnic Institute and graduated with honors.

In early 2008, Major Hasan was completing his psychiatric residency program at Walter Reed Medical Center in Washington, D.C. He began raising concerns when he received multiple sub-stellar evaluations. In a series of departmental meetings, colleagues and supervisors discussed Hasan’s mental state, whether or not he suffered from

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psychosis. They cited that he was fascinated with fratricide, the killing of fellow soldiers, and believed he was espousing extremist Islamic views. Despite all of these red flags early in Hasan’s army career, no one stepped forward to counsel him about the discrepancies arising between his army life and his religious beliefs. Neither did anyone report him to a Medical Examination Board, as required by army protocol when a soldier is believed to have mental health problems. Hasan’s actions at Walter Reed were extreme enough to incite concern from his colleagues. Yet, despite his obsession with studying fratricide, no one invoked the psychiatric evaluation procedures that the military requires.

Military protocol follows the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV) in evaluating all of its soldiers perceived to have a psychiatric disorder. The military uses the DSM-IV, published by the American Psychiatric Association, to evaluate soldiers on five conditions: clinical syndromes, development and personality disorders, physical conditions, severity of psychosocial stressors and highest level of functioning. In addition, Army Regulation (AR) 40-501 lists the fitness standards to which all soldiers are held and details the protocol for dealing with soldiers who fail to meet the standards.

Chapter three of AR 40-501 lists the psychological symptoms of active duty soldiers that must be reported to a Medical Evaluation Board (MEB). These include, “persistence or recurrence of symptoms” relating to mood disorders, anxiety, psychotic tendencies, dissociative disorders and adjustment disorders “resulting in interference with effective

military performance”. If the MEB finds that the soldier does not meet the medical standards put forth by AR 40-501, he or she is then referred to a Physical Evaluation Board (PEB) to determine if the individual is fit for duty (FFD) or should be discharged [SEE APPENDIX B].

Having observed what they thought could be psychotic behavior, Hasan’s colleagues at Walter Reed were required to report it to a Medical Evaluation Board. Their failure to do so was a violation of army protocol. Because it relies solely on the assumption that fellow soldiers will formally express their concerns for their colleagues, the protocol prevented Hasan from receiving adequate counseling or evaluation. He continued struggling to align working in a highly structured American environment with his Islamic beliefs. The army’s strict bureaucratic structure requires concerns to be filed a certain way; when one step in the procedure does not occur, there are no additional protections to make a formal evaluation of psychosis. His colleagues not reporting him to an MEB constitute an administrative failure since the entire procedure rests on that initial complaint.

Rather than invoke standard operating procedures, Major Hasan’s supervisors recommended that he be stationed at Fort Hood since there was an extensive psychiatric team already in place. In theory, this was where he could have the least effect and could be supervised by a large group of peers.

At Fort Hood, he worked at the Darnall Army Medical Center. Colleague, Colonel Steven Braverman, stated, “we are not aware of any problems that he had while he was

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http://www.brooksidepress.org/Products/Military_OBGYN/Library/MilitaryTexts/Training/Army/r40_501.pdf (accessed December 5, 2010).
here at Darnall. We had no problems with his job performance while he was working with us.”

Given the mass killings that Hasan committed, his extremist thoughts obviously did not subside and the larger staff at Fort Hood allowed him to blend in and not raise any concerns.

Hasan’s internal struggle

In the months leading up to November 2009, Major Hasan learned that his unit was scheduled to deploy to Afghanistan. A practicing Muslim, Hasan felt great internal strife over having to combat what he saw as his fellow brothers. His writings show his adamant opposition to the War on Terror and the perceived attack on Arab culture. He had been in contact with a radical Muslim cleric, Anwar al-Awlaki, seeking his guidance in following Islamic religious obligations while involved in American combat warfare. The FBI’s Joint Terrorism Task Force (JTTF) intercepted the twenty emails that Hasan and al-Awlaki exchanged, but found the subject matter to be relevant to Hasan’s research on post-traumatic stress disorder in soldiers returning from war. The FBI issued the following statement:

Major Hasan came to the attention of the FBI in December 2008 as part of an unrelated investigation being conducted by one of our Joint Terrorist Task Forces... Investigators on the JTTF reviewed certain communications between Major Hasan and the subject of the investigation and assessed that the content of those communications was consistent with research being conducted by Major Hasan in his position as a psychiatrist at the Walter Reed

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8 Ibid.
The FBI failed to mention that the subject of the investigations was a man who promoted the use of violence to defend the Muslim faith and who had been linked to various terrorist plots, such as the attack on the World Trade Centers in 2001, the July 7th attacks in London in 2005 and the attempted plane bombing in the United States on Christmas day 2009.\textsuperscript{11}

Despite having raised concerns among his colleagues at Walter Reed earlier that year, the JTTF did not spend an extraordinary amount of time investigating the communication. In this case, the emails were investigated by a small team of analysts, and then signed off on by a supervisor. Due to the Freedom of Information and Privacy Acts, further dissemination of information, and therefore additional safeguards, were not permitted. These administrative procedures kept the JTTF officials from further investigating communication between a radical, violent cleric and a Muslim-American soldier known to be conflicted over Muslim soldiers’ role in the military.

Though the JTTF was formed after the War on Terror began, its strict policies do not give lower-level investigators the discretion necessary to evaluate internal threats stemming from ethnic tension. This centralized authority allowed a conflicted soldier writing to a terrorist about Muslim obligations and the military to evade adequate oversight. In the wake of the War on Terror’s commencement, Army protocol failed to adapt itself to be able to recognize these early warning signs of ethnic tension. These


emails that the JTTF intercepted were not the last time Americans would hear from al-Awlaki.

After Hasan’s rampage, al-Awlaki posted on his website, “Nidal Hasan is a hero” for having killed American soldiers. He also stated, “we ask Allah to accept his great heroical act.” He argued that, “the only way a Muslim could Islamically justify serving as a soldier in the US army is if his intention is to follow the footsteps of men like Nidal.”

In addition to his communication with al-Awlaki, Hasan became increasingly candid about his opposition to the War on Terror. In 2007, he gave a PowerPoint presentation to a group of Army physicians entitled “The Koranic World View as it Relates to Muslims in the Military,” calling for the military to allow the release of Muslim soldiers as conscientious objectors to fighting against other Muslims. After he learned of his imminent deployment, he retained a lawyer to try discharge from the Army. In 2009 colleagues reported that Hasan spoke openly of his opposition to the war by justifying suicide bombing and denouncing the War on Terror as a war on the Muslim faith. In addition to his strife over combating fellow Muslims, Hasan sometimes struggled with living a pure Muslim lifestyle. He frequented a local strip club multiple times, always bringing his own

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13 Ibid.
14 Ibid.
alcoholic beverages and paying for lap dances.\textsuperscript{18} Trying to align his faith with his actions plagued Hasan in both his private and work lives.

Nidal Hasan’s devotion to Islam was palpable. He was a devout member of the Muslim Community Center in Maryland while he worked at Walter Reed.\textsuperscript{19} He was actively searching for a wife. The imam at the Muslim Community Center cited that Hasan was looking for “a woman who prayed five times a day and [wore] a hijab.”\textsuperscript{20} Most of the mosque’s followers who knew Hasan stated that he was reserved, but willing to help in any situation. He donated money, offered rides to the airport and helped buy food for youth programming at the mosque.\textsuperscript{21} The imam at his mosque in Texas remembered that Hasan came to pray daily, at times in his army fatigues and at other times in his white tunic.

Major Hasan’s beliefs and strict interpretation of the Koran followed him into his work life. Colleagues stated he was somewhat difficult to work with. His female colleagues, in particular, felt uncomfortable working around him. A former co-worker at Walter Reed stated that Hasan refused to be photographed in the office Christmas photo because women were going to be in the picture.\textsuperscript{22} In addition, he frequently suggested to his patients that they convert to Islam to find peace. While completing his doctoral degree at Walter Reed, he was put on probation for proselytizing, that is, promoting his faith in what

\textsuperscript{20} Newman and Brick 2009.
\textsuperscript{21} Flaherty et al 2009.
\textsuperscript{22} Flaherty et al 2009.
should have been a professional, unbiased setting. 23 Nothing became of this official report that was filed against him. Instead, when Hasan’s residency was completed, he was sent to Fort Hood in an “out-of-sight, out-of-mind” mindset.

Mohammed Hasan stated that his cousin “was being treated like a Muslim, like an Arab, rather than an American, he was being discriminated against.”24 He paraphrased Hasan’s colleagues, stating, “‘Yes, you are a major in the U.S. Army, but you are still an Arab, a Muslim, you have your own traditions and values and we have ours.’ He was bothered by that a lot. He wasn’t respected as he should have been.”25 These are not the only reports indicating that Hasan was the butt of racial prejudice. An interview with his aunt, Noel Hasan, revealed that Major Hasan experienced discrimination and name-calling in the years following the attacks on the World Trade Center in 2001.26 In addition to his internal struggle over fighting other Muslims, Nidal Hasan is said to have cited this discrimination as a reason for wanting to be discharged. On August 16th, 2009, Major Hasan filed a report with the local police in Killeen. Someone had ripped the bumper sticker off his car that said, “Allah is love” in Arabic and had keyed his car.27 That month, he began formulating how he would carry out these executions, beginning with purchasing a weapon.

_Premeditation to murder_

24 Hider and Naughton 2009.
26 Flaherty et al 2009.
Three months before the shooting, Major Hasan entered the gun store Guns Galore, asking for “the most high-tech weapon” available.28 He purchased a membership to Stan’s Outdoor Shooting Range about twenty miles from Fort Hood from August to November to practice using his laser-scoped, semiautomatic handgun. The owner of the range, John Choats, testified that Hasan chose to use silhouette targets instead of bulls-eye ones and began by shooting at the head and chest instead of the typical abdominal-range shot. In that three-month time frame, he purchased copious amounts of ammunition every two weeks, totaling to around 800 bullets per month.29 On November 3rd, Hasan reportedly fired close to 200 rounds at the practice range.30 He was preparing himself to execute mass killings. With his rifle training completed, the only thing he had left to do was to attend to his personal affairs.

When law enforcement officers from the Federal Bureau of Investigation searched Hasan’s apartment after the shootings they found sparse living quarters. His $325 per month apartment was nearly emptied.31 He had given away everything from his personal copy of the Koran and his air mattress to his frozen broccoli. While it is uncertain whether or not Hasan planned on committing suicide after his killing rampage, he was obviously not planning on returning to his apartment.

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29 Ibid.
Frozen foods dispensed, Hasan awoke on November 5th and donned a white tunic instead of his traditional army greens, as he had done throughout the preceding week. That morning was just like any other workday for Hasan. He attended early morning worship service at his mosque, The Islamic Community of Greater Killeen. According to the owner of a 7-Eleven convenience store that Hasan frequented, that morning Hasan “came in [and] had his hash browns and coffee” like any other normal morning. Security camera footage shows Hasan talking to fellow customers and smiling to himself [SEE APPENDIX C]. Afterwards, he reported to the base for a normal workday. Not much is known about what occurred between the times when he reported to work and when the shootings began.

Timeline on November 5th

At approximately 1:30 p.m. local time, soldiers were visiting the Soldier Readiness Processing Center to undergo last minute medical check-ups before being deployed to Iraq and Afghanistan [SEE APPENDIX D]. Major Nidal Hasan entered the building and shouted in “a strong, stern voice, like a drill instructor” the proclamation “Allahu Akbar”, meaning Allah is great. He then used his laser-pointed handguns from Guns Galore and opened fire

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33 Ibid.

34 Whitelaw 2009.

on everyone who was in the building. People took cover under tables and behind partitions. Hasan shot haphazardly.

Among the victims was Private Francheska Velez, the only victim known to be pregnant. After she was shot, Velez fell on the floor in the fetal position, screaming “‘my baby, my baby.’” When the rampage was over, she was found facedown on the floor, dead. Another victim described the incident as a “massacre.” During the shootings, Hasan killed thirteen people—twelve soldiers and one civilian nurse. Sergeant 1st Class Maria Guerra worked in the administrative wing of the Darnall Medical Center, giving vaccinations. She entered the Readiness Center right after the first shots were fired. She stated,

The smoke was so thick and all you could smell was the gunfire, the sulfur...All I saw was soldiers and bodies all over the floor...no one was moving... I ran out to where the first body was... yelled out, ‘Is everybody OK?’ It was then like a switch turned on- you could hear, ‘Help me, help me, I’ve been shot.’

Many witnesses present during the shootings believed the incident was a practice drill for when they would be in combat. “‘I thought to myself, this is a crazy training going on... It was almost a constant sound, constant shooting.’” This shooting continued for about five minutes before civilian police officers arrived on the scene to try to contain the situation.

36 Keyes 2010.
37 Ibid.
39 Keyes 2010.
Sergeant Kimberly Munley of the civilian branch of the Department of Defense arrived at the Soldier Readiness Processing Center to find Major Hasan pursuing and firing at a soldier outside of the building. She immediately engaged Hasan in gunfire, firing two shots before Hasan exchanged fire with her. Munley fell to the ground having been shot three times in her leg, yet continued to fire. Due to her unwavering resolve, Hasan was incapacitated. As Hasan was distracted in the altercation with Munley, police officer Mark Todd had time to fire rounds at Hasan, hitting him in the back, paralyzing him from the waist-down and causing him to slide down the nearby telephone pole. He was taken to Brooks Army Medical Center where he remained in the intensive care unit and was placed on a ventilator for the days following the massacre.

Pre-trial hearing

Hasan’s pre-trial hearing ended on November 15, 2010. Over the eight-day period that decided if the case will go to a full court-martial, prosecution called 56 witnesses, mostly those were present and injured at the November 5th shootings. Some witnesses even joined the trial via video feed from military bases in the Middle East. Hasan is charged with thirteen counts of pre-meditated murder and thirty-two counts of attempted pre-
meditated murder. The trial is classified as an Article 32 hearing. This is a somewhat informal procedure that allows both defense and prosecuting attorneys to present evidence for their cases. The investigating officer then evaluates the arguments and recommends whether the defendant should face the most serious of military tribunals, a court-martial. The investigating officer could take up to a year to compile the evidence from the pretrial hearings and make a recommendation on whether Hasan could get a fair trial in an Army tribunal. If the officer decides the case should go to court-martial, officials will then decide whether or not to seek the death penalty. In a capital punishment trial, the hearing must be before a jury of officers. If not, Hasan can chose if he wants to be tried before a panel of officers or before a judge.

Though their pre-trial argument was a brief three minutes, the defense is preparing for the long-term battle. During the hearing, the defense did not call any witnesses. When asked if he wanted to give a statement, “Hasan gave a barely audible ‘no.’” John Galligan, Hasan’s attorney, stressed the importance of having a “proper” pretrial process that ensured Hasan, as an American citizen, be granted all of his due process rights. Experts speculate that he is keeping his defense a secret until the expected court-martial. When the case does go to trial, whether it is in a court-martial or in a civilian court, it will likely

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47 Ibid.
highlight some of the key administrative protocols that should have caught Hasan’s troubling behaviors.

**Conclusion**

The case study on Fort Hood confirms the hypothesis that administrative procedures failed to combat the consequences of ethnic tension because of the Army’s strict bureaucratic structure. If one step in the protocol falls through, the entire process fails. By investing greater discretion in lower-level officials, the Army can disburse authority and ensure that if one individual or group of individuals does not follow protocol, then the entire procedure does not fail.

Through examining how increasing ethnic tension within the Army led to the Fort Hood shootings, researchers can suggest ways to improve the implementation of anti-discrimination policies currently in place. This paper exposes students and practitioners to the effects that implementation failure can have in what is otherwise an environment heavily reliant on protocol. This case study suggests that traditional top-down approaches used in the military may hinder street-level bureaucrats from intercepting a discrimination problem before it becomes a full crisis.
APPENDIX A:48

APPENDIX B:49

AGR and USAR/TPU Scenario

Line of Duty/AGR

- LOD/AGR
- MEB
- PEB
- FFD

Does Not Meet Retention Standards

USAR/TPU

- Non-Duty Related PEB
  - Retirement
  - PEB
  - DISCHARGE
    - FFD
    - Not FFD
      - SM Appeal
      - Discharge/Retire
      - Formal FFD Board (SM Own Expense)

APPENDIX C:50

APPENDIX D:51