

# The Inspector General System

## CAP Officer Basic Course

### Introduction

The Inspector General plays a key role in an organizational environment of growing concern about governance, compliance and transparency. **Solid** organizations are built on trust. CAP is built on the trust of its members and the expectations of the US Air Force, as conveyed by CAP-USAF, our Air Force oversight agency, that we, as an organization are doing the right thing. To assure that trust is well placed, the IG system provides an avenue for complaint resolution and a system of inspections that assure compliance with the standards the organization sets for itself; the CAP Constitution and Bylaws, regulations, and other directives.

No one really enjoys being inspected or being a party on either side of a complaint. We can't make it fun, but we must make it fair. The IG system has constructed systematic approaches that give structure to complaints and inspections, and render the process understandable, predictable and consistent. In CAP, with its nearly 55,000 members, 550 aircraft and numerous other assets, there are bound to be personal grievances and allegations of misuse of property, even fraud. Sometimes these stem from misunderstandings; sometimes they are true. The complaint system provides a means to evaluate these concerns and cure the issues at the lowest level and before they develop into systemic faults. The task of assuring universal compliance with CAP standards within the 52 wings and over 1500 groups and squadrons that comprise the organization is the responsibility of the IG assessment program.

This segment of your officer training will give you an overview of how complaints are processed and what inspections comprise the CAP assessment program.

### 1. Explain the IG structure used by Civil Air Patrol.

The basis for the CAP Inspector General System is in the **Statement of Work (SOW)** between Civil Air Patrol and the United States Air Force. (See the History of CAP/USAF and Legal Basis for CAP lessons in this course for more information on the SOW.) The SOW states, among other things, that "CAP shall develop and operate an inspector general program similar to the United States Air Force inspector general program." This mandate is implemented through three CAP regulations. These are:

- **CAPR 123-1, Civil Air Patrol Inspector General Program.** This regulation covers the background, authority, and purpose of the CAP IG System.

- **CAPR 123-2, Complaints.** Establishes policies related to Civil Air Patrol Complaints and Fraud, Waste and Abuse (FWA) programs and Whistleblower Protection Program. It includes procedures for **submitting and processing complaints** against any CAP members acting in their volunteer capacity and against the corporate entity.

- **CAPR 123-3, Civil Air Patrol Compliance Assessment Program.** Explains the procedures used to conduct the CAP Assessment program.

The CAP Inspector General (CAP/IG) shall, according to the Statement of Work:

- Train inspector generals and educate commanders about the IG program.
- Develop and operate a CAP inspection program.
- Develop and operate a complaint program that offers protection from reprisal.

There are a number of positional safeguards built into the IG system. The CAP/IG is a CAP member selected by the Board of Governors (BoG) and reports to the BoG and to the National Commander. The CAP/IG can only be removed at the direction of the BoG. Region and Wing IG's report to their respective commander and to the next higher IG (See Fig. 2). This assures that an IG cannot be silenced by his commander. In fact, a Wing IG cannot be removed from appointment without the consent of both the wing commander and the region commander. Complaints filed against, or investigations aimed at an IG's commanding officer can only be handled by the Inspector General at the next level of command. The CAP/IG handles all complaints against senior officials and corporate officers (wing commanders and higher). The BoG can appoint either the CAP/IG, or an investigating officer in lieu of the CAP/IG, to handle complaints against the National Commander or National Vice-Commander.

Within the IG system direct lines of communication exist among all IGs, from the CAP/IG to Wing IGs. These are not lines of authority, but "dotted lines" suggesting that communications within IG channels flow in both directions. There are similar communications between IG's and CAP Legal Officers as well.

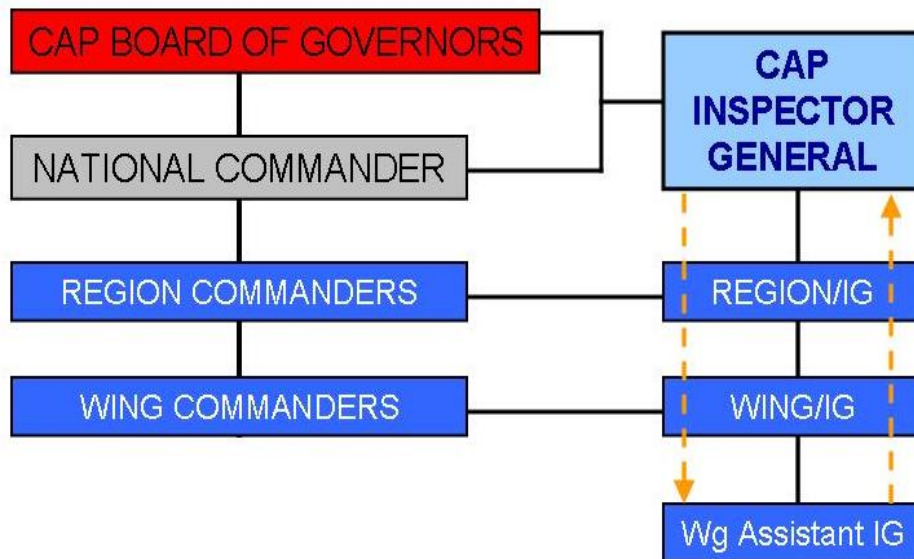


Figure 1 -- IG Reporting and Internal Communication Chart

CAP Inspectors General **must not double-billet** (can't hold two staff assignments). Being an IG and the Wing Director of Cadet Programs, for example, is a fundamental conflict of interest.

## 2. Describe the assessment program used by CAP.

The CAP Assessment program consists of two types of inspections: **Compliance Inspections (CI)** held at the region or wing level; and **Subordinate Unit Inspections (SUI)** held at units below wing level. In addition, There are also two assessments which help units prepare for inspections: **Staff Assistance Visits (SAV)** are normally conducted at the region or wing level; and **self-assessments (SA)** which units below wing accomplish themselves and report to the wing.

SUBORDINATE UNIT INSPECTION (SUI):

Subordinate Unit Inspections are the Wing Commander's responsibility but managed by the wing IG. Inspections established by either CAP regions or wings to evaluate the management and mission capability of units below the wing level. SUIs are to be conducted on a 36-month cycle (or less) with the purpose of improving both safety and regulatory compliance. On the surface they are just like SAs but there are some significant differences. They are performed by the next higher (group or wing) headquarters. A report is prepared for each SUI by the inspection team and presented to the Wing Commander. It shows the status of each program in the unit, its strengths and weaknesses. SUI reports must be received by the unit (e.g. squadron) commander within 45 days of the inspection.

Each officer/staff position in the unit is inspected by an inspection team. Grades are based upon their ability to prove their answers to the questions found in the SUI Guide. SUI grades are " **Highly Successful**", "**Successful**", "**Marginally Successful**", and "**Unsatisfactory**".

- **Highly Successful (HS):** Performance or operation **exceeds** mission requirements. Procedures and activities are carried out in a superior manner. Resources and programs are very efficiently managed and relatively free of deficiencies and existing deficiencies do not impede or limit mission accomplishment.
- **Successful (S):** Performance or operation **meets** mission requirements. Procedures and activities are carried out in an effective and competent manner. Resources and programs are efficiently managed. Minor deficiencies may exist but do not impede or limit mission accomplishment.
- **Marginally Successful (MS):** Performance or operation **does not meet some** mission requirements. Procedures and activities are not carried out in an efficient manner. Resources and programs are not efficiently managed. Deficiencies exist that impede or limit mission accomplishment.
- **Unsatisfactory (U):** Performance or operation **does not meet** mission requirements. Procedures and activities are not carried out in an adequate manner. Resources and programs are not adequately managed or endanger personnel or resources. Significant deficiencies exist that preclude or seriously limit mission accomplishment.

Deficiencies discovered during the SUI, known as Findings, must be answered by the inspected unit, indicating how the deficiency was corrected. A Finding is not a general fault but is a specific violation of a CAP standard (regulation, etc.).

There is a great deal of unit pride in CAP. SUI grades are a potential source of pride to the unit and its members. More to the point, it is a clear indicator of mission performance.

SUI inspectors are supposed to be "highly qualified": That means they should have completed the IG Basic Course and have detailed knowledge and experience in the areas being inspected (such as being active members on a wing staff currently working in a particular staff position). In other words, they are trained for the task.

#### SELF-ASSESSMENT (SA):

The SA is a self-evaluation by the unit. Each year, in the anniversary month of their last SUI, each unit must accomplish a mandatory self-assessment. If the wing conducts SUIs more frequently than the 36-month standard then this requirement is optional. The SA may be used internally to enhance mission accomplishment. During a SA, members of the unit look at themselves and each other, using the SA Guide described below to see how well they are performing. A written report documenting the results of the self-assessment is provided up one level of command (i.e., squadron to group, group to wing) as well as to the Wing/IG, within 30 days of completing the self-assessment.

The *SA Guide* is a list of questions that each program director is asked during any inspection. The questions are derived from the regulation pertaining to the inspected duty assignment. The guide is provided to help members perform their job better, to serve as a reminder of things that must be accomplished and to help prepare for an SUI.

#### STAFF ASSISTANCE VISIT (SAV):

SAVs are an UNGRADED assessment by higher headquarters and/or CAP-USAF Liaison Region (LR) personnel. It is intended to provide assistance in improving mission effectiveness. The SAV format is identical to the Compliance Inspection format. Although SAV's are ungraded, deficiency findings from the report must be answered. Ideally, this SAV will occur 9 to 15 months prior to the next scheduled Compliance Inspection and prepares the wing for the CI. Think of a SAV as a dress rehearsal for a CI.

#### COMPLIANCE INSPECTION (CI):

The CAP/IG and CAP-USAF/IG will jointly conduct compliance inspections of each CAP wing approximately every four years. The CI is a major inspection of each of CAP's programs at the wing level. The report is graded on a scale of "**Highly Successful**", "**Successful**", "**Marginally Successful**", and "**Unsatisfactory**". Deficiencies (findings) must be answered. Since Assessments is a Commander's program, the six-person joint CAP/CAP-USAF CI teams represent the National Commander and CAP-USAF Commander, who jointly sign the resulting CI report.

### 3. Identify the main elements of the complaints process.

The Statement of Work between the CAP and the USAF states that CAP will operate a complaint system based on the Air Force system and designed to address the **prevention, detection, and correction of any fraud, waste, mismanagement or deficiency, to extend this system to include the protection of cadets and the abuse of authority.** The definitions of all those terms and the program details can be found in CAPR 123-2, *Complaints*.

The term complaint has a specific meaning in CAP. It does not mean that you don't like something or somebody. "Complaint" means a written document listing facts and circumstances specifically alleging a violation of a specific CAP directive, a violation of law, or misconduct. A member is entitled to file a complaint, but is obligated to do so if they have knowledge of any "fraud, waste, mismanagement or deficiency." The complaint program includes a means for addressing threats to the cadet protection program and the abuse of authority.

Why provide a complaint program? First, consider CAP's Core Values. People engaged in abusive behavior are violating those values and the public trust. Second, it is a matter of governance, compliance and transparency. Third, CAP ethics expect members to avoid even a semblance of impropriety, self-interest, and greed.

You should know that all CAP members, after submitting a complaint to a respective commander or inspector general, **are protected from reprisal and retribution.** CAP members must understand, however, that when submitting complaints they are making official statements within CAP channels. Therefore, **CAP members may receive administrative or disciplinary action under appropriate CAP regulations for knowingly making false statements in complaints they file.**

Before a member files a complaint, they should ask themselves some questions:

- Is this something I just don't like or is it a violation of a CAP Standard?
- Will I still feel the same way next week?

- Can I resolve this myself or is there someone (maybe my mentor) who can help me resolve this? Can I resolve it in my normal chain-of-command?
- Will this complaint resolve the matter?

Complaints can come from any source, including verbal and e-mail, but ultimately must be made in writing, signed and dated within 8-days of the initial IG contact. CAPR 123-2 specifies that complaints must be filed within 60 days of the time the event occurs or is discovered. Complaints regarding events older than 60-days are dismissed unless there is special importance to CAP that they be considered.

**The proper form for filing an IG complaint is CAPF 30, Inspector General Personal and Fraud, Waste & Abuse Complaint Registration. Anonymous complaints** are accepted but they generally leave little for an IG to act upon since there is no dialog between the complainant and the IG.

When filing an IG complaint, it is important to follow the procedures outlined in CAP 123-2 carefully. If not filed properly or in a timely manner, the complaint **may** be dismissed. Once filed, confidentiality by all parties concerned is critical. Discussing the complaint with people other than those conducting the investigation, attempting to conduct an investigation yourself, or interfering with the investigation (even if you are trying to be helpful) could compromise the process and bring on adverse administrative action. The IG's role is that of a fact-finder. It may take considerable time for an IG to successfully conclude an inquiry into a complaint. Be patient.

Should you be the subject (the person complained about) of a complaint, you have the right to an attorney or other guidance. However, please remember that the CAP complaint process is an administrative, not legal, process. Cooperate with the IG or IO (Investigating Officer). Do not attempt to alter or destroy any evidence. Do not discuss the matter with people other than those conducting the investigation. Be truthful. Be patient. CAP investigating officer's and IG's first obligation is to the truth. They conduct investigations for CAP, not for the Complainant nor the Subject of the complaint. They do not pick sides.

**Complaints are not automatically investigated.** Upon receipt of a complaint, the IG will conduct a **complaint analysis** (see the 10-Step process described below) by reviewing the allegations, initial evidence, and the CAP standard alleged to be violated. There are **FIVE** action options at the conclusion of complaint analysis. The IG may:

**ASSIST** the complainant in resolving the issue at the lowest level. This could involve mediation or simply a helpful phone call to resolve the issue.

**REFER** the case to the command level in CAP. This would include complaints that are appropriately resolved through the chain of command or other channels and are not within the scope of authority of the IG.

**TRANSFER** the case to the appropriate CAP jurisdiction. Perhaps the location or facts of the complaint require it be handled by a different wing IG; or it involves a corporate officer, requiring the complaint to be transferred to the CAP/IG.

**DISMISS** the complaint when an analysis indicates that the action complained about is not a violation of a CAP rule, regulation or standard. Unless they violate CAP standards, they are not IG concerns. IGs often receive complaints about actions that are within a commander's scope of authority (promotions, assignments, management style, etc.).

**INVESTIGATE** the complaint after obtaining an appointment letter. Investigation should be the option of last resort.

The IG or IO is guided through many detailed steps of the complaint process by CAPR 123-2 and the *CAP Investigating Officer Guide*.

### **When an investigation is received, the IG follows these 10 steps:**

**Step 1: Contact.** A complaint is received and is determined bona fide (from a CAP member or cadet parent or guardian).

**Step 2. Complaint Analysis.** This step is the foundation of the complaint system . An analysis made to determine how the complaint will be processed. The process may stop here (see Five Alternatives above).

**Step 3: Tasking .** When complaint analysis indicates that an investigation is warranted, an IG or Investigating Officer is given an appointment letter from a CAP corporate officer, usually the wing commander, to investigate the complaint.

**Step 4: Pre-fact Finding** takes place. The IG/IO gathers facts, determines who the players are and drafts an investigating plan

**Step 5: Fact Finding** is the heart of the investigation. Interviews and sworn statements are collected. The written Report of Investigation (ROI) is begun

**Step 6: Report writing** means all those facts gathered are written down in the manner specified for a ROI.

**Step 7: Quality Review** is done by a trusted agent to assure the ROI is a grammatically correct and readable document.

**Step 8: Legal Sufficiency Review** is done by a CAP Legal Officer to assure the each allegation is adequately resolved in accordance with CAP rules and standards.

**Step 9: Re-work.** The ROI is corrected to accommodate the review comments.

Before providing the ROI to the appointing authority, the investigating officer or IG will determine a classification for each allegation (complaints may contain several allegations). There are two possible classifications for each allegation, **Sustained** (the investigation reveals a preponderance of evidence in support of the allegation), or **Not Sustained**.

**Step 10: Closure.** The IG/IO gives the final product to the appointing corporate officer (e.g. wing commander). That person makes decisions based on the ROI and informs the Complainant and Subject of the complaint of the results of the ROI and may address any action to be taken. The IG or IO determines facts and presents those facts; but **does not** issue judgments or decisions. That is a command function.

**An investigation may take up to 180 days, but only if everyone cooperates!** Most investigations are accomplished more quickly; but more complex investigations take time to properly complete.

### **Lesson Summary and Closure**

As you see the role of an IG is complex. The IG cannot be double billeted, but instead must remain focused and unencumbered by other duties and influences in CAP. CAP members have free and open access to the IG to allow an avenue for complaint resolution and foster good governance.

The IG has two primary duties in CAP. The first is to assess the strength of CAP program management and mission readiness through inspections. The second is to resolve complaints at the lowest level, and through a formal process. In both cases, the result of the IG's fact-finding is passed to command for action.

The IG must develop many skills to accomplish the job. He or she can rely on the CAP IG community for support and guidance and on many instructional materials from the CAP IG

training curriculum. In the end, however, it is the IG's personal credibility as an honest broker that assures the benefit of the position to members and commanders alike.

## **Works Cited**

CAP- Basic Course on-line and in seminar

CAP-USAF Statement of Work

CAP Constitution and By-Laws

CAPR 123-1, 123-2, 123-3

CAP CI Team Member Handbook

CAP CI Report Writing Guide

CAP Investigating Officer Guide (IO Guide)