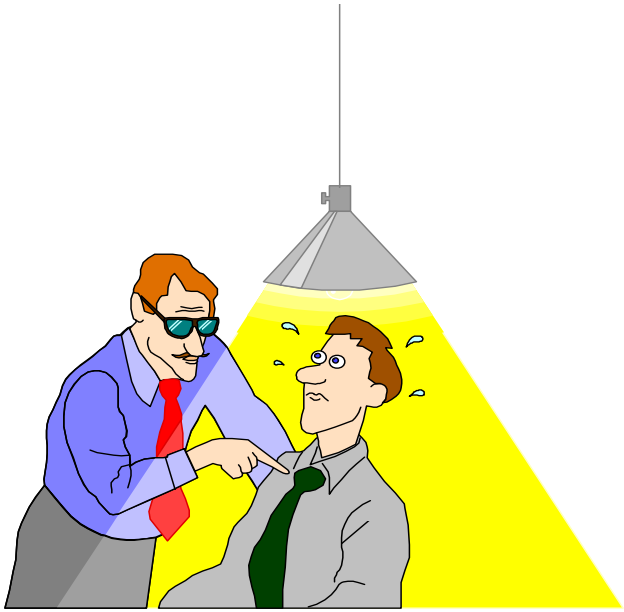
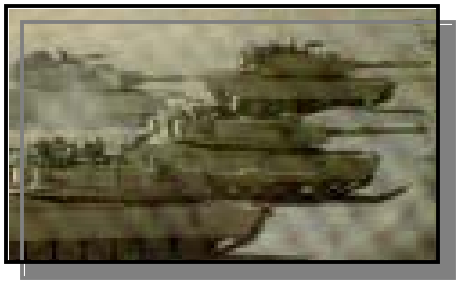
PCC
Aug 02

The Role of the Inspector General

MAJ (P) Kimberly L. Carden





Army Values: Loyalty, Duty, Respect, Selfless Service, Honor, Integrity, Personal Courage

We are here to help

MISSION

The Inspector General is the representative of the Commanding General on matters affecting mission accomplishment & the state of economy, efficiency, discipline, morale, training & readiness of the command.

Focus on Warfighting

Eyes, Ears & Conscience of the Commander

1778..von Steuben's Challenge…The 1st IG complaints…

- There is no meat
- The horses are dying
- The countryside is bare
- The Money Dept is a mere farce
- Some regiments consist of 30 men
- Nothing is so difficult and often so impossible, as to get a list of the state of the Army, Company, Regiment or Corps
- Many troops have no firearms
- There is no discipline

Circa 2002…Some things don't change!

- There is no meat……..“chow is lousy”
- The horses are dying…….. “no spare parts”
- The countryside is bare…….. “BASEOPS funding is lacking”
- The Money Dept is a mere farce….. “my pay is screwed up”
- Some regiments consist of 30 men… “ we are undermanned”
- Nothing is so difficult and often so impossible, as to get a list of the state of the Army, Company, Regiment or Corps…..

“SIDPERS 3 doesn't work!”

- Many troops have no firearms...”shortage of training ammo”
- There is no discipline……. ”these GEN X soldiers…”

BASICS

- ✓ Issues VS Units
- ✓ Overt VS covert (work at lowest level)
- ✓ Anonymity of complainant
- ✓ Protection of IG information
- ✓ Evals / Awards / Adverse Action
- ✓ Access cannot be denied

EQUAL...

Trust and Confidence of Soldiers and Commanders

IG FUNCTIONS

- ✓ Inspections
- ✓ Assistance
- ✓ Investigations
- ✓ Teach & Train

Trained and Ready to Fight!

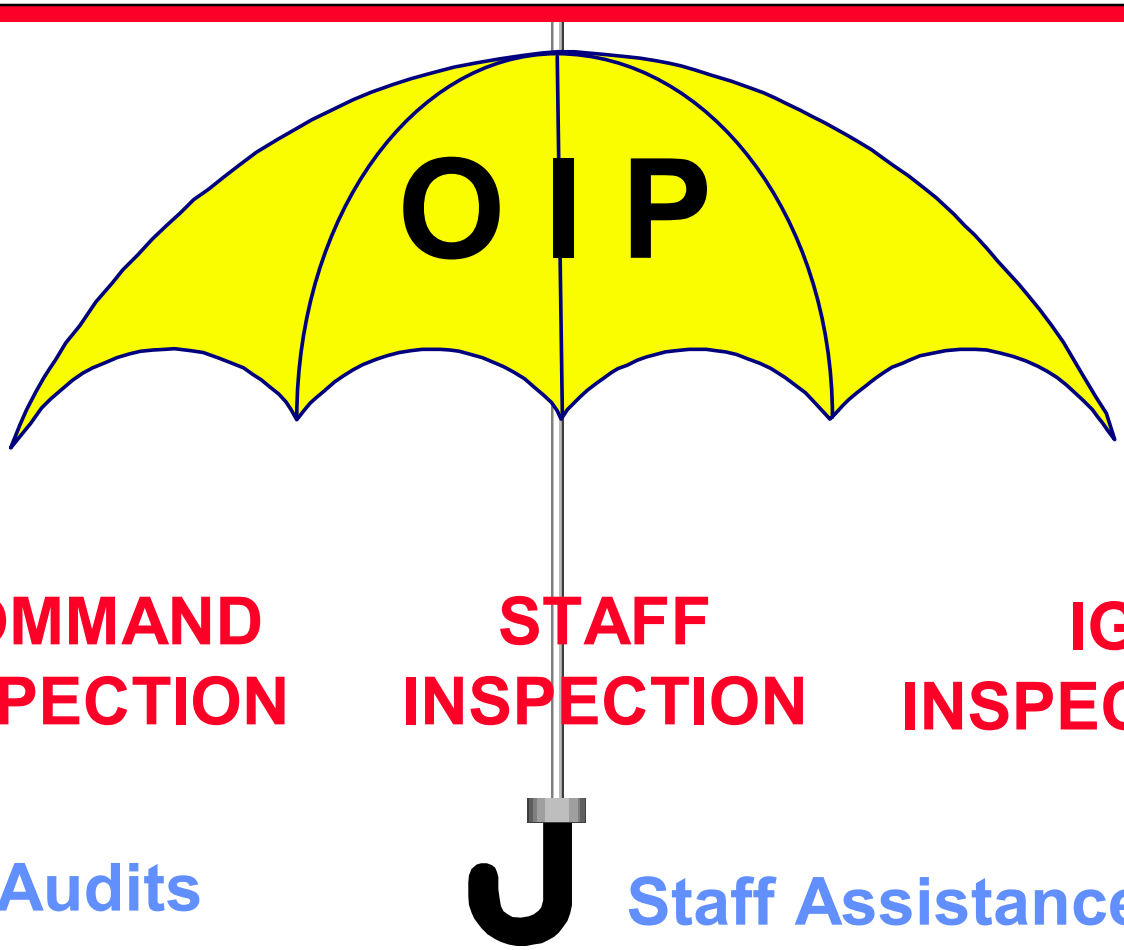
Inspections

This is how it was before mid 1980's. Do you remember?

INSPECTION METHODS

- ✓ Compliance Inspections--
  - Determine adherence to --
    - Law
    - Regulation
    - Policies, Procedures & Directives
- ✓ Systemic Inspections--
    - ID problems or issues
    - Determine root causes
      - Can't Comply / Don't Know / Won't Comply
    - Develop solutions & fix responsibility

Organizational Inspection Program



COMMAND INSPECTION

STAFF INSPECTION

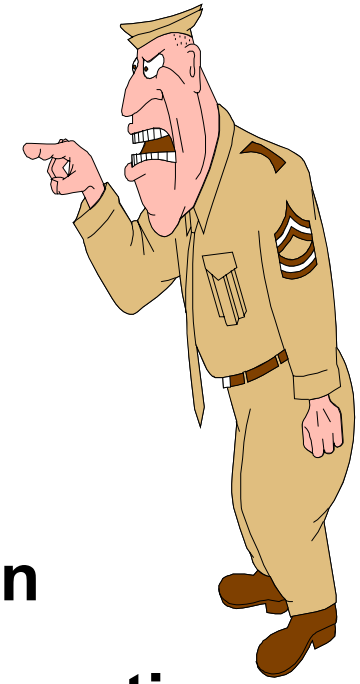
IG INSPECTION

Audits

Staff Assistance Visits

Command Inspection

- Scheduled/Formal event
- Led by the commander



Initial Command Inspection

Subsequent Command Inspection

Initial Command Inspections

- Required for Company Commanders (or like commands)
  - 90 days (AC)
  - 180 days (RC)
- Identifies unit strengths and weaknesses
- Comprehensive & on the training schedule
- Cannot be used to evaluate the Company Commander or compare units
- Helps commanders establish goals, standards & priorities
- Results go inspected unit commander only (IG can get generic results)

Inspecting CDR <u>MUST</u> BE PRESENT & PARTICIPATING

Subsequent Command Inspections

- Measures progress & reinforces goals & objectives established in the Initial Assessment
- Scope, format, timings & frequency is determined by the CDR
- May be used to evaluate company commander

Inspecting CDR <u>MUST</u> BE PRESENT & PARTICIPATING

Staff Inspections

- Led by a staff member of a functional area
- Focuses on a single FA or few related areas
- Conducted by the lowest level technically qualified
- Should complement Command & IG inspections
- Compliance oriented

IG Inspections

IG inspections should attempt to:

- **Pursue systemic issues**
- **Identify substandard performance, determine the magnitude of the deficiency & seek the reason (root cause)**
- **Teach systems processes & procedures**
- **Identify responsibility for corrective actions**
- **Spread innovative ideas**

ASSISTANCE

- ✓ Have You talked to your Chain of Command?
- ✓ What do you want the IG to do for You?
  - Preliminary Screening
  - Individual completes IGAR Form 1559-E
  - Referred to Inspector for interview
  - Case reviewed prior to closure

IG INVESTIGATIONS

- Confidential
- Directed by the Commander
- Find facts
- Consider ALL allegations
- NEVER recommend adverse action

Violations of Law / Regulation / Policy

Mismanagement

Misconduct / Unethical Behavior

GENERATION OF INQUIRIES

- ✓ Local
- ✓ DAIG
- ✓ Congressionals
- ✓ DOD Hotline
- ✓ DOD IG Fraud, Waste & Abuse Hotline

TEACHING & TRAINING

- ✓ OPD / NCODPs
- ✓ INSPECTIONS
- ✓ ASSISTANCE

Sounding Board

Family Support

IG Functions

Command Policy

Standards of Conduct

Ethics

Pay

OIP

WE DO NOT INVESTIGATE CRIMINAL ACTIVITY

KITBAG

ETHICS
STANDARDS OF CONDUCT

- ✓ Single Source of Guidance
- ✓ DOD Directive 5500.7 dated 30 Aug 93
- ✓ JAG is the designated Ethics Counselor
- ✓ Commanders are personally responsible for establishing & maintaining the command's ethics program

Army Command Policy
(AR 600-20)

✓ Policy on responsibilities of command, military discipline & conduct & enlisted aspects of command.

✓ Guidance on Responsibilities

- NCO's support channels
- Relationships between soldiers
- Accommodation of religious practices
- Total Army Family Program
- Army EO Program

What has not Changed

- ✓ Prohibition of all unprofessional relationships that:
  - compromise the chain of command
  - cause partiality or unfairness
  - involve the improper use of rank for personal gain
  - are exploitative or coercive in nature
  - create an adverse impact on discipline, authority, morale or mission accomplishment
- ✓ Relationships that present the <u>appearance</u> of violating any of these standards may also be prohibited

Business Relationships

- ✓ Business relationships between officers & enlisted personnel are prohibited
- ✓ Exceptions
  - – Landlord / tenant relationships
  - – One time transactions (such as sale of an automobile or house)
  - – For ARNG/USAR only, business relationships which exist due to their civilian occupation or employment

Personal Relationships
(1 of 2)

- ✓ Dating, shared living accommodations & intimate or sexual relationships between officer & enlisted are prohibited
- ✓ Exceptions to Prohibited Personal Relationships
  - Marriages that were entered into prior to 1 Mar 00
  - Relationships that violate policy only because of the promotion or change in status of one military member (for instance, two enlisted soldiers are married & one is commissioned through OCS)
  - For ARNG/USAR only, personal relationships that exist due to civilian acquaintenanceship (unless individuals are on active duty other than Annual Training)

Personal Relationships

(2 of 2)

- ✓ Regular Army, personal relationships with a member of the ARNG/USAR that exists due to civilian (off duty) association (unless the ARNG / USAR soldier is on active duty other than Annual Training)

Other Prohibited Relationships

- ✓ Any relationship between permanent party personnel & IET trainees not required by the training mission
- ✓ Any relationship between permanent party personnel assigned or attached to the U.S. Army Recruiting Command & potential prospects, applicants, members of the Delayed Entry Program or Delayed Training Program not required by the recruiting mission
- ✓ Gambling between officers & enlisted personnel

Social & Family Relationships

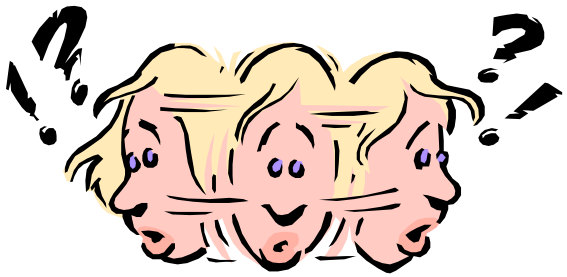
Associations between officer & enlisted that occur in the context of community organizations, religious activities, athletic teams & events, unit - based social functions, or family gatherings are <u>not</u> prohibited

Accountability

- ✓ In any relationship the senior person (by rank) is generally in the best position to terminate or limit the relationship
- ✓ All servicemembers, may be held accountable for relationships that violate this policy

Commander's Options

- ✓ Wide Range of Responses
  - counseling / education
  - administrative
  - non-judicial punishment
  - court-martial



- ✓ Goal is to use response that is warranted, appropriate, & fair

WHAT GETS COMMANDERS IN TROUBLE

ALLEGATIONS----

ABUSE OF AUTHORITY OR POSITION

- Failure to Investigate
- Failure to Take Corrective Actions
- Failure to Support EO Programs
- Unlawful Command Influence

IMPROPER PERSONNEL ACTIONS

- Unequal Treatment
- Failure to Provide Due Process
- Reprisal
- Attempting to Influence boards

FRAUD, WASTE & ABUSE

- Unnecessary/Excessive Travel
- Questionable Conferences
- "Gold Plate" Renovations
- Improper Use of Resources
- Cellular Telephones

PERSONAL MISCONDUCT

- APFT
- Sexual Misconduct
- Abusive Profane Language
- Sexual Harassment
- Fraternization

NON-SUPPORT
(AR 608-99)

- Regulation prescribes the financial support policies with regard to soldiers & their family members.
- Also provides information on garnishment for payment of support under a Court Order.

NON-SUPPORT

2 of 4

COMMANDERS WILL...

- ensure soldiers are informed of consequences
- process nonsupport complaints
- counsel soldiers when complaints are received
- answer all official correspondence
- answer all correspondence from family members
- inform the first field grade officer of repeat offenders
- take appropriate action against the soldier who fails to comply

NON-SUPPORT

(3 of 4)

SOLDIERS *WILL...*

- manage their personal affairs satisfactorily
- provide adequate & continuous support
- comply with all court orders
- maintain reasonable contact with family members
- resolve non-support issues with family

✓ In the absence of a court order or written support agreement, provide financial support equal to BAQ

NONSUPPORT

(4 of 4)

✓**Commanders will take appropriate action**. These actions include, but are not limited to:

- Counseling
- Article 15
- Admonition
- Court-martial
- Admin Separation
- Bar to Reenlistment

✓**Unless otherwise required by court order or written agreement**, payment will be made in one of the following ways:

- Cash
- Check
- Money Order
- Elec Transfer
- Vol Allotment
- In voluntary garnishment

WHISTLEBLOWER PROTECTION
(Whistleblower Protection Act of 1995)

…making a protected disclosure to a member of Congress, an IG, a member of an audit, inspection, investigation or law enforcement organization within DOD, or any person or organization in the chain of command.

BURDEN OF PROOF:

- Did the individual make a protected disclosure?
- Was unfavorable action taken as a result?
- Did the official have knowledge of the disclosure?
- Would action have taken place if disclosure had not been made?

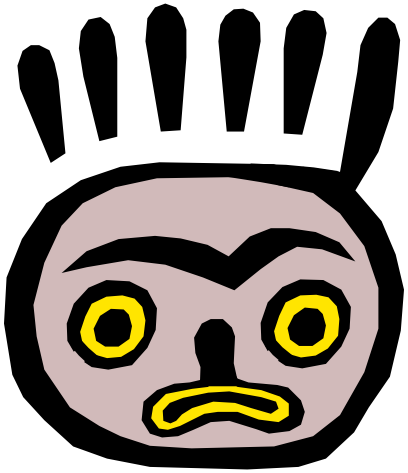
MENTAL HEALTH EVALUATIONS
(DoD Directive 6490.1)

- Establishes rights of personnel referred for mental health evaluations (includes emergency/involuntary cases)
- Establishes procedures for outpatient/inpatient referrals
- Prohibits referrals as a reprisal against whistleblowers

MENTAL HEALTH EVALUATIONS
(2 of 2)

- ✓ DOD Policy--
  - Requires Cdr to consult mental health professional prior to an outpatient referral
  - Allows the member the right to consult attorney, IG, chaplain & others prior to a scheduled referral
  - Directive does <u>not</u> limit a Cdr's actions in emergency cases

INSPECTOR GENERAL OFFICE

- ✓ **Establish comms & stay in the LOOP**
- ✓ **Use the IG**
  - **Sounding board**
  - **Library / Research**
  - **http://books.army.mil**
- ✓ **Be familiar with key regulations:**
  - **DOD Directive 5500.7/R (Ethics)**
  - **AR 600-20 (Command Policy)**
  - **AR 608-99 (Family Support)**

GOOD LUCK!!!