



CIVIL AIR PATROL INSPECTOR GENERAL

IG AUDIENCE

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PLEASE FORWARD THIS TO ALL UNITS IN YOUR WING!

From Col Jay Burrell, CAP/IG:



Upper Level Review

Instead of hearing from me in this edition, I have asked Lt Col Preston Perrenot to do an article on Upper Level Reviews (ULR).

The Upper Level Review (ULR) is a complaint resolution element that allows for a re-examination of the investigative or analysis process. It is an internal IG process that is often misunderstood and misapplied so this article will hopefully clarify what it is and how it works.

An ULR focuses on the investigating officer. Its purpose is to examine the investigation or analysis to see if there were inconsistencies in the process that would have impacted the outcome of the investigation or analysis. *It is NOT a new investigation or an appeal of the outcome.* As a matter of routine, a ULR is conducted on every Complaint Analysis and Report of Investigation by the NRP. If the NRP cites inconsistencies or problems, the document will be sent back to the NCRO for rework before it is submitted to the commander. Simply disagreeing with the outcome of the investigation or analysis is not enough to initiate a ULR. If no new information or evidence is provided, that is, information that has not already been considered in the original process, the ULR will not be initiated. Additional ULRs are conducted by the CAP/IG or a ULR officer appointed by the CAP/IG.

The easiest way to illustrate this is with some scenarios. In the first scenario, we have a request for a ULR that states that the NCRO failed to follow the procedure for the investigation by failing to send a closure letter to the subject. Since the closure letter is required by regulations, it could even be argued that the NCRO violated the regulations by not sending the closure letter. The question is, did the fact that the subject did not receive a closure letter impact the evidence and conclusion of the investigation? The answer is no. The NCRO may have to face corrective action from the CAP/IG, but the ULR will not change the original outcome.

The second scenario is a request for a ULR that states that the NCRO failed to interview a witness that could exonerate the subject. Along with the request for the ULR, the subject sent a written statement from this witness. That statement is considered new evidence, that is, information that was not previously considered. In this case, the member conducting the ULR (usually the CAP/IG) will verify the new information and, if this new information changes the preponderance of evidence, then the CAP/IG may recommend changing the disposition.



The Commanders' Corner

Items of Command Interest



Compliance Inspection Discrepancy Review – Part Deux

By Col Russell E. Chazell, CAP/IGI

As a follow up to Col Steve Miller's article in the April 2023 *Audience* titled "Compliance Inspection Discrepancy Review," this "Part Deux" discussion will cover the mechanics of submitting a compliance inspection discrepancy for review and closure by CAP/IG.

Closing a CI Discrepancy in DTS

Step 1 – Gather all the information and documentation needed to close the discrepancy at hand. This documentation could be a Plan of Action or some missing piece of information like a CAPF 71 aircraft inspection checklist, or both.

Step 2 – Upload that documentation into the "DTS-CIs" module in e-Services. Then, select duty position (Region IG) to send email to and click the box "Send Email to Verification Team on this Discrepancy."

Go Back to the Discrepancy List

| Response Remarks | Date Created | User Name | Has Attachment | CAP IG OK Send Response | CAP-USAF IG OK Send Response |
|--|--------------|-----------|----------------|-------------------------|------------------------------|
| We are working on a coordinated ES and Ops response. | 05 Apr 2023 | Wes LaPre | | | |

Legend
Reply FROM Wing
Response TO Wing

Step 3: The Region IG will, on the DTS-CI main page for the XX Wing CI, click “view edit responses”

The screenshot shows the eServices interface for DTS-CI. The breadcrumb trail is: eServices > Home > Inspections > DTS - CIs. Below the breadcrumb are buttons for 'Submit New Discrepancy' and 'Clear Page'. A status bar indicates 'Due Within: 5 to 15 Days | < 5 Days | > 15 Days'. The main section is titled 'Inspection Discrepancies' and contains a table with the following columns: AOR, Remarks, Due Date, Status, Discrepancy, CAP-IG OK To Close?, CAP-USAF OK To Close?, ResponsesPending, and Responses. A row is visible for 'A-1 Aerospace Education' with a discrepancy on '25 Jun 2023'. The 'ResponsesPending' value is 1, and the 'Responses' value is 0. The 'View/Edit Responses' link in the 'Responses' column is circled in red.

Step 4: The Region IG will make his/her comments:

The screenshot shows the eServices interface for adding a response to a discrepancy. The breadcrumb trail is: Home > Responses. The page displays details for a discrepancy: Inspection Type (Compliance Inspection), Organization (SER-FL-001 FLORIDA WING HQ), Inspection Date (22 Sep 2022), Inspection Cycle (6), Area of Responsibility (A-1 Aerospace Education), Due Date (25 Jun 2023), and Status (Open). The discrepancy type is 'A-Discrepancy'. There are checkboxes for 'CAP IG OK to Close?' and 'CAP-USAF IG OK to Close?'. A dropdown menu for 'Select Duty Position to send Email to' is set to '--Select--'. Below the dropdown are buttons for 'Send Email to Verification Team on this Discrepancy' and 'Move to Next Response requiring your Approval'. At the bottom, there is a section for 'Add Response' with a table showing the response history. The 'Add Response' link is circled in red.

Step 5: The Region IG will forward the response to the Inspector General:

The screenshot shows the CAP eServices web portal. The top navigation bar includes a menu icon, the 'eServices' logo, and the user name 'Col Russell E. Chazell'. The main content area displays a discrepancy form with the following fields:

- Inspection Type:** Compliance Inspection
- Organization:** SER-FL-001 FLORIDA WING HQ
- Inspection Date:** 22 Sep 2022
- Inspection Cycle:** 6
- Area of Responsibility:** A-1 Aerospace Education
- Due Date:** 25 Jun 2023
- Status:** Open
- Discrepancy Type:** A-Discrepancy
- Remarks:** (Discrepancy): [01] (A1 Question 01) Wing failed to consolidate an annual AE POA IAW CAPR 50-1 para 10. - Plan of Action for 2021 and 2022 were not submitted on time.

Below the form, there are two buttons: 'Send Email to Verification Team on this Discrepancy' and 'Move to Next Response requiring your Approval'. A red circle highlights the 'Inspector General' dropdown menu and the 'Send Email to Verification Team on this Discrepancy' button.

At the bottom of the page, there is a footer with links to 'Civil Air Patrol Sites', 'Downloads', 'Contact Us', and 'Follow CAP'.

Once all these steps have been completed, the CAP/IG as delegated to the CAP/IGI, will review the submitted documentation. If I believe the discrepancy has been sufficiently resolved, I will approve the submittal and it will then go to CAP-USAF/IG for her review and approval. Then the discrepancy is closed. When all the discrepancies from that CI have been closed, the CI itself will be closed. 😊

This is a straightforward process and all the Region IGs as well as the National IG inspection team stand ready to assist you to close your discrepancies and move onward and upward. Don't forget that all discrepancies must be closed within 10 months after the out-brief of the CI. (See CAPR 20-3, paragraph 10.5.3.1). If wings have not corrected all discrepancies within 10 months, the CAP/IG will elevate this out of compliance issue to the CAP/CC. 😞 The due dates can be found on the main IG page in e-Services.



Complaint Expectations in IG CORPS Complaint Resolution

By Lt Col Preston Perrenot / CAP/IGQ

I hear all sorts of descriptions of the Complaint Resolution System and how complaints are handled that are interesting, to say the least. In this article, I'd like to share some of those descriptions and tell you what my description is.

The CAP Security Forces. I had a parent ask why we cannot submit our findings to a prosecutor and have that person who is being mean to his cadet arrested. I believe I know where this confusion comes from. In the Air Force, the USAF Inspector General is also the commanding officer of the Office of Special Investigations (OSI), the USAF's criminal investigation service. The CAP is the USAF Auxiliary, but CAP members are not military personnel, so OSI does not have any more jurisdiction over us than any other non-USAF member. So, no. We don't submit our cases to OSI. In fact, if there is a criminal aspect to a complaint, it is more than likely going to go to a local law enforcement agency than the Air Force. And, if there is a criminal investigation or prosecution in progress, the IG will close the case and not be involved at all because the IG cannot run a complaint resolution concurrent to a criminal investigation. The CAP/IG has absolutely no law enforcement powers or authority. So, rest easy. The NCROs will not be issuing anyone a speeding ticket.

The CAP Intelligence Service. A cadet approached me furtively glancing around and whispered that he had information about a group of cadets that had formed themselves into a secret brotherhood, ala "Lords of Discipline." When I asked him what they had done wrong, he replied "Nothing. But they may be preparing to do something." We do not gather and maintain information for its own sake. Especially, information that does not allude to a violation of CAP regulations. The CAP/IG does not self-deploy, meaning that we cannot just go out and collect information whenever we feel like it. In order to conduct any investigation, analysis or other fact-finding operations, we must have a valid complaint or command inquiry order. The results of our inquiry, all of it, goes to the wing, region or national commander who ordered the inquiry or is the wing or region commander in the subject's chain of command. There is no mysterious "outside the chain of command secret star chamber" hidden in the basement of NHQ where we meet in hooded black robes by candlelight to determine the fate of people named in the complaint. In this situation, we would recommend the cadet approach is commander with the information.

Classified Information. I heard an NCRO respond to a question once by saying "That's classified." I strenuously and immediately corrected the NCRO. Yes. I know. It sounds cool but the fact is that the CAP/IG does not deal with classified information. We consider our reports and analyses confidential to protect the identity of complainants and witnesses from potential reprisal. The rest of the CR process is transparent. So, the correct response would be "That's confidential".

Okay, so we report to the commander, just like everyone else. So, what is the difference between filing a complaint and taking the issue up the chain of command? The answer is information. The CR process depends on highly qualified and professional investigators to obtain and analyze evidence and apply that information to the regulations. In this fashion, the commander receives all the information available with which to make the best possible decision. We are not involved in the disciplinary process and are even prohibited from making suggestions or recommendations on disciplinary actions. Additionally, the analysis and investigation are done by an NCRO who is not in the same chain of command as the complainant or the subject, so his/her perspective is that of an uninterested third party who is free of any potential undue command influence.





Training Updates for 2023

By Col Ed Burns, CAP/IGT/NCIO

Due to several unforeseen medical issues this year our calendar for introducing IG-related courses had to be rethought.

The IG College for 2023 will once again be presented as a virtual course but this year will include both Inspections and CR. The Inspection path will be presented essentially the same as last year; that is 4 webinars and work assignments. The CR path will utilize the Advanced CR Course as the basis for its curriculum. There will be 2 webinars and at least 2 instructor-led sessions. As such, if you are enrolled in the Advanced CR Course be aware that a new ‘complaint’ will be introduced in the next 30 days. If you want to take the CR path please make sure you have completed the prerequisites (completion of the IG Senior Course after October 2018 or completion of the IG Basic CR Course).

If you completed the Basic CR Course you may have received a notice from AXIS that you did not complete the course and when you looked in your records you are seeing an ‘Incomplete’. Don’t fret, it’s a known AXIS problem with any course that has an offline assignment attached to it. Your eServices training record will have the course completion recorded so there is nothing you have to do.



This section of the newsletter addresses questions submitted by our readers through the surveys at the end of the quizzes. If one person has a question, there must be others wondering why things occur the way they do. Questions posed by readers also provide the staff with a ‘new look’ about procedures/processes, etc.

1. Q: Our SUI is scheduled for 24 July 2023. Does the inspection have to be completed before 31 July 2023?

A: units are given a three-month grace period to allow for difficulty in scheduling, travel or other issues that may arise. So technically, the unit above would have until 24 October in which to complete their SUI with no penalty.

2. Q: If the SUI scheduled for 24 July 2023 is not completed until Aug 18 of 2023, when will the next SUI be held?

A: It will still be scheduled for 24 July 2025. Having the SUI later does not make the next cycle date later.

3. Q: Why is it important that Senior Staff (Commanders, Vice or Deputy Commanders, and other potential future leaders) have IG training at least to the Senior level?

A: Senior staff having IG training will help them prepare for Wing and below Wing level compliance inspections. It will also give them a base understanding of the complaint resolution process and what their part is from start to finish. Having this training can help keep a commander or senior staff member out of trouble.



Upcoming Wing/Region-Level Compliance Inspections

| WING | CI DATES | CYCLE/INSP # |
|------|-----------------|--------------|
| AK | 14 – 16 July 23 | 6-37 |
| OH | 11 – 13 Aug 23 | 6-38 |
| NER | 19 – 21 Aug 23 | 6-39 |
| CA | 8 – 10 Sept 23 | 6-40 |
| OK | 13 – 15 Oct 23 | 6-41 |

LMS/AXIS - IG Point of Contact

**LEARNING MANAGEMENT SYSTEM and AXIS COORDINATOR
FOR IG COURSES IS COL ED BURNS at igt@capnhq.gov**

Contact me if you notice any discrepancies/issues with the IG course materials in LMS or AXIS. We are in the process of moving all IG courses from LMS to AXIS.

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