NATIONAL HEADQUARTERS CIVIL AIR PATROL

CAP REGULATION 123-1

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Complaint and Inspection

CIVIL AIR PATROL INSPECTOR GENERAL PROGRAM

This regulation covers the background, authority and purpose of the Civil Air Patrol Inspector General (IG) program. It defines who may appoint inspectors general and investigating officers, the roles and responsibilities of inspectors general and other offices and/or agencies involved with the inspector general process.

SUMMARY OF CHANGES.
This revision implements changes to CAP governance, updates training requirements for IGs, adds the Inspector General of the Year Award and moves the definitions for all Inspector General Program documents to attachment 1 of this regulation. **Note: Shaded areas identify new or revised material.**

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1. Purpose of the Civil Air Patrol Inspector General Program. The purpose of the Civil Air Patrol Inspector General program is to establish an independent and objective system to:

a. Provide leadership and coordination and recommend policies for activities designed to promote economy, efficiency and effectiveness in the administration of the Civil Air Patrol.

b. Provide a means for keeping the Commander of the Civil Air Patrol informed about problems and deficiencies relating to the administration of programs and operations and the necessity for and progress of corrective action.

c. Provide a leadership tool that indicates where command involvement is needed to correct systematic, programmatic or procedural weaknesses to ensure resources are used effectively and efficiently.

d. Assist commanders in resolving problems affecting Civil Air Patrol missions promptly and objectively.

e. Create an atmosphere of trust in which issues can be objectively and fully resolved without retaliation or the fear of reprisal.

f. Ensure the existence of responsive complaint resolution and inspection programs characterized by objectivity, integrity and impartiality.

g. Ensure the concerns of Civil Air Patrol members and the best interests of the Civil Air Patrol are addressed through objective fact-finding.

h. Ensure that the personal behavior of inspector general personnel is above reproach.

i. Enhance openness and approachability by the briefing of the Civil Air Patrol Inspector General program at meetings of the CAP Command Council, region and wing conferences, commander's calls, staff meetings and any other gathering of CAP personnel where inspector general briefings would be appropriate.

j. Educate Civil Air Patrol members and commanders regarding the privileges of and protection for those contacting an inspector general.

k. Assure that inspectors general avoid self-investigation and the perception of self-investigation.

l. Ensure inspectors general, inspector general staff members and investigating officers are trained to conduct thorough, unbiased investigations and inspections based on fair and objective fact-finding.

2. CAP Inspector General (IG) Program Core Responsibilities.

a. The core responsibilities of the IG program are:

(1) CAP Compliance Inspection Program -

(a) Report on the adequacy of region/wing/unit programs to the National Commander and intermediate commanders.

(b) Monitor subordinate unit inspection programs and provide feedback to the region/wing and responsible commanders on the effectiveness of the inspection program.

(c) Provide a summary of inspection results for inclusion in recurring IG briefings to commanders and cross-flow this information to the regions/wings on a continuing basis.

(2) CAP Complaints Resolution Program, operate a system to prevent, detect and correct -

(a) Any fraud or waste.

(b) Mismanagement or deficiency.

(c) Cadet protection issues.

(d) Abuse of authority.

(e) Reprisal against a member for making a protected communication.

(f) Restriction of a member from making lawful communications to a Member of Congress or an inspector general (IG).

3. How the Inspector General System Helps Command.

a. Personal complaints and fraud, waste and abuse disclosures help commanders discover and correct problems affecting the productivity and morale of assigned personnel. Resolving the underlying cause of a complaint may prevent more severe symptoms or costly consequences, such as reduced performance, accidents, poor quality work, poor morale, loss of resources or costly litigation.

b. Even though allegations may not be substantiated, the evidence or investigation findings may reveal systemic, morale or other problems that impede efficiency and organizational effectiveness.

c. The roles of the Inspector General in relation to the commander are:

(1) Be the "eyes and ears" of the commander.

(2) Keep the commander informed of potential areas of concern.

(3) Function as an ombudsman, fact-finder and honest broker in the resolution of complaints.

(4) Educate and train CAP commanders and members regarding their privileges and responsibilities in regard to the Civil Air Patrol Inspector General program.

(5) Help commanders, in accordance with the IG's duties, prevent, detect and upon request of the commander render advice regarding the correction of management and fraud, waste and abuse.

(6) To be an integral member of the commander's staff and have direct access to the commander. Commanders must ensure the authority, duties and responsibilities of their inspectors general are clearly delineated and understood.

d. To ensure support of the Inspector General program, commanders will:

(1) Assure their inspector general offices are fully manned, equipped and trained to meet the needs of the position.

(2) Assure their inspectors general and any subordinate commanders follow the requirements of this regulation.

(3) Periodically talk about the privileges and responsibilities of all personnel regarding the Inspector General program at commanders' calls, staff meetings and other gatherings.

(4) Assure the necessary independence of the inspector general to overcome any perceived lack of autonomy that would discourage potential complainants and preclude disclosures of wrongdoing from being brought to the attention of an inspector general.

4. Appointment, Duties and Authority of the Civil Air Patrol Inspector General.

a. The National Commander (CAP/CC) will appoint the Civil Air Patrol Inspector General (CAP/IG), who will be approved by and can only be removed by a majority vote of the Board of Governors.

b. To minimize the perception of self-investigation and help maintain the independence of the Inspector General program, the CAP/IG shall not be a family member of the National Commander, nor be a member of the National Commander's immediate household.

c. In order to develop and supervise the Civil Air Patrol IG program, the CAP/IG will:

(1) Manage the Civil Air Patrol Compliance Inspection program in coordination with the CAP-USAF/IG.

(2) Manage the Civil Air Patrol Complaint Resolution program, to include protection from retaliation or reprisal against persons utilizing the Civil Air Patrol Complaint Resolution program. Development of a complaint resolution program that shall include, but not be limited to:

(a) Coordination with National Headquarters to maintain a hotline for reporting Fraud, Waste and Abuse (FWA) and for the reporting of priority complaints to the CAP/IG.

(b) Coordination with National Headquarters to have contact information for the CAP/IG and all region inspectors general published on the Civil Air Patrol National Headquarters website.

(c) Coordination with the CAP National Headquarters General Counsel (NHQ/GC) to deal with complaints against CAP senior level officials.

(d) Develop and manage a CAP Inspector General Education, Training and Staff Development program that will develop and conduct training programs to educate CAP commanders and the CAP general membership about the CAP Inspector General program as well as advance the professionalism and qualification of CAP inspectors general.

(e) Ensure that subordinate IG case files are reviewed for proper timeline and documentation of IG actions.

d. The CAP/IG will conduct or supervise such inspections and investigations as may be assigned by the National Commander, or as otherwise provided for by Civil Air Patrol regulations and will prepare reports thereof. The CAP/IG will provide oversight for all inspector general inspections and investigations conducted by CAP units subordinate to the National Headquarters through review of cases of special interest to the CAP national leadership and other matters of concern. Oversight authority includes the authority of the CAP/IG to comment and review all subordinate unit inspectors general findings.

e. When necessary, the CAP/IG will direct investigations and inspections and provide direct oversight for all inspector general inspections and investigations.

5. Appointment of Civil Air Patrol Inspector General Staff. The CAP/IG will appoint and/or remove inspector general staff personnel as required by the nature of the CAP Inspector General program. Such appointments and removals will be coordinated through the National Commander. CAP/IG will define in writing the title, duties, authorities and responsibilities for each staff personnel appointed.

6. Appointment, Duties and Responsibilities of Region and Wing Inspectors General (IG) and Investigating Officers.

a. Region and wing commanders will appoint an inspector general and may appoint investigating officers for his/her respective level headquarters. This authority to appoint an IG may not be delegated. Should a region or wing commander fail to appoint an inspector general for his/her region or wing, the CAP/IG will, in coordination with the next higher-level commander, ensure an inspector general is appointed for that region or wing.

b. To minimize the perception of self-investigation and help maintain the independence of the Inspector General program, the wing or region IG cannot be a family member of the region/wing commander, nor a member of the region/wing commander's immediate household.

c. Wing and region IGs will report directly to the commander appointing them (reference CAPR 20-1, Organization of Civil Air Patrol).

d. Inspectors general may be removed by the commander only with the concurrence of the next higher commander.

e. The region and wing inspectors general will serve as the principal inspector general for their respective command organizations, will develop and supervise their organizations' Inspector General program in accordance with CAP regulations and will have oversight authority and responsibility over all unit inspector general activities subordinate to their command headquarters. Subordinate inspectors general will have a coordinating relationship with their higher headquarters inspectors general. The CAP/IG has oversight authority and responsibility over all subordinate inspector general activities. Region IGs will conduct and document an annual review of subordinate wing IG programs.

f. Region and wing inspectors general may appoint assistant inspectors general as needed with the concurrence of their respective commanders.

g. Appointed inspectors general will not be constrained by additional duties that detract from their primary responsibilities. With this in mind, the following limitations are placed on those who may serve as inspectors general:

(1) The inspector general will not be assigned (double billeted) to other organizational positions as defined by CAPR 20-1 (except for the position of Character Development Instructor). This restriction does not preclude an IG from operational assignments, including but not limited to: Emergency Services positions (i.e., incident commander, mission aircrew member, ground team leader, etc.), Cadet Programs support functions (i.e., driver, overnight supervisor, host, cadet competition judge or panelist, encampment staff, etc.) or Aerospace Education activities (i.e., teacher, seminar leader, activity monitor, aerospace education counselor, etc.). IGs performing duties on the aforementioned operational/support assignments shall not be appointed to investigate complaints arising during activities in which they participated. A wing or region IG may be

temporarily assigned as an assistant to a wing or region staff director to satisfy the professional development requirements of a non-IG Specialty Track. In this case, the wing IG will not assume the duties of that staff director at any time.

(2) Commanders, vice commanders, chiefs of staff or those serving in any other command staff position will not serve as inspectors general, assistant inspectors general or investigating officers. Command staff members may serve as inspectors on inspection teams.

(3) CAP legal officers at the national, region, wing, group or squadron level will not serve as inspectors general. CAP legal officers may serve as assistant IGs at all levels. Attorneys who are not serving as CAP legal officers, or any other legal advisory role to a commander, may serve as inspectors general or investigating officers. However, they may not perform a legal sufficiency review of a report of investigation (ROI) for an investigation in which they are investigating officers. Legal officers may serve as inspectors on inspection teams.

(4) Chaplains will not serve as inspectors general or investigating officers. Chaplains and character development instructors may serve as inspectors on an inspection teams.

(5) The restrictions against "double billeting" IGs do not apply to those appointed as assistant IGs under the authority specified in paragraph 6f.

7. Authority to Direct Inspector General Investigations.

a. The authority to direct inspector general investigations is vested only in the individuals holding the positions listed below. This authority is hereinafter referred to as "Appointing Authority."

(1) Civil Air Patrol Board of Governors.

(2) Civil Air Patrol National Commander.

(3) Region commanders for activities within their regions.

(4) Wing commanders for activities within their wings.

b. Appointing authorities may appoint investigating officers as necessary. The appointing authority will define specific duties and tasks of the investigating officer. Appointing authorities will not initiate investigations into allegations against themselves or their commander. Such allegations will be forwarded to the next-higher level IG for resolution.

c. The CAP/IG may appoint assistant IGs and/or investigating officers to conduct complaint analysis.

8. Inspections, Investigations and Surveys Not Covered by the CAP Inspector General Program. Personnel who conduct inspections or surveys governed by other policies, directives, instructions and/or regulations will not cite this regulation as their authority to conduct such inspections or surveys. However, complaints that are a potential regulatory violation as to how one of the following programs are managed or handled may be an IG issue. These inspections, investigations and surveys include, but are not limited to:

a. Investigations involving allegations of discrimination or violations of the Civil Air Patrol Nondiscrimination Policy. CAPR 36-2, *Complaints Under the Civil Air Patrol Nondiscrimination Policy*, governs such investigations.

b. Safety inspections conducted under CAPR 62-1, *CAP Safety Responsibilities and Procedures*.

c. CAP mishap reviews conducted under CAPR 62-2, *Mishap Reporting and Review*.

d. Commander Directed Investigations (CDI).

e. Reports of Survey conducted under CAPR 174-1, *Property Management and Accountability.*

f. Investigations of CAP employees who have specific appeal rights under law or other Civil Air Patrol policies.

g. Investigations of issues that may result in a law enforcement investigation, unless authorized by NHQ/GC.

9. Authority for Inspector General Access to Civil Air Patrol Records. Inspector general personnel (which include, but are not limited to, investigating officers and inspection team members) must have expeditious and unrestricted access to and the privilege to make copies of all Civil Air Patrol records, reports, investigations, audits, reviews, documents, papers, recommendations or other materials relevant to the investigation/inspection concerned. Inspectors general are authorized to interview any and all CAP personnel, review any and all records, files, correspondence and documents and inspect any and all tangible or intangible material, assets or property deemed necessary by the CAP/IG in order to bring an inquiry, investigation or inspection to conclusion. No Civil Air Patrol member or employee may deny an inspector general or a properly appointed investigating officer such access. This provision does not supersede attorney-client or cleric confidentiality rules or similar confidentiality rules established by law.

10. Training Requirements for Inspectors General.

a. Training requirements for inspectors general will be specified in the documentation outlining the Inspector General specialty track.

(1) The Civil Air Patrol Inspector General College will be offered biennially for the training of inspectors general. The biennial course will meet the academic training requirements of the Inspector General specialty track for the Master rating.

(2) Inspector general classes meeting the academic requirements of the Inspector General specialty track Senior rating, as described in CAPP 203, *Specialty Track Study Guide-Inspector General*, or other inspector general-specific training may be offered in conjunction with the CAP Annual Conference.

(3) Region commanders may coordinate with the CAP/IG to offer training classes for inspectors general in conjunction with region conferences. Training classes offered in conjunction with region conferences should meet the academic training requirements for the Inspector General specialty track Senior rating, as described in CAPP 203. Other specialty classes for the training of inspectors general may be offered as needed.

(4) Wing commanders may coordinate with the CAP/IG to offer training classes for inspectors general in conjunction with wing conferences. Training classes offered in conjunction with wing conferences should meet the academic training requirements for the Inspector General specialty track Technician rating, as described in CAPP 203. Other specialty classes for the training of inspectors general may be offered as needed.

b. Region and wing inspectors general must have completed the Civil Air Patrol Inspector General College. A commander may appoint an inspector general who has not completed the biennial Civil Air Patrol Inspector General College; however, the appointed inspector general must attend the next scheduled Civil Air Patrol Inspector General College. Waivers for this requirement must be reviewed and endorsed by the CAP/IG and approved by the next higher commander.

c. Region and wing assistant inspectors general must have completed the Inspector General Senior Course. Assistant inspectors general may be appointed (in accordance with paragraph 6f) who have not completed the Inspector General Senior Course; however, the appointed assistant inspector general must attend an Inspector General Senior Course within 13 months of being appointed.

d. Newly assigned inspectors general and inspector general staff members will complete all three segments of the CAP Inspector General Basic Course specified for the Inspector General specialty track Technician rating prior to assuming any responsibility for investigation, inspection or any other kind of inspector general activities. All newly appointed wing IGs must have a staff assistance visit (SAV) conducted by their region IG within 6 months of appointment (this SAV may be conducted remotely).

(1) A CAP member assigned to temporary duty as an investigating officer (IO) must have completed the "IG Structure" and "Investigations" segments of the CAP Inspector General Basic Course prior to assuming duties as an IO.

(2) A CAP member assigned to temporary duty on an SUI inspection team must be highly qualified as a subject matter expert and complete the "IG Structure" and "SUI Inspections" segments of the CAP Inspector General Basic Course prior to assuming duties on an SUI team.

e. CAP IGs at all levels will complete annual refresher training. This training may include a briefing by the next higher level IG, completion of any IG professional development course or serving as instructor (or assistant to an instructor) of any IG professional development course. Completion of this requirement will be reported to the CAP/IGT, who is responsible for tracking this requirement.

11. Educating Civil Air Patrol Personnel on the Inspector General Program.

a. Inspectors general at every level are responsible for ensuring Civil Air Patrol members are aware of and understand their privileges and responsibilities regarding the Inspector General program.

b. Inspectors general should publicize the availability of the CAP Inspector General Complaints Resolution program and train Civil Air Patrol members by taking the following actions:

(1) Publicize the Civil Air Patrol Inspector General Complaints resolution program through squadron, group, wing and region newsletters, Level I orientation courses, other leadership schools, staff meetings, commander's calls and by visiting unit meetings where speaking about the Inspector General program would be appropriate.

(2) Ensure all personnel are aware of how to use the Inspector General program and the Civil Air Patrol policy on retaliation, reprisal, restriction and whistleblower protection issues.

(3) Educate commanders on their reporting responsibilities regarding allegations involving senior CAP officials.

(4) Educate commanders about the privileges of CAP members to make protected communications with an inspector general.

12. Protecting Privacy Interests.

a. Other than as permitted in this regulation or in CAPR 123-2, no inspectors general, investigating officers or any other officials will provide copies of complaints, investigative reports or related documents to witnesses, subjects or other third parties or allow those parties to read any complaint filed through inspector general channels without prior written approval of the CAP Inspector General and the CAP National Commander after consultation with the NHQ/GC.

b. Other than as permitted in this regulation or in CAPR 123-2, no inspector general, investigating officers or any other officials will release the complaint, materials or information provided by the complainant, or the response to the complainant, to a third party requester or the respondent, without the complainant's written consent or a valid subpoena or notice to produce documents issued by a court of law.

c. No inspector general complaint correspondence or related documents, including reports of investigation, will be filed in an individual's unit file, personnel records or any other system of records other than the system established by CAPR 123-2, *Complaints,* and/or the CAP/IG.

13. Protection of Inspector General Records.

a. All inspector general reports and related documents are CAP Confidential documents.

b. Complaints to an inspector general, or complaints worked in inspector general channels, are confidential in nature and are CAP Confidential documents. All records provided by a complainant must be marked "COMPLAINANT PROVIDED". Having this marking on a document clarifies that the document is not the official record obtained from an office of primary responsibility.

c. Inspector general reports will not be released (in whole or in part), reproduced or given additional dissemination (in whole or in part) outside of inspector general or legal officer channels without prior written approval of the CAP Inspector General and the CAP National Commander after consultation with the NHQ/GC.

d. Inspector general reports will not be disclosed to individuals outside of CAP, except for CAP-USAF personnel when a request for such reports is received from the CAP-USAF/IG. They will only be disclosed within the CAP to those requiring access to the records in the performance of their official duties.

e. Maintenance and Disposition of Inspector General Records.

(1) Upon completion of an investigation, the inspector general at the appropriate level (national, region or wing) will consolidate a copy of all documentation. This will constitute the case file. Storage, protection and disposition of such files will be in accordance with CAPR 123-2.

(2) Storage, protection and disposition of inspection reports and supporting documentation will be in accordance with CAPR 123-3, *CAP Compliance Inspection Program*.

14. Inspector General of the Year Award. An annual award presented to the inspector general who has made significant contribution to the CAP Inspector General program. This selection should be based on the member's lifetime contributions to the CAP Inspector General program, not just the year of nomination. Due to the sensitive nature of the material inspectors general work with, all nomination must remain within inspector general channels.

a. Eligibility.

(1) Service: At least 1 year of service as an inspector general at any level (national, region or wing).

(2) Completed the National Inspector General College.

(3) Inspectors General holding a Senior or Master rating in the Inspector General specialty track are eligible for this award.

b. Nomination Process. Any CAP member may nominate an eligible inspector general for the award. Nominations for wings and regions should describe why the individual is deserving of the award, and be submitted in narrative format, according to the timeline below. Nominations of inspectors general at the national level may be submitted directly to the CAP/IG by the suspense date shown below:

(1) By 15 February – Nominations should be received by the region inspector general.

(2) By 15 March – Region inspector general forward his/her nomination to the CAP/IG.

(3) By 15 April – The CAP/IG in coordination with the national IG staff forwards all received nomination packages, to include a maximum of one nomination package from the CAP/IG, along with his/her recommendation to the National Commander, who makes the final selection and presents the national-level award at the CAP Annual Conference.

CHARLES L. CARR, JR.
Major General, CAP
Commander

Attachment 1 – The following are the official definitions for terms used within the CAP Inspector General program

1. **Abuse**. The intentional, wrongful or improper use of CAP resources such as the misuse of rank, position or authority that causes the loss or misuse of resources such as tools, vehicles, computers, copy machines, etc.

2. **Abuse of Authority**. An arbitrary or capricious exercise of power by a CAP member that adversely affects the rights of any person and results in personal gain or advantage to himself or herself.

3. **Acid Test.** A test that an investigating officer uses to determine if reprisal or abuse of authority has occurred.

4. **Adverse Information.** Information that constitutes:

   a. A violation of CAP directives, instructions, policies, law, other agency directives, instructions, polices that are applicable to CAP.

   b. An abuse of authority, especially when an element of personal benefit accrues to the official, a family member or an associate.

   c. Fraud, waste and abuse or mismanagement governed by the applicable directives.

   d. A matter not included above which may reflect adversely on the individual's judgment.

5. **Allegation.** A postulated assertion (assumed without proof) formed by an inspector general or investigating officer concerning an individual or a detrimental condition. An allegation is a hypothetical statement containing four elements, all of which must be proved by a preponderance of evidence to be true for the allegation to be substantiated. A properly framed allegation will contain the following elements:

   a. When, (in what time frame did the improper conduct or behavior occur),

   b. Who, (a person, identified by as much information necessary to uniquely identify),

   c. Improperly did what, (the specific behavior or conduct that was improper and represents the adverse information),

   d. In violation of what standard, (law, policy, regulation, instruction or procedure).

   e. A properly framed allegation is constructed as follows:

      When (on or about 10 January 2012), **Who,** (Major John A. Smith, XX Sq/CC) **did what,** (verbally hazed cadet William Tell), **in violation of what standard** (in violation of CAPR 52-10 para 1c)

6. **Appointing Authority**. Individuals who have the singular authority to direct inspector general investigations, appoint investigating officers and approve reports of investigations directed under their authority.

7. **Area of Concern (AoC)**. A special inspection report entry indicating a minor weakness which does not violate a directive and is listed when mission accomplishment, program purpose or membership satisfaction is impaired or threatened.

8. **Assist.** An inspector general assist is the process of making phone calls, asking questions or soliciting helpful information from appropriate offices or agencies or putting complainants in touch with people, offices or agencies that can address their concerns. Assistance is used when there is no evidence or assertion of personal wrongdoing by a management official.

Assistance is the inspector general giving aid or support to quickly resolve a member's of real or perceived problem.

9. **Authentication**. The process of having a document (correspondence, personal notes, computer records, etc.) verified as genuine.

10. **Benchmark.** A special inspection report entry indicating the best of the best processes observed to date by the inspection team worthy of emulation by other units.

11. **Cadet Protection Issue.** See CAPR 52-10, *CAP Cadet Protection Policy*.

12. **CAP Directive.** As used in this program, directive means any CAP regulation or manual; Supplements to CAP regulations or manuals, operating instructions (OI), interim change letter (ICL), as well as documents from other agencies such as laws, fire codes, Federal Air Regulations, etc., that may be directive in nature and relevant to CAP activities.

13. **CAP Member.** See CAPR 39-2, *Civil Air Patrol Membership*.

14. **CAP Senior Level Official**. Are CAP members in the grade of CAP colonel and above (temporary or permanent), other volunteer CAP corporate officers and CAP appointed members of the Board of Governors.

15. **Case File.** A compilation of documents relevant to an inspector general complaint that are gathered/prepared during the Complaints Resolution Process, such as the complaint and complainant provided documents.

16. **Closed.** A case that results in an Inspector General investigation will be considered closed after all required reviews and approvals are completed, the subject's commander or subject, as appropriate, is notified of the results and the complainant receives a final response, and a copy of the written notifications are received by the IO.

17. **Commander Directed Investigation (CDI).** An inquiry initiated by a commander in accordance with a commander's inherent authority to investigate matters or incidents under his/her jurisdiction, unless preempted by a higher authority. The conduct of CDIs does not fall under the authority of The Inspector General.

18. **Commendable.** A special inspection report entry indicating a highly effective concept, technique or management practice that exceeds the program requirements specified by CAP directives.

19. **Complainant.** One who identifies a possible violation of a CAP directive, violation of law or misconduct, and brings it to the attention of the inspector general or a person in a position of leadership or authority.

20. **Complaint.** A formal assertion concerning a wrong; or violation of law, regulation, instruction, policy, procedure or rule; or report of conditions detrimental to the operation, mission or reputation of the Civil Air Patrol.

21. **Complaint Analysis.** A complaint analysis is the process of determining the most effective resolution strategy to resolve the issues raised by the complainant's assertions. It is a preliminary review of assertions and evidence to determine the potential validity and relevance of the assertion to CAP and to determine what action, if any, in inspector general, supervisory or other channels is necessary. A complaint analysis results in a formal decision document which is reviewed by the appointing authority. The complaint analysis decision document is used to record the rationale for the selected complaint resolution strategy.

22. **Complaint Clarification**—The process of interviewing the complainant to ensure the intent of the complaint is verified.
23. **Complaint Resolution Process.** The Complaint Resolution Process describes actions required to resolve a complaint from receipt through closure.
24. **Completed Status—**The status in ECIM when awaiting results of higher level review/ approval, a determination of command/corrective action or response to recommendation.
25. **Conflict of Interest.** A situation in which a person has a private, personal or financial interest in the outcome of an event, including an investigation pertaining to CAP activities, such that it would influence in any way the objective exercise of his/her judgment to be other than impartial, independent, professional and without bias.
26. **Contact**. The act of receiving a complaint/disclosure (written or oral).
27. **Discrepancy.** A deficiency which is a violation of a directive that requires specific answers (formally called a Finding).
28. **Discrimination.** See CAPR 36-1, *Civil Air Patrol Nondiscrimination Program*.
29. **Dismiss.** A complaint is dismissed if a thorough complaint analysis determines it is not appropriate for IG investigation.
30. **ECIM (Electronic Case Information Management).** An online database that is the primary CAP inspector general tool for the capture of IG investigative and administrative activity at all levels, CAP-wide.
31. **Employee**. a person who is a paid employee of Civil Air Patrol.
32. **Evidence**. Information or data upon which a conclusion or judgment may be based. Evidence is simply information that tends to prove the existence of a fact.
33. **Fact**. Facts are not conclusions, but rather information or data that have actual existence or occurrence.
34. **Finding.** A statement of a conclusion reached after an analysis or investigation, derived from the facts, with a discussion of the facts or lack of facts discovered.
35. **Fraud**. Any intentional deception for the purpose of inducing CAP action, inaction or reliance on that deception; depriving CAP of something of value; or securing from CAP a benefit, privilege or consideration to which the party is not entitled. Such practices include, but are not limited to:
    a. The offer, payment, acceptance of bribes or gratuities, or evading or corrupting inspectors or other officials.
    b. Making false statements, submitting false claims or using false weights or measures.
    c. Deceit, either by suppressing the truth or misrepresenting material facts or to deprive CAP of something of value.
    d. Adulterating or substituting materials, falsifying records and books of accounts.
    e. Use of CAP credit cards for personal benefit.
    f. Conspiring to carry out any of the above actions.

36. **Frivolous Complaint**. A Frivolous Complaint is one or more allegations contained in a signed complaint which is:

    a. Filed in a negligent manner without basis in fact of a violation of CAP Standards, regulations, or statutes;

    b. Determined to have been brought forward in bad faith to cause harm, harass, annoy, or embarrass a member or to disrupt the missions of the Civil Air Patrol. Harm includes, but is not limited to, maliciously attacking a member's reputation, publicly posting harmful or false information, or making false claims about or against a member or the organization.

    c. Vague, groundless, or false;

    d. Determined to be created to detract from a regulations violation committed by the complainant.

    e. Repeated submission of an allegation to the Civil Air Patrol that was previously presented and closed as dismissed, invalid or unsubstantiated.

    f. The filing of multiple complaints by the same member that are dismissed or unsubstantiated. These complaints need not be regarding the same incident or issue.

    g. Not clarified or amended by the complainant within a reasonable period after an IG request for information that would distinguish the complaint from a frivolous complaint.

37. **FWA**. Stands for Fraud, Waste and/or Abuse and may refer to issues of fraud, of waste or of abuse or any combination of the three.

38. **Hand-off.** The physical person-to-person referral of an interviewee or subject to his/her commander or designee, Chaplain or supervisor immediately following the interview.

39. **Higher Headquarters Item.** Any Area of Concern or Finding that requires action from a higher level to resolve. These items will be identified in the appropriate tab of the inspection report.

40. **Highly Qualified Inspector.** An inspection team member who has completed the IG organizational structure and the subordinate unit inspections segment of the Inspector General Basic Course and is a current subject matter expert in the assigned inspection area(s).

    Note: Completion of all three segments of the Basic IG Course, the IG Senior Course or the IG College may be substituted for the two segments listed above.

41. **Hostile Environment**. Any threatening environment or atmosphere including, but not limited to, repeated emotional and physical abuse, hazing, stalking and offensive language.

42. **Impartiality**—A principle holding that decisions should be based on objective criteria, rather than on the basis of bias, prejudice or preferring the benefit to one person over another for improper reasons.

43. **Improper Conduct.** Conduct (acts or omissions) found to violate an identifiable directive, instruction, policy, regulation, rule, statute or other standard applicable to CAP, without regard to knowledge, motive or intent.

44. **Inspection.** An evaluation intended to determine the effectiveness of unit management, mission accomplishment and regulatory compliance programs. The inspection may be a graded inspection or a non-graded.

45. **Inspection Book.** Inspection books are sometimes called continuity books. An inspection book consists of in-depth explanations to the questions found in the inspection guide for each area of the inspection guide.

46. **Inspection Guide.** A guide developed jointly by CAP/IG and CAP-USAF/IG, with the approval of the Chief Operating Officer (NHQ/CO), National Commander (CAP/CC) and CAP-USAF/CC, for use by inspection teams and for self-inspections.

47. **Inspector General (IG)**. A CAP member who is appointed by the National Commander to the position of Civil Air Patrol Inspector General (CAP/IG) or who has been appointed to the position of region or wing inspector general by his/her respective region or wing commander.

48. **Interrogatories**—A formal list of written questions prepared by the IO or IG for a witness to answer. The questions are revised and updated as facts are developed.

49. **Investigating Officer (IO)**. An officer, assigned in writing by an appointing authority to perform a specific IG investigation.

50. **Investigation**. A duly authorized, systematic, detailed examination to uncover the facts and determine the truth of a matter.

51. **Investigation Plan.** A statement of intent, which sets forth the IOs proposed course of action. Included in such a plan are the allegations to be investigated, a list of witnesses to be interviewed, a list of evidence to be collected and an itinerary.

52. **Legal Sufficiency Review.** A review of an ROI by a CAP legal officer to ensure legal sufficiency before the report is transmitted to the appointing authority.

53. **Legal Sufficiency.** A review of an ROI by a CAP legal officer to determine whether each allegation has been addressed.

54. **Major Emphasis Item (MEI).** An area or function requiring particular inspection emphasis. MEIs are designated by the CAP-USAF Commander, National Commander or Chief Operating Officer to ensure review of issues critical to the success of the CAP mission, safety, etc.

55. **Member of Congress**. A United States Senator or Representative, or any member of their staff.

56. **Misconduct:** Improper conduct (acts or omissions) undertaken:
    a. With the knowledge the conduct violates a standard (an identifiable directive, instruction, policy, regulation, rule, statute or other standard without regard to knowledge, motive or intent) or willful disregard for that possibility, or
    b. For the intention of harming another or willful disregard of that possibility, or
    c. For the purpose of personal profit, advantage or gain.

57. **Mismanagement.** The management of resources or programs within one's assigned responsibilities in such a manner as to create or perpetuate waste, abuse or to contribute to acts of fraud.

58. **Ombudsman**—An official appointed to receive and investigate complaints made by individuals against other members regarding abuses or capricious acts, investigates reported complaints, report's findings and helps to achieve equitable resolution of complaints.

59. **Open Item.** A finding from a prior inspection in which the unit or higher headquarters' corrective actions are incomplete and have not been closed by the CAP and CAP-USAF IGs or the inspecting agency.

60. **Personnel Action**. Any administrative action taken which changes a member's status within CAP or that affects or has the potential to affect that member's CAP position or career.

61. **Preponderance of Evidence**. The standard of proof for IG investigations. The preponderance standard means: When it is more likely than not that events have occurred as alleged, there is a preponderance of the evidence and the IO may consider the events proven.

62. **Priority Investigation**. An investigation directly involving cadet protection issues, Whistleblower Complaint, safety, loss of life or CAP tangible assets. These investigations are critical and will take precedence over all other pending investigations.

63. **Proof Analysis Matrix.** A framework that helps the IO organize the case. Specifically, it provides a construct for identifying the evidence needed to prove or disprove an allegation. Additionally, the proof analysis matrix provides a reference outline for the analysis section of the IOs ROI.

64. **Protected Communication**. Any lawful communication to a Member of Congress (or their staff), a Department of Defense Inspector General, a CAP Inspector General (national, region or wing) or CAP General Counsel. Reports of wrong-doing (any communication in which a member of Civil Air Patrol communicates information that the member reasonably believes evidences a violation of law or regulation, mismanagement, a waste of funds or other resources, an abuse of authority, or a danger to public health or safety) may also be a protected communication. Those communications that are willfully false or made publicly with the ostensible purpose of harassment, intent to cause harm, annoy, embarrass, or disrupt the missions of Civil Air Patrol do not meet the definition of a Protected Communication.

65. **Quality Review.** A review of investigative documents that ensures completeness and compliance with this regulation and other directives, objectivity and legal sufficiency.

66. **Read-In Document**. An initial document setting out the expectations those individuals giving evidence in an investigation which is signed by the individual. Read-In Document forms may be amended to meet individual state legal requirements, but must be approved by the Senior Legal Advisor to the Inspector General (CAP/IGJ).

67. **Referral.** A referral is a complaint that is determined to be more appropriately handled by an organization or agency outside the CAP IG program.

68. **Referral Completion Report (RCR)**—Prescribed format for reporting resolution actions and findings for complaints referred to other agencies. An RCR is designed to be a stand-alone document and provide all necessary background information and case resolution actions.

69. **Report of Investigation (ROI)**. An ROI is the final report written by the respective inspector general or the assigned investigative officer outlining the findings and conclusions of the investigation.

70. **Reprisal.** Taking or threatening to take an unfavorable personnel action or withholding or threatening to withhold a favorable personnel action on a CAP member for making or preparing to make a protected communication. Reprisal may also be known as retaliation and or retribution.

71. **Restriction**. Preventing or attempting to prevent members of Civil Air Patrol from making or preparing to make a protected communication.

72. **Self-Inspection (SI).** An inspection conducted by a unit, at any level, to evaluate its own directives and/or programs using an appropriate level inspection guide.

73. **Senior Level Official.** See *CAP Senior Level Official.*

74. **Sexual Harassment**. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when submission to the conduct:
    a. Is made a term or condition of membership in CAP or membership privileges/benefits;
    b. Is a basis for decisions affecting CAP membership and or membership privileges/benefits;
    c. Creates an intimidating, hostile or offensive volunteer work environment; or
    d. Has the purpose/effect of unreasonably interfering with an individual's volunteer work.

75. **Staff Assistance Visit (SAV).** Ungraded inspection by higher headquarters and/or CAP-USAF liaison region personnel intended to provide assistance in improving mission effectiveness. Deficiencies may still be a part of this inspection.

76. **Subject**. A person who is alleged to have committed a violation of a CAP directive, a violation of law or misconduct.

77. **Subject Matter Expert (SME).** An individual who understands a process or area well enough to answer questions from people who the SME is trying to help. It is most commonly used to describe the people who explain the current process then answer any questions as they try to understand or use the system or process.

78. **Subordinate Unit Inspections (SUI).** Inspections established by either CAP regions or wings to evaluate the management and mission capability of units below the wing level.

79. **Summarized Statement**—A written summary of witness statement prepared and certified by the IO. It normally includes only those items directly related to the matters under examination. The witness or IO must sign all summaries. It is encouraged (not mandatory) that witnesses also sign summarized statement, whenever the witness is reasonably available to do so.

80. **Systemic**—A trend or pattern that relates to, or is common to, an organization.

81. **Transfer.** A complaint is transferred when a complaint analysis determines a CAP IG other than the one receiving the complaint should resolve it.

82. **Waste**. The extravagant, careless or needless expenditure of CAP funds or consumption of CAP property that results from deficient practices, system controls or decisions.

83. **Whistleblower Complaint**. A complaint by a CAP member or parent or legal guardian of a cadet member alleging reprisal for making or preparing to make a protected communication or who exposes any fraud, waste, mismanagement, deficiency, cadet protection issue, abuse of authority or discrimination.

84. **Witness.** Any individual, civilian or military, who is interviewed during the course of an IG investigation.

NATIONAL HEADQUARTERS CIVIL AIR PATROL

CHANGE 1

CAP REGULATION 123-1
25 SEPTEMBER 2013

Complaint and Inspection

CIVIL AIR PATROL INSPECTOR GENERAL PROGRAM

CAP Regulation 123-1, 31 December 2012, is changed as follows:

Page-Insert Change.

Remove	**Insert**
1/2	**1/2**
5/6	**5/6**

Note: Shaded areas identify new or revised material.

CHARLES L. CARR, JR.
Major General, CAP
Commander

OPR: IGC

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