



LOUISIANA NATIONAL GUARD

PROTECT WHAT MATTERSSM

THE INSPECTOR GENERAL
(I.G.)



PROTECT WHAT MATTERSSM

The Inspector General

“The one who goes in after the battle and bayonets the wounded.”



- Anonymous



Agenda

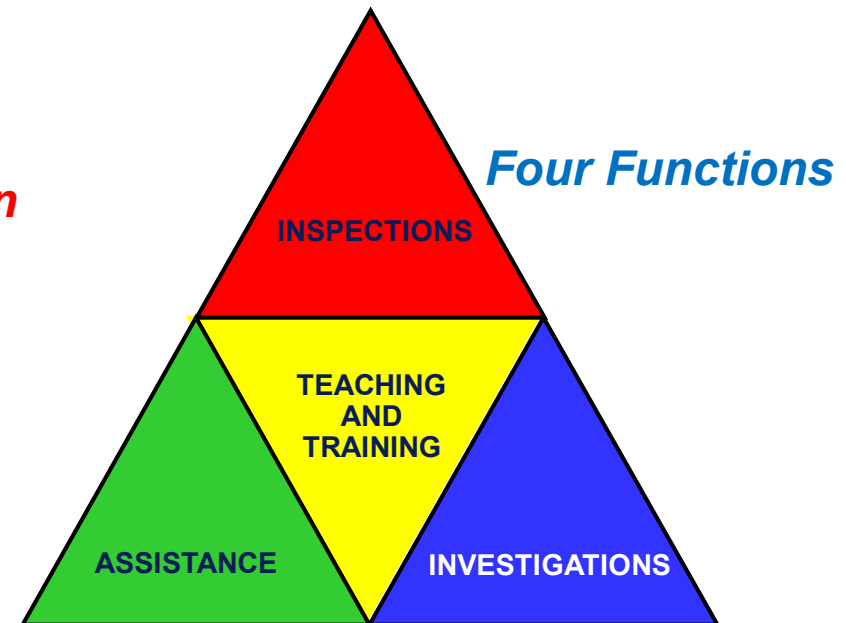
- Mission, Role and Functions of the IG
- Assistance and Investigations
- IG Appropriateness
- Reprisal/ Restriction
- Inspections
- FY 21 Trends
- What can the IG do for you?
- Closing



Mission of the IG

MISSION: The Inspector General serves as an extension of the Commanding General by **providing impartial advice and independent assessments of the efficiency, economy, morale, welfare, and discipline** of the command through assistance, inspections, investigations, and training in order to improve the command's mission readiness.

Role: *The Inspector General is an extension of the eyes, ears, voice, and conscience of the Commander. Everything the Commanding General is responsible for is in the IG's lane.*





Inspector General Authority

The authority of the IG comes from TAG!

- IGs have no directive authority outside the IG System and **cannot inspect or investigate** without TAG's written approval
- IGs do not establish policy except for AR 1-201 and AR 20-1
- IGs have access to all needed materials and records (paragraph 1-8a) except where law or statute authorizes the nondisclosure of records and/or documents, *or as specified in paragraph 7-1h (material related to the lawyer-client relationship, communications with clergy, husband-wife communications, psychotherapist-patient communications, etc.)*



Roles of the IG

- Reinforce the Chain of Command
- Educate the formation (Leaders and Soldiers)
- Remain Impartial Fact-Finders / No Conflicting Duties
- Maintain Confidentiality When Possible
- Represent the Commander / Advise the Commander (*The IG cannot make Commanders take a certain course of action*)
- Verify IG Appropriateness and/or Refer if Necessary
- Validate Information, Remain Fact Focused
- Report Violations of Standards (Laws, Regulations, Policies)
- Access to documents, records, evidence and other data
- Never Abuse Access
- Never Manage Programs, Always Provide Oversight
- *Are Never Off Record*
- Secretary of the Army and TIG Only are Approval Release for IG Records
- **Emphasize that leaders will not prohibit communication or take retribution against a Soldier for communicating with the IG, Members of Congress, or Commanders**



IG Credibility

Credibility directly impacts our effectiveness!

- IGs must adhere to and be advocates of the Army Values and the Warrior Ethos
- IGs do not shoot from the hip (Droit et Avant)
- **IGs are never off the record**
- Integrity is essential



PROTECT WHAT MATTERSSM

Assistance & Investigations

- Support the entire Louisiana National Guard and Community
 - Encourage Soldiers to first use their chain of command – [IG reinforces the chain of command](#)
 - Resolve issue at the lowest level feasible
 - Use other agencies when appropriate
 - Adverse action [may not](#) be taken against an individual for registering a complaint or requesting assistance
 - Complainant may request confidentiality
- IG is required to respond to an allegation or impropriety that is a violation of law, policy, or regulation
 - ***CCIR: IG immediately reports any allegations against senior leaders (COL(P) above/ SES) to DAIG w/ 2 days.***
 - ***In addition the CG requires to be notified of any allegations against warrant/commissioned officers, MSG and above (pending approval)***



- Typically, allegations are referred to the appropriate commander for inquiry/investigation; IG requires a copy of the final command product to complete their findings (CS or CN in IG system)
- [IG is the only office that can investigate Whistle Blower Reprisal allegations](#)
- Results from an IG Inquiry/Investigation cannot be used for adverse administrative or disciplinary action unless approved by The Inspector General



IG Appropriateness

IG Appropriate

- Special Inspections
- Congressional Inquiries
- Improper Mental Health Evaluations
- Violation of a Standard, Law, or Policy
- Command Climate
- Need for Confidentiality
- Fraud, Waste and Abuse
- Whistleblower Reprisal
- Restriction

Not IG Appropriate

- Criminal Behavior
- Sexual Harassment and EO related Issues
- Issues with Redress Available Through Other Means (AR 20-1, para 6-3g)
- **Dependent Non-support / Private Indebtedness**
- Professional Misconduct of SJA, Chaplain, or Physician
- Hazardous Work Conditions
- Civilian Employment Issues
- ***Senior Leader Allegation(s)**

* DODIG and DAIG are proponent for investigating senior leader allegations



PROTECT WHAT MATTERSSM

Family Non-Support

- #1 Issue dealt with by Inspectors General worldwide
- Defined as: Soldier who fails to provide adequate support to their dependents or family members IAW AR 608-99 (Punitive Policy/UCMJ/LCMJ – *Violation of a Direct Order*)
- **Leaders need to:**
 - Understand what dependents Soldiers have; how they are supporting them (To include checking entitlements!)
 - Ensure Soldiers are familiar with family support requirements outlined in AR 608-99
 - Understand what Leaders are required to do IAW AR 608-99, Chapter 3 (Command Responses to Inquiries)
 - Seek assistance from your Experts: LEGAL, HR



Why do Soldiers go to the IG

- They think **nothing** is being done to help them
- They believe the chain of command **does not care**
- They are not getting help **fast enough**
- They may feel they are a victim of **reprisal**
- They want to prevent a punishing action (**UCMJ**)
- They want to **scare** their leadership

REMEMBER

- ✓ Everyone has right to see the IG
- ✓ No allegation or request for assistance is ignored
- ✓ ***IG Records cannot be used as basis for adverse action nor commander comparisons***
- ✓ IG Records cannot be released to commanders



Confidentiality and IG Records

Confidentiality

When visiting an IG Office all people can expect confidentiality:

- Of their visit to the IG Office
- Safeguarding of an individuals identity unless the complainant gives permission to use their name and information.
- An IG's duty is to PROTECT confidentiality

❖ ***Confidentiality is never guaranteed!
Sometimes IGs MUST release a persons name because it is necessary to resolve a case.***

IG Records

Any information you provide to an IG becomes an IG record. This information can be released to other parties with complainant's approval. IG records and results cannot be disseminated to units and without the approval of **The Inspector General in Washington D.C.** IG records cannot be used by **Commanders for punishment.**



Rights of Individuals

All Soldiers, Civilian employees, and Family members have the right to:

- See an IG to make a complaint.
- Expect reasonable confidentiality of their complaint.
- By law, you should not be reprimed against (or get into trouble) for reporting allegations/ issues to:
 - **A Member of Congress**
 - **An IG**
 - **An EO/ SHARP representative**
 - **A Member of your Chain of Command**
 - **Any Audit Agency**
 - **A Chaplain**



Whistle Blower Reprisal

What is a Whistle Blower?

A whistleblower is someone who believes they have evidence of a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health and safety.

What is a Reprisal?

- Reprisal happens when a leader takes an unfavorable personnel action against a Soldier or withholds a favorable personnel action because that individual made a protected communication or disclosure.
- As leaders, we have a duty to ensure Soldiers are able to make protected communications without fear of reprisal.

What is a Personnel Action (PA)?

- Any action taken, threatened or withheld that affects, or has the potential to affect, the member's current position/career
- Actions include, but are not limited to:
 - Promotions
 - Disciplinary/corrective actions
 - Performance evaluations
 - Decisions on pay, benefits, awards, and training
 - Significant change in duties or responsibilities

What is a Responsible Management Official (RMO)?

One who influences, recommends, decision authority, or one who approved, reviewed, or endorsed the personal action. RMO knowledge: They can personally receive the PC, heard rumors about the PC or suspicion or belief a PC was made



Whistle Blower Reprisal (WBR)

Four-question criteria:

- Did the individual make a protected communication? **YES**
- Was favorable personnel action withheld or adverse action taken? **YES**
- Did the person know about the protected communication? **YES**
- Would the action have been taken if the protected communication had not been made? **YES/NO**
 - ✓ Sending Soldier to Mental Health
 - ✓ UCMJ (ART 15)
 - ✓ Reassign the Soldier
 - ✓ Deny Awards/Promotion
 - ✓ Take Away Privileges
 - ✓ Details/Extra Duty



Inspections

Definition of Inspection

- An evaluation that measures performance against a standard and should identify the cause of any deviation. All inspections start with compliance against a standard.
- Commanders tailor inspections to their needs.
- A standard is the way things should be.

- IG's teach and train Unit Inspectors for ICI's, SAVs, SCI's
- Courtesy Inspection will be conducted by unit, **not** IG's
- IG Inspectors look for violations of the Standards
- IG Inspectors will look for the root causes:
 - Don't know, Can't Comply, Won't Comply
- IG Inspectors are there to help, teach and train, and assist the command
- IG Inspectors will try and provide positive feedback





Inspections

Organizational Inspection Program (OIP)

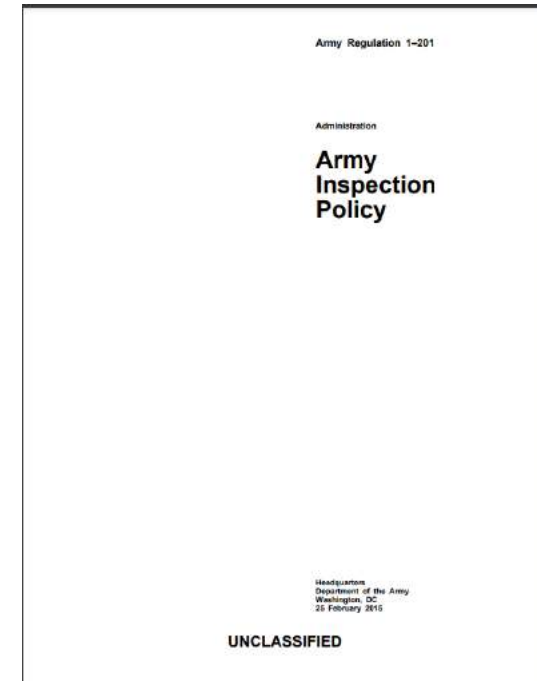
- Provides responsibilities & policies for planning and conducting unit assessments
- Includes Command, Staff Assistance, and IG Inspections

Command Inspections (AR 1-201)

- Scheduled, formal event - *It's required!*
- Led by the Commander; CSM supports, critical resource

Initial Command Inspection (ICI) for all Battalion and Company Level

- ✓ **Within the first 90 days** of assumption of command
- ✓ Identifies unit strengths and weaknesses
- ✓ Comprehensive - Included on the training schedule
- ✓ Cannot be used to evaluate CDRs *or* compare units
- ✓ Helps commanders set a benchmark, establish goals, standards, and priorities





FY 22 Yearly Trends

Total # of Cases = 150 (73 x Assistance, 64 x information, 13 x allegations)

- 73 x Assistance Cases (Top 3)
 - 39 x Personnel Management (Enlisted Promotions/Reductions, Enlisted/Officer Separations, LOD(s), MEB/PEB Process, Release from AD, Personnel Records, Retirement)
 - 17 Commander's Decisions (EO, Counterproductive Leadership, Failure to take appropriate action, Civilian matters)
 - 15 x Finance & Accounting (Misc. Travel Pay, Special Incentives Pay, Enlistment/Reenlistment Bonuses, BAH, Family Nonsupport)
- 64 x 18E/Information Only (Top 3)
 - 14 x Site visits & Staff Coordination Meetings (Joint Planning Work Group, LANG All Hazards, 159 FW SAV, J-Staff Coordination meetings)
 - 11 x IG led training events (NGB Enterprise Teach & Train, NGB J2 Intel Oversight Training, BN PCC)
 - 3 x Inspection (Medical Readiness, ANG Intel Oversight SAV, NGB J2 SAV)
- 12 x Command Referred Allegations
 - 9 x referred as allegations to TAG
 - 3 x referred as allegations to DRU
- 1 x IG Led Investigation



What can the IG do for you?

- Teach and Train (Informational Assistance, LPDs, etc.)
- Provide recommendations in accordance with the established standards
- Help **prevent issues** before they become problems
- *Provide trends observed (IG Bulletins)*
- Work with the command team whenever possible and when given consent by the complainant IOT resolve issues
- IG **Always** encourage complainants to use the chain of command first
- Normally offer allegations to subordinate Commanders for action rather than conduct an IG investigation
- Use **discretion** when passing information to the CG – **Confidentiality**
- Do not wear a 'black hat'
- **Are** here to help you



What the IG **does not** do!

- Establish command policy
- Recommend punishments
- Interpret the law – we cannot give legal reviews or advice
- CID/ Local Law Enforcement – we do not conduct criminal investigations
- Change established redress procedures
- EO/ EEO/ SHARP



In Closing

- Act as the Commanding General's eyes, ears and conscience while enhancing mission readiness and warfighting capability.
- The Inspector General is here to help any Soldier, Civilian or Family Members.
- Have direct access to Commanders and Soldiers.
- Reinforce the Chain of Command.
- Are a resource for Leaders.
- Teachers & Trainers.
- Do not provide/use data for adverse actions.
- We are one team!



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