



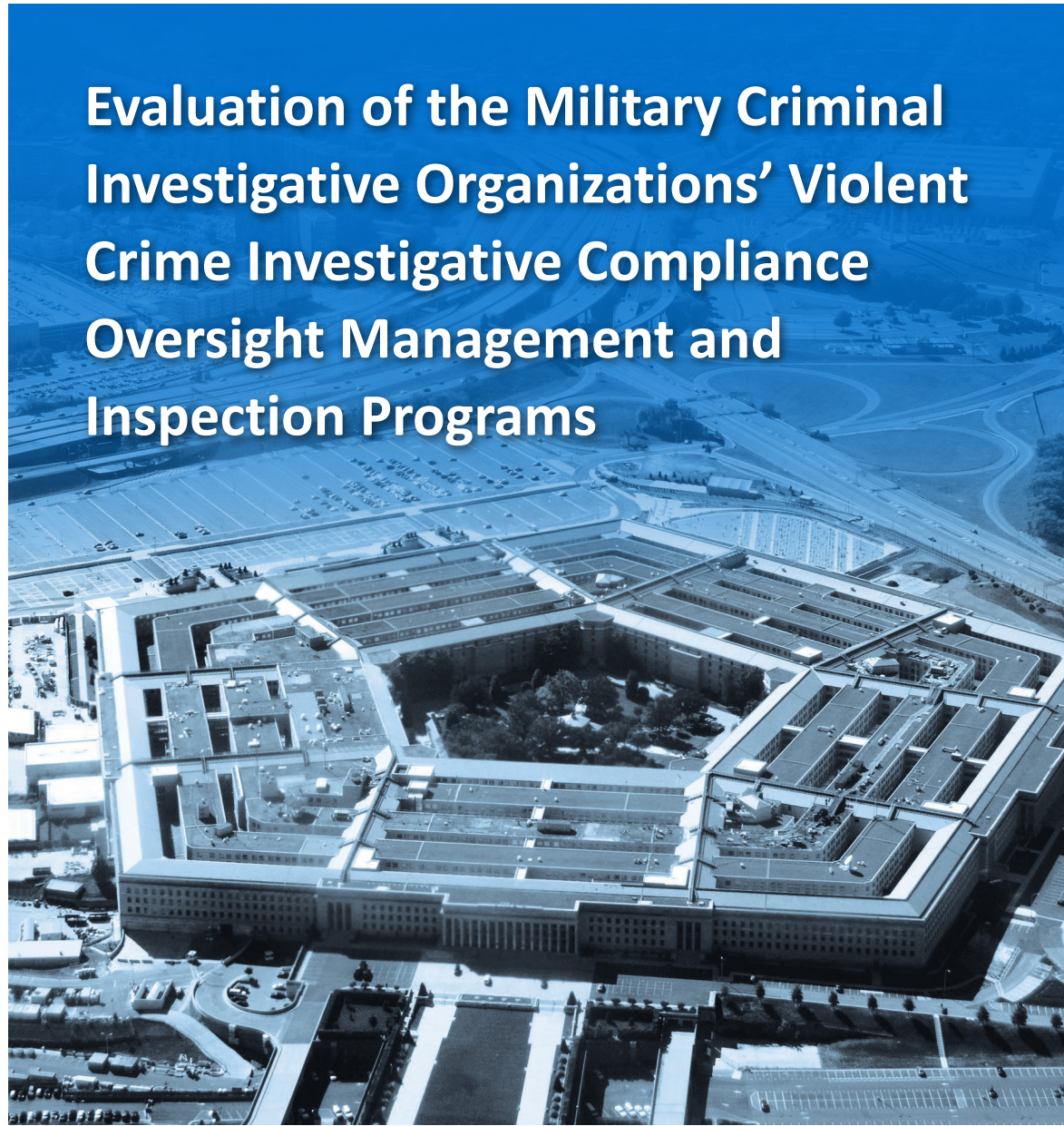
INSPECTOR GENERAL

U.S. Department of Defense

DECEMBER 11, 2015



Evaluation of the Military Criminal Investigative Organizations' Violent Crime Investigative Compliance Oversight Management and Inspection Programs



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Results in Brief

Evaluation of the Military Criminal Investigative Organizations' Violent Crime Investigative Compliance Oversight Management and Inspection Programs

December 11, 2015

Objective

We evaluated the Military Criminal Investigative Organizations' (MCIOs') internal controls (investigative compliance oversight management and inspection programs) regarding noncombat deaths, sexual assault, and other violent crime investigations to ensure compliance with DoD, Military Service, and MCIO policies. The execution of MCIO internal controls should provide reasonable assurance that MCIOs are complying with investigative standards.

Our evaluation focused on the following questions.

- Did the MCIOs' internal control programs align with DoD and Military Service requirements?
- Did MCIOs execute internal control procedures as required?

Additionally, we highlighted comparable practices and training that Federal, state, and local civilian law enforcement agencies use to execute internal control measures.

Observation

The MCIOs' investigative compliance oversight management and inspection programs aligned with DoD and Military Service requirements, and the MCIOs were executing internal controls as required; however, their programs could be improved in some areas.

Recommendations

- The Commander, United States Army Criminal Investigation Command (CID), review subordinate Managers' Internal Control (MIC) Plans to ensure plans include applicable Army MIC Program "Inventory of Internal Control Evaluations."
- The Director, Naval Criminal Investigative Service (NCIS), update annually the NCIS "Managers' Internal Control Plan," June 2008, as required by policy and update NCIS-1, "Administrative Manual," Chapter 5, "Inspector General Matters," September 2007. The Manual should reflect current operating practices; specifically, how the organization grades individual units during NCIS Inspector General inspections.
- The Commander, CID, and Director, NCIS, strive to meet management timeliness requirements for inspections and determine if existing timelines should be modified to meet today's operational environment and, if necessary, update them.
- The Commander, Air Force Office of Special Investigations, implement measures to codify regional case review and inspection policy requirements.

Management Comments and Our Response

The MCIOs agreed with our recommendations, and their comments addressed the specifics of the recommendations. However, further comments are required. While the Director, NCIS agreed he did not specify the actions he would take. Additionally, the MCIOs did not provide the expected dates of completion for proposed actions. See the Recommendations Table on the next page.

Recommendations Table

Management	Recommendations Requiring Comment	No Additional Comments Required
The Commander, United States Army Criminal Investigation Command	1 and 3	
The Director, Naval Criminal Investigative Service	2 and 3	
The Commander, Air Force Office of Special Investigations	4	



**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500**

December 11, 2015

**MEMORANDUM FOR COMMANDER, UNITED STATES ARMY CRIMINAL
INVESTIGATION COMMAND
DIRECTOR, NAVAL CRIMINAL INVESTIGATIVE SERVICE
COMMANDER, UNITED STATES AIR FORCE OFFICE OF
SPECIAL INVESTIGATIONS**

**SUBJECT: Evaluation of the Military Criminal Investigative Organizations' Violent Crime
Investigative Compliance Oversight Management and Inspection Programs
(Report No. DODIG-2016-030)**

This report is provided for information and use. We evaluated the Military Criminal Investigative Organizations (MCIOs') internal controls regarding violent crime investigations to ensure compliance with DoD, Military Service, and MCIO policies. We conducted this evaluation in accordance with the "Quality Standards for Inspection and Evaluation," published by the Council of the Inspectors General on Integrity and Efficiency (CIGIE) in January 2012.

Overall, MCIO investigative compliance oversight and inspection programs aligned with DoD and Military Service requirements. We commend MCIO management for its robust internal controls over violent crime investigations. We determined that the MCIOs were executing the programs as required; however, improvements to MCIO policy and internal oversight would promote more efficient compliance. The United States Army Criminal Investigation Command (CID) and Naval Criminal Investigative Service (NCIS) lacked updated organizational inspection policy while AFOSI lacked region-level case review and inspection policy. Furthermore, CID and NCIS inspection timeliness requirements were not always met.

We considered management comments on the draft of this report when preparing the final report. Comments from management did conform to the requirements of DoD Instruction 7650.03; however, they did not include the expected dates of completion for proposed actions. Additionally, NCIS did not specify whether they would implement the recommendations, only that they agreed with them. Therefore, we request additional comments on the recommendations by January 10, 2016, stating the expected dates of completion for proposed actions, and a more specific response from the Director, NCIS. Please send a PDF file with the requested information to John.dippel@dodig.mil. Copies of your comments must have the actual signature of the authorizing official for your organization. We cannot accept the /Signed/ symbol in place of the actual signature.

We appreciate the courtesies extended to our staff. For additional information on this report, please contact Mr. John K. Dippel at (703) 604-9294 (DSN 664-9294).

A handwritten signature in black ink, appearing to read "R. Stone", is positioned above the name of the Deputy Inspector General.

**Randolph R. Stone
Deputy Inspector General
Policy and Oversight**

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Introduction

Objective

We evaluated the Military Criminal Investigative Organizations¹ (MCIOs') internal controls (that is, investigative compliance oversight management and inspection programs) regarding investigations of noncombat deaths, sexual assaults, and other violent crime to validate the programs in place from December 10, 2013, through December 9, 2014. The execution of MCIO internal controls² should provide reasonable assurance³ that MCIOs are complying with investigative standards. See Appendix A for our scope and methodology. Additionally, for comparison purposes, we profiled internal control practices used by several civilian law enforcement agencies with internal control and compliance units. Our evaluation focused on the following questions.

- Did the MCIOs' internal control programs align with DoD and Military Service requirements?
- Did MCIOs execute internal control procedures as required?

Background

The DoD Inspector General (IG) is authorized, pursuant to §8(c)(5) of the Inspector General Act of 1978, as amended, to “develop policy, monitor and evaluate program performance, and provide guidance with respect to all Department activities relating to criminal investigation programs.” This statutory authority and responsibilities are implemented through various DoD policies.⁴

Within DoD, the MCIOs are responsible for investigating noncombat deaths, sexual assaults, and other violent crime. MCIO commanders and directors have a responsibility, and a regulatory requirement, to institute sound internal controls to ensure high-quality investigations. We undertook this evaluation to review the MCIOs' internal controls, as well as identify similar practices used by contemporary law enforcement.

¹ The MCIOs include the United States Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigations.

² Government Accountability Office (GAO)-14-704G, “Standards for Internal Controls in the Federal Government,” September 2014, Section 1, “Fundamental Concepts of Internal Control,” Paragraph OV1.01, “Definition of Internal Control,” states “[i]nternal control is a process effected by an entity's oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved.”

³ GAO-14-704G, Paragraph OV1.07, “Definition of an Internal Control System,” states “no matter how well designed, implemented, or operated, an internal control system cannot provide absolute assurance that all of an organization's objectives will be met... once in place, effective internal control provides reasonable, not absolute, assurance that an organization will achieve its objectives.”

⁴ See paragraph 5.h. of DoD Directive 5106.01, “Inspector General of the Department of Defense [IG DoD],” April 20, 2012 (Incorporating Change 1, Effective August 19, 2014); paragraph 5.a. of DoD Instruction (DoDI) 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” March 24, 2011; paragraph 4.a. of DoDI 5505.10, “Criminal Investigations of Noncombat Deaths,” August 15, 2013; paragraph 5.a. of DoDI 5505.16, “Criminal Investigations by Personnel Who Are Not Assigned to a Defense Criminal Investigative Organization,” May 7, 2012; and paragraph 4.a. of DoDI 5505.18, “Investigation of Adult Sexual Assault in the Department of Defense,” January 25, 2013 (Incorporating Change 2, Effective June 18, 2015).

Observation 1

The MCIOs' Investigative Compliance Oversight Management and Inspection Programs Aligned with DoD and Service Policies

The MCIOs were executing internal control procedures regarding their violent crime investigations as required; however, each MCIO's program could be improved in some areas.

DoD Requirement for Operational and Administrative Internal Control Programs

DoD policy requires the Military Departments (Army, Navy, and Air Force [AF]) to provide assurances to the Secretary of Defense that operational and administrative internal controls exist throughout the Department and internal controls are functioning as intended.⁵ In observance, the Secretaries of the Military Departments have issued policies, promulgating down to MCIO commanders and directors, to support the DoD mandate. In turn, MCIO commanders and director use existing internal controls or institute new internal controls and policies to ensure directives are carried out. See Appendix B for details.

CID

The United States Army Criminal Investigation Command (CID) subordinate element Managers' Internal Control (MIC) Plan Inventories⁶ should contain the three CID-specific key internal control evaluations identified in the Army MIC Plan Inventory. The Army MIC Plan Inventory identifies certain operations as significant enough to require command oversight.⁷ Commanders are allowed to add internal controls to their MIC Plans, but must evaluate the minimum Army requirement. A review of one element's inventory reflected only one required control, while another inventory did not reflect any of the required internal controls.

⁵ See DoDI 5010.40, "Managers' Internal Control Program Procedures," May 30, 2013.

⁶ The Commanders of the 3rd and 6th Military Police Groups developed MIC Plan Inventories as their MIC program plans. These inventories are a list of administrative and operational internal controls that the commanders selected for program assessments.

⁷ See Army Regulation (AR) 195-2, "Criminal Investigation Activities," June 9, 2014, Appendix F, "Internal Control Evaluation," AR 195-4, "Use of Contingency Limitation .0015 Funds for Criminal Investigative Activities," August 30, 2011, Appendix C, "Contingency Limitation .0015 Funds Internal Control Checklist," and AR 195-5, "Evidence Procedures," February 22, 2013, Appendix B, "Internal Control Evaluation."

NCIS

The “Naval Criminal Investigative Service [NCIS] Managers’ Internal Control (MIC) Plan,” June 2008, requires the plan to be updated annually.⁸ The current plan is outdated; it references internal controls terms such as “Tiger Teams” and a “Headquarters Review Panel” that no longer exist.

NCIS senior management officials did not comply with the MIC Plan requirement to direct field managers to assess at least one “ad-hoc” internal control measure during the evaluation period. The NCIS MIC Plan states that NCIS will direct such assessments on an annual basis, and field office (FO) and headquarters department managers will report the assessment results to the Director through the Self-Assessment Program.

AFOSI

Air Force Office of Special Investigations (AFOSI) maintains an updated Management Control Plan (MCP) and AFOSI submitted Annual Statements of Assurance in FY 2014 and FY 2015. Each MCP was accomplished according to policy except the FY 2014 MCP, which listed a unit member other than the department head as the assessable unit manager.⁹ The FY 2015 MCP reflects that this issue was corrected, listing the new AFOSI Commander as the assessable unit manager. Each Annual Statement of Assurance indicated AFOSI found no control deficiencies, reportable conditions, or material weaknesses.

MCIO Internal Control Programs

To evaluate MCIO-specific programs, we placed MCIO internal controls in two general categories, investigative compliance oversight management programs (ICOMP) and inspection programs. MCIO ICOMP includes layered case review processes¹⁰ and other management practices designed to enforce MCIO policy.

CID uses the layered case review process and a Manner of Death Review Board (MDRB) as primary internal controls in the ICOMP category. NCIS uses the layered case review process and complements the practice with the Standard Case

⁸ NCIS MIC Plan, page 1, reflects the plan will be updated annually.

⁹ AF Instruction (AFI) 65-201, “Managers’ Internal Control Program Procedures,” January 30, 2012, Paragraph 1.4.4., “Secretariat, Air Staff, MAJCOM, ANG, and DRU,” subparagraph 1.4.4.1, states “[t]he heads of these organizations are the Air Force’s highest level Assessable Unit Managers (AUM) who direct the MICP within their organizations.”

¹⁰ We defined the phrase “layered case review processes” as management inspections of investigative documentation at multiple levels throughout the managerial hierarchy. They are designed to ensure investigative sufficiency and regulatory compliance by assigned investigator(s).

Review Sheet (SCRS), a tool used as part of the SCRS Program¹¹, and Death Review Panels (DRPs) and Boards (DRBs).¹² AFOSI uses the layered case review process as well and supplements the control with Power Rankings (PR).¹³

MCIO inspection programs, which typically assess overall unit readiness, are made up of MCIO IG inspection programs¹⁴ with a supporting command and staff inspection program.¹⁵ Although AFOSI combines its command and staff inspection program under the AF and AFOSI IG Programs, CID and NCIS align their command and staff inspection programs under the commander or director and their subordinate leadership, with CID and NCIS IGs responsible for program oversight.

MCIO Investigative Compliance Oversight Management Programs

CID

CID managers at the battalion, group, and headquarters levels complete prescribed authoritative (quality assurance) case reviews of violent crime investigations conducted by subordinate detachments and CID offices. CID regulation and procedures mandate these varying levels of review within the layered case review process.¹⁶

¹¹ NCIS General Administration (Gen) 11C-0024, "Policy Document 12-13: Administrative (Implement Standardized Case Review Sheet)," November 15, 2012, explains that the SCRS program was instituted to "review, monitor, and where necessary, direct investigative planning and follow through, as well as to enable field performance assessments in adherence to the Director's operational excellence tenets." Additionally, the Executive Summary of the "NCIS Management Internal Control Process," January 12, 2015, page 3, reflects "[t]he SCRS process also provides a method by which material deficiencies are identified early and remediation efforts are tracked for completion by NCIS leadership via a continual improvement process. Within this process, findings are electronically captured and archived to track tactical and organizational trends. The purpose of this tracking is to promptly identify investigative deficiencies for a field SAC's situational awareness; improve the quality of investigations, and to make recommendations throughout the NCIS enterprise which may require additional training or realignment of resources."

¹² NCIS-3, "Criminal Investigations Manual," Chapter 30, "Death Investigations," defines the DRP/DRB as a "process [that] provides an additional objective review of medically unattended death investigations, the results of which are routinely questioned by individuals outside the criminal investigative process. In cases where a death has been ruled a homicide or when the manner of death is classified undetermined, logical leads will be pursued until a suspect is apprehended or further forensic testing determines the manner of death to be accidental, natural, suicide or undetermined."

¹³ AFOSI memorandum, "Notice to Airman (NOTAM) 14-004: Performance Metrics," July 22, 2014, defines Power Rankings as "measurements for case timeliness, investigative sufficiency, and efficient use of resources." The measures are divided into law enforcement performance measures and counterintelligence performance measures.

¹⁴ GAO-14-704G, Paragraph OV2.15, "Roles in an Internal Control System," states "[e]xternal auditors and the [O]ffice of the [I]nspector [G]eneral (OIG), if applicable, are not considered a part of an entity's internal control system. While management may evaluate and incorporate recommendations by external auditors and the OIG, responsibility for an entity's internal control system resides with management."

¹⁵ CID Regulation (CIDR) 1-201, "Organizational Inspection Program," March 12, 2013; NCIS-1, "Administrative Manual," Chapter 5, "Inspector General Matters," September 2007; and AFI 90-201, "The Air Force Inspection System," August 2, 2013 (Incorporating Change 1, 10 March 2014), all describe forms of command and staff inspection programs the MCIOs use to inspect their field elements. CID refers to the inspections as "Initial Command Inspections," "Subsequent Command Inspections," or "Staff inspections." NCIS refers to the inspections as "Self-Inspections," "Field Office Management Visits," or "Quality Assurance Visits." AFOSI refers to the inspections as "Self-Inspections" and "Commander's Inspection Program (CCIP) Inspections." All MCIO command and staff inspection programs are generally designed to identify the strength and weaknesses in administration and operations of a unit to build a stronger organization as a whole.

¹⁶ See CIDR 195-1, "Criminal Investigation Operational Procedures," March 4, 2014, Paragraph 7.11, "Case Review," and Paragraph 7.12, "Quality Control Procedures."

We interviewed command and operational staff, reviewed documentation, and spot-checked samples of the various authoritative case reviews conducted throughout the command to validate the control. We reviewed 6 CID IG and 41 command inspection reports and noted how CID IG and command inspectors verified the control at each level of command. We also validated the control through the DoD IG's past reviews of death¹⁷ and sexual assault investigations.¹⁸ We determined that CID management was properly executing its layered case review process.

When the results of a death investigation differ from the manner of death reported on the death certificate, CID policy requires the matter be referred to the MDRB for resolution.¹⁹ CID did not hold an MDRB during the evaluation period; therefore, we could not validate the control. CID did receive one request for a board but the Command Forensic Science Officer was able to help resolve the issue at the field level, thus, negating the need for a MDRB.

NCIS

NCIS managers at various levels complete prescribed authoritative (quality assurance) case reviews of violent crime investigations conducted by NCIS resident agencies (NCISRAs), NCIS resident units (NCISRUs), or NCIS representative elements. NCIS policies prescribe the use of the layered case review process,²⁰ SCRSs and the entry of SCRS data into the Case Review Database,²¹ DRPs, and DRBs.²²

We interviewed command and operational staff and reviewed documentation associated with the programs to validate these controls. We determined NCIS managers were executing the layered case review process, SCRS Program, DRPs, and DRBs. However, NCIS managers were not consistently submitting SCRSs

¹⁷ DoDIG-2015-055, "Evaluation of the Military Criminal Investigation Organizations' Child Death Investigations," December 22, 2014, page 13, states "[a] field-level supervisor reviewed the investigative file at various stages of the investigation in 99 percent of the cases evaluated. Higher headquarters elements above the field level, or their staff (below the MCIO headquarters), reviewed the investigative file before closure in 96 percent of the cases evaluated. In 97 percent of the cases evaluated, NCIS and AFOSI completed headquarters-level investigations reviews as required. A total of 4 of 43 (9 percent) CID cases contained the required documentation of headquarters quality assurance reviews of final reports."

¹⁸ DoDIG-2013-091, "Evaluation of the Military Criminal Investigation Organizations Sexual Assault Investigations," July 9, 2013, page 17, states CID did not document required supervisory reviews in 11 case files and AFOSI did not document supervisory reviews in 61 case files. NCIS supervisory reviews were not observable because the documentation was destroyed according to policy. Additionally, DoDIG-2014-105, "Evaluation of the Military Criminal Investigation Organizations' Child Sexual Assault Investigations," September 9, 2014, page 35, states NCIS did not document supervisory reviews during three investigations.

¹⁹ See CIDR 195-1, Paragraph 16.11, "Manner of Death Review Board."

²⁰ See NCIS MIC Plan; NCIS-1, chapter 5; NCIS-1, Chapter 45, "Managing Investigations and Operations," October 2010 (Incorporating Change 1, Effective November 15, 2012); and the "Field Office Semi-Annual Visit Protocol."

²¹ See NCIS Gen 11C-0024.

²² See NCIS-3, chapter 30.

to the program manager for inclusion in the NCIS Case Review Database. NCIS policy dictates every case review will be completed using SCRSs and will be provided to the program manager.²³ The “FY 2015 Mid-Year Assessment for the Criminal Investigations Directorate,” a SCRS report,²⁴ and corresponding inspection schedules revealed the following.

- One FO underwent an NCIS IG inspection from November 1 through 7, 2014; however, NCIS IG personnel submitted only one SCRS. NCIS staff reported, “IG SCRS are not evaluated as part of the FO performance measurement process, as such were previously not submitted to and measured. . . .” However, we determined that the stated practice did not meet the standard outlined in NCIS policy.
- Supervisory special agents (SSAs) submitted SCRSs to the program manager at an overall rate of 92 percent.²⁵ This rate surpassed the NCIS submission standard of 80 percent. However, according to the FY 2015 Mid-Year Assessment, 5 out of 14 FOs did not meet the statistical significance threshold of 17 percent for the Criminal Investigations Directorate because of a lack of authoritative-level SCRS submissions. NCIS uses a statistical significance threshold of 17 percent to establish a sampling pool sufficient enough to project the quality of SSA review percentages. If the metric is not met, the sampling is not large enough to perform rigor comparison. Rigor comparison is a comparison between SSA reviews and matching authoritative reviews. It is used to calculate the percentage of quality SSA reviews and ultimately, the overall quality of investigations. We could not establish why the five FOs did not submit enough authoritative reviews.

AFOSI

AFOSI program managers at the regional and headquarters level conduct prescribed authoritative (quality assurance) case reviews of violent crime investigations initiated by subordinate field investigative squadrons (FISs) and detachments. AFOSI instructions and procedures mandate these varying levels of review within the layered case review process.²⁶

²³ See NCIS Gen 11C-0024.

²⁴ We determined that the SCRS reports could not be relied upon to validate the proper use of the SCRS process by inspectors because if they were submitted during FO Management Visits or Quality Assurance Visits, it was possible supervisory special agents and assistant special agents in charge did not input the correct type of review during the inspection process.

²⁵ NCIS calculates the percentage of policy compliance for SSA SCRS submissions by dividing the number of SSA submissions received by the number of expected SSA submissions during a certain period of time.

²⁶ See “Management Control Plan,” FY 2014; AFOSI Manual (AFOSIMAN) 71-121, “Processing and Reporting Investigative Matters,” January 13, 2009 (Incorporating All Changes Through Change 5 [IC-5, 12 October 2012]); AFOSIMAN 71-122, Volume 1, “Criminal Investigations,” September 28, 2012 (Incorporating All Changes Through Change 3 [IC-3, 22 July 2014]); AFOSIMAN 90-101, “Operational Performance Management, May 13, 2013; AFOSI “Region Case Review Processes,” and “HQ [Headquarters] Case Review Process,” July 22, 2014.

We interviewed command and operational staff, reviewed documentation, and spot-checked samples of the various authoritative case reviews conducted by the regions and headquarters to validate the internal controls. We reviewed five Unit Effectiveness Inspection (UEI)²⁷ reports, six headquarters monthly case assessment reports, and a spreadsheet listing death case reviews conducted during the evaluation period. AFOSI IG and command inspectors were validating the control at various command levels and we then validated the control through the DoD IG's past reviews of the MCIOs' death and sexual assault investigations. We determined that AFOSI was properly executing its layered case review process. During the evaluation period, AFOSI instituted the new PR performance assessment system. As the program is in a developmental stage, we could not validate it.

AFOSI regions and headquarters elements inspect investigative case files virtually, using the Investigative Information Management System, thereby reducing costs associated with travel. This practice is similar to contemporary law enforcement internal control practices we observed.

MCIO Inspection Programs

MCIO Inspector General Programs

CID

During the evaluation period, the CID IG performed five general inspections, one reinspection, and two Readiness Assistance Visits (RAVs).²⁸ We interviewed CID IG staff and reviewed CID IG inspection reports to validate the internal controls in this category. We found that the CID IG was executing inspections and RAVs.

CID regulation states the CID IG will normally perform battalion-level inspections 6 to 9 months after the battalion commander's initial command inspection (ICI).²⁹ Other than observing two late battalion-level inspections, we found CID performed general inspections, reinspections, and RAVs as required.³⁰ CID IG staff told us the delay was due to unavoidable operational constraints.

²⁷ AFI 90-201, Chapter 2, "Inspection Guidelines," Paragraph 2.4, "Inspection Types," subparagraph 2.4.2.1.1, states "[t]he UEI is an external, continual evaluation of Wing performance.... The UEI serves both purposes of an external inspection: providing an independent assessment of Wing effectiveness and validating/verifying the Commander's Inspection Program. The UEI is not focused on detecting shop-level non-compliance. Instead, the UEI is focused on identifying areas where the risks from undetected non-compliance are greatest—helping the Wing CC identify blind spots, poorly focused or misaimed sensors in his/her CCIP."

²⁸ CIDR 1-201, Paragraph 4-6, "Readiness Assistance Visits (RAV)," states "[t]he RAVs are not IG inspections. The RAVs allow IGs to visit a unit and teach incoming personnel how to inspect their organizations and re-establish systems that withered in the face of post-deployment personnel losses."

²⁹ AR 1-201, "Army Inspection Policy," April 4, 2008, Paragraph 3-3c, "Initial Command Inspections," subparagraph 3-3c(2), states "[t]he ICI ensures that the new commander understands the unit's strengths and weaknesses in relation to higher headquarters' goals and all established standards." AR 1-201, subparagraph 3-3c(1), reflects senior commanders perform ICIs on their subordinate commander(s) within the first 90 days of assumption of command.

³⁰ See CIDR 1-201, Paragraph 4-3, "Inspection," subparagraph 4-3d.

NCIS

We interviewed NCIS IG staff and reviewed NCIS IG inspection reports produced during the evaluation period to validate the internal controls in this category. The NCIS IG inspected five FOs during the evaluation period. The NCIS IG had one headquarters department scheduled for inspection, but did not inspect the element due to manpower issues. The inspection was rescheduled.

The NCIS IG was scheduling NCIS IG inspections of FOs every 3 years; however, the NCIS IG was not scheduling inspections of *headquarters departments* every 3 years as required. NCIS policy states the NCIS IG will schedule FOs and headquarters departments on a triennial basis.³¹ The NCIS IG was scheduling inspections of headquarters departments every 4 years.

Although the NCIS IG was scheduling most inspections of FOs every 3 years, the NCIS IG was actually performing the inspections approximately every 4 years. The “NCIS Inspection Schedule (FY 2014 through 2020)” reflected that nine FOs were planned 4 years after the last NCIS IG inspection. When we reviewed the five NCIS IG inspection reports made available, we noted two inspections occurred 5 years after the last inspection, and three inspections occurred 4 years after the last inspection.

The NCIS IG was not assigning overall assessments of “satisfactory” or “unsatisfactory” for inspections. NCIS policy states “in keeping with Department of the Navy (DON) policy, only ‘Satisfactory’ or ‘Unsatisfactory’ evaluations will be assigned as overall grades in headquarters inspections of NCIS components.”³²

We reviewed the reports published during the evaluation period and noted the reports did not reflect overall grades. We observed the NCIS IG evaluated individual investigative programs within the headquarters and FOs and assigned “satisfactory” or “needs improvement” grades for specific aspects of each subprogram as well as grades for the primary program. NCIS staff told us a former NCIS IG changed the practice without updating policy. The former NCIS IG believed the grade of “unsatisfactory” was too inflammatory. The staff restructured the NCIS IG report format to reflect the new practice.

We had difficulty tracking the percentage of inspections conducted by FO management. When we attempted to validate the FO management teams’ inspections of subordinate elements, we identified gaps in the data. NCIS policy requires FO managers to send copies of all inspection reports to the NCIS IG.³³ If constraints prevent required visits, FO managers are required to notify the

³¹ See NCIS-1, chapter 5, Paragraph 5-5.5, “NCISHQ Inspection Procedures,” subparagraph 5-5.5a(1).

³² See NCIS-1, chapter 5, subparagraph 5-5.5e(4)(b).

³³ See NCIS-1, chapter 5, Paragraph 5-5.7, “Semi-Annual Management Visits,” subparagraph 5-5.7b.

NCIS IG. NCIS could not provide FO Management Visit (FOMV)³⁴ reports for 29 out of 57 NCISRAs, 38 out of 45 NCISRU, and 11 out of 13 NCIS elements. The absence of inspection reports limited our ability to validate this aspect of internal control. An NCIS official acknowledged the problem and noted inspection tracking needed improvement.

AFOSI

During the evaluation period, the AFOSI IG inspected five Field Investigative Regions (FIRs). We interviewed AFOSI IG staff and reviewed AFOSI IG inspection reports produced during the evaluation period to validate the internal controls in this category. We found that the AFOSI IG was conducting inspections as required; however, we found administrative problems with AFOSI IG reports.

On October 1, 2014, the AFOSI IG Program transitioned to the Air Force Inspection System (AFIS) by changing from a Consolidated Unit Inspection to a UEI. No-Notice Compliance Inspections (NNCI) and minimal-notice inspections are authorized by AFOSI in compliance with AF and AFOSI policies.³⁵ An AFOSI official told us no NNCI were conducted between December 2013 and December 2014, and only one NNCI reinspection was conducted. According to AF instruction, "IGs will consolidate inspections to avoid redundancy, and eliminate inspections which are not mission-essential and whose benefits do not outweigh their costs."³⁶ As a result, AFOSI IG stopped conducting NNCI as of May 30, 2014.

At the conclusion of an UEI, the AFOSI IG produces a report. AFOSI policy states the report is to include details of "strengths and deficiencies as well as programs in compliance, best practices, noteworthy initiatives, and 'take-aways' identified during the inspection."³⁷ A review of UEI reports disclosed that some of these details were not included. For example, the word "strength" is listed on the definitions page, but there were no programs or items listed as strengths. We found that although two AFOSI units were given the rating of "outstanding," neither unit was identified as having a strength in any inspected area. A letter to the AFOSI Commander reporting the status of one inspected wing-level unit's programs indicated areas were identified as "outstanding" or "excellent"; however, the term "strength" was not used. No other reports had a letter attached. The term

³⁴ NCIS-1, chapter 5, Paragraph 5-5.3, "Definitions," subparagraph 5-5.3c, defines FOMVs as "official in-person visit by a SAC, ASAC or RAC of the NCIS field office management team at a subordinate component. These management visits must be made to each subordinate component on a semi-annual basis. Results of Field Office Management Visits will be formally documented via letter from the SAC to the NCIS IG."

³⁵ See AFI 90-201 and AF Publication (AFP) 90-201/AFOSI Supplement 1, "The Air Force Inspection System," January 23, 2013.

³⁶ See AFI 90-201, Paragraph 5.4, "Inspection Guidelines," subparagraph 5.4.4.

³⁷ See AFP 90-201/AFOSI Supplement 1, Attachment 10, "Conducting and Supporting an AFOSI Compliance Inspection," Paragraph A10.15, "Processing of CI Reports," subparagraph A10.15.1.

“noteworthy initiative” was mentioned in the introductory section of one report, but no specific noteworthy events were identified in the body, nor was the term mentioned in any other reports. No reports mentioned best practices or benchmarks. Four of five reports contained a “Take-Aways” section.

We found no AFOSI IG inspection reports produced during the evaluation period in which overall ratings were justified, or evaluators were not able to clearly identify what made a unit “outstanding” or “excellent,” versus “satisfactory.” With the implementation of the new AFIS, the AFOSI IG will be required to use a standardized 5-tier grading system, clearly defining criteria for a unit to be rated from a range of “highly effective” to “ineffective.”

An AFOSI official told us that before October 1, 2014, AFOSI field units used the self-assessment process, but it was not documented. As of October 1, 2014, AFOSI began using the Management Internal Control Toolset (MICT)³⁸ to document all self-assessments. As of April 2015, no UEIs were conducted to assess MICT along with the Commander’s Inspection Program (CCIP).³⁹ The first UEI during which the CCIP program will be inspected was scheduled for July 2015.

As of April 2015, AFOSI had not conducted an UEI using the new methodology, but AFOSI IG personnel were actively training field units to conduct self-inspections and to use AF inspection databases to document self-inspections. Using the new AFIS only, FIRs will receive an inspection grade. Individual unit performance is now measured and documented using PR. The first UEI was conducted in July 2015 and should provide an overview of how AFOSI transitioned to the AFIS, and how the PR system and changes to the self-inspection process influence unit operations.

MCIO Command and Staff Inspection Programs

CID

The commanders of the 3rd and 6th Military Police Groups oversee a combined total of 8 battalions and 57 detachments or smaller CID offices, which are responsible for conducting violent crime investigations.⁴⁰ Based on the organization’s structure, assumption of commands, and inspection policy, CID field management staff should have conducted 27 ICIs and 30 subsequent command

³⁸ AFI 90-201, chapter 2, Paragraph 2.18, “Inspection Technical Tools,” subparagraph 2.18.2.1, states “MICT is an AF program of record used by Airmen to accomplish self-assessment of program management and compliance with higher headquarters directives. MICT provides the supervisor and command chain, from Sq/CC [Squadron Commander] to SECAF [Secretary of the Air Force], tiered visibility into user-selected compliance reports and program status.”

³⁹ AFI 90-201, Chapter 5, “The Commander’s Inspection Program (CCIP),” Paragraph 5.1, “General Information,” states “CCIP should give the Wing Commander, subordinate commanders and wing Airmen the right information at the right time to assess risk, identify areas of improvement, determine root cause and precisely focus limited resources—all aligned with the commander’s priorities and on the commander’s timeline.”

⁴⁰ We excluded other elements of CID and focused on the 3rd and 6th Military Police Groups because the subordinate commands conduct the majority of violent crime investigations for the Army.

inspections (SCIs)⁴¹ during the evaluation period. We reviewed 23 ICI reports, 18 SCI reports,⁴² and 2 PowerPoint presentations (in place of unavailable reports) associated with SCIs, and 1 Staff Assistance Visit (SAV)⁴³ report. We supplemented our reviews with interviews of command and operational staff to validate internal controls in this category. CID managers were executing inspections or SAVs as required.

CID headquarters no longer has the resources to conduct SAVs or staff inspections, and therefore only occasionally performs SAVs. The CID headquarters staff told us in the 1980s, 31 agents (25 warrant officers and 6 enlisted personnel) worked at the headquarters' Office of the Deputy Chief of Staff for Operations (G3). Today, G3 has only eight agents (seven warrant officers and one Department of the Army civilian) assigned to perform the same mission. They rely on the CID IG to fulfill inspection requirements and provide feedback to the G3 and CID Commander.

CID commanders did not always meet time requirements for SCIs. CID regulation requires commanders to perform ICIs for newly assigned commanders within 90 days after a subordinate commander's assumption of command⁴⁴ and requires commanders to perform a SCI no later than 1 year after an ICI.⁴⁵ Of 27 ICIs, 3 were performed outside of the time requirement, and of 30 SCIs, 7 were delayed or not performed.

Commanders did not always ensure corrective action was tracked to completion. CID regulation requires tracking of corrective action on deficiencies noted during an inspection.⁴⁶ We observed the CID IG found that units did not submit corrective action plans to their respective battalions.

Inspected units and immediate higher headquarters did not maintain copies of all inspection reports. CID regulation requires units to retain copies of inspection reports until the next inspection.⁴⁷ We noted the CID IG found some SACs did not receive final ICI reports.

⁴¹ AR 1-201, Paragraph 3-3, "Subsequent Command Inspections," subparagraph 3-3d, states "SCIs measure progress and reinforce the goals and standards established during the initial command inspection." Senior commanders perform SCIs on their subordinate commander(s) not later than one year after the ICI.

⁴² Of the 27 ICIs, 1 ICI and of the 30 SCIs, 8 SCIs were performed by the IG during general inspections in place of the command inspection. Therefore, a separate command inspection report was not produced. Other reports were lost. Managers are not required to generate formal reports for SAVs; therefore, we did not receive additional SAV reports to evaluate.

⁴³ AR 1-201, Paragraph 3-5, "Staff Assistance Visits," states "[s]taff assistance visits are not inspections but are teaching and training opportunities that support staff inspections...SAVs do not produce formal reports."

⁴⁴ CIDR 1-201, Paragraph 3-3, "Categories," subparagraph 3-3a(1), states an ICI will be provided for each newly assigned commander(s) such as "battalion commander, director, field office commander, special agent-in-charge (SAC), or resident agent-in-charge (RAC)."

⁴⁵ See CIDR 1-201, subparagraph 3-3a(2).

⁴⁶ See CIDR 1-201, Paragraph 2-2, "Requirements," subparagraph 2-2b.

⁴⁷ See CIDR 1-201, subparagraph 2-2f.

NCIS

The Atlantic and Pacific Geographic Executive Assistant Directors (EADs) oversee a combined total of 14 field offices, 57 NCISRAs, 45 NCISRU, and 13 NCIS representative elements that conduct violent crime investigations.⁴⁸ Based on the organization's inspection policy, NCIS management should have produced 172 FOMV reports, 14 Quality Assurance Visit (QAV) reports, and 14 self-inspection reports. We reviewed 36 FOMV reports and 2 QAV reports published during the evaluation period. We supplemented the review with interviews of command and operational staff to validate internal controls in this category. NCIS managers were executing FOMVs, QAVs, and self-inspections; however, we could not effectively validate FOMVs to NCIS elements. Testimony and the lack of available reports suggest FO managers were having difficulty meeting the standard. We found some required data in FOMVs; for example, prior FOMV dates, were missing. NCIS policies mandate FOMV teams inspect NCISRAs twice a year and NCISRUs and NCIS representative elements once a year.⁴⁹ In 18 of 36 FOMV reports, (13 NCISRAs, 3 NCISRUs, and 2 NCIS Representative elements) the dates between the current and previous visits exceeded 6 months, with some exceeding 10 months or more. In eight FOMV reports (6 NCISRAs and 2 NCISRUs) the date of the previous visit was missing. An NCIS official reported its inspection policy was deliberately tailored to be aggressive to ensure compliance with standards. Executive staff understood fiscal, operational, and personnel constraints would prohibit managers from visiting elements as required. Gaps were often filled by overlapping NCIS IG or QAV inspections. Having a longer evaluation period, more inspection reports to review, and quality data entry on inspection reports may help in validating this practice in the future.

We could not effectively validate whether SACs were visiting FOs as required for reasons previously stated. Testimony and available FOMV reports suggest SACs were having difficulty meeting the standard. NCIS policy mandates that SACs visit each FO component at least once a year.⁵⁰ NCIS IG personnel reported the complexity and size of some FOs, as well as fiscal or personnel constraints, prevented such a rigorous practice. We noted in 4 out of 36 FOMV reports, the SSA or an assistant special agent in charge (ASAC) conducted back-to-back visits when other reports reflected the ASAC and SAC alternated visits. We also noted 24 out of 36 FOMV reports did not reflect when and/or who conducted the previous visit. Having a longer evaluation period, more inspection reports to review, and better data entry on inspection reports may help in validating this practice in the future.

⁴⁸ We excluded polygraph detachments, fraud-specific elements, and other elements outside of the scope of this evaluation.

⁴⁹ See NCIS-1, chapter 5, subparagraph 5-5.7a, and NCIS Gen OI-0002, "NCIS Inspection Program - FY-15 Field Office and Headquarters Management Visits (Corrected Copy)," February 5, 2015.

⁵⁰ See NCIS-1, chapter 5, subparagraph 5-5.7c.

Some FO managers did not submit inspection reports to the NCIS IG within 30 days. NCIS policy requires managers submit reports to the NCIS IG “within 30 days of the visit to meet Naval IG quarterly reporting requirements.”⁵¹ Of the 36 FOMV reports reviewed, 6 were submitted outside of the required timeframe.

Of 14 FOs, 4 did not undergo a QAV during the evaluation period. NCIS policy requires EADs perform QAVs on FOs annually.⁵² One was rescheduled for August 2015, and another was performed in January 2015. An NCIS official speculated that others were rescheduled or not performed because of coinciding NCIS IG inspections to preserve resources. Our evaluation of the “NCIS Inspection Schedule (FY 2014 – 2020)” and documented testimony disclosed two FOs did not undergo an NCIS IG inspection or a QAV during the evaluation period. One FO was scheduled to undergo an NCIS IG inspection in September 2014; however, it was postponed and not rescheduled. Two other FOs underwent NCIS IG inspections, but did not undergo QAV inspections.

Of 14 SACs, 2 did not complete annual self-inspections during the evaluation period. NCIS policy requires SACs to complete and submit self-assessment reports to the NCIS IG annually.⁵³ Although an important practice for NCIS managers and the organization as a whole, the self-assessment program does not directly assess criminal investigations. The self-assessment is an evaluation of administrative support functions such as training, file retention, and evidence storage practices. As such, we did not further evaluate this program.

AFOSI

AFOSI operates 7 FIRs, 7 FISs, and 83 detachments along with 25 subordinate operating locations responsible for conducting violent crime investigations. AFI 90-201 states the AFOSI IG and command and staff inspection programs are intertwined so “commanders are responsible for ensuring compliance within their units,”⁵⁴ whereas the AFOSI IG, in conducting UEIs, is responsible for “providing an independent assessment of Wing effectiveness and validating/verifying the Commander’s Inspection Program.”⁵⁵ The AFOSI Commander has given the FIR commanders the autonomy to conduct inspections and case reviews as deemed appropriate; each commander has developed methodologies believed to be best suited for their FIRs. Although they have developed their own inspection and case review processes, we noted five of seven FIRs did not codify case review processes

⁵¹ See NCIS-1, chapter 5, subparagraph 5-5.7b.

⁵² See NCIS Gen 11C-0010, “NCIS Policy Document No: 12-06 Operational (Quality Assurance Visit Program),” April 25, 2012.

⁵³ See NCIS-1, chapter 5, Paragraph 5-5.6, “Field Office/Departmental Inspections,” subparagraph 5-5.6b(1).

⁵⁴ See AFI 90-201, Paragraph 2.4, “Inspection Types,” subparagraph 2.4.1.2.

⁵⁵ See AFI 90-201, subparagraph 2.4.2.1.1.

into policy for their staffs or field units.⁵⁶ Although not formally codified in any FIR policy, our review of case review samples from each FIR confirmed each FIR conducts case reviews of its subordinate field units' investigations.

Conclusions

All MCIOs use a layered case review process to manage criminal investigations, which include noncombat deaths, sexual assaults, and other violent crimes. Each MCIO instituted different internal controls in the ICOMP category to enhance investigative personnel and management performance.

Overall, MCIO ICOMPs and inspection programs aligned with DoD requirements and with the supporting Military Service policies. However, CID-specific internal controls identified in the Army MIC Plan Inventory were omitted from the CID MIC inventories. Additionally, the NCIS MIC plan was not updated annually as required.

Each MCIO used MCIO IG and supporting command and staff inspection programs to provide organizational oversight, but CID and NCIS inspection timeliness requirements were not met. The NCIS IG evaluated individual investigative programs and assigned overall grades that did not align with NCIS policy. In addition, AFOSI regional case review and inspection requirements were not codified in AFOSI policy.

The MCIOs were executing internal control procedures ensuring oversight of their law enforcement investigative functions.

Recommendations, Management Comments, and Our Response

Recommendation 1

We recommend the Commander, U.S. Army Criminal Investigation Command review subordinate Managers' Internal Control Plans to ensure plans include the applicable Army Managers' Internal Control Program "Inventory of Internal Control Evaluations."

⁵⁶ FIR 3 developed written standard operating procedures. FIR 6 developed a written case review guide.

Recommendation 2

We recommend the Director, Naval Criminal Investigative Service, update:

- (a) The NCIS MIC plan annually, as required by policy; and
- (b) NCIS 1, chapter 5, to reflect current operating practices; specifically, how the organization grades individual units during NCIS IG inspections.

Recommendation 3

We recommend the Commander, U.S. Army Criminal Investigation Command, and Director, Naval Criminal Investigative Service, strive to meet timeliness requirements for inspections and determine if existing timelines should be modified to meet today's operational environment and, if necessary, update them.

Recommendation 4

We recommend the Commander, Air Force Office of Special Investigations, implement measures to codify regional case review and inspection policy requirements.

Commander, United States Army Criminal Investigation Command

The Commander, United States Army Criminal Investigation Command, agreed with our recommendations.

Director, Naval Criminal Investigative Service

The Director, Naval Criminal Investigative Service, agreed with our recommendations.

Commander, Air Force Office of Special Investigations

The Commander, Air Force Office of Special Investigations, agreed with our recommendations.

Our Response

The comments are responsive; however, the responses did not include the expected dates of completion for proposed actions. Additionally, the Director, Naval Criminal Investigative Service did not specify whether he would implement the recommendations, only that he agreed with them. Therefore, we request additional comments on the recommendations stating the expected dates of completion for proposed actions, and a more specific response from the Director, Naval Criminal Investigative Service.

Observation 2

Federal, State, and Local Civilian Law Enforcement Agencies' Use Insightful Practices and Training to Execute Internal Control Measures

We observed law enforcement auditing practices and training opportunities at the Federal, state, and local law enforcement agencies we visited. These practices and training opportunities could enhance MCIO internal control programs.

Contemporary Law Enforcement Internal Control Practices

Interviews and Site Visits

We interviewed subject matter experts and knowledgeable law enforcement and audit professionals who perform law enforcement audits, compliance inspections, and criminal investigative oversight, to understand contemporary law enforcement internal control practices and law enforcement auditing training initiatives. During our field work, we met with the following Federal, state, and local law enforcement agencies: U.S. Department of Homeland Security, Office of the Inspector General, Investigations Quality Assurance Division; U.S. Department of Justice, Federal Bureau of Investigation (FBI), Office of Inspections; U.S. Department of Justice, Drug Enforcement Administration (DEA), Office of Inspections; Florida Department of Law Enforcement (FDLE); New York Police Department (NYPD), Internal Affairs Bureau (IAB); Miami-Dade Police Department (MDPD), Professional Compliance Bureau (PCB); Los Angeles Police Department (LAPD), Internal Audits and Inspections Division; and the San Diego County Sheriff's Department (SDCSD), Division of Inspectional Services.

During our site visits, we discovered insightful practices and training opportunities, some of which we believe are benchmark practices. These practices could reduce agency liability, costs, increase operational efficiency, and enhance transparency.

Law Enforcement Auditing Practices and Training Opportunities

Junior field supervisors are selected to accompany inspection team members on inspections as an agency professional developmental tool. This practice exposes junior field supervisors to the inspection process as well as other agency programs. Selections to assist in the inspection process are tied to future promotions to encourage organizational participation.

Anonymous surveys are used to collect data to pinpoint potential risk areas in program management. Interviews of agency members during unit inspections corroborate or refute survey data, and to assist in identifying the root cause of potential mismanagement.

Websites are used to provide agency policy checklists and manage specific investigative programs. The checklists are tied to the agency's operations manual. The field has access to the checklists so members are aware of what the Office of Inspections is looking for during the inspection process. For example, there is a checklist for investigation file reviews to assist both the manager and case investigator. The self-inspection program checklist also informs the field of what to expect in the upcoming year's inspection process.

During the investigative case closure process a case review checklist is automatically populated in the investigative database with a number of different data fields members and supervisors must select confirming the completion of key investigative steps. Further, investigative activity is entered into the electronic database, enabling any agency headquarters element to review investigative files virtually.

One agency no longer uses hard-copy investigative files. Its fully automated system allows investigative personnel to upload interviews, statements, and other supporting documentation into the investigative database. Being fully automated also allows supervisory personnel to review full investigative files virtually, and at any juncture during the investigative process.

Agencies provide formalized training and certification in law enforcement auditing procedures. The effort teaches law enforcement professionals and auditors the fundamentals of auditing police functions. One organization used an external training source and another used an internally developed training and certification program. The core curriculum and training model can be traced back to material instituted by the Institute of Internal Auditors (IIA). The curricula cover such topics as the history and purpose of law enforcement performance auditing, auditing standards, risk assessment, audit planning, audit work plans, population and sampling, interviews, capturing and analyzing field work data, and report writing.

In addition to using historical internal operations documents and frequent meetings with stakeholders to develop annual law enforcement audit plans, the Audit Division periodically uses a commercial survey program to reach out to their units in efforts to solicit ideas for annual audits and to gain buy-in from stakeholders.

Appendix A

Scope and Methodology

We conducted the evaluation in accordance with the professional standards established by the Council of Inspectors General on Integrity and Efficiency (CIGIE), specifically, CIGIE “Quality Standards for Inspection and Evaluation.” Those standards require we plan and perform the review to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings, conclusions, and recommendations based evaluation objectives. We believe the evidence obtained provides reasonable basis for our findings, conclusions, and recommendations. The evidence obtained was sufficient, competent, and relevant, and leads a reasonable person to sustain the observations and recommendations. Team members assigned to the evaluation were trained and experienced criminal investigators with the requisite skills to competently execute the evaluation. Sensitive or classified materials were not used during the course of the evaluation. We used professional judgment in making our observations and recommendations.

The evaluation assessed MCIO internal controls (investigative oversight compliance management and inspection programs) focused primarily on noncombat deaths, sexual assault, and other violent crime investigation management. We did not assess any other aspect of investigative oversight compliance management and inspection programs. We identified what internal controls exist for each MCIO and determined if MCIO internal controls align with DoD and Military Service guidance. We also validated the internal controls but did not assess or comment on the effectiveness of internal controls during this evaluation.

Our evaluation included site visits to the Russell-Knox Building at Marine Corps Base Quantico, Quantico, VA, where we interviewed MCIO IG, Command, and Operational personnel. We used telephonic interviews to conduct follow-up consultation and coordination with other sources when required. Our evaluation also included site visits to various Federal, state, and local law enforcement organizations performing similar missions and who employ units to conduct law enforcement internal controls.

We produced this report based on the evidence we developed during the evaluation process. In our report, we recognized each MCIO’s practices, examined contemporary law enforcement internal controls to identify relevant practices, and suggested ways to improve MCIO practices. The report presents factual data accurately, fairly, and objectively and presents observations in a persuasive manner.

We sent data call memorandums to each of the MCIOs requesting all implementing policy documents and management tools related to internal controls. Additionally, we requested inspection and assistance visit reports highlighting violent crime oversight activities from each MCIO for a 12-month period (from December 10, 2013, through December 9, 2014).

We reviewed current DoD, Service-specific, and MCIO policies governing investigative oversight compliance management and inspection programs. We confirmed the internal controls already known to us and identified unfamiliar internal controls disclosed through the data call or our research. We compared MCIO implementing policy to associated DoD and Military Service guiding policy to determine whether MCIO policies were aligned with DoD and Military Service requirements. We reviewed the inspection and assistance visit reports and other technical reports generated to validate the controls associated with those programs.

We developed interview questionnaires based on the Military Services' and MCIOs' implementing policies, as well as from our evaluation of the inspection, assistance visit, and other technical reports.

Using previously distributed interview questionnaires, we interviewed MCIO IG, Command, and Operational personnel. We validated remaining aspects of their internal controls, not already validated through our review of the reports, by reviewing databases, onsite archives, and other material while performing interviews. We conducted in-person and telephonic interviews of subject matter experts and external sources for benchmarking or to clarify information when necessary.

Finally, we reviewed contemporary law enforcement internal controls for criminal investigations. We used our research of contemporary law enforcement internal controls, to include interviews of contemporary law enforcement professionals involved in law enforcement auditing, to make observations. We analyzed data we collected during the evaluation to identify aspects of the MCIO programs that we believed were problematic or notable practices among the MCIOs.

Prior Coverage

No prior coverage has been conducted on the Military Criminal Investigative Organizations' Violent Crime Investigative Compliance Oversight Management and Inspection Programs during the last 5 years.

Appendix B

MCIO Program Alignment with DoD and Military Service Requirements

We found MCIO policies and internal controls (investigative compliance oversight management and inspection programs) aligned with DoD and Military Service requirements to institute internal controls over mission-essential operations like violent crime investigations.

CID

Army regulation requires the CID Commander establish an Organizational Inspection Program (OIP).⁵⁷ In observance, the CID Commander published policy⁵⁸ implementing the provisions of the Army regulation. We found CID's policy sufficiently aligned with the provisions of the Army regulation. Furthermore, we found CID's IG and command and staff inspection programs supported policy requirements.

Army regulation requires the CID Commander establish and evaluate internal controls.⁵⁹ In observance, the CID Commander used the Army MIC Plan Inventory⁶⁰ and CID policy⁶¹ to institute the requirement. We found the internal controls described in the 3rd and 6th Group MIC Plan Inventories do not contain all required key internal controls. CID's layered case review process and MDRB support the policy. See Figure 1.

⁵⁷ See AR 1-201, Paragraph 1-4, "Responsibilities," subparagraph 1-4d, e, and f.

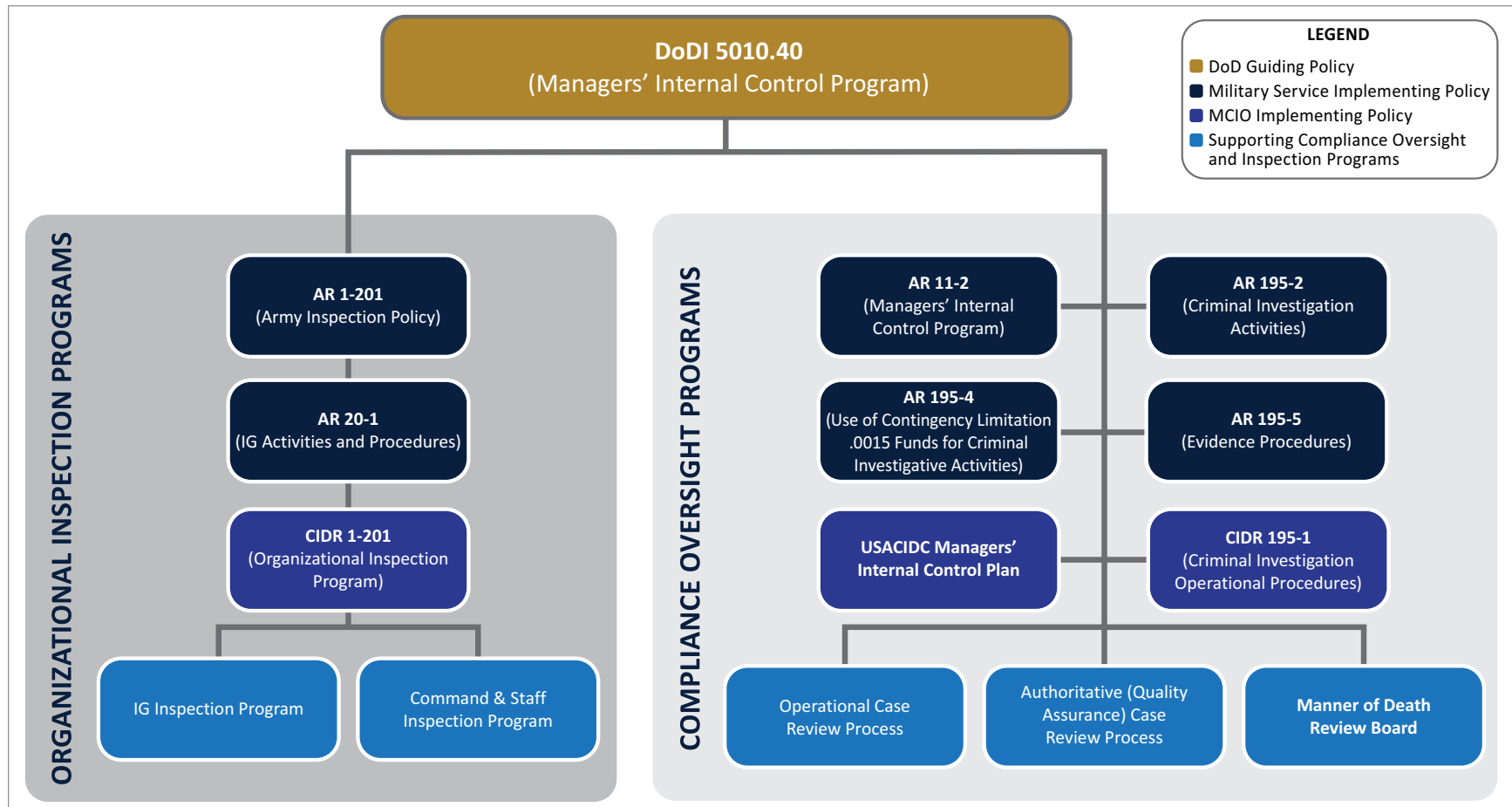
⁵⁸ See CIDR 1-201.

⁵⁹ See AR 11-2, "Managers' Internal Control Program," January 4, 2010 (Rapid Action Revision [RAR] Issue Date: March 26 2012), Paragraph 1-16, "Commanders of installations, major subordinate commands, and table of organization and equipment divisions and State Adjutants General."

⁶⁰ See AR 195-2, AR 195-4, and AR 195-5.

⁶¹ See CIDR 195-1.

Figure 1. DoD and Military Service Regulatory Guidance to MCIO Program Alignment - CID



NCIS

Navy instruction defines the Navy's inspection program as "a coordinated program of inspection that focuses on unit readiness and capability to execute assigned missions, current and projected, for the purpose of informing senior naval leaders of DON's overall ability to accomplish its mission."⁶² The instruction assigns oversight of the OIP to the Navy IG, and requires all other authorities conducting inspections within the Navy to implement the policies outlined in the instruction. Another Naval instruction further defines the mission and functions of the Naval IG and the office, and requires the NCIS Director to appoint, with the concurrence of Navy Inspector General, "a full time, dedicated IG who shall bear that title."⁶³ In observance, the NCIS Director published policy⁶⁴ implementing the provisions of the Navy instructions. We found the policy sufficiently aligned with the Navy instructions, and NCIS' IG, Self-Inspection Program, FOMV, and QAV programs supported policy.

Navy instruction requires the NCIS Director to establish internal controls such as ICOMP.⁶⁵ In observance, the NCIS Director published policies,⁶⁶ specifically relating to internal controls, to support the requirements of the Navy instruction. We found the policies sufficiently aligned with the Navy instruction, as well as NCIS' layered case review process, SCRS program, and the DRPs and DRBs. See Figure 2.

⁶² See Secretary of the Navy Instruction (SECNAVINST) 5040.3A, "Inspections within the Department of the Navy," July 13, 2000, section 4.b.

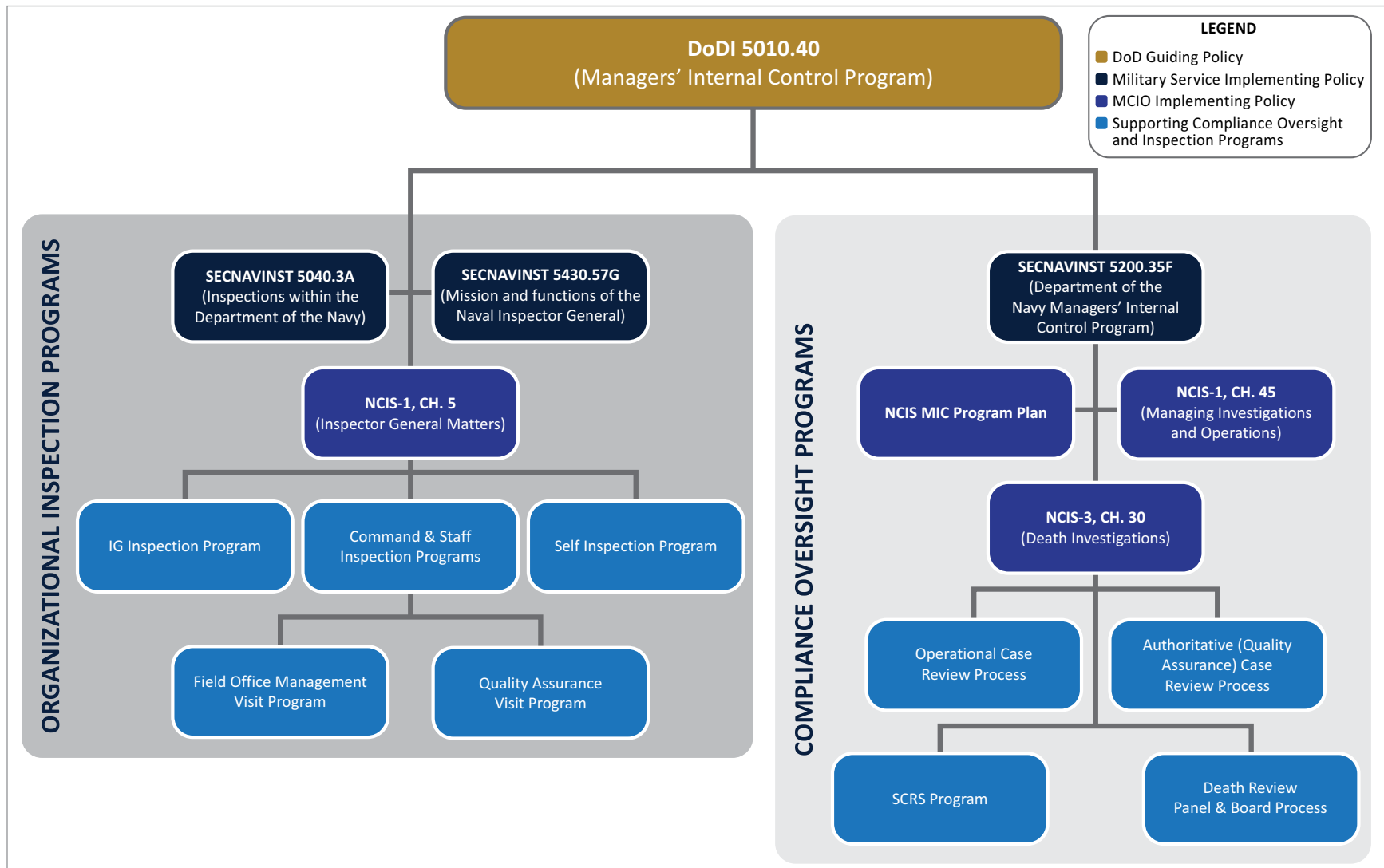
⁶³ See SECNAVINST 5430.57G, "Mission and functions of the Naval Inspector General," December 29, 2005, section m.(1).

⁶⁴ See NCIS-1, chapter 5.

⁶⁵ See SECNAVINST 5200.35F, "Department of the Navy Managers' Internal Control Program," July 21, 2014.

⁶⁶ See NCIS MIC Plan; NCIS-1, Chapter 45, Paragraph 45-3.4, "Case Reviews," and NCIS-3, Chapter 30, Paragraph 30-27, "Death Review Board (DRB) and Field Office Death Review Panel (DRP)."

Figure 2. DoD and Military Service Regulatory Guidance to MCIO Program Alignment - NCIS



AFOSI

AF instruction requires the AFOSI Commander to establish an OIP.⁶⁷ In observance, the AFOSI Commander published policy⁶⁸ to implement the provision of the instruction. Currently, the policy is under revision to adapt the organization's current inspection systems to AFIS. We were unable to validate the alignment of the forthcoming publication. AFOSI's inspection systems in development (Management Inspection, UEI, and CCIP) appear to align with AF policy. A future evaluation of the process should be undertaken to validate the full implementation of the system.

AF instruction requires the AFOSI Commander establish internal controls such as ICOMP.⁶⁹ In observance, the AFOSI Commander published policies⁷⁰ instituting internal controls over violent crime investigations. Furthermore, FIR commanders were given the responsibility to institute additional controls over violent crime investigations as deemed appropriate for their area of responsibility, which they instituted through "Region Case Review Processes." We found the publications aligned with the AF instruction, and AFOSI's layered case review process and PR Program support policy. See Figure 3.

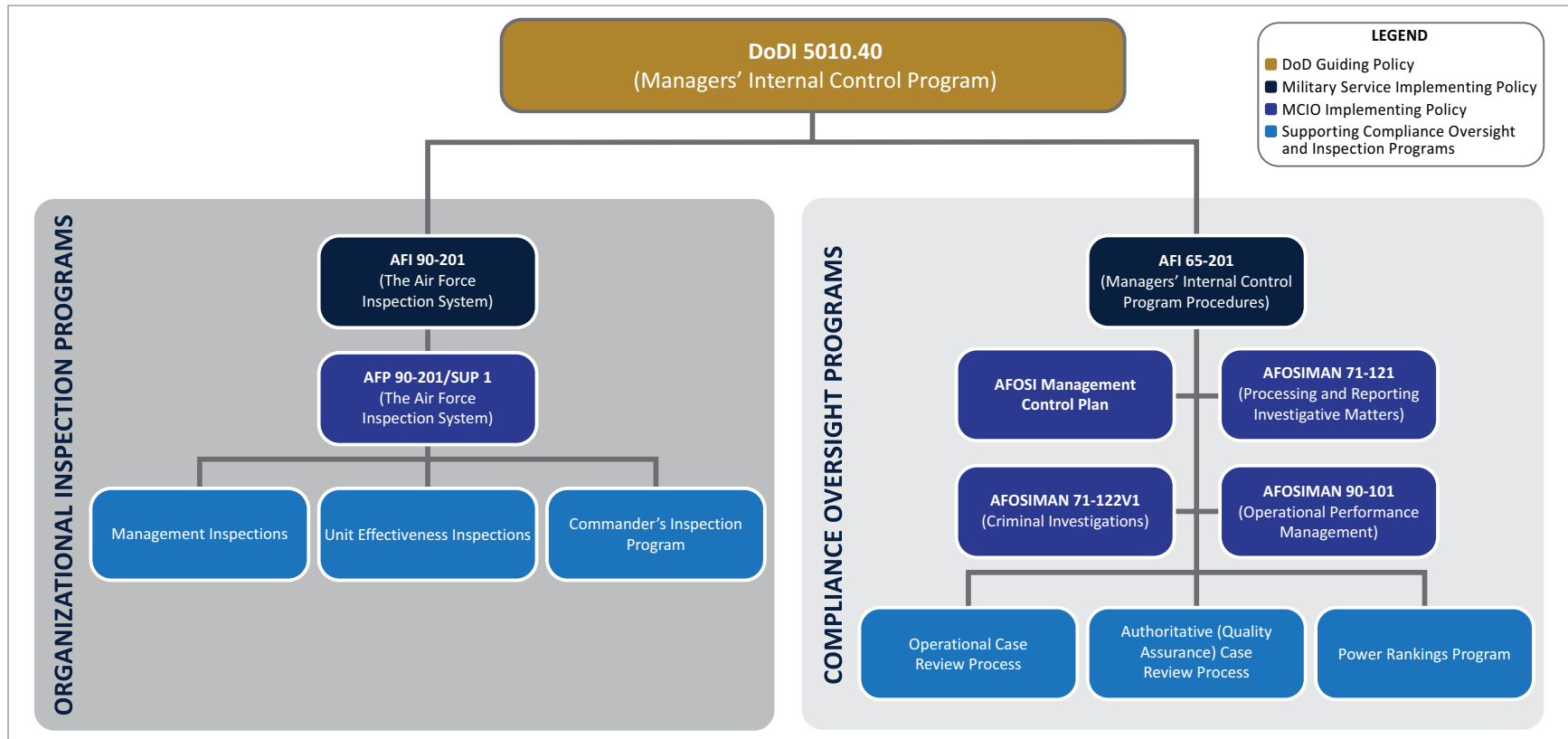
⁶⁷ See AFI 90-201, Paragraph 1.5.7, "All MAJCOM, AFIA, AF Intelligence, Surveillance, and Reconnaissance Agency (AFISRA) and AF Office of Special Investigations (AFOSI) Inspector General Teams," subparagraph 1.5.7.1.

⁶⁸ See AFP 90-201/AFOSI SUP 1.

⁶⁹ See AFI 65-201, "Managers' Internal Control Program Procedures," January 30, 2012.

⁷⁰ See AFOSI MCP; AFOSIMAN 71-121; AFOSIMAN 71-122, volume 1, AFOSIMAN 90-101; and the HQ [Headquarters] Case Review Process.

Figure 3. DoD and Military Service Regulatory Guidance to MCIO Program Alignment - AFOSI



Management Comments

CID Comments



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

NOV 02 2015

CIOP-CO

MEMORANDUM FOR Department of Defense Inspector General, Violent Crime Division (SA John Dippel), 4800 Mark Center Drive, Alexandria, VA 22350-1500

SUBJECT: Report of Evaluation of the Military Criminal Investigative Organizations' Violent Crime Investigative Compliance Oversight Management and Inspection Programs (Project No. 2014C023)

1. Thank you for the opportunity to comment on the proposed Department of Defense Inspector General (DoDIG) evaluation. I concur with both of your recommendations.
2. My command staff will review the subordinate commands' Manager's Internal Control (MIC) Plans annually to ensure applicable internal control evaluations from the Army's inventory of Internal Control Evaluations are included and scheduled for review in accordance with the Army's guidance provided in Army Regulation 11-2, Managers' Internal Control Program.
3. The command staff has also initiated a review of the existing management timeliness requirements for inspections in light of the current operational environment and will update them as necessary.
4. The point of contact is [REDACTED].

MARK S. INCH
Major General, USA
Commanding

NCIS Comments



DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
27130 TELEGRAPH ROAD
QUANTICO VA 22134-2253

5216
Ser 00I/15U0099
13 Nov 15

From: Deputy Director, Naval Criminal Investigative Service
To: Department of Defense, Office of Inspector General

Subj: EVALUATION OF THE MILITARY CRIMINAL INVESTIGATIVE
ORGANIZATIONS' VIOLENT CRIME INVESTIGATIVE COMPLIANCE
OVERSIGHT MANAGEMENT AND INSPECTION PROGRAMS

1. This memorandum is in response to your draft report, dated October 14, 2015, pertaining to subject assessment.
2. NCIS concurs with the overall assessment that NCIS' investigative compliance oversight management and inspection programs are sound. NCIS agrees that the "Managers Internal Control Plan," dated June 2008, needs to be updated and that NCIS-1, Chapter 5, "Inspector General Matters," also needs updating to reflect current inspection processes. Finally, NCIS agrees that its inspection timelines are ambitious and that internal discussions may need to be held to determine if any modifications to inspection timelines are warranted.
3. NCIS appreciates the opportunity to review the draft evaluation. NCIS is committed to employing robust and effective internal controls to ensure compliance with DoD, DON, and NCIS policies.
4. If you have any questions please contact NCIS Inspector General [REDACTED]
[REDACTED]

[REDACTED]

AFOSI Comments



DEPARTMENT OF THE AIR FORCE
AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS
QUANTICO VIRGINIA

October 29, 2015

MEMORANDUM FOR DOD IG, ATTN: DIRECTOR, VIOLENT CRIMES DIVISION

FROM: HQ AFOSI/XRG
27130 Telegraph Road
Quantico, VA 22134

SUBJECT: Evaluation of the Military Criminal Investigative Organizations' Violent Crime Investigative Compliance and Oversight Management and Inspection Programs (Project No. 2014C023)

1. This memorandum is in response to your draft report, dated October 14, 2015, pertaining to subject assessment.
2. AFOSI concurs with the overall assessment that AFOSI's investigative compliance oversight management and inspection programs are sound. AFOSI also agrees with recommendation four and AFOSI will develop and implement guidance regarding regional case reviews and inspection policy requirements.
3. AFOSI appreciates the opportunity to review the draft evaluation. AFOSI is committed to employing robust and effective internal controls to ensure compliance with DoD, Air Force and AFOSI policies.
4. If you have any questions please contact me at [REDACTED]

[REDACTED] DAF
Associate Director for Criminal Investigations

[REDACTED]

Acronyms and Abbreviations

AFI	Air Force Instruction
AFOSI	Air Force Office of Special Investigations
AFOSI IG	Air Force Office of Special Investigations Inspector General
AFOSIMAN	Air Force Office of Special Investigations Manual
AR	Army Regulation
CCIP	Commander's Inspection Program
CID	U.S. Army Criminal Investigation Command
CIDR	Criminal Investigation Division Regulation
DRB	Death Review Board
DRP	Death Review Panel
FIR	Field Investigative Region
FO	Field Office
FOMV	Field Office Management Visit
ICI	Initial Command Inspection
ICOMP	Investigative Compliance Oversight Management Programs
MCIO	Military Criminal Investigative Organization
MCP	Management Control Plan
MDRB	Manner of Death Review Board
MIC	Managers' Internal Control
NCIS	Naval Criminal Investigative Service
NCISRA	Naval Criminal Investigative Service Resident Agencies
NCISRU	Naval Criminal Investigative Service Resident Units
OIP	Organizational Inspection Plan
PR	Power Ranking
QAV	Quality Assurance Visit
RAV	Readiness Assistance Visit
SAC	Special Agent in Charge
SAV	Staff Assistance Visit
SCI	Subsequent Command Inspection
SCRS	Standard Case Review Sheet
SSA	Supervisory Special Agent
UEI	Unit Effectiveness Inspection



Whistleblower Protection

U.S. DEPARTMENT OF DEFENSE

The Whistleblower Protection Enhancement Act of 2012 requires the Inspector General to designate a Whistleblower Protection Ombudsman to educate agency employees about prohibitions on retaliation, and rights and remedies against retaliation for protected disclosures. The designated ombudsman is the DoD Hotline Director. For more information on your rights and remedies against retaliation, visit www.dodig.mil/programs/whistleblower.

For more information about DoD IG reports or activities, please contact us:

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