

Request date: 6/6/2016

Name of Investigator: (b) (6)

Phone #: DSN (b) (6)

From: Commander, Navy Installations Command Inspector General

To: Naval Inspector General

Subj: NAVY HOTLINE COMPLAINT #201601079 / DOD 20160303-036145-CASE-01

1. **Action Requested.** Investigation

2. **Complaint Summary**

a. On 8 April 2016 DOD IG forwarded DOD Case Number 20160303-036145-CASE-01 as an Information Referral to NAVINSGEN and NAVSINGEN assigned case number 201501079. Five known complainants alleged that CAPT Dennis Boyer, Commanding Officer (CO), Naval Station (NAVSTA) Newport failed to ensure proper manning of the installation's civilian police force and has required personnel to work unsafe, excessive levels of overtime in violation of traffic safety standards. The complainants alleged that although they previously reported this allegation to their chain of command, and Commander Navy Region Mid-Atlantic (CNRMA) completed a command inquiry on 23 December 2015, which validated the allegation, CNRMA has failed to implement effective corrective or accountability action. The complainants now allege that the issue has still not been resolved and CAPT Boyer continues to violate safety standards by requiring civilian Supervisory Police Officers to work excessive levels of overtime.

b. This complaint also included multiple potential new allegations which were not previously reported in prior complaints including that CNIC N3 and/or CNRMA N3 leadership failed to ensure compliance with CNICINST 5530.14A, Ashore Protection Program, failed to ensure minimum law enforcement training standards for civilian police officers, and established a wasteful and ineffective process for equipping government patrol vehicles. This complaint also included five allegations of reprisal which DOD IG has for action.

c. On 8 April 2016, DOD IG forwarded the March 2016 complaint to NAVINSGEN as an Information Referral. NAVINSGEN assigned case number 201601079 and transferred to case to CNIC IG on 12 April 2016.

d. On 16 May 2016, NAVINSGEN approved CNIC IG to conduct a Preliminary Inquiry (PI).

3. **Background.** Based on the results of the PI report completed on 26 May 2017, we determined that although there is mitigation due to manning and resourcing constraints imposed on NAVSTA Newport by higher authority, this allegation warrants a full IG investigation. The results of the PI also determined that new additional matters raised (i.e. compliance with CNICINST 5530.14A, training standards, wasteful process for equipping government patrol vehicles) are appropriate for referral to CNIC N3.

5. **Applicable Standards**

- a. OPNAVINST 5100.12J, Navy Traffic Safety Program paragraph 7.d.
- b. DODI 6055.04, DOD Traffic Safety Program
- c. OPNAVINST 5530.14E, Appendix A, Post Validation Model and Staffing
- d. NTTP 3-07.2.3, Law Enforcement and Physical Security

6. **Rationale for Recommendation.** The five complainants previously submitted multiple complaints and correspondence reporting mismanagement and regulatory violations associated with the overtime at NAVSTA Newport to various offices including their chain of command (CNRMA), DoD IG, and Congress. Although CNRMA completed a command inquiry, endorsed by the CNRMA Regional Commander on 22 January 2016, to date NAVINSGEN has not investigated the allegation that CAPT Boyer improperly required civilian employees to work unsafe levels of overtime in violation of traffic safety standards. The results of the PI indicate that the complainants' previous attempts to use their chain of command to resolve this matter have not been successful and therefore an IG investigation is recommended.

7. **Legal Review (optional if requesting PI).** CNIC (b) (6) (b) (6), has reviewed this Complaint Analysis as of 9 June 2016 and concurs that the complaint and applicable standards are appropriately and sufficiently described herein.