



Alaska National Guard (AKNG) Implementation Plan Addressing the Recommendations from the Office of Complex Investigations (OCI) Report

AK1403 National Guard Bureau
(NGB) Implementation Team
22 Sep 2014 – 29 Jan 2015



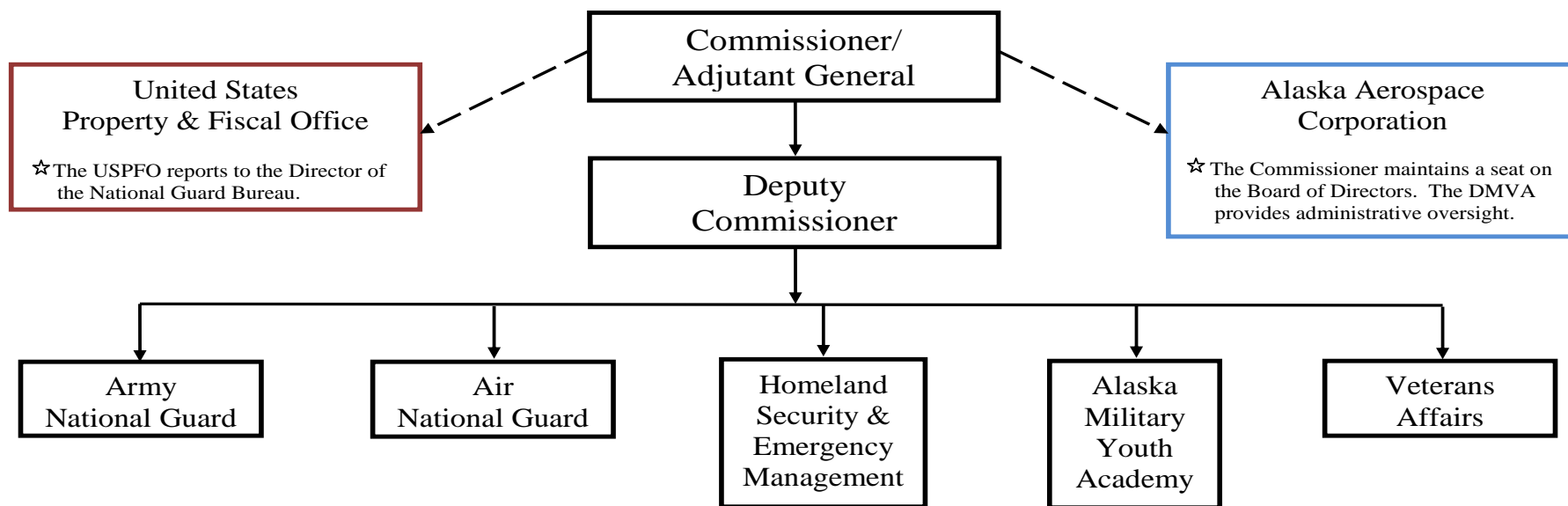
Agenda

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- **Legal Systems for the National Guard**
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- **Methodology**
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Department Overview

Department of Military and Veterans Affairs Operational Sections



Total Force: 4700 employees

- **2100 are full-time, the rest are part-time or volunteer**

DMVA makes up almost 25% of the State of Alaska

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Legal Systems for the National Guard

- **Title 10 Personnel (Federal Personnel under Federal Control/Active Duty & Federally activated National Guardsmen)**
 - State & Federal Law
 - Uniform Code of Military Justice
- **Title 32 Personnel (Traditional & Active Guard Reserve National Guardsmen)**
 - State & Federal Law
 - Subject to Military Code of Alaska, which specifically says
 - “An offense committed by a member of the militia, organized or unorganized, shall be tried in civil courts and prosecuted by civil authorities except offenses of a purely military nature.”
 - Under AS 26.05.320, the procedure by which a general court-martial shall function shall be in compliance with reasonable regulations. However, no Alaska Guard Adjutant General has ever formulated the regulations required under this statute.
 - Through AS 26.05.300, Alaska National Guard Commanders have the ability to conduct adverse action against Soldiers and Airman for disciplinary offenses.
 - The Alaska National Guard has also proposed a new regulation on non-judicial punishment, JFHQ-AK Regulation A-15, which will standardize the guidance on non-judicial punishment for the Alaska National Guard in Alaska.



Background

- OCI report released by Governor 4 Sep 2014
 - Report made 36 specific recommendations
- Governor requested that National Guard Bureau (NGB) send a team to implement the recommendations made in the report
- NGB Implementation Team (IT) arrived 22 Sep 14
- NGB IT worked with AKNG Team to develop implementation action plan
 - 5 of 6 major areas from OCI report addressed by team, one major area addressed separately
 - 5 Implementation Planning Teams (IPT) formed

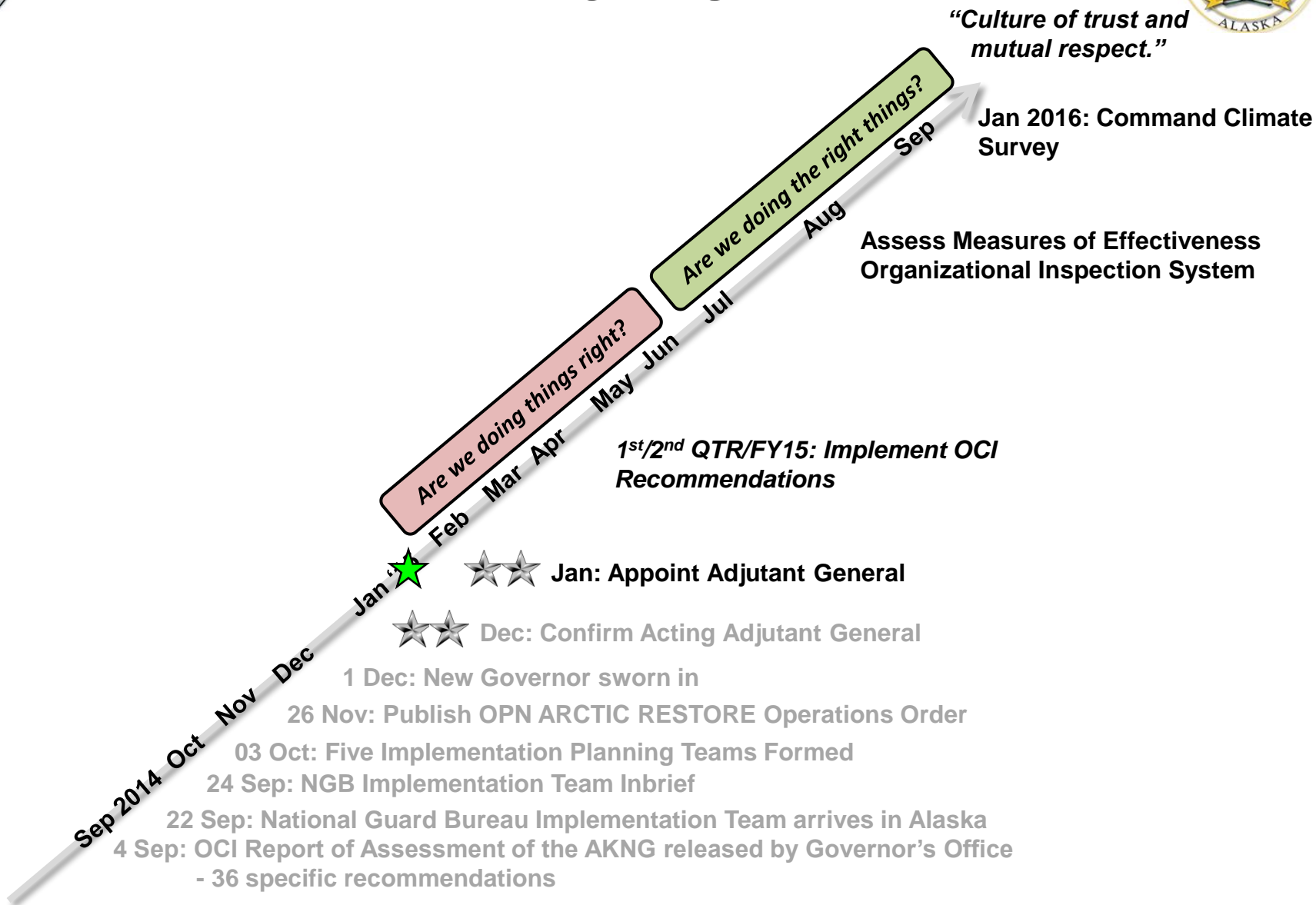


IPT Methodology

- AKNG Joint Team Leads were identified to review each recommendation in order to
 - Develop actions/milestones that need to be accomplished to implement recommendation
 - Develop metrics that will be used to measure effectiveness of those actions
 - Define what the desired end state looks like once recommendation actions are complete
- Implementation Plan data captured/tracked via excel spreadsheet, status updated weekly



Events





Implementation Plan Timeline

- **Phase 0:** Started with receipt of OCI Report, ended with formation of IPT's.
- **Phase I:** Started with formation of IPT's, ended with preparation of Operations Order (OPORD).
- **Phase II:** Starts with issuance of OPORD, ends when recommendations are successfully implemented.
- **Phase III:** Starts when recommendations are successfully implemented, ends with published process to maintain/sustain key programs within state.
- **Phase IV:** Starts with published process to maintain and sustain key programs, ends with establishment of an environment of mutual trust and respect.



5 Areas Addressed by Team

- (A) Sexual Assault
- (B) Equal Opportunity
- (C) Coordination with Law Enforcement
- (E) Command Climate
- (F) Application of Military Justice

*(D) Fraud, addressed by separate NGB Team, report expected mid December



Recommendation Nomenclature

A. Sexual Assault

- A1.** Continue education of AKNG service members on Sexual Assault Prevention and Response (SAPR) program
- A2.** Improve reporting process to ensure victim info confidentiality
- A3.** Ensure action taken is shared with victim through Victim Advocate program
- A4.** Develop ways to provide transparent/informed justice regarding sexual assault matters
- A5.** Reinforce leadership education on SAPR program
- A6.** Set tone for sexual assault and harassment awareness by strengthening policies that educate AKNG
- A7.** AKNG Sexual Assault Response Coordinator (SARC) needs to reinforce training on reporting options



Recommendation Nomenclature

B. EO Programs

- B1.** Reinforce AKNG Equal Employment Opportunity (EEO) and Equal Opportunity program (EO) understanding privileged communication and retaliation protection
- B2.** Ensure AKNG EEO/EO program includes well trained and accessible EO program participants
- B3.** Ensure AKNG EEO/EO program meets/exceeds personnel requirements, all are trained/certified
- B4.** AKNG State Equal Employment Manager (SEEM) needs additional training on roles and responsibilities to improve oversight and tracking
- B5.** AKNG SEEM needs to train senior leadership on EEO/EO complaints management



Recommendation Nomenclature

C. Coordination with Law Enforcement

- C1.** All allegations of misconduct under investigation by local law enforcement be tracked
- C2.** Investigate establishing Provost Marshal Officer position
- C3.** SJA recommend admin action pending findings of local law enforcement to include Active Guard Reserve (AGR) status removal



Recommendation Nomenclature

E. Command Climate

E1. AKNG leadership needs to review Open Door Policies

E2a. AKNG leadership needs to improve mentoring program across state

E2b. AKNG hold quarterly joint meetings on several subject matters

E3. AKNG leadership needs to reinforce/train on reprisal/retaliation policy

E4a. AKNG leadership transparency to confirm justice pursued promotion

E4b. AKNG leadership transparency to confirm justice pursued discipline

E4c. AKNG leadership transparency to confirm justice is pursued in hiring

E5. AKNG leadership address validity of claims of ethical/moral misconduct

E6. AKNG leadership needs to review OCI Command Climate Survey

E7. AKNG leadership needs to protect all victims' identity



Recommendation Nomenclature

F. Military Justice

- F1.** AKNG needs to review current military legal support/optimize needs of AKNG
- F2.** AKNG needs to appoint an AKNG military judge/have one trained/certified
- F3.** AKNG needs to participate in Army National Guard Trial Defense Program
- F4a.** AKNG needs to enhance participation in NG Special Victims Counsel (SVC) Program
- F4b.** AKNG needs to request a full time NG SVC located in state
- F5a.** AKNG needs to coordinate with State Attorney General on proper interpretation of Bowen
- F5b.** AKNG consider holding pre-termination hearing before admin discharge board
- F6.** AKNG needs to review improve training for Commander's Directed Investigations and develop a smart book
- F7.** AKNG needs to create tracking system to improve oversight of all adverse admin actions
- F8.** AKNG needs to conduct thorough review of AKNG personnel files for accuracy
- F9.** AKNG/AK legislature need to review existing AK state code to determine if it is optimum



Implementation Plan Relative Timeline



Building to End State

Maintaining of End State

Phase 0
(Shape)

Phase I
(Build)

Phase II
(Initiative)

Phase III
(Stabilize)

Phase IV
(Enable)

Sexual
Assault

- ★ SA Policy
- ★ OPN Arctic Trust

Equal
Opportunity

- ★ EO Policy
- ★ Temp SEEM
- ★ EOA/EOL Cmd Dir.

Law
Enforcement

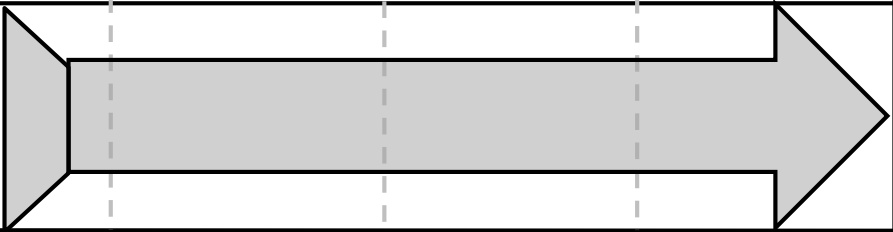
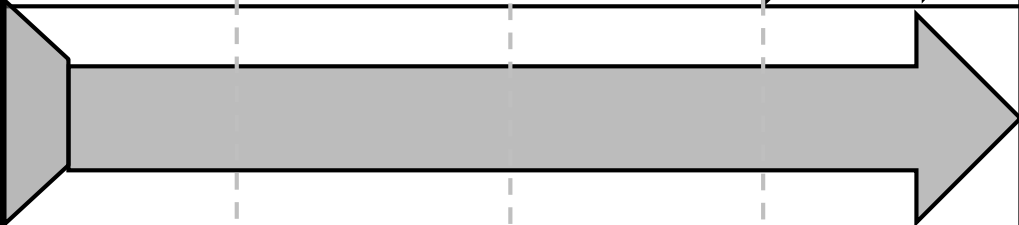
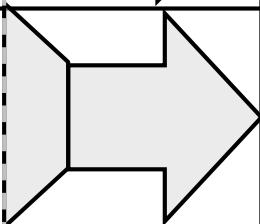
- ★ Appt PMO
- ★ APD MoA

Command
Climate

- ★ Address by Gov
- ★ 2014 Election
- ★ Open Door Policy
- ★ Cmd Climate Survey Review

Military
Justice

- ★ SVC Appt.
- ★ ADPS JAG
- ★ Executive SJA



Environment of Mutual Trust and Respect

Receipt of OCI Report on Assessment



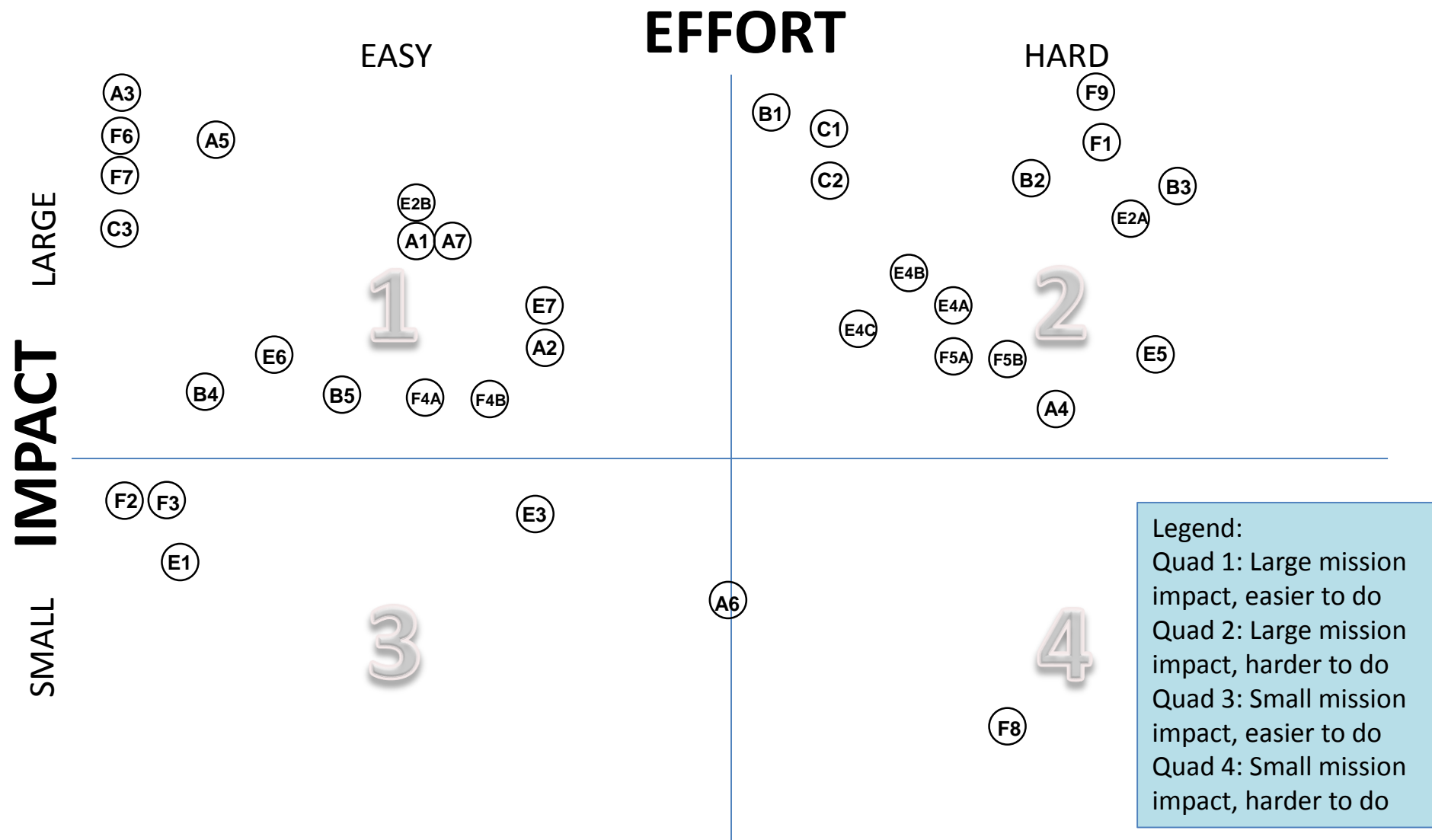
Example Implementation Plan Spreadsheet



Recommendation Number	Description	State Lead	AKARNG POC (G-Staff, 297th BFSB, 38TC)	AKANG POC (176WG/168ARW)	NGB Team POC (Prim/Sec)	Milestones: (Key Steps required to drive towards end state)	Metrics	Desired End State	Suspense	Status
A1	A1. Continue education of AKNG service members on SAPR program	JFHQ SARC	SHARP rep	Wing reps	NGB reps	SARC/VA working on getting training scheduled within AKARNG units and other avenues of education methods (i.e. flowcharts, posters, commander's checklists, Leadership summit) Education committee is coordinating verbage for OP ORD/FRAGO for training requirements. Flowchart committee has drafted a flowchart for Commanders and will be looking at other types of checklists for victims	Are service members getting it? Understanding the difference between restricted/unrestricted reporting. Town hall meetings to gauge understanding/knowledge levels of SARC. Pre/post surveys. Command climate assessment/surveys.	Fully trained soldiers, airmen and leadership who understand the SAPR/SHARP program and its benefits.	On going	I
B5	B5. AKNG SEEM needs to train senior ldrshp on EEO/EO complaints management; create a Command Reprisal Prevention Plan	Acting SEEM	EEO/EO reps	Wing EEO/EO reps	NGB reps	1. SEEM and EOAs provide training on EEO/EO requirements and complaints management. 2. SEEM and EOAs take TAG's guidance to 3. Create a Commanders Complaint and Reprisal Prevention Plan	SAVs, Self-Inspection, Command LOU - Signed, Exec Conf education, Leadership Conferences; Orientations, IO Action Plan; Commanders Complaint and Reprisal Prevention Plan is published and disseminated;	Senior Leaders and supervisors are knowledgeable on EEO/EO complaints process and management; TAG guidance and Command Reprisal Prevention Plans at each Wing, Army Brigade, JFHQ, Ft Greely, and Clear AFS.	SEEM will create an annual training calendar for EEO training events and coordinate with State HR/EO for ARNG and Wing EO Dirs for training dates. Publish training calendar on upcoming training events, ARNG Resource Conference: Mar/Sep 2015; ARNG EOL training, and Wing unit level training- TBD	A
E1	E1. AKNG leadership needs to review Open Door Policies	Command Climate IPT leads	AKARNG leads	Wing leads	NGB reps	Develop Open Door Policy, Promote Policy	Publish Informal/formal survey of AKNG members	Honorable, committed, focused, and aligned workforce that will drive the performance of the AKNG toward a statement of purpose, vision and strategic goals.	Published Open Door Policy 21 Oct 2014 Continuous promotion of Open Door Policy	M



Recommendation Prioritization: Impact vs Effort





Implementation Plan: Operational Reach and Progress Toward Sustainment



State of
Alaska

Brigade/
Wing

Company/
Squadron

Soldier/
Airman

Sexual
Assault

A2

A1

A3 A4 A5

A7

A6

Equal
Opportunity

B4 B5

B1 B2 B3

Law
Enforcement

C1

C3

C2

Command
Climate

E5

E1

E2B

E3 E4A

E2A E4B

E4C

E6

E7

Military
Justice

F8

F4A F4B F6

F1

F7

F9

F5A F5B

F2

F3

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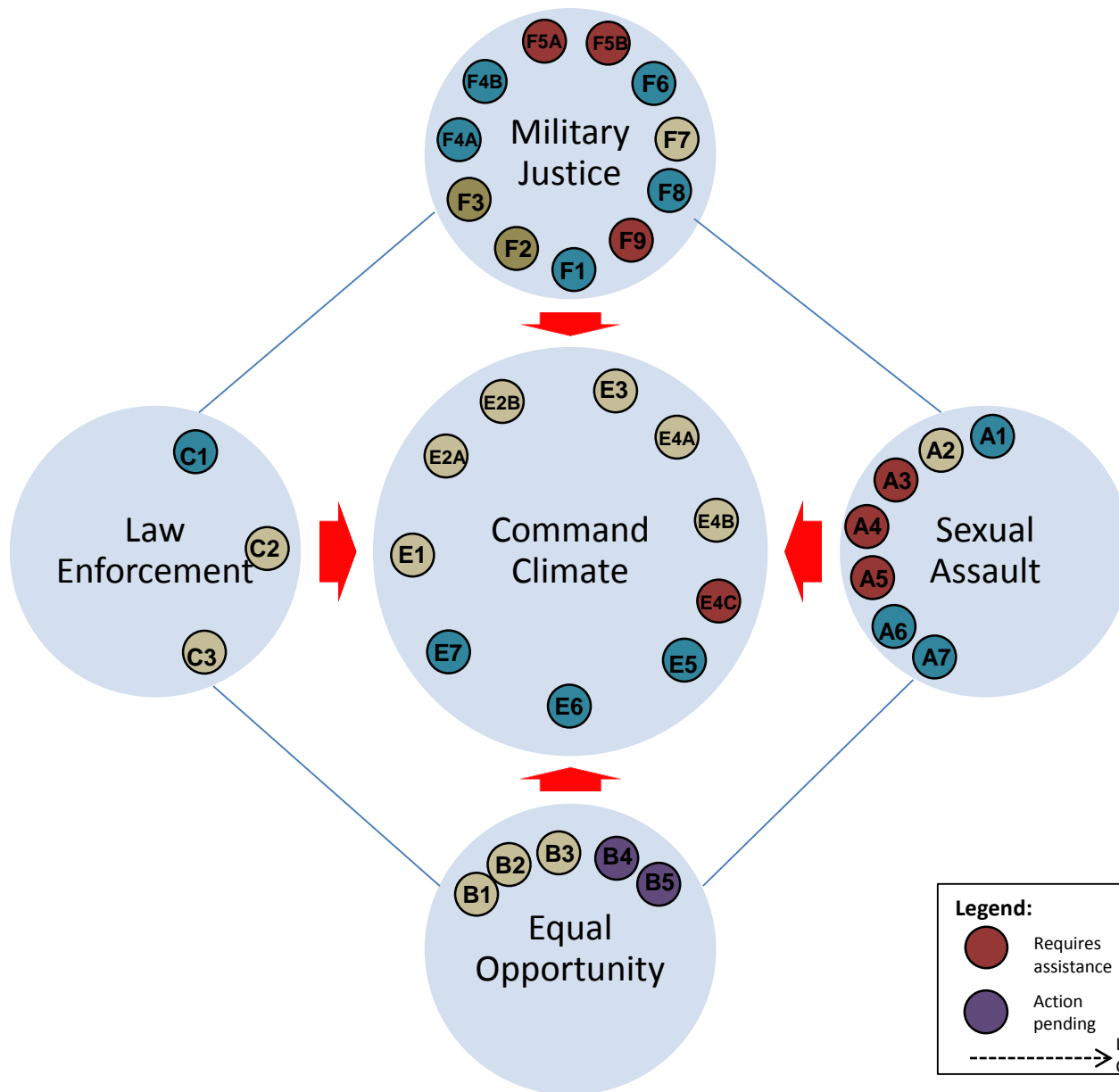
End State:
The Alaska National Guard is a premier force; driven by core values; empowered by trust, dignity, respect; ready and relevant for service to the State and Nation.

- Action initiated
- Monitoring progress
- Action pending
- Requires assistance from external source

Dashed line indicates progress from last update
Length of arrow indicates depth of reach into org
Wide arrow=slow progress, thin=faster progress



Implementation Plan Lines of Connectivity



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Recommendations Cross-Referenced with Responsibilities to Ensure Accountability Throughout the Organization



	Sexual Assault	Equal Opportunity	Law Enforcement	Command Climate	Military Justice
Training / Education	A1 A5 A7	B4 B1 B5		E3	F6
Program Management	A2	B2 B3	C1 C2		F1 F4A F2 F3 F7 F8
Policy/ Guidance	A4			E1	F5A F5B F9
Commander/ Supervisor Accountability	A3 A6		C3	E2A E2B E5 E6 E7 E4A E4B E4C	F4B

Legend:



Requires assistance
From external source



Action pending



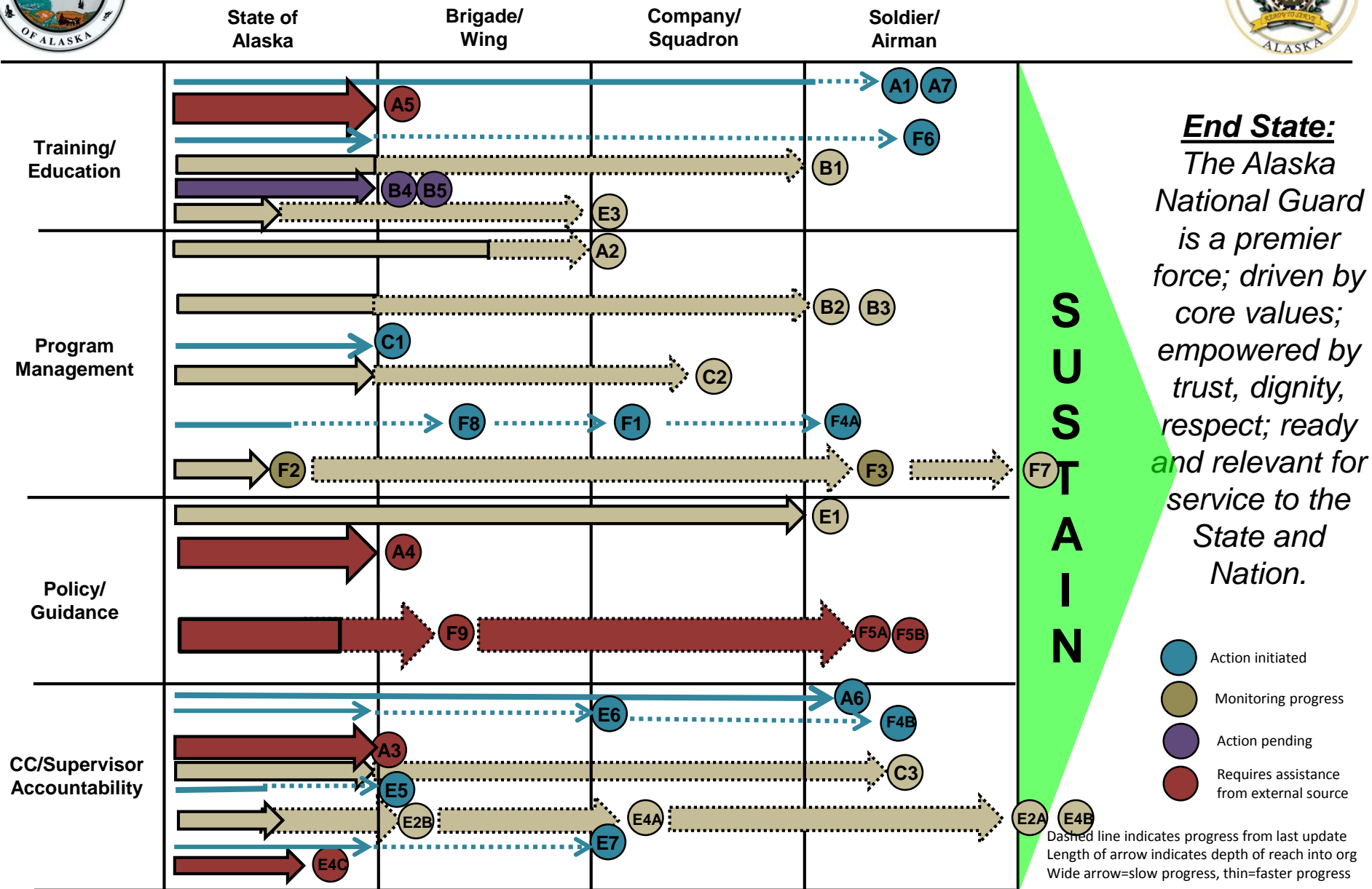
Action initiated



Monitoring progress



Cross Referenced Recommendation Operational Reach and Progress Toward Sustainment



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Challenges

- Fiscal realities versus the need for additional resources in many forms
- Continuity of vision and mission during turbulent transition period in both state and military leadership
- Build momentum in strategic communications to regain trust and respect in AKNG and with general public
- Fatigue factor resulting from the convergence of daily ops with significant additional effort
- Transition from the acting staff and leadership to the new cadre of personnel to lead and direct the AKNG



Summary

- First two months time/effort spent developing comprehensive Implementation Plan
- AKNG participation/involvement at all levels
- Transparent, repeatable, defensible process
- Implementation Plan not personality dependent
- Objectives are measurable and obtainable
- Report card determined by clear concise metrics
- Implementation Plan a marathon not a sprint
- Continuous Process Improvement critical to success



Way Ahead

- Judge Patricia Collins appointed by Governor Walker as Special Investigator to specifically investigate these issues in the relationship between the National Guard and Civil Law Enforcement
- NGB, Governor, new TAG, and future AKNG leadership need to monitor Implementation Plan progress weekly and provide inputs as required
- Commander level reporting back to TAG via biweekly update briefing on specific tasks from OPORD
- Continue with informal Command Climate evaluations at the unit level by AKNG EO personnel to gain valuable feedback from individual Soldiers and Airmen
- New Command Climate survey required in Jan 16 in order to benchmark and validate progress