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**The Inspector General
of the Air Force**

Report of Investigation (S8005P)

Maj Gen Scott M. Hanson

March 2015

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TABLE OF CONTENTS

	Page
I. Introduction	1
II. Scope and Authority	3
III. Background	3
IV. Allegations, Findings, Standards, Analysis and Conclusions	
Allegation 1	4
Allegation 2	14
Allegation 3	26
Allegation 4	34
V. Summary	51
List of Exhibits	53

REPORT OF INVESTIGATION (Case S8005P)

CONCERNING

MAJOR GENERAL SCOTT M. HANSON

PREPARED BY

COLONEL [REDACTED]

March 2015

I. INTRODUCTION

This investigation was directed in response to a complaint filed by Col [REDACTED] to the Air University Inspector General and forwarded to the Secretary of the Air Force Inspector General for action. The complainant filed the complaint via AF Form 102 on 18 Jun 13. (Ex 1:2) SAF/IGS received the complaint on 19 Jun 13. The complainant, Col [REDACTED] is the [REDACTED] (Ex 1:1) The subject of the complaint, Maj Gen Scott M. Hanson, was, during the timeframe of the alleged misconduct, the Commandant of the Air War College (AWC) and Commander of the Spaatz Center at Air University, Maxwell AFB, AL. (Ex 3:2) In the complaint, Col [REDACTED] alleged that Maj Gen Hanson abused his authority through various actions and, on various occasions, committed both waste and misuse in expending federal resources, improperly influenced the actions of subordinate officers, and violated the Joint Ethics Regulation. (Ex 1:3-4) Col [REDACTED] initially alleged a total of [REDACTED] separate and distinct issues, then later added [REDACTED] more for a total of [REDACTED] issues for analysis. (Ex 1:3-4; Ex 2)

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SAF/IGS completed a complaint analysis on 26 Aug 14, and The Inspector General approved an investigation into four allegations of misconduct by Maj Gen Hanson. The case was assigned to Col [REDACTED] who holds a SAF/IG appointment letter dated 20 Aug 14, and the investigation started on 2 Sept 14.

During this investigation, the following individuals were interviewed:

Col [REDACTED]
Col [REDACTED]
Dr. [REDACTED]
Col [REDACTED]
Maj [REDACTED]

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Col
Col
Col
Col
Lt Col
Dr.
Dr.
Ms.
Ms.
Ms.

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II. SCOPE AND AUTHORITY

The Secretary of the Air Force has sole responsibility for the function of The Inspector General of the Air Force.¹ When directed by the Secretary of the Air Force or the Chief of Staff of the Air Force, The Inspector General has the authority to inquire into and report on the discipline, efficiency, and economy of the Air Force and perform any other duties prescribed by the Secretary or the Chief of Staff.² The Inspector General must cooperate fully with The Inspector General of the Department of Defense.³ Pursuant to Air Force Instruction (AFI) 90-301, *Inspector General Complaints Resolution*, 23 Aug 11 (Incorporating Change 1, 6 Jun 12), paragraph 1.13.4, The Inspector General has oversight authority over all IG investigations conducted at the level of the Secretary of the Air Force.

Pursuant to AFI 90-301, paragraph 1.13.3.1, the Director, Senior Official Inquiries Directorate (SAF/IGS), is responsible for performing special investigations directed by the Secretary, the Chief of Staff, or The Inspector General and all investigations of senior officials. AFI 90-301 defines senior official as any active or retired Regular Air Force, Air Force Reserve, or Air National Guard military officer in grades O-7 (brigadier general) select and above, and Air National Guard Colonels with a Certificate of Eligibility (COE). Current or former members of the Senior Executive Service (SES) or equivalent and current and former Air Force civilian Presidential appointees are also considered senior officials.

One of several missions of The Inspector General of the Air Force is to maintain a credible inspector general system by ensuring the existence of responsive complaint investigations characterized by objectivity, integrity, and impartiality. The Inspector General ensures the concerns of all complainants and subjects, along with the best interests of the Air Force, are addressed through objective fact-finding.

III. BACKGROUND

Maj Gen Hanson is currently the Director of Operations, Headquarters Air Mobility Command, Scott Air Force Base, IL. (Ex 3:1) From May 11 – Aug 13, he was dual-hatted as the Commander, Spaatz Center for Officer Education and Commandant, Air War College. (Ex 3:2) His career includes various operational and staff assignments as a T-38 Instructor Pilot, a KC-135 and KC-10 Aerial Refueling Tanker aircraft Instructor/Evaluator Pilot, with command assignments at the detachment, squadron and wing levels. (Ex 3:2) Maj Gen Hanson has also served in U.S. Transportation Command, the Office of the Secretary of the Air Force Legislative Liaison Office, and as the Director, Iraqi Training and Advisory Mission-Air Force. (Ex 3:2)

¹ Title 10, United States Code, Section 8014

² These authorities are outlined in Title 10, United States Code, Section 8020

³ Title 10, United States Code, Section 8020(d)

IV. ALLEGATIONS, FINDINGS, STANDARDS, ANALYSIS AND CONCLUSIONS

ALLEGATION 1. That between on or about 1 Feb 13 to on or about 1 Apr 13, Maj Gen Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, falsified an Unfavorable Information File, in violation of Article 107, *False Official Statements*, Uniform Code of Military Justice.

FINDINGS OF FACT.

On or about 11 Apr 12, Maj Gen Hanson issued Col [REDACTED] a Letter of Reprimand (LOR) for engaging in an unprofessional relationship with a female [REDACTED] while deployed. (Ex 4:2-3). The LOR notified Col [REDACTED] that Maj Gen Hanson intended the LOR to be filed in an Unfavorable Information File (UIF). (Ex 4:4)

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On or about 3 Jul 12, Maj Gen Hanson, established a UIF on [REDACTED] via AF Form 1058. (Ex 4:1) The UIF had a final disposition date of 10 Apr 14. (Ex 4:1)

Maj Gen Hanson signed AF Form 1058 with a date of 1 Feb 13, removing Col [REDACTED] UIF in its entirety. (Ex 7)

On or about 1 Mar 13, Col [REDACTED] 2013 Officer Performance Report (OPR) closed out. (Ex 9)

STANDARD.

Article 107, *False Official Statements*, Uniform Code of Military Justice (UCMJ), states, in relevant part:

a. Text of statute

Any person subject to this chapter who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing it to be false, or makes any other false official statement knowing it to be false, shall be punished as a court-martial may direct.

b. *Elements.*

- (1) That the accused signed a certain official document or made a certain official statement;
- (2) That the document or statement was false in certain particulars;
- (3) That the accused knew it to be false at the time of signing it or making it; and
- (4) That the false document or statement was made with the intent to deceive.

c. *Explanation.*

- (1) *Official documents and statements.* Official documents and official statements include all documents and statements made in the line of duty.

(2) *Status of victim of the deception.* The rank of any person intended to be deceived is immaterial if that person was authorized in the execution of a particular duty to require or receive the statement or document from the accused. The government may be the victim of this offense.

(3) *Intent to deceive.* The false representation must be made with the intent to deceive. It is not necessary that the false statement be material to the issue inquiry. If, however, the falsity is in respect to a material matter, it may be considered as some evidence of the intent to deceive, while immateriality may tend to show an absence of this intent.

(4) *Material gain.* The expectation of material gain is not an element of this offense. Such expectation or lack of it, however, is circumstantial evidence bearing on the element of intent to deceive.

(5) *Knowledge that the document or statement was false.* The false representation must be one which the accused actually knew was false. Actual knowledge may be proved by circumstantial evidence. An honest, although erroneous, belief that a statement made is true, is a defense. (Ex 10)

ANALYSIS.

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On 11 Apr 12, Col [REDACTED] received a LOR from Maj Gen Hanson for engaging in an unprofessional relationship with a female [REDACTED] while deployed. (Ex 4) Additionally, Maj Gen Hanson established a UIF on Col [REDACTED] (Ex 5) The misconduct was not recorded on Col [REDACTED] 2012 OPR, which had closed out on 1 Mar 12, 5 weeks prior to receiving the LOR. (Ex 8) His next OPR closed out on 1 Mar 13. (Ex 9)

Col [REDACTED] at the Air War College, was Col [REDACTED] rater on Col [REDACTED] 2012 and 2013 OPRs (Ex 8, Ex 9). When Col [REDACTED] 1 Mar 13 OPR closed out, Col [REDACTED] testified:

I was called into the [REDACTED] office, Col [REDACTED], again, sometime in March, um, he said to me, uh, you know he has a UIF, [REDACTED] And I said yeah, I, I do. He goes, well, the boss doesn't, the boss thinks he needs a referral OPR. And I'm, like, where does it say you have to have a referral OPR just because you have a UIF?...Um, and so, you know, I'm, like, well, are you sure that you automatically have to have a referral OPR as an O6 if you have a UIF and he goes no, you don't have to, but the boss wants one. I said, well, Hanson's not his rater, I am. And so I, I actually brought up undue command influence. I said, are you telling me that the Commandant is telling me to give this guy a referral OPR? Is he ordering me to do it? He goes no, no, no, no he's, uh, he's just, you know, blah, blah, blah. So it became apparent right there that, I mean, Col [REDACTED] was channeling for the [REDACTED] that he wanted a referral OPR. So I went back, talked to Dr. [REDACTED] about it. I said, hey, first of all I don't think they can make me, well, they can't make me because it's undue command influence, but I don't think there's any requirement to have the referral just because you have a UIF. (Ex 11:5) (emphasis added)

On 22 Mar 13, Col [REDACTED] electronically signed Col [REDACTED] OPR without any reference to the LOR or UIF; the OPR was not a referral. (Ex 9) When Col [REDACTED] later inquired about the status of the UIF, he testified:

We were talking about something and Col [REDACTED] came in and, uh, we talked about the OPR and I said, well, you know, where does it stand, what's going on, and I told him, I said I'm not doing a referral OPR. I said if, if the General wants to order me to do it then I'll be more than happy to go to the IG and we'll have some fun with that, and he goes no, no, no, he's not gonna do that. In fact, I think it's been taken care of. Now, I'm paraphrasing, of course. **And I'm, like, what do you mean? He said, uh, I said did he back date it? The, the pulling of, he goes no, I'm sorry, let me back up. He said the UIF was pulled. I said well, when was the UIF pulled? He goes, oh, it was just done recently. I'm, like, this is March, and his closeout was in early March for the OPR. I said, so are you telling me that he went and back dated the, uh, uh, the UIF, uh, he rescinded the UIF by back dating it so that it showed before the closeout of the OPR? He goes yes, I believe so. I said, well, you do know that that's illegal. And he goes yeah, yeah, yeah, but, you know, that's not, not a whole lot that I can do about it. (Ex 11:5) (emphasis added)**

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Dr. [REDACTED] was Col [REDACTED] additional rater on Col [REDACTED] 2012 and 2013 OPRs (Ex 8, Ex 9) When Col [REDACTED] 1 Mar 13 OPR closed out, Dr. [REDACTED] testified:

IO: Okay. And then, now getting back to the part with the OPR closeout and Maj Gen Hanson; so you said that you received some guidance from Maj Gen Hanson to make it a referral, could you describe that?

[REDACTED]: Um, yeah, it was actually the, the way he often operated, uh, uh, even though I was, you know, directly under him, in matters like this it was often channeled through the, uh, [REDACTED] and, uh, like I say we got some pushback that, uh, uh, you know, hey this has got to be there, why isn't this a referral OPR, this has got to be a referral OPR, which then generated Col [REDACTED] and my question of, okay we need to know what's going on before we just make this a referral, uh, and we'd like to see the UIF. Um, I don't recall who provided that. I think it went to Col [REDACTED] first and I never really, uh, nailed down if it came through Col [REDACTED] or, uh, the vice or if he got it directly from the General, uh, like I say it was incomplete, uh, when we first got it, then requested some additional, uh, information and while you can imagine because of the nature of the communication here the clock is running and we're starting to run out of time, uh, Col [REDACTED] was not happy with, uh, you know being directed to do something, um, on a, on an issue that at least at that point, uh, did not in his opinion rise to the level of the referral, uh, and then I say, is our, our backs were up against it. **There was some, uh, that the UIF was disposed of, uh, in such a fashion that the only way it could have been done and we could have quote, unquote "legally" closed out the OPR**

then without, uh, any, uh, any further fallout was that, uh, I think he backdated, Gen Hanson backdated the, the, uh, revocation of the UIF.

IO: Okay, now what do you base that on? Did you, do you have something that shows that he had backdated it, or did it just disappear, or did you get that from the vice?

██████████ Uh, I was told that by, by the vice and by Col ██████████.

IO: That the UIF was vacated by Maj Gen Hanson...

██████████ Yes.

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IO: was that on a date prior to the closeout of the OPR, or prior to the signature by Col ██████████ and yourself?

██████████ Uh, prior to our sig... at least prior to our signatures, to date prior to our signatures, I should say.

IO2: Do we assume correctly Dr. ██████████ that the reason Gen Hanson did so was to avoid an officer performance report for Col ██████████ that would require him to non-concur with Col ██████████ and your assessment?

██████████ Um, that was, was my takeaway. . . . (Ex 20:7) (**emphasis added**)

Col ██████████ under Maj Gen Hanson, when asked about the conversation with Col ██████████ and Dr. ██████████ above did not recall the specifics (Ex 25:12), however, Col ██████████ did testify that prior to the OPR closeout date of 1 Mar 13, the UIF on Col ██████████ was still in effect and that he had had conversations with Maj Gen Hanson about pulling the UIF early:

IO: Okay, so, but prior to the closeout then the UIF was still in effect, as you guys were, you and Col ██████████ prior to close out, the UIF was still in effect and then you started having the conversations with the senior rater and the other two, the rater and additional rater, and then Gen Hanson as the senior rater?

██████████ Yes.

IO: Okay, so then, so tell me about the discussions, because you, you also said, you had discussed with Gen Hanson the possibility of pulling the UIF...

...

██████████ ... one of the things he asked me was okay, well you know, he said so I don't have to, he says, are you kidding me, I don't have, it doesn't have to be a referral if

there's, if you have a UIF, and I said, no sir, it doesn't. I said if you have an Article 15 or a court-martial conviction, uh, and, and once again I haven't looked at it since a year and a half ago, but I think that's what I recall, and if you have either one of those it has to be mentioned, I said, but anything below that is completely up to the people in the rating chain as to whether they want to say it or not. I said, of course the lawyers advised it, but you know, lawyers always advise the, you know, worst case in almost all instances, I said so that, you know, take, take that with a grain of salt, um, and, uh, and I think he, he asked well what are the rules on pulling the UIF. And I said, sir I don't know that. I said, but I will get the ESS, the Educational Support Squadron, uh, their AI or, or, or whatever the DP I guess is what they call themselves. I said I will ask them and see what they have to say. (Ex 25:4-5)

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When asked if he would be surprised that Maj Gen Hanson had removed the UIF on 1 Feb 13, Col [REDACTED] testified as follows:

IO2: Sir are you aware of the dates that Gen Hanson pulled the, or, or signed the document on the UIF?

[REDACTED] No, I am not.

IO2: If it was, uh, early Feb would that be surprising, appropriate or typical?

[REDACTED] If it was early Feb?

IO2: It was 1 Feb. Is that out of range of what you recall what happened?

[REDACTED] It would be.

IO2: Okay, why is it that sir?

W: **Because based on the idea that we, that I thought the UIF existed obviously, when the draft OPR came to me, the draft OPR didn't come to me till late Feb or early Mar, then that's where, where the whole process kicked off.** (Ex 25:12-13) (emphasis added)

Ms. [REDACTED] was Maj Gen Hanson's [REDACTED] and sent the IO documentation from her logs on the timeline of Col [REDACTED] OPR as it wound its way through the command section. (Ex 12) Her logs summarize the timeline as follows;

1 Mar 13	Draft OPR received from Rater/Additional Rater
21 Mar 13	Draft OPR forwarded to CV (Col [REDACTED] for review
22 Mar 13	Draft OPR forwarded to rater/additional rater for signature
22 Mar 13	Draft OPR forwarded to CC (Maj gen Hanson) for signature
28 Mar 13	OPR forwarded to member (Col [REDACTED] for signature

8

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While Col [REDACTED] did not recall the exact date of his conversations with Col [REDACTED] Dr. [REDACTED] and Maj Gen Hanson in reference to Col [REDACTED] UIF, he referred to Ms. [REDACTED] rosters to determine the precise dates of those discussions as to when he first received the draft OPR while the UIF was still in effect. (Ex 25:6) These rosters show that the earliest those discussions would have taken place was 1 Mar 13. (Ex 12)

Based on the foregoing and the preponderance of the evidence, the IO concluded that the UIF on Col [REDACTED] was still in effect after 1 Feb 13 and that various witnesses had seen it and discussed it with Maj Gen Hanson throughout February 2013 and for some period of time in March 2013 up until the signing of Col [REDACTED] OPR.

According to the standard, Article 107, *False Official Statements*, the elements of false official statements consist of;

- (1) That the accused signed a certain official document or made a certain official statement;
- (2) That the document or statement was false in certain particulars;
- (3) That the accused knew it to be false at the time of signing it or making it; and
- (4) That the false document or statement was made with the intent to deceive. (Ex 10)

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Did Maj Gen Hanson sign a certain official document or make a certain official statement?

Yes. Maj Gen Hanson signed an AF Form 1058, Unfavorable Information File Action, documenting the decision by Maj Gen Hanson to remove Col [REDACTED] "UIF in its entirety." (Ex 7:1) Maj Gen Hanson dated the form "1 FEB 13." (Ex 7:1)

Is the document or statement false in certain particulars?

Yes. The preponderance of the evidence indicates Maj Gen Hanson did not sign the AF Form 1058 on 1 Feb 13, which is the date that appears on the form; therefore, IO concludes that Maj Gen Hanson did not remove the UIF in its entirety on 1 Feb 13. The above testimony and documentary evidence indicate that the Col [REDACTED] UIF was still in effect throughout February 2013 and for some period of time in March 2013, up until the signing of Col [REDACTED] OPR in March 2013.

By the nature of Elements three and four, in order to determine their validity, the IO turns to the testimony and evidence provided by Maj Gen Hanson. This analysis will require comparing the testimony of Maj Gen Hanson to the testimony and documentary evidence provided by other members of the Air University staff.

Did Maj Gen Hanson know that the document was false at the time of signing it or making it?

Yes. The preponderance of the evidence indicated Maj Gen Hanson knew he put in a false date on the AF Form 1058 on the day he signed the AF Form 1058. In a written statement to the IO, Maj Gen Hanson stated;

It appears to me that I did in fact place a date on the AF Form 1058 (the one removing the contents of the UIF in its entirety) that was different than the date I actually signed the document. I believe I did this to show my intended effective date for the UIF removal, as there is no specific section that calls for an effective date on the form itself. (emphasis added)

Maj Gen Hanson provided the IO with an e-mail sent to him by Col [REDACTED] (Ex 27) The e-mail is dated 21 Mar 13 and details Col [REDACTED] thoughts and actions reference Col [REDACTED] OPR;

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General - I have done some further thinking about Col [REDACTED] OPR. **I also made sure [REDACTED] and the [REDACTED] have reviewed the UIF in accordance with the AFI.** BL is in Tot's [Col [REDACTED]] opinion, I don't think that a referral OPR is the right answer in this situation, given the fact that the LOR occurred almost 1-year ago and you were considering pulling the UIF in a few weeks. [REDACTED] has obviously performed very well this OPR period, transforming the AWC Alumni and recently volunteered to take on duties as the lead Chair at AWC, in addition to all of his other duties. In my opinion I think his LOR and UIF documented the issue and we (collectively, that is) probably should have generated a referral OPR immediately if that was the intent, rather than waiting an entire year. He obviously will not be further promoted and the implications of a referral OPR in future SERBs, etc. would serve as a disproportionate punishment, in my opinion. JA has already told me that a referral is not required. [REDACTED] **has resubmitted the OPR as-is based on their review of the UIF, and without any guidance from me (no undo CC influence) other than to review the UIF and AFI.** Sir, you can always non-concur as the reviewer, but I obviously don't want to have to go down that path. Please let me know what your thoughts are and I will discuss with [REDACTED] if necessary. Apologies for trying to capture this on email, but obviously you are busy with JFOWC and the OPR closed out 1 March which only gives us a week or so to complete before it is late. (Ex 27) (emphasis added)

The e-mail indicates that as of 21 Mar 13 (the date of the e-mail) that the UIF was still in effect and that Col [REDACTED] Dr. [REDACTED] ("The [REDACTED]") had reviewed the UIF. Maj Gen Hanson did not testify or include in his documents to the IO that he had responded to this e-mail. If in fact he had vacated, or intended to vacate the UIF, on 1 Feb 13, the IO concluded that there would have been some mention of the fact such that on 21 Mar 13, he would have informed the

close members of his staff that he had decided back on 1 Feb 13 that the UIF should be removed and was no longer in effect.

The IO concludes, therefore, that the answer to Element 3, that Maj Gen Hanson knew it to be false at the time of signing it or making it, is YES, that Maj Gen Hanson did not in fact sign the AF Form 1058 on 1 Feb 13 and knew it to be false on the date that he signed it, likely sometime in March 13.

Was the false document or statement made with the intent to deceive?

Yes. Throughout his testimony, Maj Gen Hanson testified that in his mind, he had made the decision to remove Col [REDACTED] UIF on 1 Feb 13. (Ex 26:7-10). When asked when he had actually signed the AF Form 1058, Maj Gen Hanson testified;

IO: Okay so sir, was 1 Feb '13 the date that you actually signed the Air Force Form 1058?

Hanson: I, I don't know, I mean, I don't know, I can't, I don't have, uh, anything that would tell me otherwise.

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IO: Do you think you may have signed it after 1 Feb 2013 and put the 1 Feb 2013 on there?

Hanson: That's not my normal practice.... and I looked at this form here and it says I have decided to remove the following documents from your UIF. Um, you know, to the, um, to the best of my recollection that was the date that I decided to remove the UIF, you know, I, and I refer back to conversations we had been having on a discussion about [REDACTED] performance and over the course of almost a year and, uh, I, I, and I thought it was, uh, appropriate that the UIF be removed early and so, um, you know, it, is it possible that, uh, that, the date when I, I actually, uh, put my hand to this was different than that date, I, uh, I don't, I don't recollect that at all, but in, **in my mind my intention was to, uh, document the day that I made the decision, so if, if there's a perception that, uh, that this was a, a falsifying of a document, that was never my intention to do so.** (Ex 26:9-10)

In his written testimony, Maj Gen Hanson stated "It was not my intention to deceive anyone by placing the earlier date on the document." (Ex 30) We do not find Maj Gen Hanson's explanation to be credible.

In order to answer Element 4, that the false document or statement was made with the intent to deceive, the IO analyzes the repercussions had an active UIF been in effect at the time of Col [REDACTED] OPR closed out.

According to AFI 36-2406, *Officer and Enlisted Evaluation Systems*, 2 Jan 13, the Rater, Col [REDACTED] "must consider the contents of any Unfavorable Information File (UIF) and/or Personal Information File (PIF), if applicable, before preparing the performance evaluation." (Ex 28:24) The Additional Rater, Dr. [REDACTED] and Senior Rater, Maj Gen Hanson, "must be aware of the contents of any UIF and/or PIF, if applicable, and returns evaluation to the rater for reconsideration, if appropriate, to ensure an accurate, unbiased, and an uninflated evaluation." (Ex 28:25) Neither the Additional Rater, nor the Senior Rater, may direct a referral OPR, just that the Rater consider the UIF.

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According to AFI 36-2907, *Unfavorable Information File (UIF) Program*, the Military Personnel Data System (MilPDS) is updated when a commander establishes a UIF. (Ex 29:8) Therefore an active UIF is visible to anyone with permissions to view Col [REDACTED] records. Once the UIF is removed, it is also removed from MilPDS. (Ex 29:13)

If Col [REDACTED] had an active UIF at the time of his 2013 OPR closeout, that fact would have been reflected in MilPDS and on Col [REDACTED] Single Unit Retrieval Format (SURF). (Ex 47) The IO believes this would have brought into question Maj Gen Hanson's standards if he had concurred with a non-referral OPR on Col [REDACTED] while Col [REDACTED] had an active UIF, demonstrating a lack of accountability as a commander.

Witness testimony and e-mail documents indicated that Maj Gen Hanson had conversations with Col [REDACTED] about Maj Gen Hanson's desire to have Col [REDACTED] 2013 OPR be a referral (Ex 25:4-5; Ex 11:5; Ex 20:7, Ex 27), indicating his desire to document the UIF in Col [REDACTED] OPR. If Col [REDACTED] and/or Dr. [REDACTED] declined to make Col [REDACTED] OPR a referral, Maj Gen Hanson's recourse, as also stated by Col [REDACTED] in his e-mail to Maj Gen Hanson, could have been to non-concur in the Additional Rater's section of the OPR and to provide comments. (Ex 28:38, Ex 27)

Had Maj Gen Hanson's intent been to simply remove the UIF, he could have done so at any time after these discussions and dated the AF Form 1058 appropriately. By dating the UIF removal to 1 Feb 13, the action appears to give the general impression that the UIF was removed prior to the OPR closeout of 1 Mar 13, which was perceived by both the [REDACTED] Col [REDACTED], and the [REDACTED] Dr. [REDACTED] as Maj Gen Hanson's attempt to avoid a referral OPR. (Ex 11:5, Ex 20:7)

Maj Gen Hanson, in a written statement, stated that he believed the date required on the AF Form 1058 was the effective date of the removal not the date that he signed it;

I am not aware of any Air Force guidance regarding documenting effective dates of actions when not specifically called for on an official form. Similar to future dates listed on decorations (eg. Air Force Meritorious Service Award citations) that I, and other Air Force leaders regularly sign through the course of our duties, many documents include

12

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effective dates for official actions that are different than the date those documents are actually signed. This is a standard practice on many other official documents, however if it was improper procedure for me to have backdated the form, then I take full responsibility for my actions. (Ex 30)

However, also according to the standard, Article 107, *False Official Statements*, “the false representation must be made with the intent to deceive. It is not necessary that the false statement be material to the issue inquiry. If, however, the falsity is in respect to a material matter, it may be considered as some evidence of the intent to deceive.” (Ex 10)

Maj Gen Hanson testified that his intent was to capture on the AF Form 1058, the date when he made the decision to remove the UIF and later added that 1 Feb was his “intended effective date for the UIF removal.” (Ex26:12, Ex 30:1) However, AF Form 1058 does not have a field for effective date of removal of a UIF. Normal convention for dating signatures is the actual date the form is signed.

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During any earlier time period, the removal of the UIF would have had little effect on Col ██████ OPR. The issue of the still-active UIF came about as a result of his 1 Mar 13 OPR closeout date. Witness testimony and documentary evidence showed that by dating the UIF removal prior to the OPR closeout, Maj Gen Hanson avoided the issue of a non-referral OPR on Col ██████ with an active UIF. (Ex 11:5, Ex 20:7)

The IO concluded, therefore, that a preponderance of the evidence of witness testimony and documentation show that the four elements of Article 107, *False Official Statements*, are met and that Maj Gen Hanson made a false official statement by signing the date of 1 Feb 13 for the UIF removal action on Col ██████ ██████ on AF Form 1058, when in fact he signed it sometime in Mar 13, thereby falsifying the UIF.

CONCLUSION.

The preponderance of the evidence indicated that Maj Gen Scott M. Hanson made a false official statement when he placed “1 Feb 13” as the date he signed an AF Form 1058 concerning the removal of Col ██████ UIF, when he signed the AF Form 1058 in Mar 13. The preponderance of the evidence indicated Maj Gen Hanson did so with intent to deceive – that is, that the UIF did not exist at the time of Col ██████ 1 Mar 13 OPR close-out date. Therefore, by a preponderance of evidence, based upon the findings of fact and sworn testimony, the allegation that Maj Gen Hanson, that between on or about 1 Feb 13 to on or about 1 Apr 13, Maj Gen Scott Hanson, Commander, Spatz Center for Officer Education, and Commandant, Air War College, falsified an Unfavorable Information File, in violation of Article 107, *False Official Statements*, Uniform Code of Military Justice, was **SUBSTANTIATED**.

ALLEGATION 2. That between on or about 1 Dec 11 to on or about 30 Jan 12, Major General Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, used, or created the appearance of using, his public office for private gain to host a New Year's Reception at his private residence in violation of DoD 5500.07-R, the *Joint Ethics Regulation*, 17 Nov 11.

NOTE: During the course of the investigation, the IO informed Maj Gen Hanson that this allegation would be modified adding the phrase, "or created the appearance of using," to the allegation. (Ex 44)

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FINDINGS OF FACT.

On or about 7 to 8 Jan 12, Maj Gen Scott Hanson hosted a New Year's Reception at his on base residence at Maxwell AFB, AL. (Ex 17)

Ms. [REDACTED] and three members of the protocol staff were paid civilian overtime in support of this event. (Ex13:12)

Maj Gen Hanson solicited and received funds from the Air University Foundation to fund a portion of the reception. (Ex 15)

STANDARDS.

DoD 5500.07-R, *The Joint Ethics Regulation (JER)*, Changes 1-7, 17 Nov 11, incorporates 5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch:

§2635.101 Basic obligation of public service. (emphasis added)

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts. (Ex 31)

5 CFR 2635.702, Use of Public Office for Private Gain (emphasis added)

An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations. The specific prohibitions set forth in paragraphs (a) through (d) of this section apply this general standard, but are not intended to be exclusive or to limit the application of this section.

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(a) *Inducement or coercion of benefits.* An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.

(b) *Appearance of governmental sanction.* Except as otherwise provided in this part, an employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that could reasonably be construed to imply that his agency or the Government sanctions or endorses his personal activities or those of another. When teaching, speaking, or writing in a personal capacity, he may refer to his official title or position only as permitted by § 2635.807(b). He may sign a letter of recommendation using his official title only in response to a request for an employment recommendation or character reference based upon personal knowledge of the ability or character of an individual with whom he has dealt in the course of Federal employment or whom he is recommending for Federal employment. (Ex 32)

ANALYSIS.

On 7 Dec 12, Maj Gen Hanson invited AWC students, staff, and faculty members to his on-base private residence for what he billed as his “annual New Year’s Reception.” (Ex 17) Attendees were to RSVP for either 7 Jan or 8 Jan 12 between 1400 and 1830 for coffee and dessert. (Ex 17) The point of contact (POC) on the invitation was listed as [REDACTED] the protocol officer.

Ms. [REDACTED] has been the [REDACTED] for 25 years. (Ex 13:2) When asked to describe Maj Gen Hanson's New Year's Reception, Ms. [REDACTED] testified:

IO: Okay, and what was the purpose of the Commandant's New Year's Reception?

[REDACTED] Well, it was, it was different. (Laughs) Um, it was to, the opportunity for the Commandant to meet all of the students because they had not had an opportunity to do so. Um, but it was also, the other purpose that we were told was to, um, for civilian outreach; although, I don't believe there were many civilians from downtown that attended. (Ex 13:12)

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When asked specifically about how this event was funded, Ms. [REDACTED] testified:

[REDACTED] ...When, when we were first talking about this event, and it was brought up to use SM&W [Special Morale, & Welfare] funds, I would not submit the request because I didn't think it was right. So, um, I didn't think it was something that we should use, and I, I verbalized that to the [REDACTED] Um, I believe...

IO2: Did you talk to the Commandant about it?

[REDACTED] No, I didn't because that's not how they work things. I mean, it would be like Gen Hanson would get with the [REDACTED] on things, and he would pass things on to us. It was like we were never in there with Gen Hanson talking about this. We would get the information from the [REDACTED] so as far as the funding, you know, it's always a, a challenge and what kind of funding to use, and SM&W I didn't feel like was the proper avenue to go. (Ex 13:5)

When further asked to characterize how this event was funded, Ms. [REDACTED] testified:

IO: Okay. So in conducting this holiday reception there, were there any issues associated with inappropriate use of funds or personnel overtime leading up to this gathering?

[REDACTED] **I, I did not feel, like I said, I did not like that we were asking for funds for, from two different sources, and we were changing the reason for the event, um, based on which fund we were asking to use.**

IO: Okay. So initially it was for the students, if I understand this correctly from your description. Initially it was to be a holiday reception for the students, and when SM&W funds were not appropriate for that, the characterization changed to civilian outreach, which then allowed the AU Foundation to provide funds?

█: No, Sir, they, they approved the SM&W. I did not feel it was appropriate to use it.

IO2: They approved it, but you said that they didn't end up using it, right?

█: Correct, correct. They did approve it based on what we were, what the reason for the event was. Two, there were two different reasons given. I mean, one was when we requested SM&W funds, the reason was it was for orientating the students to the Command. When we requested the AU Foundation funds, it was for civilian outreach. (Ex 13:8) (emphasis added)

And later:

IO: Okay, and how many people on your staff supported that event?

█: Um, three.

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IO: Okay, and was there a requirement for overtime to support this event?

█: Uh, we were offered overtime for that.

IO: And was overtime used?

█: Yes, it was.

IO: Okay. Did they get, in your opinion; was that an appropriate use of overtime?

█: If it was an official event, yes.

IO: Okay, and did you characterize this as an official event?

█: I did.

IO: Okay, and does the War College Protocol have a duty to support unofficial events for the Commandant?

█: No.

IO: Okay, so only official events?

█: Correct.

IO: Okay, and so if you would just describe for me how did Gen Hanson characterize this gathering as official?

█: I'm not sure...

IO2: Why would somebody come to conclude that it's an official versus an unofficial event? You characterized it as an official event. Why do you think it was characterized as an official event?

█: If it was part of... well, each reason, I mean, each reason given would have been an official event, civilian outreach or orienting students to the Command; although, they didn't, like I said, it, **it was different depending on which fund we were asking for**, which fund we were requesting; so I would think each of those would be an official event.

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IO2: Do you think the holiday gathering actually...

█: A holiday gathering, no; but if it, if we were using it for orienting students to the Command or civilian outreach.

IO2: **But do you think that happened in effect at the holi... at this gathering in January at the Commandant's house? Do you think either purpose was satisfied?**

█: **I don't think that the civilian outreach was.**

IO2: Okay. **Do you think orienting to the Command was then?**

█: **No, because at that time I felt like it was too late.** They had already...

IO2: So you don't think either purpose that was stated for the use of these funds was met?

█: Correct. I wa... correct.

IO2: **Do you think there was any official purpose that resulted in that event that was at the Commandant's house on the 7th and or the 8th of January?**

█: **No.** (Ex 13:8-9) (**emphasis added**)

Ms. █ testimony was full of pauses as she deliberated the answers to each question, characterizing the event in one instance as official and in another as non-official. In the end, even though SM&W funding was approved for this event (Ex 14), the funds were not used (Ex 13:5), using instead \$1,000 funding from the Air University Foundation for a civilian outreach event, of which the unused portion of \$380.00 was returned to the Air University Foundation after the event. (Ex 15)

Col [REDACTED] was Maj Gen Hanson's [REDACTED] during the timeframe of this New Year's reception and worked directly with Maj Gen Hanson during the planning and actual event. When asked about Maj Gen Hanson's intent for the party, Col [REDACTED] testified;

IO: Okay. I'm going to shift gears a little bit and talk about a New Year's reception that was held over at Maj Gen Hanson's residence in Jan 2012. Did you attend that...that...hol...excuse me, that New Year's reception?

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[REDACTED]: I...I not only attended it, I worked it.

IO: Okay. So what can you tell me about that...that New Year's reception at his residence? Why...did Gen Hanson have the party?

[REDACTED]: ... yeah, so...so Gen Hanson was very big into, um, himself and...and...and, uh, and keeping the spotlight on him...him, and, uh. I mean, when I think of, uh, uh, narcissistic type behavior that's, unfortunately, uh, that...that's one of his downfalls, and uh, **so he wanted to have this party, uh, but he didn't want, and this was gonna be at his house, and it was gonna be a...a welcome for the students, and um, but he didn't want to pay for it. He wanted them to pay for it,** and I was, uh. I was very clear to him that I didn't think that was, uh, an appropriate thing to ask somebody to come to a party and then, uh, to force them not only to attend but also to force them to pay for it, so, I, uh, I gave him my un, uh, unfettered advice that that he probably should not do that, and we should, if anything, downsize it and keep it simple so that, uh, so that they wouldn't have to pay.

IO: Okay. And what was his reaction to that?

[REDACTED]: **Um, much like it was whenever I gave him, uh, my candid opinion. He...he didn't like it. He...he thought, um, he thought it was not unacceptable at all to have, uh, others pay for, uh, something like that, and he just kinda thought that I was, um, I was not a team player.**

IO: Okay. So the invitations went out. Called it a New Year's reception. You said it was a welcome for the students. How did...I'm trying to get the correct characterization of the reception.

[REDACTED]: Well...it was...it was held, uh, you...you're correct. It was held in Jan, um, but he had. He...he kinda justified it by saying that it would be...he'd never had them over to...officially welcome them. We had had social events, but, uh, not, uh, a welcome by the Commandant, and so the way that he looked at it, he would just take it and make it a, uh, since they...they were coming back from Christmas vacation or from the holidays, that he would make it a, uh, a welcome reception in that regard. (Ex 18:4-5) (emphasis added)

Ms. [REDACTED] was Maj Gen Hanson's [REDACTED] during his tenure as AWC Commandant and was present during the initial and later planning of the New Year's Reception. She testified she felt it was inappropriate for Maj Gen Hanson to force his staff to work for this event (Ex 19:4) and later clarified;

IO: Would you characterize this event then as an official or was it a non-official event?

[REDACTED]: **Well... I think it was more intended to be a personal event that was made into an official event.**

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IO: Okay and could you tell me how it was characterized as an official event?

[REDACTED]: No because I don't even remember you know, what we started out with as how it all began, too long ago.

IO2: Ma'am why would you say it was intended as a personal event?

[REDACTED]: That's just the impression I got. (Ex 19: 4-5) (emphasis added)

Ms. [REDACTED] was the [REDACTED] working for [REDACTED] on this New Year's reception. Ms. [REDACTED] testified that one civilian attended the reception. (Ex 16:3) When asked to clarify any concerns amongst the Air War College Staff on the appropriateness of using official funds or paying overtime to support Maj Gen Hanson's New Year's Reception, she testified;

IO: Okay. So were there any issues associated with inappropriate use of funds, or personnel overtime leading up to or during this New Year's reception that you recall?

[REDACTED]: Was there were any issues with it? **Well there was a lot of talk in the building about misuse of funds and stuff.** I didn't actually sign that request so, you know, I just, I... it was submitted, and I just had a copy of it because they send me the requests back, send me the approved requests back.

IO: Okay. So what were some of the issues associated and things that you'd heard around the building?

[REDACTED]: Oh, people just thought it was a misuse of funds and misuse of authority and, you know, by telling people they had to sign up to attend that on a weekend.

IO: Okay. Was it the issue of attendance, or was the issue of funding?

[REDACTED]: Both.

IO: Okay. And so what were some of the issues associated with the issues of funding?

██████████: **People just felt if he wanted to have something, he should have funded it himself and not went out looking for other ways to fund it.** (Ex 16:5-6) (emphasis added)

Dr. ██████████ also testified about the appearance throughout the Air War College staff that Maj Gen Hanson inappropriately used official funds as well as inappropriately used government employees paid with Federal funds to host the New Year's Reception;

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IO: ... tell me about the sequence of events that led up to the party there, the holiday gathering there was a number, some iterations you say were changed to, into what it became?

██████████: Um, wow, I'm trying to think of the, of the details... I'm, uh, I'm going to say something that, that may not seem very factual, **but my impression of this, uh, this incident with coins and other, some other events gave me the impression that, that the General was looking for ways to, to host things or do things that were given to his credit without him, uh, essentially paying for them, uh, if, if he could avoid it at all.** I was not deeply involved in the planning of this event, uh, I, you know, have more than enough things to do, uh, and generally I'm just one of, you know, one of the attendees, but I recall it was either his staff meeting or, or some meeting in his office, uh, where the, where, uh, the protocol folks were present where he made the comment about, you know, if we invite, invite some River Region Partners whether they attend or not, uh, to this would be an official outreach event. That may have been in relation, I don't know how that would tie to the overtime, but in trying to get this AU Foundation to pay, uh, some of the costs for it.

IO: Okay, so would you characterize this as an official or non-official event or was that the dilemma?

██████████: That, that was kind of the dilemma. I mean, I'm, I'm of the mindset that it's okay if the Commandant is going to have a, a reception for students and, and faculty or whatever at his house, uh, I mean that, that certainly is not unheard of, um, you know, in the military or in the Air Force, but it, it, **it's kind of, kind of, uh, casting about for ways to cover, uh, increased costs or, you know, other costs through other people,** um, because to my knowledge, I am unaware of, of any fund that he controlled directly for su... for such things, and thus the, uh, this notion that if well we make this an outreach event then the Air University Foundation, you know, it's an entity separate while supportive of the Air University, like I say, I don't know all of their charter either, but I do know they've been up and running for years, uh, they support the University and things like that, that the Air University would donate, uh, funds towards an official outreach with them whether or not, **my take away from that was if it was an internal Air War College, I just want to have this thing at my house as the dean or in this case the Commandant, and invite people over, my take away by him saying that**

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was that, that, my conclusion was that then this, this would not classify as an official event in the sense that it could get, legally get, uh, funds from, from this foundation or anywhere else. (Ex 20:11) (emphasis added)

The *Joint Ethics Regulation*, in section §2635.101, states that the basic obligation of public service requires employees to endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards. The criteria for determining whether particular circumstances create an appearance that the law or standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts. (Ex 31)

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The circle of Maj Gen Hanson's closest advisors, to include his [REDACTED] his [REDACTED] his [REDACTED] and his personal [REDACTED] each with the relevant facts and historical knowledge of past commandants at the Air War College, testified that Maj Gen Hanson gave the appearance of attempting to externally fund his New Year's Reception. Rather than paying for the New Year's Reception with his personal funds, Maj Gen Hanson's actions gave the impression to key members of his staff that he wanted to characterize the event as official in order to secure outside funding and the use of civilian overtime paid with Federal funds in support a New Year's Reception at his private residence, thereby saving himself the cost of the Reception, i.e. a "gain" by not expending his personal funds. (Ex 13:8-9, 12; Ex 18:4-5; Ex 19: 4-5; Ex 16:5-6; Ex 20:11)

Maj Gen Hanson characterized the event as official, stating it was an opportunity to welcome the students back after their holiday break:

And, uh, you know, my wife and I were the host and hostess and the purpose of it was to welcome this new class back from, you know, the end of the first semester holiday and to once again kind of refresh them, uh, in terms of the intent of being a service school, um, what, you know, their development as senior leaders and to, you know, wish them well into the new year....In my mind it was an official function. And it was a part the Air War College academic year and it was, like I said, it was an opportunity to refresh the students and the relationships they already established with their faculty and staff and the downtown community, um, you know that was part of their, part of their education about being a senior officer was at, at certain levels of command, you know, the, the Air Force and the services at large, uh, depend in large part on the civilian support of our off base civilian community and the leadership there, and so this was an, this was, uh, one more opportunity for them to practice those skills and once again like, uh, uh, like I said you have a, a morale event (Ex 26:14, 16)

Maj Gen Hanson further testified that he was unaware that his protocol personnel were paid overtime to support the event, testifying:

IO: Okay. Were the protocol personnel paid, paid with overtime?

22

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Hanson: Um, that, I don't know if they were. I do not, in fact I had delegated the, uh, the, uh, the keeping of time and, um, and overtime to my vice at, uh, at the time.

IO: Okay, so our understanding is that the protocol personnel were paid for overtime as civilians obviously. So were you aware of that at the time?

Hanson: Um, no I was not at the time.

IO: So you did not offer to compensate them with overtime pay, sir?

Hanson: I did not. (Ex 26:15)

When asked about funding the New Year's Reception with his own funds, Maj Gen Hanson testified that he thought of it, but later, after receiving funding from the Air University Foundation, used those funds instead;

IO: Okay. Sir did any of your staff advise you to pay for this function with your own funds or did you consider paying for this function with your own funds?

Hanson: I did, uh-huh I did consider that, um, and then when, uh, you know, the Air University Foundation, um, offered to support, I accepted their support and then the balance that was left over that we didn't use, I returned back to the Foundation.

IO: Okay. And again the AU Foundation's charter was for community outreach. What about then the, the protocol personnel who served over that weekend time and, and were compensated with overtime pay?

Hanson: I mean, I, it was, it was an official function in my mind and, um, I mean, I think, you know, my understanding and like what I said I wasn't, I wasn't, uh, I wasn't aware of the whole issue about overtime going there. Um, the, um, you know, the participation by my staff was, I mean I just, I guess I assumed that, uh, that was part and parcel an official function. I mean, now I understand that Aides have different duties but they, you know, they certainly were performing those types of functions for the commander, you know, and I know that I had an excerpt from, um, the, um, some of the AU, um, publications that said, you know, protocol responsible for planning and supervising receptions, etc, etc, um, provides protocol support or, um, you know, over a variety of people, provides direct protocol administrative support to AU school hosting large numbers of courses, seminars and symposia, so, I mean, uh, uh, to me, um, that was, that was part and parcel of, uh, of duties, the fact that it was not during the normal duty periods or duty day, uh, at the school that it was kind of unusual duty, uh, duty hours anyway, student body was there from, you know, typically from 0800 to 1230 classes but they were also in the building and on the campus throughout the course of the week depending on the course load. (Ex 26:17)

In summarizing his final thoughts on the allegation that he had created the appearance of impropriety by externally funding the New Year's Reception and paying overtime to civilian protocol personnel, Maj Gen Hanson provided a written response:

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The purpose of the reception was to enhance the educational experience for the Air War College class, provide mentorship to them for their upcoming roles as senior leaders, and to exercise outreach opportunities between the AU faculty, civic leaders, and the students. During event planning, I discussed the potential use of Foundation financial support with the [REDACTED] Mr. [REDACTED] and he informed me that the Foundation's charter would allow for this support, and that he would first check with the Foundation's Board for their approval. I am confident that if either the AU Foundation's charter, or the careful consideration by the Board, chaired by a retired USAF Lt Gen, would not support the use of Foundation resources, Mr. [REDACTED] would have relayed that decision to me without hesitation. I viewed this event purely as an official function and not a personal one. In fact, we held the event at some personal expense as well. I elected to hold the reception in my on-base quarters for three primary reasons: cost, precedence, and military heritage. This was the most cost-effective location for the event, and by holding it at our quarters, we drove zero facilities cost to the event. Second, the practice of housing receptions like in assigned base quarters was a common practice among senior leaders at AU, to include my commanding officer. I can also recall attending a similar event in the Commandant's Quarters as a student attending Air War College myself. Third, I believed it was educational and important for the students, faculty, and civic leaders to be able to see and share the unique historic nature of these quarters as part of the Air Force's original Air Corps Tactics School at Maxwell Field. I did not use my public office for private gain and do not believe my actions led to an appearance of using my public office for private gain; however if there were any misperceptions, I take full responsibility for not making it more apparent that this was an official function. (Ex 30:2)

By virtue of the special authorities and responsibilities inherent in command, commander's must be above reproach in their actions as well as in their display of adherence to ethical standards. Maj Gen Hanson as the Commandant of the Air War College and Commander of the Spaatz Center, sent out invitations to the reception citing his position as the AWC Commandant in the invitation. (Ex 17) While Maj Gen Hanson characterized the 7-8 Jan 12 New Year's reception at his residence as an official function intended to enhance the educational experience of the Air War College students (Ex 30), those closest to him under his command, questioned those motives and testified that the overall appearance Maj Gen Hanson created was that he wanted to externally fund a personal New Year's reception at his residence under the guise of an official function. In doing so, the IO finds, based on the testimony of Maj Gen Hanson's closest staff and advisors, that Maj Gen Hanson's actions reasonably created the impression that he used his public office for private gain by: seeking non-appropriated and non-federal funds to pay for a party at his on-base house; and by using subordinate government civilian employees to work at such a party during non-duty hours.

CONCLUSION.

The IO determined that the preponderance of the evidence supported that Maj Gen Hanson did not, in fact, misuse his public office for private gain, as civilian outreach, the reason for which Maj Gen Hanson received external funding, can be considered an official purpose. However, the IO found the testimonies of Col (R) [REDACTED] Dr. [REDACTED] Ms. [REDACTED] Ms. [REDACTED] and Ms. [REDACTED] to be very credible in supporting the conclusion that reasonable people with knowledge of the relevant facts determined that Maj Gen Hanson had created the appearance of impropriety by using civilian employees paid with Federal funds and using external funding to hold a personal New Year's reception at his private residence. By a preponderance of evidence, based upon the findings of fact and sworn testimony, the allegation that between on or about 1 Dec 11 to on or about 30 Jan 12, Major General Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, used, or created the appearance of using, his public office for private gain to host a New Year's Reception at his private residence in violation of DoD 5500.07-R, the *Joint Ethics Regulation*, 17 Nov 11, was **SUBSTANTIATED**.

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ALLEGATION 3.

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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ALLEGATION 4. That between on or about May 11 to on or about August 13, Maj Gen Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, conducted himself contrary to the ethical standard of accountability in violation of DoD 5500.07-R, *Joint Ethics Regulation*.

NOTE: During the course of the investigation, the IO informed Maj Gen Hanson that this allegation would be modified deleting the phrases “caring” and “respect” from the original allegation. (Ex 44)

FINDINGS OF FACT.

On or about 3 Aug 12, Maj Gen Scott M. Hanson received the results of a Unit Climate Assessment conducted on the Air War College and Spaatz Center staffs. (Ex 40)

On or about 9 Nov 12, Maj Gen Hanson out-briefed his unit on portions of the Unit Climate Assessment. (Ex 41)

STANDARD.

JER, Section 4, Ethical Values, states, in pertinent parts:

12-400. General. Ethics are standards by which one should act based on values. Values are core beliefs such as duty, honor, and integrity that motivate attitudes and actions. Not all values are ethical values (integrity is; happiness is not). Ethical values relate to what is right and wrong and thus take precedence over non-ethical values when making ethical decisions. DoD employees should carefully consider ethical values when making decisions as part of official duties.

12-401. Primary Ethical Values

...

d. Accountability. DoD employees are required to accept responsibility for their decisions and the resulting consequences. This includes avoiding even the appearance of impropriety because appearances affect public confidence. Accountability promotes careful, well thought-out decision-making and limits thoughtless action. (Ex 43)

ANALYSIS.

In order to understand the full impact of the importance of adhering to the primary ethical value of accountability on Maj Gen Hanson’s tenure as the AWC Commandant, the IO collected testimony on the command climate and the effects of Maj Gen Hanson’s leadership style on the Air War College and Spaatz Center. One of the impacts of NOT adhering to accountability is the

erosion of public confidence. To explore this, the IO will discuss the Command Climate and Maj Gen Hanson's leadership style.

The Air War College and Spaatz Center climate Surveys conducted during Maj Gen Hanson's tenure figure prominently in the following analysis. (Ex 40, Ex 41) In order to dig into the culture and climate issues of the Air War College under Maj Gen Hanson's tenure, the IO asked many witnesses to describe Maj Gen Hanson's leadership style. The preponderance of witnesses described a toxic culture and a climate rife with chaos. The IO started the interviews with the list of witnesses that Maj Gen Hanson's Area Defense Counsel provided on behalf of Maj Gen Hanson, stating these witnesses would provide pertinent information on the allegations. (Ex 45) Of the 15 names Maj Gen Hanson provided the IO was able to speak with 13 witnesses.

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Maj [REDACTED] was Maj Gen Hanson's [REDACTED] and was on the list Maj Gen Hanson sent to the IO. Maj [REDACTED] characterized the environment as toxic:

I guess the question you said, the long answer to your question sir, but what I'm getting at is, what was the result of, of Gen Hanson in the Air War College on the morale, what I think is the most important aspect of any leader and that is the morale of the organization. Um, I hope to never work in an organization with morale like it was there, I mean, Dr. [REDACTED], uh, Col [REDACTED], who Col [REDACTED] is a friend of his um, and by the time I left, I mean the guy had had heart attack, I'm not saying it was related, but all I know is, is there was just, just friction, um, the [REDACTED] Col [REDACTED] who, who rightly everything he could, uh, to, to, to try to run his squadron even though that really wasn't his job in Gen Hanson's eyes of his [REDACTED]. **It was just a, a toxic environment, absolutely toxic and, it was the longest fourteen months of my life.** (Ex 23:16) (Emphasis added)

Ms. [REDACTED] was also on the list Maj Gen Hanson sent and testified:

IO: So let me ask you some more general questions then. So how would you describe Maj Gen Hanson's leadership style?

[REDACTED]: Whoow, boy. Um...

IO: Compared to the many other Commandants that you've seen in the past.

[REDACTED]: Well, it was, it was difficult, [laughs], um, it was hard to determine what his leadership style was, to be honest. Um, Gen Hanson and I got along well, but **I never knew quite what to expect. Um, the, the morale here, uh, deteriorated significantly under his leadership.** Um, it was... I learned a lot with Gen Hanson, but it was, um, it was probably some of the hardest times that I've been here is working for him.

IO2: When you say you've learned a lot, sometimes that can be in a negative way, you know...

█: It is. [Laughs] It was.

IO2: Okay. Can you tell us a couple of those...

█: I've learned that...

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IO2: ... Give us a couple of examples?

█: I probably have, I learned more from him, um, **I, I felt like he did not trust his people to do their job**; um, and that, that's extremely hard to work for, for someone like that; and, and it was, it was from all levels also, um, from, from like the █-█ the █ down to, and me. I mean, I've been here for quite a while, and I felt like, um, he, **he just didn't trust me to do my job**. Anytime that we would give recommendations, um, or, or, or recommend like, "No, we don't think this is a good idea." I don't feel like that was ever, um, we, we were ever taken into consideration, any of our experience. If, um, I, I felt ignored a lot; but I did, like I said, I learned a lot, you know, because when you have all these, the different kinds of leaders that you work for, most, the ones I probably learned the most from are the ones that have been extremely difficult to work for. Um, but, like I said, we got along fine. **It, it just was hard, we never knew what to expect. We never knew what was going to happen when we came in the next day; and then you thought you had everything all set, and then it would all blow up.** (Ex 13:21) (emphasis added)

Ms █ testimony describes an atmosphere of uncertainty and mistrust, without clear guidance, a turbulent atmosphere, without well communicated decision-making, an essential element of accountability.

Ms. █ was also on Maj Gen Hanson's witness list and testified that after working for Maj Gen Hanson, it was the only time in over 30 years of Federal Service that she had contemplated leaving the workforce. (Ex19:20)

Col █ was on Maj Gen Hanson's witness list. Col █ was █ as the █ as well as █ for Spaatz Center. In both capacities, his immediate supervisor was Maj Gen Hanson. Col █ testified about the effects of Maj Gen Hanson's leadership style on him as follows:

█: Ah-huh, oh my goodness. Ah, you know when I got this job as going █ here at Maxwell, um, I sat down with the Wing Commander and I told him, I said, you're getting damaged goods. Um, I had periods of time where I tremendous difficulty sleeping. Um, there was a lot of anxiety about every day going into the office. Um, I

had a really hard time ah, and, and just to qualify it for you, um, that's not me. I mean I flew Special Operations for 18 years and I never lost a wink of sleep. I had been shot at and been shot at and I've never missed a minute sleep. I've never had anxiety about getting in a plane or going to work or doing the job and ah, this is the first time that I ever didn't want to be doing what I'm doing. Um, so that's ah, I mean it has an effect on your family, an effect on my family and on me and I still carry it.

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IO2: Would you be able to share what was the effect on your family, sir?

██████: Um, mostly my change in attitude, my change in conduct. I think I became um, more...I became angry, um, probably outbursts ah, at my kids, certainly yelled at my dog um, but I was a very ah, you know... and many times ah, you know, still strive to be a very, very upbeat, happy person ah, and that was just beat out of me over two years. (Ex 37:14)

Ms. ██████ who testified strongly about Maj Gen Hanson's adherence to proper procedures regarding facility upgrades, was also on Maj Gen Hanson's witness list and when asked for any closing statements, testified as follows:

IO: Okay then, one of the questions I like to ask everybody is what questions, you've heard our line of questions here, what sorts of things should we have asked you that we didn't?

██████: (sigh) (14 second pause) Maybe the question **does he wear the appropriate rank and does he respect the rank of others?**

IO: Okay how would you answer that?

██████: **I would answer with deep and sincere regret, no he does not.** And I say that with genuine sorrow, because, um, just since the time I've known that you would be calling me today and realizing that those wounds which were closing for the organization would likely be things that I would, would have to revisit in my mind. I knew that there was not a way to make this a positive conversation and I am not, um, the kind of person who, who likes to speak negatively of others, even truthfully negatively, um, and it breaks my heart to speak of the War College Commandant and have to say that, um, that **he hurt us and he didn't help us and that, um, he set us back instead of forward and you just can't know what that does to have to say that about any commandant to the War College.** (Ex 34:21-22) (emphasis added)

Other witnesses on Maj Gen Hanson's list described Maj Gen Hanson as incredibly hard working. Col ██████

IO: Okay. Then I'm going to go onto the subject of Gen Hanson's leadership. How would you describe Maj Gen Hanson's leadership style?

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██████: Um, he was a micromanager, um, but phenomenally hardworking man. Ah, I don't know that anybody works as hard as that man works ah, but the combination of being a very hardworking guy that doesn't take ah... he doesn't put up with a lot of the standard BS that ah, that you kinda have to put up with. Um, he doesn't necessarily... when he sees something that's wrong, he wants it fixed ah, and he doesn't ah, really take a lot of excuses so from that regard, people find it difficult to work for him but when you look specifically at what he's dealing with um, long and short of it, um, Gen Hanson cleaned up years of buffoonery at Air University. I wish he could have cleaned out more before he left but, but there were so many things that were just directly ignored by people that... there were things that were bad. Mis-expenditures of funds, inappropriate leadership, toxic leadership, and even and he wouldn't take any of those on and just ah, put them in his top drawer. He took them on ah, headfirst and ah, and that, that caused a lot of people to not like him but the end of the day um, as confrontational as he was, um, he um, he was, he was really good for the Air Force in terms of the things that he was willing to take on and nobody else had the stones to take on because they were just scared I guess or lazy, one of the two. (Ex 38:4)

On accountability, Col ██████ testified that, "I think he [Maj Gen Hanson] did a, a good job of those things." (Ex 38:12)

Col ██████ was on Maj Gen Hanson's witness list. Col ██████ was ██████ and testified:

IO: All right. Let me move on to our fourth topic then in Leadership. So how would you describe Major General Hanson leadership style?

██████: I would say, ah, it was, ah I spent a lot of time thinking about this, I would say it was ah, very optimistic, it was very driven. He was a man of detail. He, he uh, some of the things that he wanted to push, particularly the Strategic Plan Effort, I think in a traditional sense may "saw that" but did not necessarily, you know, always see where it was going. He became very directive in completion of that plan,.....But, you know, he, he, he was, ah, you know, more attentive to the details than I was familiar with at 2-Star level, but again I did not feel it was outside of his prerogative. And, we were supportive. In my contact with him, it was always optimistic, it was, especially when he talked about my future a lot, he gave me a lot of mentoring, but you know, that I have nothing I would consider out of the ordinary or anything I thought was outside of his prerogative. (Ex 46:3-4)

On Maj Gen Hanson's adherence to accountability, Col ██████ testified, "I thought he [Maj Gen Hanson] met the target." (Ex 46:6)

Others on Maj Gen Hanson's list were neutral. [REDACTED]

[REDACTED] wrote to the IO that he personally did not observe any toxic leadership by Maj Gen Hanson, but that Maj Gen Hanson did not seem to handle pressure well and at times his decision making appeared to be a little lethargic. (Ex 39)

Lt Col [REDACTED] testified of a noticeable change in the Air War College's morale upon the departure of Maj Gen Hanson:

IO2: If you know, how did the other staff react to this style of leadership?

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[REDACTED]: Oh, I don't... I'll be honest with you, they could not stand this Commandant. There was... the morale was pretty low and especially me working so close, closely with the [REDACTED] um, they just, it was... day-to-day kind of pride swallowing to see, just to get things done. Um, and, and just... there was a lot of just you know, our faculty here is predominately civilian. You heard the term before and I heard it a lot from this term so we're just waiting him out. He's going to leave. We'll just wait him out. It's only a matter of time. And so I will tell you, I could have left when Gen Hanson was here, I came back three weeks ago and there's a new Commandant, Maj Gen Bishop, and from the first second when I walked in the door it was visibly... the morale was improved by a lot. (Ex 35:16)

When asked to describe Maj Gen Hanson's leadership style, Dr. [REDACTED] testified:

IO: Yeah, so I mean, how would you describe his, his, the effect of his leadership style on the organization, the institution?

[REDACTED]: Um, well as I say, uh, and you can see it in the climate survey, um, it, uh, it, it pretty much, it, it created, uh, I would say it was, uh, it was, it became toward the end very hostile. I would call it a hostile environment for me. Uh, where **I would get no direct feedback one way or the other**, but it was clear to me that, you know, we weren't, we weren't communicating. I'd sit down with him, you know, I'd, I would get on his calendar, um, and everything would be fine, but then I was always hearing through the vice, you know, he's unhappy about this, he doesn't like that, um, and that permeated, part of my job, I took on my and my associate deans to try and shield the faculty from some of this stuff. When he gets up on stage to debrief the climate survey and says I'm communicating, you're just not getting this, well there's not a whole lot I can do. **When we would send, uh, decision packages up or, or letters to be signed and the action officer, doing their job, would follow up, well he wants it redone this way, or, or this isn't good enough, or, uh, or so on and so forth. Um, I mean, it, it just gets across the, uh, the institution.** Since Gen Bishop's been here, comments I'm constantly hearing is, wow it's great that I can send something up, uh, and, and get a decision within, you know the time period that I need it; uh, that if you want something done, I know what he wants; uh, that he, he is visible; he communicates to the faculty and all that sort of thing. No Gen Hanson became, I would say, uh, you know, very, very

withdrawn, uh, and like I said made an effort toward the end there to have me kind of interpret for, interpret the, the climate survey for him and tell him what I thought he needed, you know, you know, what was wrong, what, what in my opinion was wrong, and, uh, I just, at that point had had enough and I wasn't going to do it. (Ex 20:50) (emphasis added)

Dr. [REDACTED] also portrays an atmosphere where staff actions were constantly sent back and forth, where decisions and actions were not clearly communicated. He further testified:

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...and again if what I am talking about was, was a one off but taken in context, uh, taking in all, all the other things, um, uh, it was actually not that empty of a threat for me to step down because I was at that point, um, why, you know at my age as, as the saying goes, why would I continue to put up with this, uh, when I could, you know, sweep floors for a living, uh, and be, and be happier, uh, and I am not alone in that. I think it's, if you do review the climate survey, uh, if you, if you talk to other members of the faculty that were here, uh, the, the **I would say the bullying, the it's never good enough, the lack of decision while at the same time wanting to micromanage, the complete lack of trust culminating at the end to a paranoid, dysfunctional, uh, structure, uh, I could not have thought of a worse place to be, uh, out, outside of Afghanistan.** (Ex 20:46) (emphasis added)

Dr. [REDACTED] further painted a picture where Maj Gen Hanson's leadership did not promote careful, well thought-out decision-making and caused thoughtless staff actions by many:

IO: So how would you describe Gen Hanson's leadership style?

[REDACTED]: Uh, at, at first, uh... and I have a good, this, this, it's still is a little difficult for me because I'm, you know, I'm not used to doing this kind of thing, but, uh, at first I would say it was something that a lot of us are used to from time to time in the Air Force. He, from almost day one, was clear he was a micromanager. Um, it was compounded by the fact that **he clearly did not like making decisions, and would constantly request more information and more information, uh, and, uh, you know we'd reach a certain point where I have students showing up or I have a class that has to execute and, and I'm, I'm going with what I have.** So I would say it started out kind of, I mean, he was something of a micromanager, uh, you know, a one-star when he arrived, brand new two-star, uh, uh, and over time the best way I can describe his leadership style was a descent into narcissism and paranoia. (Ex 20:42-43) (emphasis added)

Col [REDACTED] testified:

...But I think it was really poor leadership on his part, quite frankly, in my humble opinion, and I think, quite frankly that the vast majority of the faculty feel that way. And, and it's not so much that you know, because I can work with anybody and you know, you know, and I don't have problems changing things so don't get me wrong. **It's**

not because he wanted things changed uh, that I was, that I was opposed to that because I'm certainly not. It's how he, it's how he led doing that and I think he turned off his airmen. I know he turned off those working for him and I know he turned the students in that class against him and so you know, one or two people can be wrong. If it was just me or a couple others you go okay, maybe I have a beef to grind with him. Uh, but I mean it was pretty much almost the entire student body and I will tell you that it was probably the vast majority of the faculty as well that uh, that just thought he was an extremely poor leader...And quite frankly, uh, again this is purely in my opinion, that kind of leadership is a huge example of poor leadership at a school like this where we're you know, training these 05's and 06's to go out and lead as a Group and Wing level and beyond uh, and it was, I think it was a horrible example for our sister services as well. (Ex 36:16) (emphasis added)

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To illustrate some of the various examples of Maj Gen Hanson's lack of adherence to the primary ethical value of accountability, (accepting responsibility for decisions and the resulting consequences; promoting careful, well thought-out decision-making and limiting thoughtless action), the witnesses described the following incidents. While the examples are not all inclusive, they serve to paint the picture of the climate and the way in which lack of adherence to this principle eroded public confidence in Maj Gen Hanson's leadership, one of the cornerstones of accountability.

Late Promotion Recommendation Forms

Col [REDACTED], when asked about Maj Gen Hanson's adherence to the ethical value of accountability testified:

IO: ...So, using that, how would you compare that to Gen Hanson's leadership style and his ability to execute accountability? Or demonstrate it?

[REDACTED]: I...I would say he's...he's in direct conflict with that. And...and he. I would imagine that. Um, everybody that I spoke to at Air War College would bring that to my attention, you know, so, it's not something that was hidden from, uh, those that worked for him. They...they saw, um, how his decision process worked, and...and the perception was absolutely atrocious.

IO: Okay. Could you give me some examples then of that?

[REDACTED]: Um, yeah, I mean. Uh, he, uh, he...he would just ex...um. Whatever he wanted, the world had to stop so. One time we were doing PRFs for, uh, Lieutenant Colonels, and there was a whole bunch of 'em, and I had 'em all. Uh, he would have me edit 'em first and get 'em all polished up, whatever. So, I gave them to him weeks in advance, and I kept prodding him. I said, sir, we need to...we need to go through these things cause they have to be your stamps or whatever. Oh, yeah, no problem, no problem. Well, then the day that they are due, and...and they have to go out on a FedEx truck, um,

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he has the Exec and I start bringing 'em in, and every one of 'em he did lines through and says no, start again. I mean, and he doesn't put the words in, he just lines through it and says this is trash or whatever. So, now we're under the gun, uh, and it's...this just goes on and on and on, and the last FedEx truck. I don't know what time it left, uh, base, but it was later, and uh, so he expected the Exec to go out and hold the FedEx truck, um, and not let it leave, because he didn't want to be late on his reports, but he still wanted to play with 'em to weed out words or whatever. Um, and...and so, I mean, that just sounds absurd to me, and it did to the Exec as well, but there was...there was no. It wasn't...wasn't a joke or anything. He wanted to go out there, and...and the Exec did go out and not lay his body in front of the truck but just was begging the truck driver to stay and to stay and, uh, and it's that type of thing. (Ex 18:12-13)

The IO determined that the preponderance of the evidence indicated that Maj Gen Hanson failed to take responsibility for reviewing the PRFs earlier, resulting in last-minute actions. Maj Gen Hanson did not adhere to the JER principle of accountability, resulting in not well thought-out planning and decision making directly impacting his staff as they attempted to ensure the PRFs were not late.

Maj Gen Hanson did not recall this incident during his interview. (Ex 26:38-39)

When asked to further elaborate on the staff dysfunction and Maj Gen Hanson taking responsibility for his actions, Col ██████ testified:

IO: Okay. So from an insider perspective, could you give me some examples of what you described as cruelty?

██████: Um, just, uh, uh, m...my...my issue, uh, at War College was to keep people moving and motivated and moving forward and then no matter what the case was, whether it would be, uh, a staff being, um, the start of the staff meeting or the stop of the staff meeting, um, he was always gonna be... he was always gonna be running late, and...and somebody was gonna be to blame for it, but it would never be him. Um, yeah, he...he would lead people to believe things are gonna happen, you know, or whatever, and then just tell me, no, tell them it...it just can't happen. He would not take the, uh, or have the fortitude to sit down and explain why some stuff had changed or whatever. He just. Any time it was bad news it was...it was somebody else's to deliver, uh, and that...that normally fell to me, um, and it was. If it was good news or whatever, he would...he would be in the limelight, and again, if this happens once or twice, you know, people think well, this happened and not to worry about it. But when it's the consistent pattern, um, people become very demotivated, and I...I...I sound like a very bitter person, and...and I'm not, but, uh, uh, you're bringing up...you're bringing up some memories that I, um, I don't really enjoy. That...that...that was a...absolutely the most difficult and challenging year from, uh, in my, of my 30, and it was because of, um, in my estimation his inability to work with people or to have

empathy for situations or like you said to even care. He...he just didn't care about anybody except for number one. (Ex 18:15) (**emphasis added**)

Unit Climate Assessment

The Unit Climate Assessment (UCA) completed on 3 Aug 12 (Ex 40) shows that in many areas, the command climate of Air War College in such areas as Cohesion and Pride, Motivation and Morale, and Supervisory Support are comparable to Air Force averages. (Ex 40:14-15) However, in specific areas there are marked unfavorable areas, such as "My present commander/director has a positive influence on unit members" at 41.9% unfavorable (Ex 40:8) and "The overall health of the Spatz Center is better now than one year ago" at 43.5% unfavorable. (Ex 40:13) Overall Motivation and Morale was rated at 20.4% unfavorable. (Ex 40:8)

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When asked to summarize his thoughts on the climate assessment, Maj Gen Hanson testified:

IO: Okay sir. So we had touched on the Air War College, the climate assessment of 2012. How would you summarize your thoughts on, the data this contained?

Hanson: Um, well I mentioned that I think you know, is when you, when you look at the data in total, um, it reflects, um, comparable, comparable assessment as to, to the rest of the Air Force. The individual pieces in there, um, and I think our, kind of heartburn is by individuals who for one reason or another had an axe to grind. I mean, you know, so the comments about toxic leadership for example, that, that was, you know that's terminology that is in vogue and that's what we studied at the War College. Um, I mean I was accused of micromanaging when I started to want to be involved in the curriculum, and I was basically told, no you, commandants don't do that. And I go, really? That's, you know, I was trying at the macro level, okay let's talk about what we teach in our leadership courses. Uh, where, where's our focus on character, I mean I think that's part and parcel with leadership education and I think people thought I was getting in their chili when I did that. (Ex 26:29-30)

In later testimony, Maj Gen Hanson attributed many of the derogatory comments in the UCA to a small group of Air War College staff to include Col [REDACTED] (the complainant), Dr. [REDACTED] and Col [REDACTED] (Ex 26:30-31) The IO notes however that 26 personnel – or 42 percent of those who participated in the UCA – answered the question, "My present commander/director has a positive influence on unit members" as unfavorable. (Ex 40:8) Thus, Maj Gen Hanson was incorrect.

One of the key attributes of the primary ethical value of accountability is for the requirement of employees to accept responsibility for their decisions and the resulting consequences. Exhibit 41 is the 9 Nov 12 Commander's Call slides from Maj Gen Hanson's

outbrief of the Unit Climate Assessment to the Air War College and Spaatz center Staff. In the slides, Maj Gen Hanson shows only that the AWC & Spaatz Center results are within and in some times more favorable than the Air Force and Air Education and Training Command averages. (Ex 41:2-4) The IO notes that the slides highlighted only the most favorable results without addressing unfavorable responses regarding Maj Gen Hanson's leadership.

Many staff members testified they expected a more thorough briefing during which Maj Gen Hanson would address the entirety of the report, as witnesses had pinned hopes on having their voices heard and acknowledged. Ms [REDACTED] testified:

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IO: So I understand during Maj Gen Hanson's tenure, there was a Unit Climate Assessment conducted and briefed. What can you tell me about that?

[REDACTED]: Well, we, um, we knew the Climate Assessment was coming, and sometimes when you have leadership like that, you know, it's like the rest of the staff kind of bonds together in our discontent; and that kind of, um, was a problem also. But we were all kind of waiting for the Climate Assessment so we could, you know, get our feelings out; and, um, I think that when the actual results of that was briefed, I think it was totally different than what... I, I don't know what the actual results were, but when the results were briefed, it sounded nothing... it, it sounded like everything was great, and that was not true. It, it, it was so not true. Um, it was almost like there were no problems, "We're doing great." [laughs] And I know that that was not the case here. (Ex 13:21)

Ms [REDACTED] testified;

IO: Okay and I ask that to go back to that ethical value of accountability where we said that employees are required to accept responsibility for the decisions and resulting consequences. Did you get that impression that he was accepting responsibility for the results of the climate survey?

[REDACTED]: No. I thought he took it personal, and I was glad they were anonymous.

Col [REDACTED] further elaborated on the little detail provided by the Commandant during the UCA outbrief:

IO: Did you... do you recall again, one, how Gen Hanson received those results and then how he briefed those results back to the unit?

[REDACTED]: Oh, my gosh. I hadn't thought about that in a while. The results were scathing. Um, as the [REDACTED] I received a, ah survey and as the [REDACTED] I received ah, as a Commander I received inputs and they were for myself and for the [REDACTED] [REDACTED] which at the time were directed by Col [REDACTED] Um, the results were poor um, and ah, and the remarks were scathing and ah, they, they kinda all said the same thing so I took some comfort in it 'cuz then obviously it wasn't...usually the remarks

said something like, you know, Col [REDACTED], keep fighting the good fight. These remarks are not for you. This guy is the most toxic leader we've ever seen. We despise him. We hate him. He's a horrible person. Ah, so they were really, they were really harsh. Um, he did not... when, when all of the inputs were back and I did not see what came from the Air War College side of it, um, but ah, they were also very not good. Um, those folks at EO who did it were very anxious about providing the results to him ah, because they were so negative and they hadn't seen something so bad ah, ever. Um, he did not share them immediately and directly with his supervisor, his Commander, Gen Fadok. Ah, it might have been Gen Peck. I'm trying to figure out which, which 3-Star it was who was in command at the time of Air University ah, so he didn't provide those. Um, and I assume...

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IO: And how do you know that he did not provide those to Gen Fadok?

[REDACTED]: Because EO told me that he didn't...and they did. EO did provide those ah, is what I'm told. Ah, so then it was about having an out brief and the focus of his out brief was not to address people's real concerns. His comment to me was that there was just so many people who are not being players and that ah, that these concerns were not ah... these were just... and this was not ah, you know, an accurate reflection. Um, his out brief on it was very vanilla and watered down. He tried to pick a couple of topics that I can't remember exact... gosh, I can't remember. I'm wondering if I kept a copy of the brief. Um, his responses were... he, he kept it to things that were of an institutional nature, not taking ah, responsibility for anything that was addressed to him. It's as if this thing wasn't talking to him, it was talking to the organization. You know what I mean? Ah, so it wasn't like a personal thing for him.

IO: Okay, so going back. Earlier we had talked about that primary ethical value of accountability where DOD employees are required to accept responsibility for their decisions and resulting consequences avoiding impropriety, promoting careful, well thought out, decision-making and thoughtless actions.

[REDACTED]: Yeah, well, I guess if that falls into that category then that's ah, that's a good catch. Ah, so his out brief on it was just such that when people walked out of there, there was just a general undertone and I mean, I could just... you could stand in the hall and just feel it of people muttering ah, about what was the point. (Ex 37:15-16)

Late arrival for MILAIR flight

As an example of how Maj Gen Hanson failed to be accountable for his actions, Lt Col [REDACTED] described an instance of when he attempted to get Maj Gen Hanson on a MILAIR flight on-time. Maj [REDACTED] testified;

And I'm, I'm standing there and I never, with the [REDACTED] and I was like Gen Hanson, sir, we need to go because I, I'm the [REDACTED] and I had to get him to the, to the air field and oh, by the way on that aircraft was Lt Gen Fadok, uh, the other two-star which

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was, um, uh, I can't remember his name, uh, the LeMay Center, Gen Anderson, and so they were, you know, his boss was on there and if you're a flyer, you know, you know don't show up to, with the aircraft in the middle of the tarmac and you got to climb on, that's kind of a foul. Well, I, I kept trying to get him to go and, and he just kind of getting waved off and we ended up, got in the car, the DO and we kind of briefed him on the way, and when we got there after we did our FOD check and got onto the, um, pulled in the aircraft was on the tarmac and they were waiting for him. Well Gen Hanson got out of the car, he, um, he let me have it pretty good about not letting him be late, and so, so much so that by the time I got back to the office everybody knew about it and of course, Col [REDACTED] the [REDACTED] an excellent leader, uh, he, I was, I was pretty shaken up, I mean, I was Major by this time but I was pretty shaken up by it, but it, you know, there wasn't any threat or anything, it was just, don't ever make me be late again, you know, the finger pointing and that kind of thing, and that was, I think that was way over the top in my opinion, uh, especially given it was his fault. (Ex 23:9)

Col (R) [REDACTED] was also present at this flightline incident and described the scene as follows:

So, and this is...this is... this is the part that's kinda surprising about Hanson is he would pick and weed people, uh, Gen Fadok, uh, a three-star, his boss, had a specific seat on the plane, and so, uh. And this was a...always...always, uh, uh, Hanson is...is running late, and it's [REDACTED] fault in...in...in Gen Hanson's mind. In my opinion it was never [REDACTED] fault, but...but [REDACTED] was getting reamed for them being late. (EX 18:14)

Maj Gen Hanson testified that he did not recall this incident and stated, "I would say I had never berated my [REDACTED] officer. . . . I don't recall the circumstances that, where I would have been late for a MILAIR flight, but I certainly would have . . . probably given feedback to my exec . . . I don't know that I would call it berating anyone." (Ex 26:39)

"My staff has failed me again"

One of the complaints about Maj Gen Hanson was his constant use of the phrase "My Staff has failed me again."¹⁰ Many members, especially of his inner circle testified that he used this phrase often when things went wrong. When asked, "was it known for Maj Gen Hanson to use the phrase, 'My staff has failed me again?'" many testified:

¹⁰ Of all the witnesses, only Col [REDACTED] put a positive spin on Maj Gen Hanson's use of the phrase, testifying that, "I have seen him probably use that phrase, probably two to three times in occasional meetings, and it was; I did not necessarily interpret it as a poke at the staff. I, I, I saw that, it was smiles, it was chuckles, it was an attempt to, you know, ah lighten up, you know the frustration that comes with normal bureaucratic processes." (Ex 46:5)

██████████: Oh, . Yeah, no, that...that...that would...that would not be uncommon. But, I...I mean, yeah. It's...it's a mentally abusive, but it's not...it's not profane, or it's not screaming. He would just be shaking his head, and...and that would be his comment as he left the staffroom. (Ex 18:18)

██████████: Oh, that was pretty common. (Ex 19:17)

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██████████: Um, he, uh, he was (chuckle) it, it became something of a tag line around here to say my staff has failed me. Um, I first heard him use it, um, many months prior to that before, before the wheels had come off and it involved, uh, a matter of academic freedom. (Ex 20:46)

██████████: W: Oh yeah, all the time. All the time. Almost daily, I'd say (Ex 35:13)

██████████: I was the Director of Staff. So he just looked me in the eye and go, well, my staff has failed me again. (Ex 37:10)

When asked about his use of this phrase, Maj Gen Hanson testified:

IO: Okay. Sir we understand that you often use the phrase, my staff has failed me again. Is that true, could you describe some examples where you used that phrase?

Hanson: I, **I don't recall ever using that phrase.**

IO: Okay. So what would your response be to claims by members of your staff that you used that phrase often and that you deflected your responsibilities onto your staff?

Hanson: You know, I don't, I don't know what to say about that. I, **I don't use that phrase. I, I don't think that way.** Like I said, that there are, there are three core functions that I believe a staff should help, an executive staff should help the, the commander do and those are the kind of things that I emphasize with them to help me, to help me, uh, perform my duties. (Ex 26:39) (**emphasis added**)

The preponderance of the evidence indicates Maj Gen Hanson did employ the phrase, "My staff has failed me again." The IO determined that Maj Gen Hanson's denial of ever using that phrase represents a lack of accountability, a failure to take responsibility for his statements and is indicative of his failure to take responsibility for his actions, as shown in the examples involving flight line and the late PRFs.

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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However, Maj Gen Hanson's behavior at the Air War College, a decidedly non-combat atmosphere, exhibited many of the same characteristics. Col [REDACTED] description of the late PRF packages detailed above (Ex 18:12-13), Ms [REDACTED] described ever-changing and inconsistent planning meetings:

IO: So what drove all of those requirements for so many changes?

[REDACTED]: Usually the Commandant.

IO: Okay, and so could you describe again how that happened?

[REDACTED]: Um, in meetings, in meetings, um, usually not with us. It would be, we would, we would usually have the meeting and talk about what the plan would be, and it would be okay. Um, but what we would hear is then after like the next day, um, it would be, we would hear from the [REDACTED] or the [REDACTED] "No, this is what we really want to do." So it's, it's we, we felt like we were starting over a lot.

IO: Okay, so you got some guidance when Gen Hanson would attend the meeting, and then the guidance or direction would change within a few days?

[REDACTED]: We didn't get a lot of guidance during the, when we were briefing the actual event; and we would, we would think that everything was fine, but then the next day, it would, it would be, you know, then we'd get a lot of guidance on what needed to be changed. (Ex 13:17-18)

The IO noted a pervasive climate and culture of mistrust within the Air War College and Spaatz Center during Maj Gen Hanson's tenure. While not everyone on the staff attributed the negative climate to Maj Gen Hanson's leadership, many did. Allegation 2 substantiated that Maj Gen Hanson, early in his tenure, had created the appearance of impropriety by funding a New Year's Reception at his private residence using external funding and paying civilian overtime. While that may not have been the single causal act in creating the culture of suspicion, the public confidence of the Air War College and Spaatz Center staffs were severely eroded and further actions perpetuated the erosion of confidence.

As other events transpired Maj Gen Hanson's leadership led to some level of staff paralysis. Dr. [REDACTED] testified how Maj Gen Hanson's dis-inclination to make decisions and constant requests for more information, led to wasted staff effort, [REDACTED] (Ex 20:42-43, Ex 42)

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The erosion in public confidence may have been mitigated with a proper outbrief of the many issues uncovered in the Unit Climate Assessment. Many of the staff had hoped to have their concerns addressed by the Commandant in a public forum. However, many walked out of the UCI outbrief convinced that their inputs did not matter, that Maj Gen Hanson did not take any personal responsibility for the comments, demonstrating a lack of accountability by not acknowledging or addressing any of the negative comments in a public forum. Finally, the IO was surprised, that with so much witness testimony to the contrary, Maj Gen Hanson testified that he did not ever recall using the phrase, "My staff has failed me again." (Ex 26:39) The essence of the primary ethical value of accountability is to accept responsibility for decisions and the resulting consequences.

CONCLUSION.

The IO found the testimonies of much of Maj Gen Hanson's inner circle to be credible. Many different witness offered similar testimony on issues ranging from leadership to a negative command climate and a loss of public confidence. Many attributed the loss of confidence to Maj Gen Hanson not taking responsibility for his actions, failing to make timely decisions, and finding causes in the actions of others, an attribute in direct opposition to the primary ethical value of accountability where one is expected to accept responsibility for decisions and the resulting consequences. By a preponderance of evidence, based upon the findings of fact and sworn testimony, the allegation that between on or about May 11 to on or about August 13, Maj Gen Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, conducted himself contrary to the ethical standards of accountability in violation of DoD 5500.07-R, *Joint Ethics Regulation*, was **SUBSTANTIATED**.

VI. SUMMARY

ALLEGATION 1, That between on or about 1 Feb 13 to on or about 1 Apr 13, Maj Gen Scott Hanson, Commander, Spatz Center for Officer Education, and Commandant, Air War College, falsified an Unfavorable Information File, in violation of Article 107, *False Official Statements*, Uniform Code of Military Justice., was **SUBSTANTIATED**.

- The preponderance of evidence supported the conclusion that Maj Gen Hanson falsified the date on the removal of Col [REDACTED] UIF, with the intent to mislead that the UIF was not in effect at the time of Col [REDACTED] OPR close-out date.

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ALLEGATION 2. That between on or about 1 Dec 11 to on or about 30 Jan 12, Major General Scott Hanson, Commander, Spatz Center for Officer Education, and Commandant, Air War College, used, or created the appearance of using, his public office for private gain to host a New Year's Reception at his private residence in violation of DoD 5500.07-R, the *Joint Ethics Regulation*, 17 Nov 11, was **SUBSTANTIATED**.

- The preponderance of evidence supported the conclusion that Maj Gen Hanson created the appearance of impropriety by externally funding and paying civilian overtime for a private function at his residence.

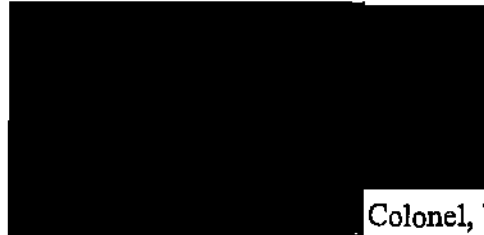
ALLEGATION 3, [REDACTED]

[REDACTED]

ALLEGATION 4. That between on or about May 11 to on or about August 13, Maj Gen Scott Hanson, Commander, Spaatz Center for Officer Education, and Commandant, Air War College, conducted himself contrary to the ethical standard of accountability in violation of DoD 5500.07-R, *Joint Ethics Regulation* was **SUBSTANTIATED**.

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- The preponderance of evidence supported the conclusion that Maj Gen Hanson violated the primary ethical value of accountability by not accepting responsibility for decisions and the resulting consequences.



Colonel, USAF

Investigating Officer
Directorate of Senior Official Inquiries

I have reviewed this Report of Investigation and the accompanying legal review and I concur with their findings.

A handwritten signature in black ink, appearing to read "Gregory A. Biscione".

GREGORY A. BISCIONE
Lieutenant General, USAF
The Inspector General