

Case Study: Gifts

Description: Naval Aviator (O-6) in deep draft command of USS Supply Ship on deployment was in a foreign port to load supplies. During this three-day working period, the Commanding Officer (CO) accepted gifts from the contracted vendor. Incident reported; CO investigated.

Background: Commander, Numbered Fleet (COMFLEET) convened an informal investigation to explore the circumstances surrounding allegations of U.S. Navy favoritism to an Italian vendor. The issue erupted from an internal Italian investigation into fraud and corruption of water front vendors.

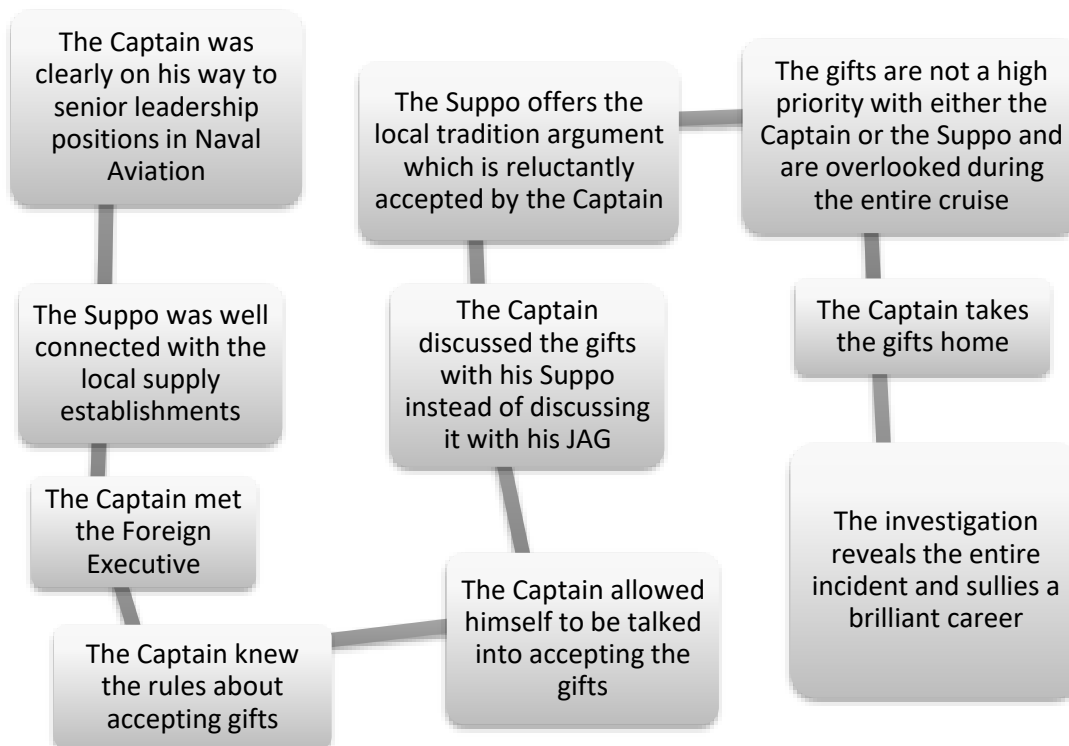
Findings:

1. A front-running, nuclear-power trained, combat-seasoned naval aviator was in command of his deep draft ship on a summer Mediterranean Sea deployment. He had screened for nuclear-powered aircraft carrier (CVN) command.
2. The ship's supply officer (Suppo) was a supply community front-runner whom the CO highly respected. On the first day in port, Suppo informed the CO that the leading executive from a foreign vending company would like to meet with him.
3. The CO stated that he met the executive in his cabin and they had a very warm discussion. He said he told the man that he and his wife had vacationed in this foreign nation on three occasions and loved the country.
4. The CO said that as the executive was about to depart, he asked him if he liked olive oil, cheese and wine. The CO replied that he loved those things but that Navy regulations forbade him from accepting such gifts. He said the foreigner winked and said, "They would be gifts for your wife."
5. The CO said he discussed the issue with the Suppo who informed him that it was customary for commanding officers of Supply ships to accept these gifts. After all, the CO was not the person who signed the contract for the supplies.
6. The Suppo concurred with the CO's recollection of the conversation and added that he had suggested refusal of the gesture would be an

- insult to foreign country culture.
7. The next morning, the Officer of the Deck informed the Suppo that the Captain had several items waiting for him at the Quarterdeck. The Suppo had the watch deliver a large tin of olive oil, a large round of cheese, and a case of wine to the Captain's in-port cabin.
 8. The CO stated that when he saw the items, he intended to return them with a note of thanks. He discussed this with the Suppo and they decided it was best to wait until the last day in port. The CO considered consulting the JAG but did not.
 9. The CO said that he was preoccupied with a litany of events preparing USS Supply Ship to get underway and he failed to return the gifts and note.
 10. The Suppo said that he did not remind the CO about the gifts or follow-up with any action of his own to return the gifts on behalf of the CO. The gifts became the subject of some light-hearted ribbing in the officer's mess.
 11. The gifts remained onboard USS Supply Ship for the duration of the deployment. The CO said he thought about them once or twice and resolved that he would get rid of them when he returned to Norfolk.
 12. The CO took the gifts home.
 13. Two weeks after returning to home port, the ship received a COMFLT inquiry surrounding the incident. The foreign vendor had become the subject of an investigation when foreign nation authorities received complaints of U.S. Navy favoritism. COMFLT initiated an inquiry that lead to the discovery of the widespread practice of gift giving.
 14. COMFLT Legal deposed the CO, Suppo, and several other officers onboard USS Supply Ship to determine if any wrongdoing had occurred.
 15. The Commanding Officer of USS Supply Ship received a Letter of Reprimand from COMFLT.
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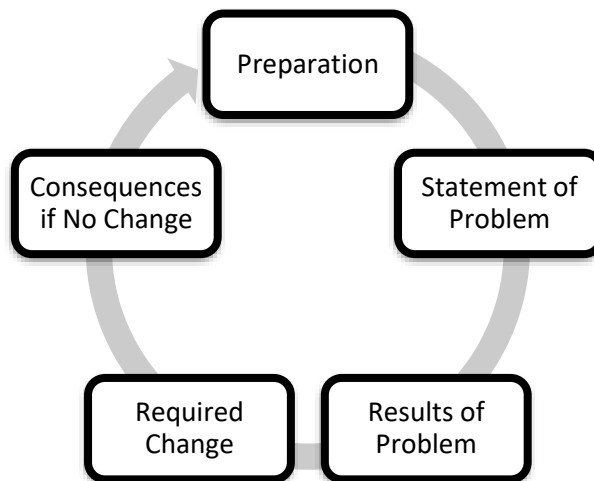
Facilitation Questions:

1. Diagram the thought-to-action chain for the Commanding Officer.
 - a. Surprise at suggestion of gifts from vendor; correct comment that acceptance was not allowable; however, verification with Suppo; did not immediately dispose of gifts; CO considered consulting JAG; kept gifts when ship departed; thought about gifts; had no plan for disposal; kept gifts.
2. When did the CO “go wrong”? Why do you suppose?
3. Why did he verify with the Suppo?
4. Do you think the CO ever witnessed anything in his career that would have rationalized taking the gifts? Can bad behavior be infused by bad leadership? Have you ever observed anything that would have rationalized taking the gifts?
5. Was it reasonable to wait until the last day in port to dispose of the gifts?
6. Why didn't the CO consult the JAG?



Constructive Confrontation:

1. The first opportunity for constructive confrontation is internal. In this case, the Captain would benefit from a constructive confrontation with himself. Why is he making the decisions he is making? What does he think they will achieve? What are the end results?
2. A next opportunity for confrontation might come from a friend or colleague. These “on-lookers” often know about or strongly suspect incidences of misbehavior in others. Have you ever been in such a situation? Approaching a friend or co-worker in such a situation would be very difficult and you would have to be sure that real, negative consequences were likely. Using the case study, your own observations, or a hypothetical example, how would you realistically handle such a confrontation? Look at the wheel below for a template.



Preparation:

1. In reference to the O-6, what is the problem (or likely result) of the misbehavior? What problem is it for you? What problem is it for the unit, etc.?

Statement of Problem:

1. If you were a colleague or friend of the O-6 and knew of the situation or previous situations how would you state the problem?
2. If you were a junior, as in the case of the O-6 and/or aide, how would you handle this?
3. Listen.

Results of Problem:

1. Using the example, what are the likely results or negative outcomes from the problem and how would you state that?
2. Listen.

Required Change:

1. What change in behavior do you want to see?
2. Listen.

Consequences of No Change:

1. Hopefully, by this point in the confrontation you are having a discussion and not a shouting match. The understanding of consequences would be something that both of you agree to vice you listing them

Case Conclusions:

1. What main points did you take from this case study?
2. What are your concerns as a facilitator with this case study?