



Inspector General

2024-0017-INVI-P — MISUSE OF GOVERNMENT ISSUED IPHONE

Suspected Violation of the Architect of the Capitol (AOC) Standards of Conduct Policy. Substantiated

Suspected Violations of the AOC's IT Resources and De Minimis Use Policy and the ITD Rules of Behavior. Not Substantiated

On April 9, 2024, the AOC Office of Inspector General (OIG) received an allegation that an AOC employee used their AOC issued mobile iPhone to send inappropriate images of their child on multiple occasions to their supervisor to advise them of the child's health status and support their request for leave.

The AOC OIG initiated an investigation into multiple violations of AOC policy, including Order 752-2, Standards of Conduct, April 25, 2014; Order 8-5, AOC IT Resources and De Minimis Use, February 20, 2018; the AOC ITD Rules of Behavior; and potential violations of criminal law.

Evidence obtained from a digital forensic exam confirmed the existence of multiple inappropriate and explicit photos; however, the photos were in conjunction with medical documentation and zoomed in to a degree that identifying the individual in the photos to be a child was impossible. Testimonial evidence obtained from the employee confirmed they had sent the images to their supervisor to provide notification that their child was ill, and they would need to miss work. The employee explained to OIG investigators they had only sent the images with the intent to have proof of their absence and they did not further distribute the images.

The combination of evidence obtained during the investigation caused concern regarding the child's safety and well-being, prompting the AOC OIG to notify the appropriate county police department which confirmed that Child Protective Services was aware of the incident and had followed up with the child and their school.

During their interview with the OIG, the employee claimed to have never seen the Rules of Behavior form associated with AOC issued IT equipment. When requested by the OIG, the AOC's Information Technology Division (ITD) was unable to locate the documentation and Rules of Behavior associated with the employee's AOC-issued iPhone. The OIG's investigation ultimately revealed that the employee had been issued an AOC iPhone without completing the AOC Rules of Behavior form.

The OIG's investigation did not identify violations of criminal law or find that the employee had intent to violate AOC policies; however, they unknowingly committed violations of AOC policy while attempting to provide information to their supervisor. Because the employee



was not provided with the ITD Rules of Behavior and related documentation is not on file, the OIG did not substantiate violations of ITD policy.

Final Management Action: The OIG substantiated that the employee violated AOC policy and the administrative violation was submitted to the Architect of the Capitol for action deemed appropriate, if any. On November 13, 2024, the OIG was notified that the employee was issued a letter of counseling addressing the misuse of the AOC-issued iPhone. Additionally, the ITD issued the "Rules of Behavior" form to the employee who completed and signed it on October 30, 2024. The case is closed.