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2019-0004-INVI-P – Theft of Architect of the Capitol (AOC) Property by an AOC Employee: Substantiated

The AOC Office of Inspector General (OIG) received an OIG Hotline phone call from an AOC Supervisor on October 11, 2018, informing AOC investigators that an AOC employee was the subject of a U.S. Capitol Police (USCP) investigation for the theft of AOC property. The property was identified as approximately one hundred and twelve (112) feet of copper wiring, valued at approximately \$760.00. The AOC employee was also absent without leave and unresponsive to management's attempts to contact him for approximately one month and failed to report to work.

The USCP conducted an investigation, which substantiated that the AOC employee violated DC Code § 22–3211, when he wrongfully obtained copper wiring belonging to the AOC with intent to deprive the AOC of the right to the property. DC Code § 22–3211, defines this offense as theft in the second degree due to the value of the property (Theft 2). The USCP investigation determined that the AOC employee entered a storage room on March 14, 2018 and exited the storage room with a service cart holding a spool of copper wire. The USCP referred their investigation to the U.S. Attorney's Office (USAO) for the District of Columbia for prosecution on September 25, 2018. The USAO declined to prosecute.

In an attempt to administratively substantiate findings against the employee, the AOC OIG conducted its own investigation and along with the documentation and evidence gathered during the USCP investigation, the AOC OIG made the following determinations:

1. The employee violated DC Code § 22–3211, Theft in the second degree (Theft 2), when he wrongfully obtained property valued at less than \$1000 belonging to the AOC with intent to deprive the AOC of the right to the property . **(Substantiated)**
2. The employee violated AOC Order 38-1, "Government Ethics," Section A (Policy), 4.1, dated November 1, 2018, by failing to place loyalty to the United States, Congress, the AOC and the law over private gain or personal interest when he stole AOC property. **(Substantiated)**
3. The employee violated AOC Order 752-2, "Standards of Conduct," Section B (Standards of Conduct); 1.1. (Mission to serve and exemplary behavior); 2. (Prohibited Activities and Conduct); 2.5 (Removal of property without permission); 2.6. (Commit theft of government property), dated April 25, 2014, when he engaged in conduct that brought discredit upon the agency and was unbecoming of an AOC employee; by removing AOC property without first obtaining prior written permission; and committing apparent theft. **(Substantiated)**
4. The employee violated AOC Order 630-1, "Absence and Leave," dated March 28, 2014, Paragraph 6, and Paragraph 7 by failing to submit an appropriate request and/or report to work and was placed on Absence Without Leave (AWOL), when

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he was absent during his work schedule without supervisory approval and cited as an unauthorized absence without leave, AWOL. **(Substantiated)**

Final Management Action: The AOC employee submitted their resignation and ended their employment with AOC, effective October 24, 2018 prior to finalization of this report. The \$760.00 of copper wiring was not recovered and the employee did not face reprimand prior to resignation.