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OFFICE OF INSPECTOR GENERAL

2020-0008-INVI-P – Suspected Violations of the Library of Congress (LOC) “Standards of Conduct,” “Conduct in Official Positions,” “Outside Employment and Activities,” and “Financial Interests Participation in an Official Capacity” Policies: Not Substantiated

On May 5, 2020, the Assistant Inspector General for Investigations (AIGI), LOC Office of Inspector General (OIG) requested investigative assistance from the Architect of the Capitol (AOC) OIG due to concerns about an ongoing investigation, and referred this investigation.

According to the AIGI, the complainant, now retired, filed a complaint with the LOC OIG against the subject, another LOC employee. The complainant claimed the subject had drafted a Last Will and Testament for them several years ago with the subject listed as their power of attorney for both finances and healthcare. The complainant further alleged that the subject deceived them into leaving the subject money from their estate and life insurance proceeds in exchange for the subject’s promise and legal obligation to provide long term care.

LOC OIG INVESTIGATION

The LOC OIG tested the initial complaint to assess if it merited an investigation. During this phase of the investigation, the LOC OIG conducted two interviews with the complainant and were provided a copy of the Last Will and Testament in question, as well as a copy of a bank deposit slip that identified the subject as the financial power of attorney. In its review, the LOC OIG recognized the addendum page of the Last Will and Testament was different from the rest of the document and noted it was not signed or dated. The complainant stated that this page was added to address how their manuscripts would be donated to the LOC. The complainant stated they did not recall when it was added and why it wasn’t signed but stated that the subject drafted it. The LOC OIG then interviewed three witnesses identified on the complainant’s Last Will and Testament, two of whom were previous LOC colleagues. Neither one of the employees nor the notary, also an LOC employee, recalled signing the complainant’s Last Will and Testament. The LOC OIG determined that there was significant information to open an investigation in to the subject but also recognized a conflict of interest might exist due to previous investigative work. This prompted the LOC OIG to refer the investigation to the AOC OIG to avoid potential conflicts of interest. The LOC OIG provided the AOC OIG with all material obtained during the test phase of their investigation.

AOC OIG INVESTIGATION

The AOC OIG interviewed two of the subject's employees. They both noted that they neither serve as legal representatives of nor write Last Wills and Testaments for LOC employees. Their office provides legal remedies for LOC matters and represents the agency. During settled cases and through mediation, they may draft settlement agreements at which time the subject would be responsible to approve the language in such an agreement. The employees stated that it was possible for the complainant to have a Last Will and Testament drafted and then identify the subject as the executor and reasoned that anyone could make someone else their executor. Both noted that the subject was one of the complainant's only friends at the LOC.

The subject admitted to knowing the complainant dating back to 1990 when they both started at the LOC. The subject stated that they were a lawyer, but did not practice law outside of the LOC. The subject recalled previously writing Last Will and Testaments for LOC employees but had not since 2000. The subject corroborated the subordinates' testimony that they did not perform legal work within their organization. The subject last spoke with the complainant in November 2019. The subject stated they tried to support the complainant through the years, but the complainant became more demanding of the subject and their time. The subject tried to stop communicating with the complainant after the complainant retired from the LOC. The complainant then started sending the subject threatening emails and calls stating they were going to get the subject fired.

On December 28, 2020, the LOC OIG notified the AOC OIG that the complainant had threatened a current LOC employee and sent verbally abusive emails. The LOC employee stated that even though they were not close friends, the complainant asked them to be the executor of their Last Will and Testament and to help take care of them. The LOC employee stated they filed a report with the LOC OIG because they believed the complainant was going to file a complaint against them at LOC OIG based on false information.

AOC FINDINGS

After conducting interviews, collecting physical evidence and coordinating with the banking officials, we could not find evidence that the subject wrote the complainant's Last Will and Testament or had access to the complainant's accounts. The subject admitted to writing simple Last Will and Testaments for LOC employees earlier in their career, but denied writing the subject's Last Will and Testament and/or making them self the executor. The subject's signature was not on the complainant's Last Will and Testament from 2014 nor their banking account, which was opened in 2012, although the complainant provided a deposit ticket as proof of the subject having power of attorney.

With the introduction of the LOC employee's allegation to this case, the now former complainant/subject appears to have a pattern of intimidation and possibly making false complaints against LOC employees who do not comply with their demands.

Final Management Action: This investigation is closed and provided to the LOC OIG for action deemed appropriate.