



Investigative Report of Alleged Inappropriate Behavior by the Director of the Office of Law Enforcement and Security

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This is a version of the report prepared for public release.

SYNOPSIS

We investigated allegations made by an employee in the U.S. Department of the Interior's Office of Law Enforcement and Security (OLES) that OLES Director Tim Lynn, a member of the Senior Executive Service, behaved inappropriately toward her by hugging her, touching her, and making comments that caused her to feel uncomfortable. The employee also alleged that after she reported his unwanted behavior, Lynn embarrassed her in front of her colleagues and criticized her work in a conversation with another executive, actions she viewed as retaliation.

In addition to investigating the OLES employee's allegations, we reviewed the actions that Deputy Assistant Secretary Harry Humbert, Public Safety, Resource Protection, and Emergency Services, took when she brought her concerns to his attention. We also identified five other female departmental employees during our investigation who alleged that Lynn had acted unprofessionally toward them in various ways, including making gestures, touching them, hugging them, sending them personal text messages, and making flirtatious remarks or discussing inappropriate subjects.

Lynn denied the OLES employee's allegations that he touched her or spoke to her inappropriately. While he acknowledged that he had occasionally touched her and talked to her about personal subjects, he said that touching people was in his nature and he had not intended to make her uncomfortable. Lynn acknowledged that he hugged her after she had shared a personal issue with him, but he said that she had not indicated that this contact was unwelcome. Although no one witnessed this incident, the employee's coworkers characterized her as someone who would not want to be hugged.

We learned that Humbert took immediate action upon receiving the employee's complaint and that Lynn's inappropriate behavior toward her stopped. While we confirmed that after Humbert counseled Lynn, Lynn made a sarcastic remark to the employee during a meeting and expressed displeasure to a colleague about her performance, we found that Lynn took no other significant actions against her.

Regarding the allegations by the five other women, their accounts of Lynn's actions demonstrated a pattern of unprofessional behavior. When confronted, Lynn admitted to some of the actions, but said he had not meant to make the women uncomfortable.

DETAILS OF INVESTIGATION

We initiated an investigation on August 5, 2016, into allegations made by an employee in the U.S. Department of the Interior's Office of Law Enforcement and Security (OLES). This employee alleged that her supervisor, OLES Director Tim Lynn, a member of the Senior Executive Service (SES), had behaved inappropriately toward her. She alleged that he had hugged her, touched her, and made comments that made her feel uncomfortable. She also alleged that after she reported Lynn's unwanted behavior to Deputy Assistant Secretary Harry Humbert, Public Safety, Resource Protection, and Emergency Services, Lynn retaliated against her by embarrassing her in front of her coworkers and criticizing her work in a conversation with a colleague who was also her former supervisor.

We investigated the employee's allegations and reviewed the actions Humbert took when she brought her concerns to his attention. We also interviewed 15 DOI employees—8 women and 7 men—and identified 5 other female employees who stated that Lynn had acted unprofessionally toward them in various ways; we investigated their allegations as well.

Lynn's Alleged Inappropriate Behavior Toward the OLES Employee

In her interview, the OLES employee said that soon after she started working there, she noticed that Lynn was a "touchy-feely type [of] guy." She said that he would act "inappropriately" toward her in numerous ways, including brushing against her arm, squeezing her shoulders, administering "reflex checks" to her knees, and occasionally winking at her during meetings. She said that she did not express any concerns over his actions since she was new in the office and wanted to see if they were just part of Lynn's personality or something more.

She said that when both of her coworkers went on leave in the summer of 2016, it left her alone in the office. During this time, Lynn's actions became so uncomfortable that she began to document their encounters. She provided several examples of his alleged inappropriate behavior:

- Lynn came into her office once when she was alone and startled her. He laughed at her reaction, then put his head on her shoulder and rubbed her hair.
- Lynn then sat down and asked her how she was doing while her coworkers were away. When she said she was fine, he said: "Well, I know you're just over here looking at porn, I know you." She said she denied his allegation and he replied: "I know you are into porn and are in here looking at it." She again denied this.
- On another occasion, she went into Lynn's office to ask him a question and saw that he appeared to be texting on his cell phone. When he finished, he said to her: "I'm going to tell you something very, very private." He then showed her a Facebook photograph of a woman he said was his dental hygienist and told her that his hygienist wanted him to be her "sugar daddy." He told her, however, that he could not have that sort of relationship with the hygienist.
- Lynn asked her once if she had ever dated anyone she worked with.
- Lynn once saw her in the office icing her leg after a bike ride. He asked her if she was hurt, and then said: "Do you want me to be like your daddy and kiss your boo-boos all better for you?" When she declined, he continued: "What's the matter? Did your daddy

never kiss your boo-boos for you?” When she told him that his comments were “weird and uncomfortable,” he replied: “I’m so sad that your daddy never kissed your boo-boos for you.”

- Two days before she was to go on leave, Lynn asked her how long she would be gone, saying: “Just need to know how much I am going to miss you.” He then told her to give him a hug and that it was a “requirement.” She wrote in her documentation that as he hugged her, she said to him that the hug was “weird and unnecessary,” and he replied that he also hugged other OLES employees, both male and female. She said she pulled back from him and told him again that the hug was “weird” and that he was “in [her] personal bubble.”
- On one occasion, when she and Lynn were discussing her plans for the weekend, she mentioned that she was going to have additional roommates for the summer; she told Lynn that this would be a big transition for her, and he suggested that she stay at his house if she needed time away from them. She told us she thought that his comment was “a little bit strange” but told him: “Okay, thanks.”

Lynn denied that any of these events happened in the manner the employee alleged:

- He denied giving her “reflex checks,” laying his head on her shoulder, or rubbing her hair. He acknowledged, however, that he had a tendency to touch people when he greeted or interacted with them and that he hugged people in the workplace. Therefore, he said, he could have touched her shoulders while looking over them, but he denied squeezing them.
- He told us that he once caught her looking at the Victoria’s Secret website and later jokingly said to her: “Are you working on something, or are you looking at porn?”
- He acknowledged showing the employee the photo of his dental hygienist. He said that he and the employee were having a tense conversation about a personal problem she was experiencing, and he thought the conversation with the hygienist would be humorous.
- He was adamant that he did not ask the employee if she dated people she worked with. He added that he did not care who people date.
- He denied ever asking her if he could kiss her boo-boos or talking to her about kissing boo-boos.
- He acknowledged that he asked her if he could have a hug but stated it was at the end of the conversation about her personal problem. According to Lynn, she asked if he also hugged men, and he said yes. He said they then hugged quickly and with limited physical contact. He added that she never told him that she did not want a hug.
- He initially denied that he had offered to let her stay at his home, but later acknowledged that he may have invited her to visit his home, as he had done with his other employees.

We also interviewed an employee of the Office of Emergency Management (OEM), who said that he had seen Lynn touch the OLES employee. The OEM employee said that once, in the DOI cafeteria, he saw Lynn walk up behind the OLES employee as she was sitting at a table with other DOI employees. He said that Lynn stood behind her and put his hands on her shoulders, then proceeded to address the group. The OEM employee could not recall if she reacted, but he felt it was odd for Lynn to touch a female employee. He said Lynn’s action appeared to be a display of dominance and he did not know whether Lynn realized how bad it appeared.

Lynn could not recall the event the OEM employee described but acknowledged that it sounded like something he would do. He said that he did not realize that others might think the act was inappropriate.

We made inquiries into Lynn's disciplinary history at his previous jobs. None of his former employers reported disciplining him for inappropriate behavior.

The OLES Employee's Complaints and Humbert's Response

The OLES employee said that when she returned from leave in the summer of 2016, she asked a colleague, in general terms, about Office of Inspector General and Equal Employment Opportunity processes for filing complaints. We interviewed the employee's colleague, who said that she initially indicated that she was asking about how to file a sexual harassment complaint on behalf of a friend, but at some point he felt compelled to ask if it was really about her. He said that she immediately began to "well up" and pointed in the direction of Lynn's office; she then verbally confirmed that her questions were related to herself and Lynn. According to the colleague, she told him what she had documented, and he urged her to speak with Humbert.

The following morning, the OLES employee's colleague reported her concerns to Humbert. Within hours, Humbert called her to his office and spoke to her about Lynn's behavior, and she provided him with documentation of Lynn's actions. Humbert offered her a meeting with Lynn, but she declined, stating she only wanted the unwanted behavior to stop.

Humbert said he then informed Lynn of the employee's allegations that Lynn had inappropriate conversations with her, touched and hugged her, and got "into her space." He explained he did not address her entire list of complaints with Lynn in an effort to preserve their future working relationship. According to Humbert, Lynn became visibly upset, and although he did not deny the allegations, he portrayed the events "in a different light." Humbert said he stressed to Lynn that the reported behavior needed to stop and informed Lynn that "he needed to be a little more astute on how his comments were made and received." Humbert said he also assigned Lynn a coach to help him develop his management style. Lynn agreed with Humbert's recommendations, and Humbert considered the matter closed. At the end of the meeting, he asked Lynn to provide him with a memorandum acknowledging what they had discussed, and Lynn complied.

In addition, Humbert sought advice on the issue from other DOI officials. One said that Humbert spoke to her about the employee's complaint and they discussed how Humbert should proceed. Several weeks later, Humbert also notified this official of a second incident wherein the OLES employee complained that Lynn was discrediting her to his colleagues, actions that she viewed as retaliation.

Lynn's Actions That the OLES Employee Viewed as Retaliation

The employee told us that after she had reported Lynn's behavior to Humbert, Lynn was discussing OLES employee performance appraisals at a staff meeting. According to the employee, Lynn told the staff that one aspect of their performance appraisals would be contingent on building relationships and doing liaison work with DOI bureaus. She said that she

interjected to ask a clarifying question, and Lynn responded with a sarcastic remark that caused her to apologize for how he had interpreted her question. When she asked if she could continue, Lynn replied that she could now that they had her approval.

The employee said that this conversation made her feel humiliated. She said that after the meeting, she asked her coworkers how they viewed her interaction with Lynn, but they seemed to assume that Lynn had been joking with her. Our interviews of those present also indicated that they thought Lynn appeared to have been joking with her, and they did not perceive the comments as negative.

Lynn stated that a few days after the meeting, Humbert told him the employee had complained that Lynn had singled her out. Lynn denied doing this; he explained to us that he felt her comment had been sarcastic.

The employee also told us that after she reported Lynn's remark in the meeting to Humbert, she learned from a colleague at her former workplace that Lynn was "trashing" her to her former supervisor. She felt that Lynn was disparaging her character to someone she would still have to work with, and she considered Lynn's remarks to be retaliation. Lynn acknowledged that he had spoken to the employee's former supervisor about her.

Lynn's Alleged Unprofessional Behavior Toward Other DOI Employees

In addition to the OLES employee, we identified five other female DOI employees who said Lynn had acted unprofessionally toward them. They described various actions by Lynn, including gestures, touching, hugging, personal text messages, and flirtatious remarks or conversations on inappropriate subjects. All of the examples the women provided occurred before the OLES employee reported her allegations to Humbert.

When confronted with these additional allegations, Lynn denied making inappropriate gestures or flirtatious remarks to anyone. He said that he probably did touch the employees, but not in a sexual way. He added that he touched everyone he interacted with in a similar manner. Lynn told us that if he had tried to hug someone and they indicated that they did not want a hug, he would have respected that. Regarding the allegations of inappropriate conversations, Lynn said he had found humor in a life event and shared it one morning in an office gathering. He said that some of the employees he shared the tale with also found it humorous, and he told us that he had not intended to make anyone feel uncomfortable.

SUBJECT

Tim Lynn, Director (SES), OLES.

DISPOSITION

We discussed these allegations with the U.S. Department of Justice's Public Integrity Section, but that office declined to pursue the matter further. We provided this report to the Acting Principal Deputy Assistant Secretary for Policy, Management and Budget for whatever action she deemed appropriate.