



OFFICE OF THE INSPECTOR GENERAL

U.S. Department of Justice

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INVESTIGATIVE SUMMARY

Findings of Misconduct by a DEA Assistant Special Agent in Charge for Failure to Act in a Professional Manner, and by a DEA Special Agent in Charge for Favoritism and Providing False Statements to the OIG Concerning the Allegations Involving the ASAC

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information alleging that a Drug Enforcement Administration (DEA) Assistant Special Agent in Charge (ASAC), since retired, had contact with a local police officer after the officer observed the ASAC apparently engaged in sexual activity in a public park. The ASAC was on annual leave on that date. During the course of its investigation, the OIG found indications that the ASAC's immediate supervisor, the Special Agent in Charge (SAC), failed to properly report the ASAC's contact with the local police to the DEA Office of Professional Responsibility (OPR), and provided false statements during his OIG interview concerning the ASAC's conduct.

The OIG investigation found that by apparently engaging in sexual activity in a public park, the ASAC failed to act in a professional manner as a DEA employee, in violation of federal regulation and DEA policy. The OIG investigation further found that the SAC failed to properly report to DEA OPR the ASAC's contact with local police; showed favoritism to the ASAC by not reporting the incident to DEA OPR, which would have allowed for an impartial review of the incident; and provided false statements under oath to the OIG concerning his knowledge of the allegations involving the ASAC, all in violation of federal regulation and DEA policies.

Prosecution of the SAC was declined.

The OIG has completed its investigation and provided its report to the DEA for appropriate action.

Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether Department of Justice (DOJ) personnel have committed misconduct.

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