



OFFICE OF THE INSPECTOR GENERAL

U.S. Department of Justice

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INVESTIGATIVE SUMMARY

Findings of Misconduct by an Assistant U.S. Attorney for Possessing, Transporting, and Consuming Marijuana Edibles; Falsely Denying Controlled Substance Use on a Security Form; and Lack of Candor

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation of an Assistant United States Attorney (AUSA) based on that attorney's self-report to the OIG that the AUSA had possessed, transported, and consumed marijuana edibles in August or September 2016 in an attempt to alleviate back pain. The AUSA further stated that during a marital dispute, the AUSA's spouse had threatened to call DOJ to report the AUSA because the spouse assumed that the AUSA had not disclosed the AUSA's medicinal marijuana use on the Standard Form (SF) 86 (Questionnaire for National Security Positions) form. The AUSA additionally stated that in the SF-86 form that the AUSA submitted in February 2017 the AUSA had incorrectly denied using a controlled substance in the past seven years.

The OIG substantiated and the AUSA admitted to the OIG possessing, transporting, and consuming marijuana edibles in violation of federal and state law. The AUSA further admitted to the OIG incorrectly denying having used a controlled substance in the past seven years on the SF-86 form that the AUSA submitted approximately six months after consuming the marijuana edibles.

The OIG concluded that the AUSA had violated federal and state criminal law in possessing, transporting, and consuming the marijuana edibles, and that the AUSA had violated 18 U.S.C. § 1001 when the AUSA falsely denied on an SF-86, submitted in February 2017, that the AUSA had not used controlled substances in the past seven years. The OIG also concluded that the AUSA had lacked candor in an interview with the OIG when the AUSA claimed that the incorrect responses on the SF-86 were inadvertent. Criminal prosecution by federal and state authorities was declined.

The OIG has completed its investigation and has provided its report to EOUSA and the Department of Justice Office of Professional Responsibility for action they deem appropriate.

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

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