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Office of the Inspector General
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Investigation of Allegations of Improper Hiring Practices at INTERPOL Washington

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EXECUTIVE SUMMARY

This report summarizes the investigation by the Department of Justice (DOJ or Department) Office of the Inspector General (OIG) into allegations of favoritism in the hiring of full-time employees, contract workers, and interns in the International Criminal Police Organization (INTERPOL) Washington, a DOJ component co-managed by the Department of Homeland Security. This report describes the efforts of Warren Lewis, the organization's Executive Officer, to obtain positions for his son and for three persons associated with members of his family, as well as the efforts of Lewis and other INTERPOL Washington managers to obtain internships for people they knew.¹

We found that Lewis exploited his position as Executive Officer to ensure his son received a contract position at INTERPOL Washington. Lewis repeatedly contacted the Department's Justice Management Division to facilitate the selection of former interns, a group that included his son. Lewis also contacted the contractor's Vice President about a job for his son, with the result that the Vice President instructed his subordinates to "provide extra attention to his processing for obvious reasons," and to "earmark a spot for him." Lewis then contacted an Assistant Director in the Department's Security and Emergency Planning Staff to request assistance in expediting his son's security clearance, which was required for the contractor position.

Lewis had a financial interest in the selection of his son as a contractor. During part of the time Lewis was helping his son secure his position as a contractor, his son was living in the townhouse owned by Lewis and paying rent to Lewis. Lewis knew that if his son received the contractor position, his son would have a salary from which he could pay rent to Lewis. We concluded that by using his position to obtain employment for his son, Lewis failed to adhere to his ethical responsibilities under the Standards of Ethical Conduct for Employees of the Executive Branch.

Prior to ensuring his son's selection as a contractor, Lewis obtained an intern position for his son at INTERPOL Washington. We found that Lewis misused his official position in violation of the Standards of Ethical Conduct when he instructed his subordinate to include his son in the 2011 INTERPOL Washington summer internship program.

We also found that Lewis exploited his official position to provide preferential treatment to three individuals who applied for permanent positions in INTERPOL Washington. Lewis knew of the three individuals because of their connections with his son and another family member (Family Member 2). Lewis had no personal

¹ This public report is derived from the full report of investigation, which cannot be released to the public due to personal privacy considerations. Among other things, we have used pseudonyms and eliminated factual details from this public report that might reveal the identity of individuals.

knowledge of their professional abilities; indeed, Lewis had not even met at least two of them prior to acting on their behalf. Every action Lewis took with respect to the three individuals that he did not take with regard to the other applicants provided them with an advantage based solely on their association with Lewis's family members. First, Lewis submitted the names of the three individuals to JMD as "by-name requests" to identify them as specific individuals INTERPOL Washington wanted to be able to select. Second, after the three individuals all failed to make the certified lists of qualified applicants, Lewis took steps to overcome their exclusion. Third, Lewis used his position to benefit the three individuals by supervising the selection of finalists to be interviewed and serving on the panels that interviewed, assessed, and recommended the candidates. Lewis's actions violated the Standards of Ethical Conduct.

With respect to the internship program, we found that Lewis and other INTERPOL Washington managers used their leadership positions to benefit their friends and acquaintances by placing them in unpaid intern positions at INTERPOL Washington. This conduct also violated the Standards of Ethical Conduct. The internship program provided valuable work experience to students and enhanced their resumes. In addition, interns who performed well had a significant advantage in competing for full-time positions at INTERPOL Washington, given managers' stated preference for candidates with prior internship experience. It is precisely because former interns were valued in contractor and full-time employee positions that we fault the decision of INTERPOL Washington managers to offer internships to friends and acquaintances. Internship programs are established for the benefit of the government, not as a fringe benefit for senior officials to dole out to their friends and acquaintances.

I. Introduction

This report summarizes the investigation by the Department of Justice (DOJ or Department) Office of the Inspector General (OIG) into allegations of favoritism in the hiring of full-time employees, contract workers, and interns in the International Criminal Police Organization (INTERPOL) Washington, a DOJ component. The investigation was prompted by a complaint made by a former INTERPOL Washington employee.

As part of our inquiry, we interviewed 33 persons with knowledge of INTERPOL Washington's hiring program for full-time employees (also referred to as full-time equivalents or FTEs), contract workers, and interns. Those interviewed included the Director, Deputy Director, Chief of Staff, and Executive Officer in those positions during the former employee's tenure as well as members of INTERPOL Washington's Administrative Services Division with responsibilities related to the FTE hiring, contracting, and internship programs. We also interviewed several Justice Management Division (JMD) employees who supported INTERPOL Washington's hiring and contracting efforts as well as employees of one of the relevant contracting companies. In addition to the interviews, we reviewed relevant electronic communications.

This report describes the results of our investigation. Part II provides background on INTERPOL Washington, including its employee hiring, contracting, and internship programs, as well as the applicable laws and regulations that govern these areas. In Part III, we describe the efforts of Warren Lewis, the organization's Executive Officer, to obtain positions for his son. Part IV details the efforts of Lewis to obtain positions for three persons associated with members of his family. Part V details the internship program, including the INTERPOL Washington managers who helped people they knew obtain internships. Part VI contains our conclusions.

II. Background

A. INTERPOL Washington

INTERPOL is headquartered in Lyon, France. It facilitates communications among law enforcement agencies in 190 countries.

INTERPOL Washington is the official U.S. point of contact with the worldwide organization. INTERPOL Washington's official website states that its mission is "to share criminal justice, humanitarian, and public safety information between our nation's law enforcement community and its foreign counterparts, and to facilitate transnational investigative efforts that enhance the safety and security of our nation."

INTERPOL Washington is a component of DOJ and is co-managed by DOJ and the Department of Homeland Security. A member of each agency serves alternately as either Director or Deputy Director. Timothy A. Williams, a Deputy

U.S. Marshal, served as INTERPOL Washington's Deputy Director from October 2006 until October 2009 when he became Director. Williams then served as Director until October 2012, when he retired from the Department.² Williams's Deputy Director was Shawn A. Bray, a special agent with Immigration and Customs Enforcement. Bray became Director in October 2012, and remains in that position today. Williams's Chief of Staff was Blair Deem, a detailee from the U.S. Marshal's Service. Deem returned to the U.S. Marshal's Service in November 2012.

Although the top leadership of INTERPOL Washington changes every few years, the Executive Officer position remains relatively constant. Among other things, the Executive Officer supervises INTERPOL Washington's Administrative Services Department, which is responsible for the FTE hiring, contracting, and internship program. Warren Lewis has served as the Executive Officer since September 2007.

During the 2011-2012 time period of our review, INTERPOL Washington consisted of approximately 70 FTEs, 50 detailees from other law enforcement agencies, and 50 contractors. In addition, INTERPOL Washington accepted an average of 30 unpaid interns for each of 3 sessions each year (winter, summer, and fall).

B. Criminal Analysts

INTERPOL Washington used both FTE employees and contract workers as criminal analysts. INTERPOL Washington criminal analysts worked in the Command Center or in one of the seven subject-specific divisions, such as the Human Trafficking and Child Protection or Alien/Fugitive Divisions. In the Command Center, criminal analysts prioritized requests for assistance and directed information to the appropriate substantive division. Criminal analysts assigned to the subject-specific divisions assisted with the work of that division. Although the number of contractors varied according to available funding, in 2011 and 2012 INTERPOL Washington generally employed 20 to 25 contractors and approximately 25 FTE employees in criminal analyst positions.

1. The Hiring Process for FTE Criminal Analysts

The FTE positions were subject to federal hiring rules. Because the rules are complex and the process is multi-faceted, we provide only a broad overview of the rules and process in place during the relevant period.

In order to fill an FTE criminal analyst position, INTERPOL Washington personnel provided a job description to the assigned JMD Human Resources (HR) Specialist, who then arranged to advertise the position on the USAJobs website.

² Williams retired before our investigation was initiated. Although Williams agreed to be interviewed early in our investigation, he declined our request for a second interview. We were therefore required to rely primarily on his e-mails in making our findings relating to his role in many of the matters discussed in this report.

USASTaffing, a JMD contractor, then received and reviewed the applications, and created certified lists of eligible applicants (cert lists).

There are numerous rules and decisions that determine the number and composition of the cert lists. For example, the number of cert lists depends on the persons permitted to apply for the positions and the number of pay-grade (or General Schedule (GS)) levels announced. The FTE criminal analyst positions generated cert lists per advertised pay grade. One cert list (called a delegated examining or DE list) identified qualified U.S. citizens and the other list (called a merit promotion list) identified qualified current federal employees and former “reinstatement eligible” federal employees, among others. The number of people on each list varied as determined by the standard applied by USASTaffing when reviewing the applications. The persons able to qualify for the DE list also reflected federal hiring preferences.³ For example, persons eligible for a statutorily prescribed veterans’ preference who met the posted job qualifications had priority over other qualified non-preference applicants.⁴

In addition to the mandated hiring rules, INTERPOL Washington utilized “by-name requests,” to identify specific individuals they wanted to be able to select for the FTE criminal analyst positions. Before USASTaffing created the cert lists, INTERPOL Washington personnel provided the names of the individuals to the JMD HR Specialist, who then provided the names to USASTaffing. The JMD HR Specialist told us that by-name requests are not a form of pre-selection but identify persons whom the hiring agency officials would like to see on a cert list, if possible.⁵

INTERPOL Washington hiring officials would then select an applicant from a cert list. However, federal hiring rules allow for the selection of qualified applicants who are not on a cert list if they have noncompetitive government eligibility – such as the subset of military veterans eligible under the Veterans Recruitment Authority (VRA) or disabled persons eligible under the People with Disabilities/Schedule A (Schedule A).⁶ Persons with noncompetitive government eligibility do not have to

³ 5 U.S.C. § 3319.

⁴ 5 U.S.C. § 2108.

⁵ By-name requests were approved for use during the former “Rule of Three” numerical rating process, when JMD provided the hiring agency with the top three applicants. In the “Rule of Three” process, by-name requests were used if there was a tie and one of the persons in the tie was a by-name request. In the case of a tie, the by-name request was selected over the other applicants in the tie. In 2010, the “Rule of Three” process was replaced by the “Category Ratings” system, which provides more candidates from which to choose, not just the top three. While OPM and JMD personnel told us that by-name requests should be obsolete under the category ratings system because there are no ties, JMD personnel provided us with a current computerized OPM form which still contains a space for by-name requests and acknowledged that there is limited “wiggle room” for a by-name request to have a slight effect under the category ratings system, such as by causing the criteria for the merit cert list to be expanded in order to capture the by-name request. Neither OPM nor JMD were able to identify any rules, regulations, or policies regarding the use of by-name requests in the category ratings system.

⁶ 5 C.F.R. § 307; 5 C.F.R. § 213.3102(u).

meet the requirements established for competitive service positions. As a result, qualified persons with noncompetitive status could be hired as INTERPOL Washington criminal analysts even if they did not apply to the job announcement or qualify for a cert list.

Once the JMD HR Specialist identified the applicant pool and sent the cert lists, INTERPOL Washington personnel selected the persons to be interviewed, convened an interview panel to meet the selected applicants, and recommended the candidates to the Director and Deputy Director. Upon approval, INTERPOL Washington personnel sent a certification to the JMD HR Specialist who finalized the hiring by coordinating with the selected applicant and the Department's Security and Emergency Planning Staff (SEPS), among others. SEPS is responsible for ensuring DOJ employees and contract workers have the appropriate security clearances. INTERPOL Washington criminal analysts are required to obtain security clearances and therefore, prospective employees received tentative offers of employment pending their receipt of the required clearances.

2. The Hiring Process for Contract Criminal Analysts

When hiring a contract worker as a criminal analyst, INTERPOL Washington personnel coordinated with various JMD employees, including a Deputy Assistant Director, a Contracting Officer, and a Contract Officer's Technical Representative. Although INTERPOL Washington used several contracting companies to supply criminal analysts, the two contracting companies relevant to our review are Concord and CGI Federal (CGI).⁷

As with FTEs, INTERPOL Washington personnel utilized by-name requests or "recommended sources" to identify individuals they were interested in hiring as contract criminal analysts. According to the JMD Contracting Officer working on the Concord contract, although the contractor is not required to hire a specific person named by INTERPOL Washington, 9 out of 10 times the contracting company would hire the requested individuals, as long as they passed the security requirements. The JMD Contracting Officer said that this practice saved the contracting companies the time and money it would take to find qualified people for the position. The JMD Contracting Officer stated that there were no rules forbidding this practice and that when INTERPOL Washington personnel sent by-name requests, she assumed they knew the individuals had the requisite experience and ability to pass the security clearance process.

In the spring of 2012, INTERPOL Washington transitioned from the Concord to the CGI contract. INTERPOL Washington personnel continued to provide by-name requests to the JMD Contracting Officer's Technical Representative responsible for the CGI contract. As did the JMD Contracting Officer working with

⁷ Although Concord provided contractors to INTERPOL Washington, Concord did not operate as a traditional contracting company. Instead, Concord was a vendor associated with a Cooperative Administrative Support Unit (CASU), a clearing house which contracted with multiple vendors to serve participating federal agencies. In contrast, CGI had a contract directly with JMD.

Concord, the JMD Contracting Officer's Technical Representative responsible for the CGI contract passed the by-name requests to CGI. The JMD Contracting Officer's Technical Representative said that providing resumes to the contractor was not the same as telling the contractor who to hire. According to the JMD Deputy Assistant Director, INTERPOL Washington personnel may reject any individual proposed by the contractor, if they believe that the individual is not qualified or otherwise not appropriate for the position.

Like FTE criminal analysts, contract criminal analysts were required to have a security clearance. JMD and the contractor worked with SEPS to obtain the required clearances for the contractors.

C. Interns

INTERPOL Washington has for years invited college students to work as unpaid interns during the winter, spring, or summer sessions. The interns, who have been assigned to one or more of the office's divisions, helped employees in a number of different tasks. However, since the interns did not have security clearances, they were unable to help with all the work performed by the office.

Williams told the OIG that in 2008, he decided to increase the size of the intern program, which during the previous year had accepted only 54 interns during three sessions. The office hired a contract employee (the Intern Coordinator) whose only job was to direct and expand the intern program. As a result, during the three 2012 sessions, INTERPOL Washington accepted 115 interns.

INTERPOL Washington ran the intern program on its own, without coordinating with JMD.

D. INTERPOL Washington Employees with Responsibilities for FTE Hiring, Contracting, and the Internship Program

As Executive Officer, Lewis oversaw INTERPOL Washington's FTE hiring, contracting, and internship programs. However, as detailed below, other senior INTERPOL Washington employees, including Williams, Bray, and Deem, participated in varying degrees in making decisions related to the FTE analysts, contract analysts, or interns. Other INTERPOL Washington employees with responsibilities for these programs included the Administrative Officer, the HR Liaison Specialist (HR Liaison), and the Intern Coordinator. Lewis directly supervised the Administrative Officer, who in turn supervised the HR Liaison and the Intern Coordinator.

E. Applicable Statutes and Regulations

The following statute and regulation are applicable to this review.

1. Conflict of Interest Under the Standards of Ethical Conduct – 5 C.F.R. § 2635.502

Conflicts of interest for federal employees are addressed in the Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Ethical Conduct), 5 C.F.R. Part 2635, at § 2635.502. Section 502, relating to “Personal and business relationships,” provides:

Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his household, or knows that a person with whom he has a covered relationship is or represents a party to such matter, and where the employee determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his impartiality in the matter, the employee should not participate in the matter unless he has informed the agency designee of the appearance problem and received authorization from the agency designee in accordance with paragraph (d) of this section.

5 C.F.R. § 2635.502(a).

Section 2635.502(d) provides a procedure for the agency designee to authorize participation where the designee makes a determination that the interest of the government in the employee’s participation in a particular matter outweighs the concern that a reasonable person might question the integrity of the programs and operations. The “agency designee” for INTERPOL Washington employees is Williams.

The regulation states that “covered relationships” include persons with whom the employee has a financial relationship, persons who are members of the employee’s household, and persons who are relatives with whom the employee has a “close personal relationship.” 5 C.F.R. § 2635.502(b).

The regulation further states:

Unless the employee is authorized to participate in the matter under paragraph (d) of this section, an employee shall not participate in a particular matter involving specific parties when he or the agency designee has concluded, in accordance with paragraph (a) or (c) of this section, that the financial interest of a member of the employee’s household, or the role of a person with whom he has a covered relationship, is likely to raise a question in the mind of a reasonable person about his impartiality.

5 C.F.R. § 2635.502(e).

2. Use of Public Office for Private Gain – 5 C.F.R. § 2635.702

Section 702 of the Standards of Ethical Conduct, 5 C.F.R. § 2635.702, states, in part: “An employee shall not use his public office . . . for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.” In addition to the general prohibition set forth above, Section 702 provides several “specific prohibitions” that “are not intended to be exclusive or to limit the application of this section,” including Section 702(a) which states:

An employee shall not use or permit the use of his Government position or title or any authority associated with his public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.

It is not necessary that the government official be successful in his efforts in order to violate Section 702; if the requisite intent to benefit a friend, relative, or person with whom the employee is affiliated in a nongovernmental capacity is present, an unsuccessful attempt to obtain the benefit by using his public office will constitute a violation of Section 702.

In addition to the prohibitions, Section 702 includes the following requirement at 702(d):

To ensure that the performance of his official duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment, an employee whose duties would affect the financial interests of a friend, relative or person with whom he is affiliated in a nongovernmental capacity shall comply with any applicable requirements of § 2635.502.

This section mandates compliance with Section 502 any time an employee's duties affect the “financial interest” of a person with whom they are affiliated in a nongovernmental capacity in order to avoid the appearance of using one's public office for private gain or preferential treatment. The applicable provision of Section 502 permits the employee to participate in the matter despite the potential appearance problem if he or she obtains the authorization of the designated agency ethics official.

According to commentary to Section 702, “[i]ssues relating to an individual employee's use of public office for private gain tend to arise when the employee's actions benefit those with whom the employee has a relationship outside the office . . .” 57 Fed. Reg. 35031 (Aug. 7, 1992).

III. Lewis's Efforts To Obtain Positions for his Son, Peter

In this section we describe the efforts that Executive Officer Warren Lewis made to obtain an internship and a contract worker position for his son, Peter.⁸

A. Timeline of Key Facts

Date	Event
Spring 2011	According to the INTERPOL Washington Intern Coordinator, after she had finished processing intern applications for the summer of 2011, Lewis handed her the resume of his son Peter, a college student, and instructed her to bring him in as an intern for the summer. Lewis told us that he did not have anything to do with Peter getting an internship.
Summer 2011	Peter served as a summer intern at INTERPOL Washington.
Mar 7, 2012	Lewis e-mailed INTERPOL Washington supervisors requesting that they recommend qualified current or former interns interested in contract worker positions.
Mar 8, 2012	Lewis instructed his son Peter to e-mail his former INTERPOL Washington supervisor and ask for his support for a contract worker position.
Apr 2012	After Peter's former supervisor recommended Peter for a contractor position, Peter was included on a list of 22 candidates selected by Director Williams as potential contract workers to be forwarded to CGI. Of the 22 candidates, 21 were former interns, including Peter.
Apr 2012	INTERPOL Washington personnel met with CGI personnel to discuss hiring 16 contract workers. Lewis told the CGI Vice President that his son would be applying for a job with CGI.
Apr 18, 2012	JMD e-mailed 22 resumes to CGI, including Peter's resume.
Apr 25, 2012	CGI offered Peter a contract position conditioned on his getting the requisite security clearance. Previous INTERPOL Washington contractors were required to obtain both a Secret clearance and a "waiver" from SEPS prior to starting work. A Secret clearance generally required up to a year to obtain.

⁸ Peter is a pseudonym.

Apr 26, 2012	INTERPOL Washington informed JMD and CGI that it will now allow contractors to start at INTERPOL Washington without a Secret clearance. SEPS then agreed to expedite background checks and waivers for INTERPOL Washington contractors. These clearances required several weeks to complete.
May 4, 2012	CGI sent INTERPOL Washington the names of four contract workers cleared to start work, none of which were among the 22 names requested by INTERPOL Washington. Lewis forwarded the e-mail to the JMD Deputy Assistant Director and asked whether CGI was considering hiring any of the recommended former interns in light of INTERPOL Washington's decision regarding lower clearances and delayed start dates for former interns.
May 8, 2012	The CGI Vice President e-mailed subordinates identifying applicant Peter as Warren Lewis's son and stating: "I want to make sure we provide extra attention to his processing for obvious reasons. Let's also make sure we earmark a spot for him in the first group of 16."
May 12, 2012	Peter graduated from college and moved back into Lewis's home. Sometime thereafter, Peter moved into a townhouse owned by his father and agreed to pay \$500 per month in rent.
May 23, 2012	After the Department cleared three more contract workers to start at INTERPOL Washington, but not Peter, Lewis contacted SEPS to inquire about Peter's clearance.
May 31, 2012	Lewis spoke with an Assistant Director in SEPS, requesting assistance in expediting Peter's clearances. Lewis made no similar inquiries on behalf of any other former interns.
Jun 21, 2012	Lewis e-mailed the SEPS Assistant Director, asking about Peter's status. The Assistant Director responded that Peter's paperwork had not been received and that it would take approximately 3 weeks after the paperwork arrives.
Jun 26, 2012	CGI filled 8 of the 16 contract positions. Only one of the eight contractors was a former intern recommended by INTERPOL Washington. Lewis contacted the JMD Deputy Assistant Director and Contracting Officer's Technical Representative to urge that CGI considered the former interns submitted by INTERPOL Washington.

Lewis also called the CGI Vice President. According to Lewis, during this call or another one with the Vice President he "may have" suggested that he would appreciate it if his son could get

a job. The next day, Lewis e-mailed Family Member 2 to report that he made the call to the CGI Vice President, and stated that “they are well aware of ‘who [Peter] is’”

Jul 13, 2012	Lewis sent Peter’s resume to an ATF agent detailed to INTERPOL Washington and to another INTERPOL Washington contractor, asking about potential jobs for Peter.
Aug 9, 2012	SEPS cleared Peter to begin work at INTERPOL Washington.
Aug 16-17, 2012	CGI offered Peter a job. Deputy Director Bray learned that CGI offered Lewis’s son a contracting job and contacted JMD. JMD contacted CGI which then rescinded Peter’s offer.
Aug 20, 2012	Lewis stated that the rescission was unfair because Peter would not be in his chain of command and “I had nothing to do with his selection.”
Aug 21, 2012	JMD approved the hiring of Peter because he would not be in Lewis’s chain of command.

B. Detailed Findings of Fact

1. Warren Lewis and Peter

Warren Lewis was the Executive Officer of INTERPOL Washington during the period relevant to this report. His son Peter graduated from college on May 12, 2012.

Lewis told us that after Peter graduated from college, he moved back home and that around June 2012, Peter and some of his friends rented a townhouse Lewis owned. Lewis told the OIG that he had taken \$25,000 out of his retirement account to fix up the townhouse for Peter and his friends. Lewis said that Peter paid \$500 a month in rent to Lewis during the time Peter lived in the townhouse. According to Lewis, until Peter began working for CGI (as described below), Peter paid rent with money that Lewis had given him. Lewis also said that he paid for his son’s health insurance, but that he had no other financial connections to his son, such as loans, gifts of money, or joint investments.

2. Peter Obtains an INTERPOL Washington Summer Internship (2011)

In 2011, Peter was selected to be an intern at INTERPOL Washington during the summer session. The Intern Coordinator and Lewis gave divergent accounts of how Peter came to be selected. The Intern Coordinator told us that she had finished processing intern applications for the summer of 2011 when Lewis handed her Peter’s resume and instructed her to bring him in as an intern for the summer.

Lewis told us that he did not have anything to do with Peter getting an internship. He said that Director Williams and Deputy Director Bray had previously suggested that if Peter wanted to be an intern he should apply for an INTERPOL Washington internship. However, Bray told us that he did not talk with Lewis about his son joining INTERPOL Washington as an intern.⁹ Lewis said that he told Peter to go on line and to send his application to the Intern Coordinator. Lewis said he did not remember whether he spoke to the Intern Coordinator about Peter or whether he gave her Peter's resume. We did not find any contemporaneous e-mails that shed light on the extent of Lewis's participation in the decision to bring his son on as an intern at INTERPOL Washington.

Peter completed his internship in the summer of 2011.

3. Lewis Encourages Peter To Seek a Position as an INTERPOL Washington Contract Analyst (March 2012)

In early 2012, INTERPOL Washington management decided to hire several contract workers as criminal analysts.

On March 7, 2012, under instructions from INTERPOL Washington Director Williams, Lewis sent out an e-mail to INTERPOL Washington supervisors requesting recommendations for qualified former interns to fill the contract analyst positions. The next day, Lewis forwarded the e-mail to Peter and told Peter to send an e-mail to his former INTERPOL Washington supervisor asking for his support should any contractor opportunities come up at INTERPOL Washington. Lewis added, "this way . . . when [the supervisor] sends his info to me, he will also include your name." Lewis told us that he forwarded the e-mail only to his son, and not to other interns who had worked at INTERPOL Washington.

4. Lewis Tells CGI That Peter Will Be Applying for a Contract Position (April 2012)

INTERPOL Washington management settled on a target of hiring 16 contract criminal analysts under the CGI contract. INTERPOL Washington followed the hiring procedures discussed above, and worked with JMD personnel to achieve the hiring. Because INTERPOL Washington had not worked with CGI before, the parties arranged an April 2012 meeting attended by the JMD Contracting Officer's Technical Representative, Lewis, and CGI's Vice President in charge of that contract, among others.

At the meeting, INTERPOL Washington told CGI that it wanted the positions filled quickly and that it could provide resumes of former interns if that would speed up the process. The CGI Vice President told us that normally CGI hired just a few employees at a time, and because of the large number being hired, CGI was happy to receive from INTERPOL Washington the resumes of persons who might be

⁹ As noted in footnote 1, Williams agreed to be interviewed early in our investigation but declined our request for a second interview.

suitable for the analyst positions. Several persons told us that Director Williams wanted the contractor to hire former interns since they already had INTERPOL Washington experience and had interned without pay.

Lewis told us that during this April 2012 meeting, he and the CGI Vice President spoke of their respective children. Lewis said that he believes this was when he told the CGI Vice President that his son would be applying for a job with CGI.

5. Peter Is Included on a List of Recommended Candidates Sent to CGI (April 2012)

In response to CGI's request for names of potential hires, INTERPOL Washington's Administrative Officer compiled a list of 36 individuals. The Administrative Officer told us that most, but not all, of the 36 had been former interns recommended for the quality of their work by their supervisors. According to Deputy Director Bray, Director Williams decided to forward 22 of the 36 names and resumes to CGI. Bray said the decision to provide 22 resumes for the 16 positions was somewhat arbitrary but allowed for a few additional names in case some of the recommended interns were unavailable or uninterested. All but 1 of the 22 were former interns. Peter's name was included on the list of 22.

Lewis said that he did not ask Peter's former INTERPOL Washington supervisor or any other supervisor to include his son's name. Peter's supervisor also told us that Lewis had not asked him to nominate his son for a contractor job. According to the supervisor, Peter had done a good job as an intern, and he accordingly forwarded Peter's name as one of those he would support for a contractor's job.

Bray told us that he did not realize that Lewis's son was one of the recommended interns because the list identified him by his formal first name instead of his middle name, "Peter," the name he used in the office.

On April 18, 2012, JMD e-mailed the 22 selected resumes to CGI. CGI contacted Lewis's son Peter and on April 25, 2012, offered him a contract position as an analyst conditioned on his ability to obtain the requisite security clearances.

Previously INTERPOL Washington had required its contractors to have a Secret clearance and a "waiver."¹⁰ Because a Secret clearance may take up to a year to obtain, the requirement for such a clearance severely limited the possibility that any of the former interns would be hired as a contractor. However, on April 26, 2012, INTERPOL Washington e-mailed the JMD Contract Officer's Technical Representative stating that INTERPOL Washington would accept contractors without requiring a Secret clearance in order not to delay the arrival of their interns. A

¹⁰ A waiver is a finding that the individual is suited for a position of "Moderate Risk/Public Trust" (MRPT) and a prerequisite to the individual being allowed access to Department space. The waiver process takes several weeks to complete.

follow-up e-mail also stated that INTERPOL Washington would allow a delay in the starting date of former interns scheduled to graduate in May. Peter was scheduled to graduate in May. The JMD Deputy Assistant Director told us that INTERPOL Washington's acceptance of contractors without a Secret clearance was a change to INTERPOL Washington policy. Lewis told us that INTERPOL Washington made the change in order to facilitate the hiring of former interns.

The CGI representative responsible for placing the 16 contract workers at INTERPOL Washington told us that CGI contacted the interns referred by INTERPOL Washington but that CGI intended to place the first people qualified and cleared by the Department to work at INTERPOL Washington, whether or not those people were former interns. CGI also considered current CGI employees and non-intern applicants. An e-mail by the CGI Vice President stated that according to the JMD Contracting Officer's Technical Representative, INTERPOL Washington was more interested in trainability than experience. As discussed below, the result was that until INTERPOL Washington changed its policy, CGI received waivers for and placed non-former interns who had already held Secret clearances in the contract analyst positions.

6. Lewis Presses CGI To Hire Former Interns (May 2012)

On May 4, 2012, CGI sent INTERPOL Washington the names of four contractors cleared to start work. The same day Lewis stated in an e-mail to the JMD Deputy Assistant Director that none of the 4 contractors cleared to start at INTERPOL Washington were former interns, and asked whether CGI was considering hiring any of the 22 referred interns. In the e-mail, Lewis noted that INTERPOL Washington had agreed to accept contractors with only Interim Secret clearances and agreed to delay their start date for any former intern scheduled to graduate in May.¹¹ As noted above, INTERPOL Washington had previously required contract analysts to obtain a full Secret clearance as well as a security waiver.

The JMD Deputy Assistant Director told us that she explained to Lewis that CGI was trying to fill the positions quickly and that the four persons cleared to start already had Secret security clearances, whereas the former interns did not. She also said that she explained to Lewis that INTERPOL Washington could provide CGI with the resumes of former interns, but that CGI made the ultimate decision as to who it would hire, not INTERPOL Washington. She said that despite this, Lewis kept pressuring her and the JMD Contracting Officer's Technical Representative to push CGI to hire persons suggested by INTERPOL Washington. According to the JMD Deputy Assistant Director, Lewis was "aggressive" in his efforts to get CGI jobs for former interns.

The JMD Deputy Assistant Director told us that she told the CGI Vice President that he should talk only with authorized DOJ employees and not with

¹¹ While Lewis wrote that INTERPOL Washington would accept contractors with Interim Secret clearances, SEPS ultimately required an additional background investigation before it would issue a waiver to an INTERPOL Washington contractor.

INTERPOL Washington employees about the decision to hire specific persons. Lewis told the OIG that he knew the Department discouraged direct contact between the hiring agency (INTERPOL Washington) and the contracting company. Lewis told the OIG that he nevertheless called the CGI Vice President “once or twice.” Lewis added that he may have suggested that he would appreciate it if his son could get a job. However, the CGI Vice President told the OIG that he did not recall speaking to Lewis after the initial meeting in April, and that Lewis had not asked him to hire any specific individual.

Several e-mails sent by the CGI Vice President on May 8 demonstrate that the CGI Vice President was aware of Lewis’s importance and familial relationship with Peter. One of the e-mails that the CGI Vice President sent to his subordinates that day stated:

This candidate for [the criminal analyst position] at INTERPOL [Washington], has been an intern, and is the son of Warren Lewis (Exec. Officer @ INTERPOL [Washington]). Assuming he’s fully qualified (if not, let me know), I want to make sure we provide extra attention to his processing for obvious reasons. Let’s also make sure we earmark a spot for him in the first group of 16.

On May 8, the CGI Vice President also sent two other e-mails to CGI employees responsible for placing the contractors at INTERPOL Washington inquiring about the status of the background investigations and waivers for the CGI contractors. In each, the CGI Vice President asked about the status of the contractors generally and then about Peter’s status specifically. The CGI Vice President did not ask about any other person by name other than Peter.

One of the CGI employees responsible for placing the contractors said that she initially told INTERPOL Washington officials that CGI was placing the contractors on a “first-come, first-served” basis, but that by early May, the CGI Vice President told her to reserve a place for Peter, “give preference” to the interns, and process the interns before other candidates.

7. Lewis Attempts To Expedite Peter’s Security Clearance (May-June 2012)

By May 23, 2012, the Department had cleared three more contractors to start at INTERPOL Washington, one of whom was a former intern. Lewis then inquired about the status of his son’s security clearances with an Assistant Director in the Department’s security office, SEPS. On May 30, 2012, Family Member 2 sent Lewis an e-mail asking if he should try again to contact the Assistant Director in SEPS on Peter’s behalf. Lewis replied that the SEPS Assistant Director had been out of the office and that he had left a message requesting that she call Lewis’s cell phone. In a May 31, 2012, e-mail to Family Member 2 about the delays, Lewis wrote that, “I have issues I am fighting here with the Administrative Officer, significant issues, to help Peter, I have to do it in a manner that follows a certain pattern that I am comfortable with.”

Later that day, Lewis again e-mailed Family Member 2 that he had spoken with the Assistant Director in SEPS. According to Lewis's e-mail, his contact told him that she was going to recuse herself because she knew Lewis, "but if it takes an unreasonable time, she will look into it." Lewis wrote Family Member 2 that "when three weeks are up, if [Peter] is not on board, I will follow-up with [her]."

On June 21, 2012, 3 weeks after speaking with the SEPS Assistant Director, Lewis sent her an e-mail to ask "if [Peter had] been successful in the process so far?" The Assistant Director responded that her office had not yet received Peter's paperwork and that the process would take approximately 3 weeks once the paperwork arrived.

The SEPS Assistant Director told the OIG that Lewis reached out to her to ask about the status of Peter's clearance. She told us that Lewis said he would appreciate anything she could do to help Peter obtain his clearance so that Peter could start his contractor job as soon as possible. She told us that she remembers telling Lewis that his request was inappropriate and that he should stop his involvement before he got himself into trouble because of nepotism. She said she has no relationship with Lewis or his family and therefore did not tell him that she would recuse herself. She said that she particularly remembered Lewis's request because it came while she was in the process of revoking several Department employees' security clearances because of nepotism allegations.

Lewis told us that he contacted the SEPS Deputy Assistant Director to see where Peter was in the clearance process because he knew that Peter could not get the contractor position until the security office cleared him. Lewis said he did not inquire about the status of any other INTERPOL Washington intern other than his son.

8. Lewis Renews His Effort To Get CGI To Place Interns (June-July 2012)

On June 22, 2012, CGI notified the JMD representative that another contractor was cleared to start at INTERPOL Washington. The contractor was not an intern but had been referred by someone at INTERPOL Washington.

By June 26, 2012, CGI had placed 8 of the 16 contract analysts at INTERPOL Washington. Lewis e-mailed the JMD Deputy Assistant Director and the JMD Contracting Officer's Technical Representative, among others, and also telephoned the JMD Contracting Officer's Technical Representative and CGI Vice President. In his e-mail to the JMD Deputy Assistant Director and Contracting Officer's Technical Representative, Lewis wrote:

Of the 8 on board so far, only 1 was a former [INTERPOL Washington] intern We are aware that we are not the final decision makers for the individuals that are hired by CGI, but we certainly hope that they will consider the individuals whose names we have submitted to you for employment consideration and they were all former interns at

[INTERPOL Washington]. Please advise CGI that we would like them to continue their efforts to fill the remaining 8 positions.

On June 26, Lewis called the CGI Vice President. Lewis told us that he could not recall his conversation other than that he called to discuss the hiring process. We asked Lewis why he called the CGI Vice President to discuss the process, when he had just confirmed the process with the JMD representative. Lewis said that he had no explanation. A June 27, 2012, e-mail from Lewis to Family Member 2 however, noted Lewis's efforts:

Spoke with [the CGI Vice President] and they are well aware of "who [Peter] is"; because of the delay in getting folks the clearances, and the belief that we had put 8 positions on hold, the process was somewhat off track, but with my conversation and my message last night to the [JMD Contracting Officer's Technical Representative] (who was communicating the same message), movement will happen – will discuss further this evening[.]

Also on June 27, the JMD Contracting Officer's Technical Representative e-mailed a CGI representative inquiring about the status of the INTERPOL Washington interns. The CGI representative replied that 15 INTERPOL Washington interns or referrals were in the system awaiting waivers.

Lewis said that he encouraged CGI to hire the former interns at Director Williams's request. Lewis told the OIG that the fact that his son Peter was one of the interns had no effect on his actions. The JMD Deputy Assistant Director told us that Lewis exerted inappropriate pressure on her and other JMD representatives to ensure CGI hire former interns.

On July 13, 2012, Peter asked his father if the INTERPOL Washington contract position had fallen through and Lewis responded that it had not. However, that day Lewis sent Peter's resume to two of his contacts, asking them about potential jobs for Peter. One was an ATF agent detailed to INTERPOL Washington and the other was another INTERPOL Washington contractor. We asked Lewis if he approached them because he was concerned that Peter would not be cleared before the remaining INTERPOL Washington contractor positions were filled. Lewis said that he was not concerned because CGI had other contracts for which his son could be considered and that he sent the e-mail to the others "[t]o review the opportunities, if opportunities existed."

By July 18, 2012, CGI had placed 11 of the 16 contractor analysts at INTERPOL Washington and only 1 was a former intern. In an e-mail copied to Deputy Director Bray, Lewis wrote to the JMD Contracting Officer's Technical Representative:

We provided the contractor with approximately 22 names of former interns that were placed on board at [INTERPOL Washington]. Of the 11 brought on board so far only 1 was a former intern. I reached out to the [JMD Deputy Assistant Director] who has an employee that is

the [JMD Contracting Officer's Technical Representative] for this contract to find out what is going on with the hiring process of former interns.

On July 31, 2012, the JMD Contracting Officer's Technical Representative informed Lewis that four more contractors were cleared by the Department. Two were former interns and one was an INTERPOL Washington referral, but not a former intern. Peter was not on the list. According to the JMD Contracting Officer's Technical Representative, Lewis did not respond to the e-mail.

9. Peter Is Cleared To Work at Interpol Washington But His Appointment Is Temporarily Held Up (August 2012)

On August 9, 2012, SEPS informed the JMD Contracting Officer's Technical Representative that Peter was cleared to work at INTERPOL Washington. The JMD Contracting Officer's Technical Representative forwarded this information to CGI and Peter's name was added to a list of seven names of people cleared to be placed at INTERPOL Washington. INTERPOL Washington selected four former interns from the list, including Peter. On August 16, CGI formally offered Peter a position. Peter was the first criminal analyst contractor CGI placed at INTERPOL Washington who did not have a full Secret clearance.

Peter's selection was temporarily rescinded on August 17 when Deputy Director Bray learned that CGI had hired Lewis's son. Bray told us he did not recall who told him, but that once he learned this, he called JMD. According to a contemporaneous e-mail from Bray to Lewis, Bray wanted to discuss the propriety of the appointment with JMD before a final decision was made. Bray contacted JMD, which in turn contacted CGI which then rescinded Peter's offer.

On August 20, 2012, Lewis wrote an e-mail to Williams and Bray arguing that rescinding Peter's offer was unfair because his son had "passed his background, is bi-lingual (a fluent Spanish speaker who was also utilized to translate documents), is a minority, and is not in my chain of command and I had nothing to do with his selection."

The following day, JMD decided to approve the hiring of Peter. The JMD Contracting Officer's Technical Representative explained the decision in an e-mail to Lewis and copied Bray:

I had [a] meeting yesterday afternoon with JMD's Procurement Services Staff (PSS) to discuss the guidelines for placing a contract employee within a component where a relative is employed by DOJ. Per PSS, "There is no issue with the contractor (CGI) placing an employee within the component as long as they will not be within the command chain of the DOJ employee for which they are related."

It's my understanding that [the JMD Deputy Assistant Director] received confirmation from INTERPOL [Washington] that [Peter] will not be within Warren's command chain and therefore the guidelines by

PSS have been met. As a result, unless we hear otherwise from INTERPOL [Washington], I will let CGI know that they can move forward with the placement. I will notify you as soon as I have a confirmed start date.

I apologize for the delay, but CGI did not make us aware of the fact that Mr. Lewis had a relative within INTERPOL Washington until late last week. As a result, we felt the need to postpone the placement in order to seek further guidance from Procurement and we did not receive their determination until yesterday.

Bray told the OIG that Lewis would not supervise his son and that the e-mail satisfied his nepotism concerns. Peter started his contract position at INTERPOL Washington on August 27.

C. Analysis

We concluded that Warren Lewis violated the Standards of Ethical Conduct, 5 C.F.R. §§ 2635.502 and 2635.702 when he participated in the contractor selection process in which his son Peter was selected as an INTERPOL Washington contractor.

1. Conflict of Interest Due to Personal and Business Relationships

We found that Lewis failed to adhere to his ethical responsibilities as articulated in Section 502 of the Standards of Ethical Conduct by participating in the process that resulted in his son being hired as a CGI contractor for INTERPOL Washington. Section 502 requires an employee to consider the appearance of his participation in a particular matter (1) that is likely to have a direct effect on the financial interest of a household member or (2) if the employee has a covered relationship with a party to the matter. If a reasonable person with knowledge of the relevant facts would question the employee's impartiality in the matter, the employee should obtain authorization from the agency designee prior to participating. 5 C.F.R. § 2635.502(a); OGE Letters 94x10(1) and (2).

We concluded that in his capacity as Executive Officer, Lewis directly participated in the process that resulted in his son being hired as a CGI contractor for INTERPOL Washington. As Executive Officer, Lewis engaged in hiring matters with JMD representatives, the CGI Vice President, and the SEPS Assistant Director. We found that Lewis exploited those official channels as a means to ensure his son Peter received a CGI contract position at INTERPOL Washington.

Although Lewis provided the OIG with vague recollections of his contacts with the CGI Vice President about Peter, Lewis acknowledged direct communications with the CGI Vice President regarding his son's desire to secure a CGI contractor position. Lewis told the OIG that he informed the CGI Vice President in charge of the contract that his son would be applying for a job with CGI. Lewis also told the OIG that he then telephoned the CGI Vice President "once or twice" and suggested that he would appreciate it if his son got a job. Lewis made these calls despite

knowing that the Department discouraged contact between INTERPOL Washington and CGI.

Contemporaneous e-mails make it clear that Lewis's communications with the CGI Vice President had a significant impact. On May 8, the CGI Vice President e-mailed a subordinate stating:

This candidate for [the criminal analyst position] at INTERPOL [Washington], has been an intern, and is the son of Warren Lewis (Exec Officer @ INTERPOL [Washington]). Assuming he's fully qualified (if not, let me know), I want to make sure we provide extra attention to his processing for obvious reasons. Let's also make sure we earmark a spot for him in the first group of 16.

We are not aware of any reason that the CGI Vice President would have issued this instruction or even known that Peter was Lewis's son if Lewis had not identified Peter as his son and discussed Peter's interest in the CGI contractor position.

Moreover, Lewis was aware of the impact his statements would have on the CGI Vice President and the hiring process. In a June 27 e-mail to Family Member 2, Lewis wrote:

Spoke with [the CGI Vice President] and they are well aware of "who [Peter] is...". [W]ith my conversation, and my message last night to the [JMD Contracting Officer's Technical Representative] (who was communicating the same message), movement will happen. (Ellipses in original.)

Lewis also told the OIG that even if his son was not hired as a contractor for INTERPOL Washington, he expected that CGI would hire his son to work on one of its other contracts.¹²

In addition to discussing his son's hire directly with the CGI Vice President, Lewis used his position as Executive Officer to influence JMD and CGI to benefit Peter, as one of the group of recommended former interns. While Peter was awaiting a final job offer from CGI, Lewis repeatedly contacted the JMD Deputy Assistant Director and pressured her "aggressive[ly]" to push CGI to hire the former INTERPOL Washington interns, a group that included Peter. Lewis also reminded the JMD Deputy Assistant Director that INTERPOL Washington had changed its policy and agreed to accept contractors with only Interim Secret clearances and agreed to delay the start date for any former intern scheduled to graduate in May. Although applicable to the former interns as a group, both of these instructions directly benefited Peter, who did not have a Secret clearance and

¹² CGI's Vice President told us he did not recall speaking with Lewis after April and that Lewis did not ask him to hire any specific individual. We found that the CGI Vice President did speak with Lewis after April, as reflected by Lewis's telephone records and the June 27 e-mail from Lewis to Family Member 2. Moreover, we believe that Lewis's admissions and contemporary e-mails establish that his intervention on behalf of his son was intentional and effective.

who was scheduled to graduate in May. At the time, CGI was filling the contract positions with the first qualified persons who obtained the necessary clearances. This process resulted in CGI placing persons in the contractor positions who had not previously interned at INTERPOL Washington but who had Secret clearances. Subsequent to Lewis's pressure on CGI and JMD, CGI began to give preference to former interns and process them before non-interns. The effect was to make it more likely that the remaining CGI contractor positions would still be available when the interns (including Peter) were cleared by SEPS to work at INTERPOL Washington.

Lewis also contacted a SEPS Assistant Director, seeking to ascertain the status of Peter's clearances. Lewis knew his son would not be hired until SEPS issued a waiver. Lewis told the Assistant Director that he would appreciate anything she could do to help his son obtain his clearances so that he could start his job. Lewis did not heed the security contact's warning that he should stop his involvement before he got himself into trouble because of nepotism. Lewis told us that he did not ask SEPS to assist on behalf of anyone else.

Lewis was able to assist his son in part by urging CGI to hire former interns, one of whom was his son. However, Lewis's discussions with the CGI Vice President regarding his son's desire for employment with his company and Lewis's discussions with the SEPS Assistant Director regarding the timing of his son's waiver were direct and significant communications that concerned only Lewis's son and not the interns generally. Furthermore, these actions contradict Lewis's claim in his August 20, 2012, e-mail to the Director and Deputy that he had "nothing to do with [Peter's] selection," since Peter's ultimate selection was based on both an offer by CGI and a waiver from SEPS.¹³ For purposes of Section 502, "particular matters" include any matter "involving a specific party or parties in which the United States is a party or has a direct and substantial interest." 5 C.F.R. §§ 2635.502(b)(3) and 2637.102(a)(7). The United States has a direct and substantial interest in all federal contractors including their qualifications, trustworthiness, and cost to the U.S. taxpayer. Furthermore, although a contractor is generally responsible for making its own hiring decisions, the selection of individuals to serve as contract analysts was not a strictly private matter between the individuals and CGI. INTERPOL Washington used by-name requests to advance the applications of candidates it preferred. INTERPOL Washington changed the clearance requirements for contractors to facilitate the selection and placement of its preferred candidates. INTERPOL Washington could decline to accept Peter or any other contractor proffered by CGI for placement as a contractor at INTERPOL Washington if INTERPOL Washington found the individual to be unqualified or otherwise inappropriate for the position. DOJ was also a direct participant in the process because of the need for SEPS to ensure the contract analysts had proper

¹³ As discussed further below, Lewis also stated that he had nothing to do with his son's selection as an INTERPOL Washington intern and that he merely told his son to send his resume to the Intern Coordinator. In contrast, the Intern Coordinator contradicted Lewis statement and told us that Lewis handed her his son's resume and told her to include him in the summer 2011 session.

security clearances. Thus, filling the CGI contract position at INTERPOL Washington was a “particular matter” within the meaning of the regulation.

Lewis had a “covered relationship” with his son Peter. Covered relationships include persons with whom the employee has a financial relationship (such as a loan or lease), persons who are members of the employee’s household, and persons who are relatives with whom the employee has a “close personal relationship.” 5 C.F.R. § 2635.502(b)(1). As noted above, Peter was a member of Lewis’s household in May 2012. Peter also signed a lease to rent Lewis’s townhouse starting sometime in June 2012. Peter was also a relative with whom Lewis shared a close personal relationship, demonstrated by, among other things, the fact that Lewis gave Peter the money for his rent until Peter began working for CGI. In addition, Peter was a party to the particular matter as he was a candidate for the contract position.

Because Lewis had a “covered relationship” with a person who was a party to the CGI contractor position, he was required to undertake the reasonable person analysis. We believe that a reasonable person with knowledge of the relevant facts would question Lewis’s impartiality with respect to the question of whether his son should be selected as an INTERPOL Washington contractor. Therefore, we concluded that Lewis should have sought authorization from a designated ethics official before participating in this matter. By failing to do so, Lewis fell short of his obligations under 5 C.F.R. § 2635.502.

We concluded that Lewis also fell short of his obligations under Section 502 in connection with Peter’s summer 2011 INTERPOL Washington internship. As noted above, the INTERPOL Washington Intern Coordinator told us that Lewis instructed her to add his son to the list of summer interns that year. Lewis denied this allegation and claimed he had nothing to do with Peter being selected. In light of Lewis’s other conduct as described in this report, and the lack of any apparent motive for the Intern Coordinator to lie to the OIG, we credited her version of the 2011 events. Lewis participated in the “particular matter” (the selection of summer interns) to which Peter was a party. Lewis had a “covered relationship” with Peter, as noted above. A reasonable person would question Lewis’s impartiality in this matter. There is no evidence that Lewis obtained the approval of an agency designee. Therefore, we found that pursuant to Section 502 Lewis should not have participated in the selection of Peter for an INTERPOL Washington internship.

2. Use of Public Office for Private Gain

Lewis also violated Section 702 of the Standards of Ethical Conduct, which provides that an employee “shall not use his public office . . . for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity” 5 C.F.R. § 2635.702. The evidence discussed in the analyses above established that Lewis used his government position in an effort to secure a private gain (salaried employment at CGI) for his own son (a relative). Lewis did not avail himself of the option provided under Section 702(d) of the

regulations, by obtaining advance approval from an ethics official pursuant to the procedures in 5 C.F.R. § 2635.502(d).

We also concluded that Lewis violated Section 702 in connection with Peter's summer 2011 INTERPOL Washington internship. Peter's unpaid internship represented a significant benefit to the intern because of the experience, resume enhancement, and other opportunities that may derive from the internship. Moreover, Lewis gave preferential treatment to Peter that Lewis did not provide other intern applicants when Lewis instructed his subordinate to include Peter in the competitive summer internship program. We believe that this is sufficient to constitute a "private gain" within the meaning of Section 702. Again, Lewis did not seek the approval of an agency ethics official before instructing the Intern Coordinator to hire his son. We therefore concluded that when Lewis used his office to secure an internship for Peter, he violated 5 C.F.R. § 2635.702.¹⁴

IV. Lewis's Efforts To Secure Positions for Family Friends

In this section we discuss the manner in which Lewis used his position as Executive Officer to manipulate the hiring process in an effort to obtain criminal analyst positions for three friends of his family members: James Small, Glen Taylor, and Barton Early.¹⁵ Lewis explored finding both FTE and contract analyst positions for these individuals. Small was provisionally selected for an FTE position but was ultimately deemed ineligible and therefore never hired. However, both Early and Taylor were hired as FTE criminal analysts in 2012. Early continues to be employed by INTERPOL Washington. Taylor currently works at another Department agency.

A. Timeline of Key Events

The following timeline presents an overview of Lewis's efforts on behalf of Small, Taylor, and Early:

DATE	EVENT
Nov 30, 2011	INTERPOL Washington advertised vacancies for five FTE criminal analysts to work in the Command Center.
Jan 11, 2012	Lewis asked the JMD HR Specialist responsible for these positions to add Small and Taylor to INTERPOL Washington's by-name requests for the criminal analyst positions. Lewis added

¹⁴ We found that Lewis did not violate the federal nepotism statute, 5 U.S.C. § 3110(b), in connection with his efforts to obtain an internship and a contractor position for Peter. The nepotism statute applies to a "civilian position in the agency in which [the public official] is serving." Unlike FTE positions, neither the unpaid internship nor the contractor position constituted a "civilian position" in INTERPOL-Washington.

¹⁵ James Small, Glen Taylor, and Barton Early are pseudonyms.

Early's name shortly thereafter. Lewis knew the names of Small, Taylor, and Early only because of their personal connections with his son and Family Member 2.

Jan 19, 2012	Lewis was notified that INTERPOL Washington's by-name requests could not be accommodated due to the number of preference-eligible veterans who applied for the position. Lewis asked the JMD HR Specialist to follow up on Small and Taylor, who served in the military, and on Early, whom Family Member 2 had identified as a potential Schedule A applicant. In response to questions from Lewis, the JMD HR Specialist stated that it may be possible to select Small and Taylor under the noncompetitive Veterans Recruitment Authority (VRA) hiring authority and Early under the noncompetitive Schedule A hiring authority even if they did not apply for the position.
Mar 2, 2012	The JMD HR Specialist notified INTERPOL Washington that none of their by-name requests met the criteria for the cert lists, but noted that Early could be selected anyway under Schedule A with the right paperwork.
Mar 16, 2012	Lewis served on a panel that interviews Early and recommended to Director Williams that Early be hired as a Schedule A appointment.
Mar 27, 2012	Early was given a tentative job offer, subject to a security review. Lewis and the JMD HR Specialist discussed the possibility of hiring Small and Taylor under the VRA hiring authority.
Mar-Apr 2012	INTERPOL Washington received cert lists and resumes for approximately 186 candidates for the criminal analyst positions. Small and Taylor were not included because they did not qualify for the cert list, but Lewis selected them for interviews along with 12 others. Lewis served on the panel that interviewed Small and Taylor.
May 3, 2012	Lewis recommended four candidates to Director Williams for selection, ranking Small and Taylor one and two, respectively.
May 4, 2012	Three Command Center supervisors who interviewed applicants and would supervise the new analysts recommended a different set of applicants for the positions. Their list included Taylor but not Small. Lewis responded with yet another list that included both Taylor and Small. Director Williams and Deputy Director Bray followed the recommendation of the Command Center supervisors and selected Taylor and three others, but not Small.

Jul 9, 2012	Early received a final job offer.
Jul 18, 2012	Taylor received a final job offer.
Aug 14, 2012	After learning that one of the selected candidates was not cleared by SEPS, Lewis again recommended Small to Williams and Bray. Bray accepted Lewis's recommendation.
Sep 20, 2012	The JMD HR Specialist informed Lewis that Small could not be hired because he did not make the cert list and was not eligible to be hired under VRA hiring authority.

B. Detailed Factual Findings

1. Background Regarding Early, Small, and Taylor

Barton Early is the son of an acquaintance of Family Member 2. According to Lewis, he did not know Early personally or professionally before he began assisting Early as described below. According to his resume, after he graduated from college, Early worked on a farm, delivered furniture, and briefly worked with high school students.

James Small is the husband of an acquaintance of Family Member 2. Lewis said that he did not know Small professionally but knew that he was a builder and a handyman. Lewis said that he believed that he did not meet Small until after he submitted Small's name as a by-name request for an analyst position at INTERPOL Washington, as described below. According to his resume, Small served in the Air Force decades earlier and had a lengthy career as a carpenter and handyman. Glen Taylor was an acquaintance of Lewis's son, Peter. Taylor met Peter while they were interns in a different agency. According to his resume, Taylor served in the U.S. Army for many years, service which included a deployment to Iraq. Upon his return from Iraq, Taylor obtained a Bachelor of Arts, pursued additional educational degrees, and worked as a security guard.

We found no evidence that Lewis had any financial relationship with Early, Small, or Taylor.

2. Lewis Adds Early, Small, and Taylor to INTERPOL Washington's "By-Name Requests" To Fill Five FTE Criminal Analyst Positions (December 2011-January 2012)

In 2011, INTERPOL Washington managers decided to hire five FTE criminal analysts for the Command Center in Washington, D.C. The managers followed the hiring procedures discussed above, and worked with the JMD HR Specialist. The positions were posted on the USAJobs website from November 30, 2011, through December 20, 2011. The vacancies were advertised at the federal GS levels 7, 9, and 11.

On November 16, 2011, Lewis received an e-mail from Family Member 2 asking if there were any openings at INTERPOL Washington for Early and his brother, noting that Early was a “Schedule A person.” Early’s father was an acquaintance of Family Member 2. Lewis replied that he expected INTERPOL Washington FTE analyst positions to be posted within 2 weeks, and that he would let Family Member 2 know when the positions were posted.

Shortly after the posting, on December 7, 2011, Lewis e-mailed Small the links to the USAJobs announcement. Lewis knew of Small because Small’s wife was an acquaintance of Family Member 2. In response to several questions from Small, Lewis replied that as a “tactical matter” Small should apply to each GS level announced to maximize his chances since INTERPOL Washington expected there to be numerous applicants. Lewis also told Small that there was no education requirement for the FTE positions.

Lewis began assisting Taylor in January 2012. Taylor told us he met Lewis’s son, Peter, at a different agency on the first day of Peter’s internship there, which according to e-mail records was January 9, 2012. Taylor told us that when Peter mentioned that he had interned at INTERPOL Washington, Taylor replied that he had applied for one of the INTERPOL Washington FTE criminal analyst positions. According to Taylor, Peter then said that he would ask his father to help Taylor. Lewis told us he learned of Taylor from his son Peter and did not know Taylor personally or professionally before assisting Taylor with his application for the criminal analyst position.

On January 11, 2012, the INTERPOL Washington HR Liaison e-mailed the JMD HR Specialist and others a list of five names INTERPOL Washington had identified as by-name requests for the FTE positions. The five individuals had previously interned at INTERPOL Washington and were currently INTERPOL Washington contract workers recommended by an INTERPOL Washington supervisor, who had stated that INTERPOL Washington would benefit by hiring them to FTE positions because of their INTERPOL Washington experience.

The JMD HR Specialist forwarded this e-mail to Lewis, who was not copied on the initial e-mail. The JMD HR Specialist, who had a longstanding professional relationship with Lewis, asked Lewis in the e-mail if he wanted to also include the JMD HR Specialist’s nephew as a by-name request. The JMD HR Specialist told us that she had previously obtained an internship position at INTERPOL Washington for the same nephew.¹⁶ Lewis replied that he intended to add her nephew to the list and five others, including Small and Taylor. Lewis specified in the e-mail that three of the five additional names – including Small and Taylor – had military backgrounds. As noted above, Lewis’s son had first met Taylor just 2 days earlier, on January 9. Shortly thereafter, Lewis sent an e-mail to the JMD HR Specialist

¹⁶ The JMD HR Specialist also told us that she utilized her Department contacts to obtain paid summer internships for her nephew at JMD in 2009 and 2010. The paid internships were under the Student Temporary Employment Program. We are referring these matters to JMD for appropriate action.

asking her to also include Early's name as a by-name request, for a total of seven additional by-name requests.

Lewis told us he included Small and Taylor on the list because INTERPOL Washington wanted to hire veterans. Lewis told us that he did not ask the Director or Deputy Director for approval before submitting the additional by-name requests.

Lewis told us that INTERPOL Washington routinely submitted by-name requests without regard to the person's professional qualifications, leaving it up to JMD personnel to determine whether the by-name requests were qualified to make the cert list. For example, Lewis said that at one point the administration was interested in hiring military personnel. Lewis said that at that time, if INTERPOL Washington knew a person who had served in the military, INTERPOL Washington might send that person's name to JMD personnel, who would decide if the applicant qualified for the cert list.

3. Lewis's Efforts To Help Early, Small, and Taylor After They Failed To Qualify for the Cert Lists (January-February 2012)

On January 19, 2012, the JMD HR Specialist forwarded an e-mail to Lewis containing a message from USASTaffing stating that USASTaffing was unable to accommodate INTERPOL Washington's by-name requests. The e-mail stated:

Please be advised that the Name Requests you requested for the Interpol [Washington] Analyst positions are not possible at this time. There are hundreds of vets in front of the Name Requests and we are unable to bypass a vet. As it stands now, we are in the process of qualifying the hundreds of vets for the COMP Certs.¹⁷

In substance, USASTaffing was stating that there were so many qualified preference-eligible veterans that INTERPOL Washington would not be able to bypass veterans in order to hire a qualified non-veteran. However, USASTaffing had not yet determined whether any of the by-name requests qualified for the veterans preference.

Later that day, Lewis and the JMD HR Specialist exchanged e-mails regarding the status of Lewis's three military by-name requests (including Small and Taylor), as well as Early (who was not a veteran). The JMD HR Specialist replied to Lewis's e-mail stating that she would remind USASTaffing about the military by-name requests. The JMD HR Specialist also told Lewis that she needed paperwork establishing these applicants' eligibility under the veterans' preference and Schedule A, and stated that, depending on their paperwork, the military and Schedule A by-name requests could "be chosen over anyone whether they applied or not!" When we asked Lewis if he inquired about any of the by-name requests

¹⁷ The "COMP certs" refers to the cert lists for the positions open to all U.S. citizens, or the delegated examining list.

with whom he did not have a personal connection, Lewis responded, “[n]ot that I can recall.”

Also on January 19, Lewis forwarded the JMD HR Specialist’s e-mail to Family Member 2 asking if Early’s father had Early’s Schedule A paperwork. Lewis wrote, “Per the [below exchange with the JMD HR Specialist], we would be able to select [Early] whether he applied or not (but do not tell him that part yet...just say that I am working to get him selected).” (Ellipses in original.)

Within the following 4 days and per Lewis’s requests, Small and Taylor e-mailed Lewis their resumes and military discharge papers, and Early’s father e-mailed Lewis the resume for Early and his Schedule A paperwork.

On February 16, 2012, Taylor e-mailed Lewis, stating:

Contrary to your recent e-mail, I received an e-mail [from OPM] saying that I will no longer be considered for the interpol [Washington] analyst position. I’m not sure if this is by mistake or reconsideration. I’m not exactly sure where I stand at this point. Either way, thank you for your time and support. I hope there is still a chance for me to get the position because I’m very interested.

Lewis told the OIG that he did not recall the content of his e-mail to Taylor, but agreed that he must have sent Taylor information indicating that Taylor would be considered for the position. Lewis said there was no rule prohibiting the contact with applicants and that on occasion they would check the status of their application with INTERPOL Washington.

4. Further Developments in Filling the FTE Positions (February-March 2012)

On February 29, 2012, INTERPOL Washington’s Administrative Officer sent an e-mail to the JMD HR Specialist requesting her to ask USASTaffing about the status of INTERPOL Washington’s by-name requests for the FTE positions. She wrote:

INTERPOL Washington needs to know **the cut-off that OPM/their contractor used for the number of candidates to refer to us** regarding the subject matter. We also need to know **where our by-name requests fell in the ranking of candidates.** (Emphasis in original.)

According to the Administrative Officer, Director Williams wanted to know how USASTaffing had ranked the INTERPOL Washington interns recommended by their supervisor. The Administrative Officer’s e-mail listed seven by-name requests: Small, Taylor, and the five interns recommended by an INTERPOL Washington supervisor. On March 1, 2012, Lewis sent an e-mail to the JMD HR Specialist asking her to include Early’s name in the inquiry to USASTaffing. The JMD HR

Specialist apparently complied, because the list that was sent to USAStaffing included the names of both Early and the JMD HR Specialist's nephew.

After contacting USAStaffing, the JMD HR Specialist told INTERPOL Washington in an e-mail dated March 2, 2012, that none of their by-name requests met the criteria for the cert lists. The five contractors did not make the cert list because they did not qualify for the veterans' preference. Lewis's three by-name requests did not qualify for the cert list because: Early did not score high enough and failed to include his Schedule A paperwork; Small did not apply for the position; and Taylor did not score high enough and failed to apply to the position open to all U.S. citizens, which would have credited his military service.¹⁸ Despite this, the HR Specialist added, Early "can however be selected without coming off a [cert list] but I too would need his paperwork [proving his disability and certification of his job readiness]."

On March 5, 2012, Deputy Director Bray replied that he had not previously seen the list of FTE by-name requests and did not recognize all of the names. As noted above, Lewis's by-name requests were not former interns and Lewis acknowledged that he added the FTE by-name requests without seeking the approval of Director Williams or Deputy Bray. Less than 2 hours after Bray's e-mail, Lewis e-mailed Family Member 2:

Ok, I just wanted to find out what you said the issue was with [Early].
. . . I think you said [disability intentionally omitted], I will forward you [Bray's] note for you to see. I want to be able to say . . . I know who he is, I know he is a good writer and will be an asset for us at INTERPOL [Washington]. (Ellipses in original.)

Lewis told us that the e-mail reflected his lack of personal knowledge regarding Early.

5. Early Is Hired Pursuant to Schedule A Authority (March-July 2012)

On March 16, 2012, Lewis and two other INTERPOL Washington supervisors interviewed Early. Lewis told the OIG that since Early had not made the cert list, Early could not have been considered absent Lewis's intervention. Lewis said that he had followed up with the JMD HR Specialist and learned that Early could be interviewed despite not making the cert list because of his eligibility for a Schedule A appointment. The same day as the interview, Lewis e-mailed Director Williams and Deputy Director Bray stating that the three panelists recommended Early for the FTE position.

¹⁸ The JMD HR Specialist did not include the USAStaffing information regarding her nephew, who had not applied for the position. In addition, e-mails show that Small had, in fact, applied, but had used his legal name, which was different from the one that Lewis used on the by-name list. USAStaffing, however, determined that Small did not qualify for the cert lists.

Lewis told us that there was no need for him to recuse himself from the hiring panel of persons with whom he had a connection and whose names he had submitted as by-name requests. Lewis also said that he never discussed the possibility of recusal with either the Director or Deputy Director. As detailed below, Lewis also led the panels that later interviewed Taylor and Small.

Williams accepted the panel's recommendation to hire Early and on March 27, 2012, the JMD HR Specialist e-mailed Early his tentative job offer and forwarded her e-mail to Lewis. The next day, Lewis forwarded the JMD HR Specialist's e-mail with Early's offer to Family Member 2 and wrote, "Yep and right now [Early] is figuring he got the job all on his own. Anyway it is on track and maybe even [Small and Taylor]."

According to Lewis, the reference to Small and Taylor stemmed from a conversation and e-mail exchange he had with the JMD HR Specialist that morning in which she confirmed to him that even though Small and Taylor had not qualified for the cert lists, INTERPOL Washington could interview both candidates for the position since they had served in the military. Lewis and the JMD HR Specialist apparently believed Small's and Taylor's military service would make them eligible for the noncompetitive VRA hiring authority. However, as discussed below, only Taylor was in fact eligible.

During our interview Lewis stated that INTERPOL Washington was interested in hiring Schedule A and VRA eligible people, implying that his efforts on behalf of Early, Small, and Taylor were consistent with INTERPOL Washington's hiring goal. However, according to the JMD HR Specialist, if INTERPOL Washington was seeking to hire Schedule A and VRA eligible persons, INTERPOL Washington would not have needed to announce and compete the positions via USAJobs. Instead INTERPOL Washington could have selected any number of existing candidates from existing lists of veteran and Schedule A eligible applicants and saved the time and cost of announcing the job and creating the cert lists.

On July 9, 2012, after SEPS completed its security review of Early, the JMD HR Specialist sent Early his final job offer.

6. Lewis Serves on Hiring Panels and Recommends the Selection of Small and Taylor (March-September 2012)

INTERPOL Washington received the cert lists for the criminal analyst vacancies and approximately 186 resumes in March 2012. Three individuals on the merit promotion list were identified as Schedule A eligible. The delegated examining cert lists did not identify which of the approximately 125 veterans on the lists were VRA or Schedule A eligible, and there is no evidence that INTERPOL Washington attempted to determine if any of them were.

Lewis supervised the effort to review the resumes and select the candidates to be interviewed for the four remaining positions. The Administrative Officer told us that Lewis recommended that Small and Taylor be interviewed, and that they were going to be interviewed in addition to the other candidates selected for

interview. As noted above, even though Small and Taylor had not qualified for the cert lists, the JMD HR Specialist had told Lewis that INTERPOL Washington could interview both candidates since they had served in the military. Ultimately, Lewis and his team chose to interview Small, Taylor, and 12 others.

In addition to Lewis, the interview panel consisted of two supervisors from the INTERPOL Washington Command Center, the division where the criminal analysts were to be assigned. Although Lewis sat on each interview panel, the other panelists varied among three Command Center supervisors. On the day INTERPOL Washington interviewed Small and Taylor, the Assistant Director of the Command Center was unavailable so another supervisor replaced him. Lewis asked the same questions of each candidate, after which the three panelists assessed and assigned the candidates points in each of five different categories: experience, professional appearance and demeanor, job-related knowledge, education, and interview performance.

After the 14 candidates were interviewed, Lewis recommended that INTERPOL Washington hire 4 individuals. According to an April 26, 2012, e-mail from Lewis to the Administrative Officer, Lewis stated that the panel agreed to recommend, in order of preference: Small, Taylor, and two others. The e-mail did not state what factors led the panel to rank the candidates in the order it did. When we reviewed the numerical scores that the panelists assigned to each candidate, we determined that the selections and rankings reflected in Lewis's e-mail did not correspond to the comparative scores the candidates received in the interview process.

On May 2, 2012, Lewis received an e-mail from Family Member 2 stating that Small's wife had asked about Small's status in the hiring process. Lewis replied:

You can tell her that [Small] was originally ranked #3 and we were looking for 4 (because we had already hired [Early], and that would total 5 folks). I thought the 3 was too shaky so after heightened deliberations, [Small] was ranked #1 and [Taylor] #2. [Taylor] was always #2.

When asked if "too shaky" reflected his concern that Small might not get the FTE position if ranked third, Lewis said he could not recall what he meant. In the same May 2, 2012, e-mail, Lewis also stated that he was hiring Small under the VRA hiring authority because that would allow him a higher salary.¹⁹

On May 3, 2012, after contacting references for the four finalists, Lewis submitted his formal recommendation to Director Williams and Deputy Director Bray, which remained in order of preference: Small, Taylor, and two others. However, Williams did not accept the list as put forward by Lewis. Instead, the Command Center Assistant Director (who was one of the three Command Center

¹⁹ However, this belief by Lewis was mistaken. According to the JMD HR Specialist, VRA eligibility does not affect one's pay grade.

supervisors who served on the various interview panels) told us Williams asked him to talk to the two other panelists from the Command Center to determine whether they agreed with the FTE candidates recommended by Lewis. The two other panelists served under the Command Center Assistant Director and supervised criminal analysts in the Command Center where the new hires were to be assigned. When asked why Williams requested that he speak with the other interviewers, the Assistant Director told us that Williams did not give him a reason but that he had heard that Lewis “had a dog in the fight.”

On May 4, 2012, the Command Center Assistant Director sent a revised recommendation to the Director and Deputy Director of four candidates that included Taylor but not Small. When Lewis saw the Assistant Director's list, Lewis countered with a new list that again included Small and Taylor and one other candidate from his original list, although this time Lewis ranked Taylor first and Small third. According to Lewis, his new list was composed of the highest scoring applicants ranked according to the scores given by the panelists. In an e-mail about this new list, Lewis described his selection as “superior” to the Command Center supervisors' recommendation. Lewis wrote that he was “aware of the problems and challenges” faced by the Command Center, and that the Command Center supervisors' “recommendation [was] **not** the right decision and appropriate action to take” (Emphasis in original.)

While each of the three lists recommended Taylor and one other candidate, the lists differed about who to hire for the final two slots. Ultimately, Williams and Bray backed the decision of the Command Center supervisors. In response to Lewis's new list of candidates, Bray wrote:

I realize you oversaw the interview process in which our [Command Center] management team reviewed candidates and scores were assigned as a means of assisting in the selection of prospective employees. . . . Unless there is some problem with the panel, process, or form/appearance of possible misconduct such as nepotism or cronyism, which I am confident is not the case, the impasse is over differences in perceived need in the [Command Center]. In reality, the candidate's (sic) scores are all very close. We should be using scores as guides and not the only factors to be weighted and considered. . . . I trust [the Command Center supervisors] to accurately assess their needs and hire analysts that will continue building the [Command Center] team. . . . I believe we should stay with the [Command Center] selections.

We interviewed the two other Command Center supervisors who along with Lewis served on the panel that interviewed Small and Taylor.²⁰ Both said that they were not aware of Lewis's relationship to Small and Taylor at the time of the interview. They also said that the panel agreed on the candidates to recommend

²⁰ As noted above, on the day that Taylor and Small were interviewed, a Command Center supervisor substituted on the panel for the Assistant Director who was unavailable.

but neither remembered the panel discussing the rank order. One of the supervisors told us that while Small did well in the interviews, he did not have as much relevant experience as other candidates. Specifically, Small did not have current law enforcement experience or experience with the law enforcement databases used by the analysts. The other supervisor said that when they were discussing the candidates, Lewis argued to assign greater weight to the interview than to the other four categories assessed. This supervisor said that he acquiesced and that he surmised that this must have helped Small.

Lewis told us that he was trying to increase the diversity of the Command Center and provided us with an e-mail in which he argued for Small's selection because white men over 40 years old were under-represented in the Command Center. Despite Lewis's support, Small was not selected.

On July 18, 2012, after Taylor passed his background check and received the necessary clearances from SEPS, Taylor received his final job offer.

On August 10, 2012, INTERPOL Washington learned that SEPS did not clear one of the other selected candidates. Lewis reviewed the SEPS file and sent an August 14, 2012, e-mail to Williams and Bray recommending that they withdraw the tentative offer of employment from that candidate and offer the position to Small. Lewis wrote:

We have been advised by JMD/HR that we can utilize the certificate to replace [the candidate who was not cleared by the Department]. **I recommend we select candidate [] Small.** Small was one of the candidates submitted for selection consideration by the panel. I will have [the HR Liaison] prepare the certificate tomorrow for your selection. (Emphasis in original.)

Bray accepted Lewis's recommendation and Lewis directed the HR Liaison to prepare Small's certification. Bray told us he could not recall if he consulted with the Command Center supervisors before accepting Lewis's recommendation to select Small.

In light of the fact that the Command Center supervisors who served on the interview panels did not include Small on their list, we asked Lewis whether he discussed the recommendation with them before sending it to Williams and Bray. Lewis said that he did not recall doing so and that the Assistant Director may no longer have been at INTERPOL Washington at that time.

Upon receiving the certification, the JMD HR Specialist notified Lewis that Small had to receive a VRA appointment in order to be hired since he had not qualified for a cert list. However, on September 20, 2012, the JMD HR Specialist informed Lewis that Small could not be hired, because his prior military service did not meet the qualifications for the VRA hiring authority.

7. Lewis Also Explores Obtaining Contractor Positions for Early, Small, and Taylor (June 2011-March 2012)

In addition to his efforts to obtain FTE positions at INTERPOL Washington for Small, Taylor, and Early, Lewis also made an unsuccessful effort to obtain contractor positions for them. These efforts occurred during much of the same period when Lewis was seeking FTE positions for them. In late February 2012, INTERPOL Washington planned to hire six contractors in criminal analyst positions. In a February 28, 2012, e-mail exchange between Williams, Bray, and Lewis about potential by-name requests for the contractor positions, Williams told Lewis that he first wanted to update the list of potential by-name requests by soliciting information from supervisors about former interns who would be good candidates for contractor positions. Williams wrote:

I suggested to [the Administrative Officer] to send out something to the [Assistant Directors]/Supervisors to identify quality candidates...While we can certainly notify these individuals also, there is no guarantee that they will be selected...As you know, we have top people coming in each quarter and we need to look at the whole picture each time we have these openings...For example, someone that was an intern in the Summer, Fall, or even this Spring may have outshined past interns...Also we may have retired law enforcement or others that compete...Anyway, I think you get the point...We should let the process go forward, getting a pool of candidates and select the best personnel possible for the positions available...If it ends up being these individuals (or some of them if they are still available) that is fine...By the way, as soon as possible, we need these people now! (Ellipses in original.)

Lewis did not comply with Director Williams's instruction to incorporate input from supervisors before sending a by-name request list for the contractor positions. Instead, on March 1, Lewis sent his own list of by-name requests to the JMD Contracting Officer for the Concord contract. Lewis told the OIG that he did not seek approval from the Director, Deputy Director, or anyone else before he sent the March 1 by-name requests list to the JMD Contracting Officer.

Lewis's March 1 list included eight names for the six available contractor positions. Lewis again specified that the names were ranked. Lewis told us that he ranked the names and that his rank reflected the order in which he wanted them to be hired. Early, Taylor, and Small were listed in the top six positions - first, fourth, and sixth respectively.²¹ Lewis then forwarded the e-mail to Family Member 2. Lewis told us he could not explain why he sent the March 1 by-name request list to

²¹ As noted above, March 1, 2012, was also the date that Lewis asked the JMD HR Specialist to add Early's name to the FTE by-name request list, which already included Small and Taylor. The only names that appeared on both the FTE and contractor March 1, 2012, by-name request lists were Early, Small, and Taylor.

the JMD Contracting Officer without following the Director's instruction to update the list with candidates from among recent interns based on supervisor input.

Ultimately, Williams learned about Lewis's March 1 by-name request list and directed Lewis to recall the list, and he enforced his February 28 e-mail instruction to Lewis. The six contract positions were never filled by Concord because INTERPOL Washington switched to the CGI contract as discussed in Section III.B. above.

C. Analysis

We concluded that Lewis violated Section 702 of the Standards of Ethical Conduct when he used his position as Executive Officer to provide preferential treatment to Early, Small, and Taylor in the FTE selection process without seeking the advice of the agency ethics designee.

As noted above, Section 702 prohibits using one's public office "for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity." Lewis was associated with Early, Small, and Taylor in a "nongovernmental capacity." Lewis did not learn about these individuals in the course of his work at INTERPOL Washington. Rather, he knew of them because of their connections with his son and Family Member 2. Small was the husband of an acquaintance of Family Member 2. Taylor interned with Lewis's son. Early was the son of an acquaintance of Family Member 2. We found that Lewis had no personal knowledge of their professional abilities; indeed, Lewis had not even met at least two of them prior to submitting their names as by-name requests. Every action Lewis took with respect to Early, Small, and Taylor that he did not take with regard to the other FTE applicants provided them with an advantage based solely on their association with Lewis's family members. Lewis had no reason to intervene on their behalf other than to benefit persons associated with his family.

We found that Lewis repeatedly used his position as Executive Officer at INTERPOL Washington to provide preferential treatment to Early, Small, and Taylor in the FTE selection process. First, Lewis submitted the names of Early, Small, and Taylor as by-name requests for the FTE positions. Lewis told the OIG that he sent their names directly to the JMD HR Specialist, without the approval or oversight of the Director, Deputy Director, or anyone else at INTERPOL Washington. The JMD HR Specialist then provided the by-name requests to USAStaffing. As Executive Officer, Lewis held a position that allowed him to include the names of his personal associates with INTERPOL Washington's by-name requests without the knowledge or approval of the Director.

Second, after Early, Small, and Taylor all failed to qualify for the cert lists, Lewis took steps in attempt to overcome their exclusion. Lewis began by discussing alternative means of hiring them with the JMD HR Specialist. The JMD HR Specialist told Lewis that Early's disability could make him eligible for the Schedule A hiring authority and Small and Taylor's military service could make them eligible for the VRA hiring authority. These hiring authorities would allow INTERPOL Washington to hire them, even though they did not qualify for the cert lists. As a

result of this conversation, Early, Small, and Taylor remained viable candidates for the FTE positions. Had Lewis not discussed their individual situations with the JMD HR Specialist, the effort to obtain Early, Small, Taylor, and Early FTE positions would have ended when they failed to qualify for the cert lists.

Third, Lewis used his position to benefit Early, Small, and Taylor by supervising the selection of finalists to be interviewed and serving on the panels that interviewed, assessed, and recommended the FTE candidates. Lewis's behavior on the Small panel provides the most obvious example of Lewis's use of his office to manipulate the selection process. Lewis used his influence to convince the panelists to give greater weight to the interview than to the other factors considered, which benefited Small. Lewis then engaged in "heightened deliberations" (according to one of his e-mails to Family Member 2) to ensure Small was ranked #1. While Lewis may have had to exert more influence to support Small, his actions evidence his partiality as a member of the interview panel.

Fourth, Lewis continued his campaign to help Small even after Williams questioned his recommendations. When the Director asked the three Command Center supervisors to submit a list of recommended candidates independent of Lewis's influence, they submitted a list that did not include Small. The Assistant Director told us that he understood that Lewis had a "dog in the fight." Furthermore, instead of accepting the recommendation of the Command Center supervisors, Lewis challenged the revised list and countered with a third list that again included Small. In an e-mail, Lewis described his selection as "superior" to the Command Center supervisors' recommendation.

Williams and Bray rejected Lewis's new list and instead accepted the recommendations of the Command Center supervisors. Even if Lewis's first "rank order" list could be attributed to a misunderstanding among the panelists, Lewis's submission of and advocacy for his revised list evidences Lewis's willingness to use his position as Executive Officer to convince the Director and Deputy Director to select Small for the FTE position over the recommendation of those who would become his supervisors.

Fifth, Lewis's efforts to hire Small as an FTE analyst continued 3 months later, when INTERPOL Washington learned that one of the selected FTE candidates was unable to pass his background investigation. In response, Lewis recommended that INTERPOL Washington select Small for the position. Lewis e-mailed Williams and Bray, stating that "Small was one of the candidates selected for consideration by the panel." However, as discussed above, the other panelists did not agree with Lewis's initial recommendation and did not select Small when asked for their recommendations independent of Lewis. Furthermore, Lewis told the OIG that he did not solicit the opinions of the other Command Center supervisors before recommending that Small replace the candidate who did not pass the background investigation. The fact that Small ultimately was not hired is irrelevant. A violation of Section 702 may occur even if the improper use of office is not ultimately successful.

Sixth, as detailed above, Lewis also made unsuccessful efforts to obtain contractor positions for Early, Small, and Taylor. Specifically, Lewis included Early, Small, and Taylor on a by-name request list that was to be sent to INTERPOL Washington's contractor, Concord, and ranked them highly because of their association with his son and Family Member 2. The fact that he was ultimately unsuccessful in this effort is irrelevant to the Section 702 analysis. As noted above, a violation of Section 702 may occur even if the improper use of office is not ultimately successful.

We concluded that Lewis took these actions on behalf of Early, Small, and Taylor because of their association with his son and Family Member 2, and not because of any objective belief that they were better qualified than the other potential candidates. Indeed, as noted above, Lewis had never met two of the three candidates, and had no prior experience that would have enabled him to assess the qualifications of any of the three candidates. When asked about the qualifications of these candidates, Lewis told us that he did not assess whether the individuals were qualified at all, but rather left that determination to others, specifically JMD. Lewis thereby conceded that he was not including these candidates on the by-name requests because of a belief they were particularly qualified for the position. We concluded that he included them solely due to another reason: their connections to his son and Family Member 2. Moreover, when all three of these candidates failed to qualify for the cert lists, Lewis intervened on their behalf to find other means of hiring them – despite the fact that the very process he purported to rely on to assess their suitability concluded that they were not qualified.

Lewis's numerous e-mails to Family Member 2 about the status of the applications of Early, Small, and Taylor confirm that his reason for assisting them was their personal connections to his family. Moreover, the e-mails confirm that Lewis's intent from the onset was that they be hired. For example, in January, long before any interviews had been conducted, Lewis wrote: "Per the [below exchange with the JMD HR Specialist], we would be able to select [Early] whether he applied or not (but do not tell him that part yet....just say that I am working to get him selected)." (Ellipses in original.)

We were not persuaded by Lewis's suggestion that his efforts on behalf of Early, Small, and Taylor were merely his attempt to accomplish INTERPOL Washington's goal of hiring Schedule A, VRA eligible, and candidates with military experience. The facts demonstrate that Lewis identified those hiring authorities as a means to get Early, Small, and Taylor hired only after they failed to qualify in the competitive process. Moreover, Lewis did so at the expense of other Schedule A eligible, VRA eligible, and preference eligible persons. According to the JMD HR Specialist, if INTERPOL Washington had sought to hire Schedule A and VRA eligible persons, INTERPOL Washington would not have needed to announce and compete the positions via USAJobs. Instead INTERPOL Washington could have selected any number of candidates from existing lists of veteran and Schedule A eligible applicants and saved the time and cost of announcing the job and creating the cert lists. Further, e-mails show that Lewis did not discuss or understand the VRA and

Schedule A hiring authorities until after his family's associates failed to qualify in the competitive process. INTERPOL Washington did not interview any of the three other persons identified as Schedule A eligible on the merit certs list or attempt to identify which of the 125 qualified veterans on the delegated examining cert list were VRA or Schedule A eligible. Therefore, we found that, contrary to Lewis's claims, he did not intend to hire persons eligible for Schedule A or VRA hiring authorities. Instead, he intended to hire persons associated with his son and Family Member 2.

While other INTERPOL Washington officials participated in the decisions to hire Early and Taylor, and to attempt to hire Small, we found that these other officials did not appreciate the personal connection between Lewis and these three candidates and eventually deferred to his recommendations that they be selected. Moreover, with the assistance of the JMD HR Specialist, Lewis was persistent and skillful in manipulating the hiring process to ensure that his preferred candidates were selected. For example, Lewis used his influence to convince the panelists to give greater weight to the interview than to the other factors considered, which benefited Small. Lewis then engaged in "heightened deliberations" to ensure Small was ranked #1. We believe that Lewis's participation in the hiring panels tainted the process and undermined the validity of the selections. The fact that some other officials did not oppose the selections does not excuse Lewis's use of his position to benefit persons with whom he was associated in a nongovernmental capacity. We therefore concluded that Lewis violated Section 702 of the Standards of Ethical Conduct, 5 C.F.R. § 2635.702.

According to officials from OPM and JMD, there are no rules or regulations governing the submission of by-name requests and by-name requests are considered, for the most part, obsolete in category ratings, the current federal hiring practice. Accordingly, we recommend that JMD clarify the role of by-name requests in category ratings and either eliminate them or provide instructions on their proper use.²² Importantly for purposes of this review, the fact that by-name requests are not prohibited does not exempt those who use them from complying with the requirements of the Standards of Ethical Conduct for Employees of the Executive Branch 5 C.F.R. § 2635.702, Use of Public Office for Private Gain.

V. The Granting of Internships to the Personal Acquaintances of INTERPOL Washington Managers

In this section, we address allegations that INTERPOL Washington managers used their Department positions to provide internships to students who were the children of friends and former colleagues.

²² Additionally, we are providing OPM and the OPM OIG with a copy of our report so that OPM can consider whether to clarify the role of by-name requests in category ratings.

A. The INTERPOL Washington Internship Program

As noted above, in October 2008, then-Deputy Director Williams decided to expand the unpaid internship program and INTERPOL Washington hired a contractor as an Intern Coordinator. As a contractor assigned to INTERPOL Washington's Administrative Services Division, the Intern Coordinator was supervised by Lewis. However, the Intern Coordinator worked closely with Williams, who oversaw the intern program. Lewis and the Intern Coordinator knew each other before she came to INTERPOL Washington.

According to the Intern Coordinator, she expanded the INTERPOL Washington internship program from approximately 15 to as many as 45 students per session (winter, summer, and fall). She said that at the time INTERPOL Washington was expanding and there was a need for more positions, but there were no funds for additional FTE positions. She said that the number of interns per session was determined by the number requested by INTERPOL Washington supervisors. She said that she or Lewis generally sent an e-mail to the supervisors asking how many interns they wanted. She then signed up for recruiting events, visited regional universities, and encouraged INTERPOL Washington personnel to distribute brochures when they traveled. She then filled the positions from the resulting pool of applicants.

The Intern Coordinator told us that when she ran the program, there were always more applicants than internships and that during the popular summer sessions she received as many as 500 to 600 applications.

The Intern Coordinator made the selection decision for many of the interns. She told us that she selected interns by looking for evidence that the applicant was excited about working for INTERPOL Washington and had the skills needed to fill a particular opening. She said that generally she reviewed resumes, conducted telephonic interviews, and, if possible, conducted in-person interviews, before making final selections. According to e-mails, although the Intern Coordinator preferred enrolled students who were not freshmen and who could work the entire session, several exceptions were made for candidates referred by INTERPOL Washington personnel.

The Intern Coordinator told us that in addition to the interns she selected, she was occasionally directed by INTERPOL Washington supervisors to offer positions to particular applicants. She said that she was just told that these people were going to be interns and she would place them. She told us that in some cases, she might have selected those applicants on her own but that in other cases, she would not have. She also said that on occasion, when an INTERPOL Washington manager directed her to offer an internship to a person after she had filled all the internship positions for the session, an additional position was added to the session.

These unpaid interns later had the opportunity to be selected for paying jobs at INTERPOL Washington. Director Williams and Deputy Director Bray told us that they wanted to hire former interns to fill FTE positions and as contractors. They

said that the interns they recommended had earned an advantage over others because they had accrued actual INTERPOL Washington experience, proven that they were good workers, and interned without pay.

B. Referrals of the Personal Friends or Acquaintances of Lewis, Williams, and Deem for Internships

We received evidence that it was a common practice for Lewis and other senior INTERPOL Washington officials, including Williams and Deem, to select or refer students with whom the officials had a personal connection, such as the children of neighbors, friends, or former colleagues.

We found that Lewis was involved in the selection of several interns with whom he was affiliated in a non-governmental capacity including:

- fall of 2010: two interns who were the children of a DOJ colleague;
- summer of 2011: an intern who was the nephew of a JMD HR Specialist with whom Lewis frequently worked;²³
- winter of 2012: one intern who was an acquaintance of Lewis's son; and
- summer of 2012: one intern who was a student Lewis knew socially.²⁴

The Intern Coordinator told us that she would not have selected several of the students Lewis referred to her, but that she felt obliged to offer internships to the students who were supported by Lewis. She said that Lewis was her supervisor so she "had to do as told." Lewis admitted that he instructed the Intern Coordinator to place applicants, but told us he thought there were more internships than applicants, so that his candidates did not displace other worthy applicants. In fact, there were typically far more applicants than internships, although we were unable to determine whether or when Lewis became aware of this fact. Lewis told us that all the students selected for internships were qualified, including those he instructed the Intern Coordinator to hire.

We found that INTERPOL Washington Director Williams was involved in the selection of several interns with whom he was affiliated in a non-governmental capacity including:

²³ The JMD HR Specialist was later involved in Lewis's efforts to find FTE positions for acquaintances of his son and Family Member 2, as described in Part IV above.

²⁴ As discussed above in Section III.C.2, we found that Lewis participated in obtaining an internship for his son Peter in the summer of 2011. Because Peter had a "covered relationship" with Lewis within the meaning of Section 502 of the Standards of Ethical Conduct, 18 U.S.C. § 2635.502, we found that Lewis should not have participated in the selection of Peter for an internship. We also found that Lewis violated Section 702 of the Standards in connection with this selection.

- summer of 2011: one intern who was the son of a coworker of a former DOJ colleague; and
- summer of 2012: four interns who were sons of four former law enforcement colleagues.

In each case, Williams forwarded the student's name or resume to either Chief of Staff Deem or to the Intern Coordinator. When Deem received these referrals from Williams he in turn referred them to the Intern Coordinator.

Other e-mails communicated Williams's expectation that the applicant he referred would be selected as an intern. For example, Williams forwarded resumes to Deem with e-mails that stated, "For the [Office of the Director]" and "include her in the summer group." In another e-mail, Williams replied to a student stating that he looked forward to seeing him in Washington before anyone else had reviewed or formally taken action on the application.

The Intern Coordinator told us that when Williams gave her names or resumes, he made it clear that he was not ordering her to select these applicants. However, we learned during our review that the Intern Coordinator complained to Deem about some of the interns she placed who were referred by Williams. For example, after interviewing an intern candidate who was, according to e-mails, referred by Williams, the Intern Coordinator told us that she raised concerns about the candidate to Deem. The Intern Coordinator said Deem asked her to re-interview the applicant and that ultimately she offered the candidate an internship but that she would not have selected him on her own. Deem told us that he merely passed on the referral on behalf of Williams and thought that Williams knew the applicant's family.

Williams said that he did not purposely influence the process, but that in hindsight, he would have done it differently. Specifically, he said that he would have recruited a more experienced Intern Coordinator, told applicants to contact the Intern Coordinator directly, and established relevant policies and procedures.

We also found that Deem recommended for internships in the summer of 2011 the children of a social acquaintance. The Intern Coordinator told us that Deem gave her the resumes, and instructed her to select them as interns. Deem said that he gave her the resumes and asked that she give them an opportunity, if it existed.

The Intern Coordinator told us that whenever Deem made referrals, he directed her to place them in the intern program. However, in each case that the Intern Coordinator stated that Deem directed her to place an intern, we found that the referral had originated from Williams, not from Deem. Moreover, Deem told us that the Intern Coordinator declined to offer an internship to a friend of a member of Deem's family because the friend was a freshman. E-mails show that the Intern Coordinator made exceptions for freshmen referred by Williams and Lewis.

Deem told the OIG that although he forwarded resumes to the Intern Coordinator, including resumes from Williams and others, he did not intend to order the Intern Coordinator to place those applicants. Deem said that when he referred a potential intern, he was only asking that they be given an opportunity, if one existed and that he did not recall any restriction on the selection of unpaid interns. Deem said that in hindsight he realized the Intern Coordinator might have misconstrued him as giving an order based on his position as Chief of Staff.

C. Analysis

We found that Lewis, Williams, and Deem used their leadership positions in INTERPOL Washington to benefit their acquaintances by placing them or their family members in unpaid intern positions at INTERPOL Washington in violation of Section 702 of the Standards of Ethical Conduct. Section 702 prohibits the use of public office “for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.” Section 702(a) sets forth a non-exclusive “specific prohibition” against using any authority associated with a public office “in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or to friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity.”

It was a simple matter for these managers to give out internships. They only had to forward the resume of a friend or acquaintance to the Intern Coordinator and in most cases she would include the individual in the group of students selected for the upcoming session. Lewis admitted that he explicitly instructed the Intern Coordinator to select his referrals. The Intern Coordinator told us that Williams made it clear that she could reject his candidates, but some of Williams’s e-mails made it clear that he expected that particular referrals would be selected. The Intern Coordinator told us that she understood Deem’s referrals to be instructions to select his recommended students; Deem disputed this but admitted that the Intern Coordinator could have misunderstood his referrals to be orders.

It is not necessary to find that these managers explicitly instructed the Intern Coordinators to hire their referrals in order to find a violation of Section 702. Whether their communications with the Intern coordinator were instructions or merely recommendations or suggestions, they were acts taken in an official capacity, satisfying the “use of office” element of Section 702. It is also clear that Lewis, Williams, and Deem used their authority as managers to “induce” the Intern Coordinator to benefit the students they referred within the meaning of Section 702(a). Williams, Deem, and Lewis were in leadership positions at INTERPOL Washington. We believe that their intervention on behalf of their acquaintances placed inherent pressure on the Intern Coordinator to select these interns, regardless of whether they explicitly instructed her to do so. Moreover, as the Intern Coordinator placed her own child in the intern program, it would have been awkward at best for her to resist placing an intern referred by one of her bosses for any reason.

The second element of a Section 702 violation, that there be an intent to benefit a friend, relative, or person with whom the employee is affiliated in a nongovernmental capacity, was also clearly present here. As detailed above, Lewis, Williams, and Deem each obtained internships for persons with whom they were affiliated in a nongovernmental capacity. Lewis did so for relatives of acquaintances and students he knew through family members. Williams did so for several children of former law enforcement colleagues, and Deem did so for the children of an acquaintance.

Although the internships were unpaid, they clearly constituted a “benefit” to the students who got them within the meaning of Section 702. The internship provided valuable work experience to the students and enhanced their resumes. In addition, interns who performed well had a significant advantage in competing for full-time positions at INTERPOL Washington, given managers stated preference for candidates with prior internship experience. It is precisely because former interns were valued in contractor and FTE positions that we fault the decision of INTERPOL Washington managers to offer internships to friends and acquaintances.

We considered the possibility that these senior officials did not intend to benefit persons with whom they had a personal connection but rather to benefit INTERPOL Washington by selecting students who they know to be particularly well qualified for these internships. We note that there were no consistent or objective criteria applied to the selection process. Under these circumstances, the referring officials could plausibly claim that every student who they referred to the Intern Coordinator was “qualified” to be an intern. Nevertheless, there was no evidence that the senior officials made an objective determination based on a fair comparison with other applicants. Accordingly, we concluded that the primary factor in these selections was the applicants’ personal connections to the officials who referred them. We believe that giving such an advantage to friends or the children of friends constituted a misuse of office for the benefit of persons with whom the officials were affiliated in a nongovernmental capacity, in violation of Section 702. Persons having personal connections to Department managers should not have an advantage over those who do not.

Lewis’s claim that there were more intern slots than applicants was neither factually accurate nor relevant to our Section 702 analysis. The Intern Coordinator and contemporaneous records showed that there were many more applicants than internships, with the result that every time an internship was granted to a student because of a personal connection with an INTERPOL Washington manager, one less slot was available to other applicants. In any event, the internships clearly had value, and the evidence was sufficient to conclude that in cases described above, Lewis used his position to grant the benefit of these positions to persons with whom he was affiliated in a nongovernmental capacity.

We note that Williams, Deem, and Lewis were in leadership positions at INTERPOL Washington and as such bore primary responsibility to ensure that the intern program was administered fairly and without favoritism.

The better practice, and one that would not have violated Section 702, would have been for Lewis, Williams, and Deem simply to refer the students whose resumes they received from friends and acquaintances to the same process for applying for internships that everyone else was required to use. Internship programs are established for the benefit of the government, not as a fringe benefit for senior officials to dole out to their friends and acquaintances.

VI. Conclusions

This review was initiated in response to a complaint by a former INTERPOL Washington employee alleging favoritism in the hiring of full-time employees, contract workers, and interns in INTERPOL Washington, a DOJ component.

Our review uncovered violations of ethics standards by Warren Lewis, the Executive Officer of INTERPOL Washington. We found that Lewis's participation in the appointment of his son to an internship and subsequently to a contract criminal analyst position violated the Standards of Ethical Conduct for Employees in the Executive Branch, 5 C.F.R. §§ 2635.502 and 2635.702, relating to conflict of interest and misuse of office.

We found that Lewis used his position as Executive Officer to provide preferential treatment to three acquaintances of his son and Family Member 2 who were seeking FTE positions in INTERPOL Washington, and that this conduct violated Section 702 of the Standards of Ethical Conduct (misuse of public office).

We also found that Lewis, former Director Timothy Williams, and former Chief of Staff Blair Deem used their leadership positions in INTERPOL Washington to benefit their friends and acquaintances by placing them or their family members in unpaid intern positions at INTERPOL Washington, and that this conduct violated Section 702 of the Standards of Ethical Conduct. As noted, Williams has retired from the Department. We are referring our findings regarding Lewis and Deem to the Office of the Deputy Attorney General for its review and appropriate disciplinary action.

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