

The Department of Justice Office of the Inspector General (OIG) today released a report examining the consistency, timeliness, and outcomes of the discipline process the United States Attorneys' Offices (USAO) and the Executive Office for U.S. Attorneys (EOUSA) use to address employee misconduct. Overall, the OIG found that some aspects of the USAO and EOUSA discipline system worked well, but improvement is needed in several critical areas.

The OIG found that EOUSA is hampered in its ability to fully evaluate the disciplinary process and ensure that discipline decisions are consistent and reasonable mainly because case file documentation on misconduct cases is not centrally located and the files that do exist are incomplete. EOUSA has not delegated the responsibility or authority to maintain a complete, centralized case file that includes all documents relevant to the disciplinary process and, as a result, it could not easily determine the actual number of misconduct cases, whether allegations were appropriately referred, or whether penalties were implemented. EOUSA also was unable to fully evaluate disciplinary trends or the effectiveness of its disciplinary process. Additionally, the lack of documentation limited the ability of EOUSA's General Counsel's Office to conduct comprehensive searches and analyses for precedents that might be useful in other cases.

In the cases for which there was sufficient documentation to permit us reach a conclusion, the OIG found that the USAO and EOUSA reporting, inquiry, and adjudication of misconduct allegations, and the implementation of penalties were generally consistent and did not appear to be unreasonable. Additionally, we found that the USAOs and EOUSA were consistent in applying formal discipline for computer misuse cases, and that they were employing progressive discipline consistently.

Finally, while the USAOs and EOUSA were generally timely in processing misconduct cases, there are no specific timeliness standards to measure the performance of the disciplinary process, and EOUSA and the USAOs do not document the processing time. The Department does not require components to meet specific timeliness goals, which are important to ensure discipline cases are investigated and adjudicated in a reasonable amount of time.

The OIG made four recommendations to improve the USAOs' and EOUSA's management of the disciplinary process. EOUSA agreed with all the recommendations.

The report released today can be found on the OIG's website at:
<http://www.justice.gov/oig/reports/2014/e1401.pdf>.