

The Department of Justice Office of the Inspector General (OIG) today released a report examining the policies and training governing off-duty conduct by Department of Justice (DOJ or Department) employees working in foreign countries. The OIG's review found that despite the DOJ's significant international presence, it lacks Department-wide policies and training that address off-duty conduct, whether in the United States or foreign countries, and that most of the DOJ components we reviewed convey little or no information about off-duty conduct before sending their employees abroad.

This review was conducted in response to inquiries Members of Congress made after allegations arose regarding the conduct of U.S. government personnel, including Drug Enforcement Administration (DEA) agents, during the President's 2012 trip to Cartagena, Colombia. The review focused on DOJ's off-duty conduct policies and training for specific behaviors, including consuming excessive alcohol, using illegal drugs, and soliciting prostitutes, and encompassed the DOJ Criminal Division, the DEA, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Federal Bureau of Investigation (FBI), and the U.S. Marshals Service (USMS). Together, these components have more than 1,200 overseas positions and account for more than 6,100 trips a year to over 140 countries.

During our review, the Department was unable to provide the OIG with any Department-wide policies or training requirements pertaining to employees' off-duty conduct, whether within the United States or in other countries. We found no indication that the Department had revisited its off-duty policies or training in any comprehensive manner since 1996, when the OIG published a report about the Good O'Boy Roundups, a series of private, annual gatherings attended by off-duty officers from a number of federal, state, and local law enforcement agencies. In that report, the OIG determined the Roundups gatherings were characterized by rampant public drunkenness, widespread public lewdness and, in later years, episodes of racist conduct. At that time, the OIG determined that the Department had only general provisions in place governing off-duty conduct, and many DOJ employees did not understand their off-duty responsibilities well.

The report issued today also found that most of the five components reviewed convey little or no information about off-duty conduct before sending their employees abroad. Although all five components have policies that touch on off-duty conduct in some way, the OIG found that much of the policy and training did not clearly communicate what employees can and cannot do off duty. For example, many of the materials we examined did not clearly state that employees remain subject to DOJ requirements regardless of whether certain conduct, such as prostitution and drug use, is legal in the foreign jurisdiction where the DOJ employee is serving. Of the five components reviewed, the FBI had done the most to prepare its employees to make day-to-day decisions about appropriate off-duty conduct while working abroad. The DOJ component with the largest international presence, the DEA, provided its employees with the least information about off-duty conduct while abroad, and its policies and training had significant gaps. The OIG determined that the Criminal Division, ATF, and USMS also had weaknesses in their policies and training, but noted that the Criminal Division was in the process of strengthening its materials at the time of our review.

The OIG recognizes that no set of rules can cover all situations employees may encounter when working in foreign countries. In fact, the experiences of two other federal departments with large international presences, the Departments of Defense and State, have shown that rather than creating laundry lists of "don'ts," organizations need to communicate policy in ways that establish a pervasive context employees can rely on in making day-to-day decisions about their behavior. We found that has generally not occurred in DOJ.

The report makes six recommendations regarding the policies and training governing off-duty conduct by DOJ employees working abroad. The Department and the five components reviewed concurred with all of the recommendations.

The report released today can be found on the OIG's website at:  
<http://www.justice.gov/oig/reports/2015/e152.pdf>.