

Investigative Summary: Findings Concerning Allegations of Misconduct by a DOJ Attorney Involving Misuse of Position

The Office of the Inspector General (OIG) initiated this investigation based on the self-reporting by a Department of Justice (DOJ) attorney to his supervisors of his arrest for Driving under the Influence (DUI). The attorney provided to his supervisors the police report for the off-duty arrest. The arrest report indicated that the attorney twice verbally invoked his official position in an effort to avoid being arrested for DUI. The attorney's division referred the matter to the OIG. The OIG substantiated that the attorney misused his position as a federal prosecutor when he made two references to his official position when stopped for DUI. The OIG concluded that in doing so, the attorney was trying to induce the police officer not to arrest him for DUI. Even though the attorney's attempt was unsuccessful, and he was arrested, this conduct constituted a violation of Title 5 CFR 2635.702(a) – use of his public office to obtain a personal benefit. The OIG also found that the attorney acted unprofessionally towards the police officer who stopped and arrested him. We have referred our report to the DOJ attorney's component for appropriate action.

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