



OFFICE OF THE INSPECTOR GENERAL

U.S. Department of Justice

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INVESTIGATIVE SUMMARY

Findings Concerning Misconduct by an Alcohol, Tobacco, Firearms, and Explosives (ATF) Resident Agent in Charge for Multiple Failures in the Management of an Operation, and by an Assistant U.S. Attorney for Having an Inappropriate Relationship With an ATF Agent and Violating Professional Responsibilities

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation into a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) operation based on information it received that several participants in the operation engaged in misconduct.

The OIG substantiated allegations that the ATF Resident Agent in Charge (RAC) failed to properly manage multiple aspects of the operation, including that the RAC failed to properly inventory property and manage funds from the operation; failed to take corrective measures after learning that the account associated with the operation was not in compliance with standard accounting procedures; failed to ensure that memoranda of understanding related to the operation were signed and followed; and failed to review time and attendance submissions for accuracy. The OIG concluded that the RAC violated ATF policies and procedures.

The OIG also substantiated allegations that one of the Assistant United States Attorneys (AUSA) prosecuting cases from the operation failed to disclose being involved in an intimate personal relationship with an ATF agent assigned to the operation; failed to correct incomplete answers the agent provided in response to questioning in federal court proceedings; accepted a mobile device obtained from the operation for personal use; and failed to fully inform supervisors of critical aspects of the operation, including providing inaccurate information to secure approval of the operation, and failing to report the theft of money and property by a participant in the operation. The AUSA's conduct was in violation of federal regulations, and professional responsibilities.

Prosecution was declined. The RAC and the AUSA are no longer employed by the federal government.

The OIG has completed its investigation and provided its report to ATF and the Executive Office for United States Attorneys for their information. In addition, the OIG is referring to the DOJ Office of Professional Responsibility the findings of misconduct by the AUSA for its determination of whether a referral to the appropriate bar is warranted.

Posted to oig.justice.gov on September 14, 2017