



# OFFICE OF THE INSPECTOR GENERAL

## U.S. Department of Justice

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### **INVESTIGATIVE SUMMARY**

#### **Findings of Misconduct by Two DEA Special Agents and a DEA Supervisory Special Agent for Violations of the DEA's Confidential Source Policy**

The Department of Justice Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from an anonymous source alleging that a Drug Enforcement Administration (DEA) Special Agent established a Department of Homeland Security (DHS) Transportation Security Administration (TSA) employee, who was a childhood friend, as a paid Confidential Source for the DEA.

The OIG investigation substantiated that one DEA Special Agent violated the DEA Confidential Source policy by serving as the controlling agent for a Confidential Source who was employed with the TSA, even though this Special Agent had a preexisting personal relationship with that Confidential Source as was alleged.

During the course of the investigation, the OIG found that a second DEA Special Agent and a Supervisory Special Agent also violated the DEA Confidential Source policy by approving the establishment of a total of three TSA employees as paid Limited Use Confidential Sources even though the DEA policy precludes such establishment. The OIG also found that the three Confidential Sources received monetary awards in varying amounts for providing the DEA with information concerning suspected criminal activity they observed in the course of their official duties.

The OIG determined that none of the three TSA employees qualified as Limited Use Confidential Sources, and as employees of the TSA, they were obligated as part of their job duties to report to law enforcement any suspected criminal activity that they observed in the course of their official duties. Therefore, by establishing the TSA employees as paid Limited Use Confidential Sources, the DEA agreed to pay for information that the TSA employees were already obligated to provide to law enforcement. The DEA ended its use of these TSA employees as Limited Use Confidential Sources in 2013.

The OIG has completed its investigation and provided its report to the DEA for appropriate action.

The OIG has previously reported on the DEA's use of TSA employees as paid sources, *Audit of the Drug Enforcement Administration's Management and Oversight of its Confidential Source Program (Sept. 2016)*, <https://oig.justice.gov/reports/2016/a1633.pdf>.

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Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct.

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