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DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

REPORT OF INVESTIGATION

SUBJECT (b)(6); (b)(7)(C) Assistant U.S. Attorney (b)(6); (b)(7)(C)		CASE NUMBER 2020-009898
OFFICE CONDUCTING INVESTIGATION Dallas Field Office		DOJ COMPONENT Executive Office for United States Attorneys
DISTRIBUTION	STATUS	
<input checked="" type="checkbox"/> Field Office DFO	<input type="checkbox"/> OPEN <input type="checkbox"/> OPEN PENDING PROSECUTION <input checked="" type="checkbox"/> CLOSED	
<input checked="" type="checkbox"/> AIGINV	PREVIOUS REPORT SUBMITTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<input checked="" type="checkbox"/> Component EOUSA	Date of Previous Report:	
<input type="checkbox"/> USA		
<input checked="" type="checkbox"/> Other DOJ OPR		

SYNOPSIS

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the DOJ Criminal Division in (b)(6); (b)(7)(C) alleging that in (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) had inappropriate physical contact with (b)(6); (b)(7)(C) Foreign Service National (FSN) (b)(6); (b)(7)(C). Specifically, (b)(6); (b)(7)(C) allegedly became intoxicated while attending an afterhours social gathering with (b)(6); (b)(7)(C) government officials and forcefully grabbed (b)(6); (b)(7)(C) by her face. (b)(6); (b)(7)(C) was on a temporary detail (b)(6); (b)(7)(C). The information alleged further that when socializing off-duty with co-workers, (b)(6); (b)(7)(C) routinely drank excessively, was unprofessional, and made offensive remarks towards his (b)(6); (b)(7)(C) government counterparts.

The OIG investigation substantiated the allegation that (b)(6); (b)(7)(C) forcefully grabbed (b)(6); (b)(7)(C) chin to re-direct her attention towards him while attending a (b)(6); (b)(7)(C) dinner and social gathering, in violation of DOJ and State Department policy. Furthermore, the investigation substantiated that (b)(6); (b)(7)(C) drank excessively during some off-duty social gatherings and made demeaning comments towards (b)(6); (b)(7)(C) government officials, as well as others, in violation of DOJ and State Department policy.

DATE July 5, 2022 (b)(6); (b)(7)(C)	SIGNATURE (b)(6); (b)(7)(C)
PREPARED BY ASST SPECIAL AGENT IN CHARGE	
DATE July 5, 2022 Cloey C. Pierce	SIGNATURE Cloey Chaney Pierce
APPROVED BY SPECIAL AGENT IN CHARGE	

Digitally signed by CLOEY PIERCE
DN: c=US, o=U.S. Government, ou=Dept of Justice, ou=OIG, cn=CLOEY PIERCE, 0.9.2342.19200300.100.1.1=15001002964462
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In an interview, (b)(6); (b)(7)(C) told the OIG that the (b)(6); (b)(7)(C), physical contact by (b)(6); (b)(7)(C) was non-consensual and unprofessional. (b)(6); (b)(7)(C) said she immediately reported the incident to her chain of command, but at the time elected not to file a formal complaint against (b)(6); (b)(7)(C) because she was satisfied with the measures taken to limit her interaction with (b)(6); (b)(7)(C) and for fear that (b)(6); (b)(7)(C) would retaliate against her and cause her to lose her FSN job. (b)(6); (b)(7)(C) Three witnesses told the OIG that (b)(6); (b)(7)(C) reported the (b)(6); (b)(7)(C) incident to them contemporaneously with the event and that she expressed fears and concerns working around (b)(6); (b)(7)(C) supervisors took measures to minimize interaction between the two during duty hours (b)(6); (b)(7)(C)

Additionally, six witnesses told the OIG that they personally witnessed (b)(6); (b)(7)(C) appear to be intoxicated at other social gatherings with foreign counterparts and make rude and demeaning comments towards (b)(6); (b)(7)(C) government officials.

In a compelled interview, (b)(6); (b)(7)(C) acknowledged that he attended the (b)(6); (b)(7)(C) off-duty dinner, consumed alcohol with other attendees, and interacted with (b)(6); (b)(7)(C) during the function. However, (b)(6); (b)(7)(C) denied that he drank excessively or that he forcefully grabbed (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) told the OIG that he and his staff traveled throughout (b)(6); (b)(7)(C) conducting (b)(6); (b)(7)(C) training for (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said it was routine to have dinner and drinks with their counterparts after the training was completed, but he denied that he drank excessively at these events or that he made demeaning statements towards anyone during those dinners. When offered a voluntary OIG-administered polygraph examination (b)(6); (b)(7)(C) declined.

The Public Integrity Section declined to open an investigation on (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) was reassigned from the temporary detail position (b)(6); (b)(7)(C) back to the U.S. Attorney's Office (USAO) (b)(6); (b)(7)(C)

The OIG has completed its investigation and is providing this report to EOUSA and the Department's Office of Professional Responsibility for appropriate action.

Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct. The Merit Systems Protection Board applies this same standard when reviewing a federal agency's decision to take adverse action against an employee based on such misconduct. See 5 U.S.C. § 7701(c)(1)(B); 5 C.F.R. § 1201.56(b)(1)(ii).

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Predication

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the DOJ Criminal Division in (b)(6); (b)(7)(C) alleging that in (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) had inappropriate physical contact with (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) Foreign Service National (FSN) (b)(6); (b)(7)(C)

Specifically, (b)(6); (b)(7)(C) allegedly became intoxicated while attending an afterhours social gathering with (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) government officials and forcefully grabbed (b)(6); (b)(7)(C) by her face. (b)(6); (b)(7)(C) was on a

temporary detail (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) The information alleged further that when socializing off-duty with co-workers, (b)(6); (b)(7)(C) routinely drank excessively, was unprofessional, and made offensive remarks towards his (b)(6); (b)(7)(C) government counterparts.

Investigative Process

The OIG's investigative efforts consisted of the following:

Interviews of the following (b)(6); (b)(7)(C) personnel:

- (b)(6); (b)(7)(C) FSN (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)

Interviews of the following (b)(6); (b)(7)(C) personnel:

- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)
- (b)(6); (b)(7)(C)

Interview of the following:

- (b)(6); (b)(7)(C)

Review of the following:

- (b)(6); (b)(7)(C) DOJ e-mail account



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(b)(6); (b)(7)(C)

Had Inappropriate Physical Contact with

(b)(6); (b)(7)(C)

The information provided to the OIG alleged that in (b)(6); (b)(7)(C) became intoxicated at an off-duty social gathering where he acted aggressive towards co-workers and forcefully pulled women closer to him. (b)(6); (b)(7)(C) allegedly pulled (b)(6); (b)(7)(C) towards him and grabbed her face which made her "very afraid."

DOJ Ethics Handbook for Off-Duty Conduct, General Rules Section, Off-Duty Conduct, states in pertinent part:

An employee shall not engage in criminal, infamous, dishonest, immoral or disgraceful conduct, or other conduct prejudicial to the government. In connection with overseas service, the State Department has defined notoriously disgraceful conduct as conduct which, were it to become widely known, would embarrass, discredit, or subject to opprobrium the perpetrator and the United States.

Title 22 U.S.C. § 3927, states in pertinent part:

[T]he chief of mission to a foreign country- (1) shall have full responsibility for the direction, coordination, and supervision of all Government executive branch employees in the country . . . and shall insure that all Government executive branch employees in that country . . . comply fully with all applicable directives of the chief of mission. . . .

Any executive branch agency having employees in a foreign country . . . shall insure that all of its employees in that country . . . comply fully with applicable directives of the chief of mission.

State Department Foreign Affairs Manual, 3 FAM 4546, contains a "List of Offenses Subject to Disciplinary Action - Civil Service," which includes:

- Conduct on the job
 - 17. Disruptive behavior; . . . use of abusive or obscene language to or about another person; creating a disturbance which adversely affects efficiency or which reflects unfavorably on the agency
- Personal conduct or character . . .
 - 43. Conduct demonstrating untrustworthiness, unreliability, or use of poor judgment

(b)(6); (b)(7)(C)

told the OIG that since (b)(6); (b)(7)(C) she worked as an FSN (b)(6); (b)(7)(C) and was familiar with (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

said that, prior (b)(6); (b)(7)(C) she briefly worked for (b)(6); (b)(7)(C) and characterized their relationship as strictly professional.

(b)(6); (b)(7)(C)

said that on (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) personnel conducted a joint training seminar for (b)(6); (b)(7)(C) government officials at the (b)(6); (b)(7)(C) followed by an off-duty social gathering held at the (b)(6); (b)(7)(C) restaurant later that evening. (b)(6); (b)(7)(C) estimated that approximately five (b)(6); (b)(7)(C) employees, including (b)(6); (b)(7)(C) and eight (b)(6); (b)(7)(C) government representatives went to the restaurant for dinner and drinks. (b)(6); (b)(7)(C) said that after finishing their dinner, the attendees stood around and socialized in small groups. (b)(6); (b)(7)(C) noted that (b)(6); (b)(7)(C) appeared to be heavily intoxicated. (b)(6); (b)(7)(C) said that it appeared (b)(6); (b)(7)(C) made other female attendees uncomfortable, by pulling on their clothing and insisting that they give (b)(6); (b)(7)(C) their attention. (b)(6); (b)(7)(C) said that at some point in the evening, she and (b)(6); (b)(7)(C) later identified as (b)(6); (b)(7)(C) were talking with (b)(6); (b)(7)(C) when (b)(6); (b)(7)(C) unexpectedly reached for her face, grabbed her by the chin in an aggressive gesture and redirected her attention towards him. (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) to stop and took a step

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back to create distance between the two, at which point (b)(6); (b)(7)(C) pulled (b)(6); (b)(7)(C) away from (b)(6); (b)(7)(C) said that she was not in pain or injured but was scared and felt "disrespected and betrayed because I'm not used to people grabbing my face." (b)(6); (b)(7)(C) added, (b)(6); (b)(7)(C) was not himself. He was under . . . he had alcohol. So, he was acting different than he usually does." (b)(6); (b)(7)(C) said she moved to a different section of the restaurant away from (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) stated that the following morning she orally reported the (b)(6); (b)(7)(C) incident to her supervisors (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) who determined the matter should be reported to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) informed (b)(6); (b)(7)(C) of the non-consensual physical contact by (b)(6); (b)(7)(C) the previous night and expressed fear of being around (b)(6); (b)(7)(C) in the future. (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) she also feared (b)(6); (b)(7)(C) would retaliate against her if she made a formal complaint, by using his influence within the government to cause her to lose her employment as an FSN. According to (b)(6); (b)(7)(C) explained to (b)(6); (b)(7)(C) that (b)(6); (b)(7)(C) was not in his chain of command and (b)(6); (b)(7)(C) was limited in what actions he could take against (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said that (b)(6); (b)(7)(C) was very supportive of her and offered to assist her with filing a formal written complaint or assigning her tasks to minimize her contact with (b)(6); (b)(7)(C) during duty hours. (b)(6); (b)(7)(C) said she was satisfied with the measures (b)(6); (b)(7)(C) took to limit her interaction with (b)(6); (b)(7)(C) and chose not to confront (b)(6); (b)(7)(C) file a police report, or file a formal written complaint against him. (b)(6); (b)(7)(C) said she decided to come forward with a formal complaint against (b)(6); (b)(7)(C) after learning that (b)(6); (b)(7)(C) and that (b)(6); (b)(7)(C) had applied for (b)(6); (b)(7)(C) vacant position (b)(6); (b)(7)(C) expressed an on-going fear of (b)(6); (b)(7)(C) replacing (b)(6); (b)(7)(C) and becoming her immediate supervisor.

(b)(6); (b)(7)(C) told the OIG he was not at the (b)(6); (b)(7)(C) off-duty dinner but recounted that (b)(6); (b)(7)(C) immediately reported the incident to (b)(6); (b)(7)(C) who notified (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said he discussed the matter with (b)(6); (b)(7)(C) who was very upset. (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) that he could "engineer" a work atmosphere where (b)(6); (b)(7)(C) would not have to deal with (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said that if he was away from the office, he would not seek coverage of the office from (b)(6); (b)(7)(C) to prevent contact between the two.

In her OIG interview, (b)(6); (b)(7)(C) corroborated (b)(6); (b)(7)(C) statements that the incident was reported to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) shortly after it happened. (b)(6); (b)(7)(C) also corroborated that (b)(6); (b)(7)(C) notified her of the incident and reported it herself to (b)(6); (b)(7)(C) All the witnesses characterized (b)(6); (b)(7)(C) as a hard-working, credible (b)(6); (b)(7)(C) who would have no reason to make false allegations against (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) did not respond to the OIG's request for an interview.

(b)(6); (b)(7)(C) told the OIG that she first learned of the allegations against (b)(6); (b)(7)(C) when (b)(6); (b)(7)(C) made her formal complaint.

During a compelled interview, (b)(6); (b)(7)(C) told the OIG that in (b)(6); (b)(7)(C) he was selected for a detail position (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) was selected for a detail position (b)(6); (b)(7)(C) remained a permanent Assistant U.S. Attorney (AUSA) with the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said he supervised approximately (b)(6); (b)(7)(C) employees that included contractors, FSNs, and four (b)(6); (b)(7)(C) including (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said (b)(6); (b)(7)(C) personnel achieved their objective by traveling to different regions of (b)(6); (b)(7)(C) to provide (b)(6); (b)(7)(C) training (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) said he went to the (b)(6); (b)(7)(C) dinner at the (b)(6); (b)(7)(C) restaurant with (b)(6); (b)(7)(C) who invited him. (b)(6); (b)(7)(C) recalled eating dinner at the restaurant and consuming a beer with dinner, but he denied that he was intoxicated. (b)(6); (b)(7)(C) recalled (b)(6); (b)(7)(C) was at the dinner along with some of (b)(6); (b)(7)(C) friends. (b)(6); (b)(7)(C) did not

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recall any specific conversations he had with (b)(6); (b)(7)(C) but acknowledged they probably talked during the dinner. (b)(6); (b)(7)(C) denied he forcefully grabbed (b)(6); (b)(7)(C) by the face or had any inappropriate physical contact with her.

(b)(6); (b)(7)(C) said he applied for (b)(6); (b)(7)(C) vacant position in approximately (b)(6); (b)(7)(C) and was competing for the job with (b)(6); (b)(7)(C) stated it was possible that (b)(6); (b)(7)(C) filed a frivolous complaint against him to help (b)(6); (b)(7)(C) secure the job over him (b)(6); (b)(7)(C) said (b)(6); (b)(7)(C) were very close friends. When confronted with the evidence that (b)(6); (b)(7)(C) complained about his actions immediately after the incident happened and prior to (b)(6); (b)(7)(C) stated he did not recall touching her in an "offensive, malicious or sexual way." (b)(6); (b)(7)(C) further explained he continued his friendship with (b)(6); (b)(7)(C) who never confronted him about the alleged incident with (b)(6); (b)(7)(C) believed that, had the incident occurred as (b)(6); (b)(7)(C) alleged, (b)(6); (b)(7)(C) would have questioned him about it.

When offered a voluntary OIG-administered polygraph examination (b)(6); (b)(7)(C) declined.

The Public Integrity Section (PIN) declined to open an investigation on (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) was reassigned from the temporary detail position (b)(6); (b)(7)(C)

OIG's Conclusion

The OIG investigation concluded that (b)(6); (b)(7)(C) had non-consensual, inappropriate physical contact with (b)(6); (b)(7)(C) when he unexpectedly reached for her face, grabbed her by the chin in an aggressive gesture, and redirected her attention towards him as alleged. (b)(6); (b)(7)(C) actions constituted misconduct, in violation of the DOJ's Ethics Handbook for Off-Duty Conduct and the State Department's Foreign Affairs Manual.

The OIG found (b)(6); (b)(7)(C) to be a credible witness in detailing the incident to the OIG. All the witnesses interviewed characterized (b)(6); (b)(7)(C) as an honest, hard-working employee who would not fabricate false allegations. She immediately reported the incident to both supervisors and requested that her interactions with (b)(6); (b)(7)(C) be limited. Further, three witnesses confirmed that (b)(6); (b)(7)(C) reported the incident to them in (b)(6); (b)(7)(C) Additionally, we found that, based on the events detailed below, (b)(6); (b)(7)(C) description of (b)(6); (b)(7)(C) as being heavily intoxicated and acting inappropriately was consistent with his behavior at those other events. Similarly, for the reasons we did not credit (b)(6); (b)(7)(C) denial of the multiple incidents detailed below, we did not credit his denial here.

Engaged in Unprofessional Conduct

The information provided to the OIG indicated that while detailed (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) routinely drank excessively when socializing off-duty with co-workers and made offensive and demeaning comments towards (b)(6); (b)(7)(C) government counterparts.

DOJ Ethics Handbook for Off-Duty Conduct, General Rules Section, Off-Duty Conduct, states in pertinent part:

An employee shall not engage in criminal, infamous, dishonest, immoral or disgraceful conduct, or other conduct prejudicial to the government. In connection with overseas service, the State Department has defined notoriously disgraceful conduct as conduct which, were it to become widely known, would embarrass, discredit, or subject to opprobrium the perpetrator and the United States.



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State Department Foreign Affairs Manual, 3 FAM 4546, contains a "List of Offenses Subject to Disciplinary Action – Civil Service," which includes:

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 - 16. Intoxication caused by alcohol or other drugs.
 - 17. Disruptive behavior; . . . use of abusive or obscene language to or about another person; creating a disturbance which adversely affects efficiency or which reflects unfavorably on the agency.
- Personal conduct or character . . .
 - 43. Conduct demonstrating untrustworthiness, unreliability, or use of poor judgment.

(b)(6); (b)(7)(C) told the OIG that he worked for (b)(6); (b)(7)(C) and frequently traveled throughout (b)(6); (b)(7)(C) with (b)(6); (b)(7)(C) and other (b)(6); (b)(7)(C) personnel training (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said (b)(6); (b)(7)(C) unprofessional conduct contributed to (b)(6); (b)(7)(C) decision to leave (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said "many times" during off-duty dinners or happy hour gatherings (b)(6); (b)(7)(C) drank excessively, acted unprofessionally, and made racist and offensive comments to their (b)(6); (b)(7)(C) counterparts. These comments included, "you are (b)(6); (b)(7)(C) you do not understand what it is to do [a] trial," "to live in (b)(6); (b)(7)(C) is horrible," "I don't know why we are training these people they don't understand anything," and (b)(6); (b)(7)(C) "is a corrupt place."

(b)(6); (b)(7)(C) said he attended a happy hour in (b)(6); (b)(7)(C) where (b)(6); (b)(7)(C) persistent, unwanted flirting with (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) caused (b)(6); (b)(7)(C) to ask for (b)(6); (b)(7)(C) help. (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) that she did not want to be alone with (b)(6); (b)(7)(C) because he was drunk and his advances bothered her.

During her OIG interview, (b)(6); (b)(7)(C) corroborated (b)(6); (b)(7)(C) recollection of an incident (though she was unsure of the date, estimating it occurred in (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said a group of (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) employees traveled to (b)(6); (b)(7)(C) to discuss a project and provide training to representatives from the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) said a dinner and happy hour took place after a workday. (b)(6); (b)(7)(C) said that sometime in the evening (b)(6); (b)(7)(C) got up from where he was sitting and sat next to her. (b)(6); (b)(7)(C) could tell (b)(6); (b)(7)(C) was drunk and that he progressively got closer to (b)(6); (b)(7)(C) touched her shoulder, and was making flirtatious advancements towards her. (b)(6); (b)(7)(C) could not recall (b)(6); (b)(7)(C) exact comments but stated that she became very uncomfortable and at some point asked (b)(6); (b)(7)(C) to sit next to her and (b)(6); (b)(7)(C) to discourage (b)(6); (b)(7)(C) advances. (b)(6); (b)(7)(C) said (b)(6); (b)(7)(C) became visibly upset with the fact that (b)(6); (b)(7)(C) relocated next to them. (b)(6); (b)(7)(C) said the following day (b)(6); (b)(7)(C) told her that, after she left the dinner, (b)(6); (b)(7)(C) became aggressive with (b)(6); (b)(7)(C) accusing (b)(6); (b)(7)(C) of protecting (b)(6); (b)(7)(C) because she and (b)(6); (b)(7)(C) were having a relationship. (b)(6); (b)(7)(C) told the OIG she reported the incident with (b)(6); (b)(7)(C) to her supervisor, (b)(6); (b)(7)(C) when she returned from the trip.

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(b)(6); (b)(7)(C) told the OIG that they learned of the incident between (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) but did not witness it. (b)(6); (b)(7)(C) heard about the incident from (b)(6); (b)(7)(C) but did not specify when. (b)(6); (b)(7)(C) said she heard about the incident from both (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) separately, but also did not specify when.

Additionally (b)(6); (b)(7)(C) recalled a (b)(6); (b)(7)(C) off-duty social gathering between (b)(6); (b)(7)(C) personnel and (b)(6); (b)(7)(C) government trainees held in (b)(6); (b)(7)(C) where (b)(6); (b)(7)(C) became extremely intoxicated. (b)(6); (b)(7)(C) also described a (b)(6); (b)(7)(C) incident involving a post-training social gathering in (b)(6); (b)(7)(C) where (b)(6); (b)(7)(C) showed up to the dinner intoxicated and made demeaning and condescending remarks to (b)(6); (b)(7)(C) government counterparts. (b)(6); (b)(7)(C) said that (b)(6); (b)(7)(C) were also present at the happy hour gathering with (b)(6); (b)(7)(C). According to (b)(6); (b)(7)(C) was so drunk at the event that he (b)(6); (b)(7)(C).

During her OIG interview, (b)(6); (b)(7)(C) recalled the (b)(6); (b)(7)(C) incident and said that (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) "you can leave now," in a tone that was dismissive and offensive. This caused (b)(6); (b)(7)(C) to leave the event and stunned other attendees. (b)(6); (b)(7)(C) told the OIG that (b)(6); (b)(7)(C) had a reputation of not being diplomatic, talking down to subordinates, and being verbally abusive. (b)(6); (b)(7)(C) witnessed incidents where (b)(6); (b)(7)(C) lost his temper over little things and made inappropriate comments towards their (b)(6); (b)(7)(C) government counterparts. She specifically recounted a (b)(6); (b)(7)(C) judges' delegation in (b)(6); (b)(7)(C) that was attended by a group of (b)(6); (b)(7)(C) federal judges. At the event, according to (b)(6); (b)(7)(C) became verbally abusive to (b)(6); (b)(7)(C) judges, because he believed they were wasting too much time buying coffee. This incident was reported to her by several (b)(6); (b)(7)(C) judges in attendance, who found (b)(6); (b)(7)(C) demeanor and language to be disrespectful.

(b)(6); (b)(7)(C) told the OIG, when asked about the (b)(6); (b)(7)(C) incident, that (b)(6); (b)(7)(C) was drunk and rude to (b)(6); (b)(7)(C) government counterparts, including lawyers and judges. While (b)(6); (b)(7)(C) could not recall the specific comments (b)(6); (b)(7)(C) made, she generally recalled that at the time she perceived the comments to be rude and demeaning.

When interviewed by the OIG about the (b)(6); (b)(7)(C) incident, (b)(6); (b)(7)(C) corroborated that (b)(6); (b)(7)(C) was inebriated and made dismissive and offensive comments towards (b)(6); (b)(7)(C) at the dinner. (b)(6); (b)(7)(C) was also made aware of an incident where (b)(6); (b)(7)(C) was so intoxicated that (b)(6); (b)(7)(C).

(b)(6); (b)(7)(C) told the OIG that (b)(6); (b)(7)(C) drank excessively, offended (b)(6); (b)(7)(C) counterparts, and refused to leave the (b)(6); (b)(7)(C) event in (b)(6); (b)(7)(C) when asked to do so by (b)(6); (b)(7)(C). Specifically (b)(6); (b)(7)(C) recounted a separate (b)(6); (b)(7)(C) incident in which he warned (b)(6); (b)(7)(C) to stop snapping his fingers at (b)(6); (b)(7)(C) staff because it was culturally offensive. The OIG sought to locate (b)(6); (b)(7)(C) for an interview but was unable to do so.

During the OIG's interview of (b)(6); (b)(7)(C) he stated that he was present during several off-duty social gatherings with (b)(6); (b)(7)(C) government counterparts where, in his opinion, (b)(6); (b)(7)(C) drank to the point that it affected his judgment and where (b)(6); (b)(7)(C) made inappropriate comments, including sexist comments in the presence of (b)(6); (b)(7)(C) officials. (b)(6); (b)(7)(C) could not recall at which specific events this occurred, but recalled it was a "somewhat reoccurring" situation based on both observation and what he had been told by colleagues.

(b)(6); (b)(7)(C) told the OIG that, while she had not seen (b)(6); (b)(7)(C) drunk as she was not typically at after-hours social events (b)(6); (b)(7)(C) did not show good judgment and was not respectful of (b)(6); (b)(7)(C) government counterparts, based, in part, on her understanding that his staff believes him to be "boorish."

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(b)(6); (b)(7)(C) told the OIG that she first learned of the allegations of (b)(6); (b)(7)(C) excessive drinking and unprofessional conduct in (b)(6); (b)(7)(C) after it was brought to her attention from (b)(6); (b)(7)(C) reporting.

During a compelled interview, when confronted with the numerous witness statements against him, (b)(6); (b)(7)(C) denied that he drank excessively at the social gatherings or that he made offensive comments to his (b)(6); (b)(7)(C) government counterparts. When offered a voluntary OIG-administered polygraph examination (b)(6); (b)(7)(C) declined.

The Public Integrity Section (PIN) declined to open an investigation on (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) was reassigned from the temporary detail position (b)(6); (b)(7)(C)

OIG's Conclusion

The OIG investigation concluded that (b)(6); (b)(7)(C) engaged in unprofessional conduct when he drank excessively in the presence of his (b)(6); (b)(7)(C) government counterparts and made unprofessional and offensive remarks towards his (b)(6); (b)(7)(C) government counterparts and others. (b)(6); (b)(7)(C) actions constituted misconduct in violation of the DOJ's Ethics Handbook for Off-Duty Conduct and the State Department's Foreign Affairs Manual.

The OIG found (b)(6); (b)(7)(C) to be a credible witness regarding the incident where (b)(6); (b)(7)(C) was intoxicated and engaged in persistent, unwanted flirting. Her testimony was corroborated by another eyewitness. Apart from the (b)(6); (b)(7)(C) incident, multiple witnesses corroborated that (b)(6); (b)(7)(C) was inebriated and made inappropriate comments on multiple other occasions. While some of the witnesses' testimony lacked specifics as to what exactly (b)(6); (b)(7)(C) said, taken together the testimony demonstrates a consistent pattern of inebriation and inappropriate comments about and in front of (b)(6); (b)(7)(C) government counterparts. This pattern of behavior matches the incident with (b)(6); (b)(7)(C) that is detailed above. We did not credit (b)(6); (b)(7)(C) denial based on the number of witnesses corroborating the allegations and the clear pattern of behavior their testimony revealed.

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