



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE SUMMARY | 22-088

Findings of Misconduct by a then Special Agent in Charge and two Assistant Special Agents in Charge for Engaging in Favoritism in the Workplace, Multiple Violations of Hiring Policies, and Related Misconduct

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation after receiving information from the Federal Bureau of Investigation (FBI) Inspection Division (INSD) alleging that a then Special Agent in Charge (SAC) and an Assistant Special Agent in Charge (ASAC) engaged in unprofessional conduct, including by exhibiting favoritism in granting promotions.

The OIG investigation substantiated allegations that the SAC engaged in favoritism, in violation of the FBI Merit Promotion and Placement Plan (MP3) and the FBI Ethics and Integrity Program Policy Guide (Ethics Guide), by (1) creating a new position so that a favorite employee could gain sufficient experience to be promoted; (2) failing to recuse from participation in the selection of the favorite employee for the newly created position; (3) arranging for the promotion and transfer of the favorite employee's significant other; and (4) deciding whom to promote prior to a career board evaluating the candidates and using non-merit factors, including physical attractiveness, to make a promotion decision.

The OIG investigation also substantiated allegations that the ASAC engaged in favoritism, in violation of the MP3 and the Ethics Guide, by (1) providing special assignments and collateral duties to a favorite employee; (2) attempting to influence two members of a career board to select that favorite employee for a promotion; (3) providing additional advantages to that favorite employee in applying for a position as an FBI Special Agent; and (4) facilitating the SAC's use of favoritism to promote an employee. The OIG investigation also found that the ASAC was aware that three employees were being bullied in the workplace but failed to take immediate and appropriate action to address that bullying, in violation of the FBI Harassment Policy.

During the course of the OIG investigation, the OIG determined that a second ASAC also violated the MP3 and the Ethics Guide by knowing that a career board process, which the ASAC chaired, was being manipulated to benefit the SAC's favorite candidate and by actively advancing the selection of the SAC's favorite candidate. The OIG investigation also found that the second ASAC violated the MP3 in another instance by failing to take any effective action to prevent or report the SAC's violation of the MP3 and Ethics Guide in connection with another career board, which the second ASAC also chaired.

The SAC retired from the FBI prior to being contacted by the OIG for an interview regarding these allegations. When later contacted by the OIG for a voluntary interview, the SAC declined to be interviewed. The OIG has the authority to compel testimony from current Department employees upon informing them that their statements will not be used to incriminate them in a criminal proceeding. The OIG does not have the authority to compel or subpoena testimony from former Department employees, including those who retire or resign during the course of an OIG investigation.

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



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