

U.S. Department of Justice
 Office of the Inspector General

ABBREVIATED REPORT OF INVESTIGATION

SUBJECT [REDACTED] Section Chief, [REDACTED]		CASE NUMBER [REDACTED]	
OFFICE CONDUCTING INVESTIGATION Dallas Field Office (El Paso Area Office)		DOJ COMPONENT Drug Enforcement Administration	
DISTRIBUTION		STATUS	
<input checked="" type="checkbox"/> Field Office DFO <input checked="" type="checkbox"/> AIGINV <input checked="" type="checkbox"/> Component DEA <input type="checkbox"/> USA <input type="checkbox"/> Other		<input type="checkbox"/> OPEN <input type="checkbox"/> OPEN PENDING PROSECUTION <input checked="" type="checkbox"/> CLOSED PREVIOUS REPORT SUBMITTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Previous Report:	

SYNOPSIS

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from U.S. Customs and Border Protection (CBP) [REDACTED]

[REDACTED]

During the course of the investigation, the OIG learned that [REDACTED] may have misused his official position to gain information from the USPS regarding [REDACTED].

[REDACTED]

Finally, the OIG concluded that [REDACTED] misused his official position by identifying himself as a DEA Special Agent to USPS personnel when seeking information about, and making a complaint against [REDACTED], in violation of the DEA Personnel Manual, section 2735.18 (Misuse of Official Position).

[REDACTED]

DATE	October 31, 2019	SIGNATURE	[REDACTED]
PREPARED BY SPECIAL AGENT			
DATE	October 31, 2019	SIGNATURE	ROBERT BOURBON Date: 2019.11.01
APPROVED BY SPECIAL AGENT IN CHARGE		Robert A. Bourbon 11:46:35 -04'00'	

[REDACTED]

[REDACTED] stated that [REDACTED] visited the post office where [REDACTED] worked. According to [REDACTED], other USPS employees told him that [REDACTED] identified himself as a DEA agent and requested to speak to [REDACTED] supervisor. [REDACTED] told the OIG that USPS colleagues said that [REDACTED] allegedly provided a different name for [REDACTED] but to clear up confusion, [REDACTED] showed a photograph of [REDACTED] to Post Office management. [REDACTED] said that [REDACTED] complained about [REDACTED] going to [REDACTED] house, with no mail to deliver, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] admitted to the OIG that he showed his official DEA credentials and identified himself as a Department of Justice employee to USPS personnel when he went to the [REDACTED] U.S. Post Office to make a complaint against [REDACTED] and to attempt to identify him. [REDACTED] said that the USPS would not release any information to him about [REDACTED]

[REDACTED] told the OIG that he was approached by a person later confirmed to be [REDACTED] at the front counter of the [REDACTED] U.S. Post Office [REDACTED]. According to [REDACTED], whose name [REDACTED] could not recall, showed [REDACTED] what appeared to be a set of government credentials and possibly a badge and identified himself as a DEA agent. [REDACTED] said that [REDACTED] wanted to talk about [REDACTED] and requested to speak with the [REDACTED] Manager, [REDACTED], and [REDACTED] himself. [REDACTED] informed USPS [REDACTED] supervisor, that a DEA agent wanted to talk to him. According to [REDACTED], he met with [REDACTED], along with [REDACTED], but he could not recall whether [REDACTED] identified himself as a DEA agent; [REDACTED] also could not recall whether [REDACTED] showed him government credentials but did remember [REDACTED] referring to what appeared to be a government Personal Identity Verification (PIV) card. [REDACTED] did recall [REDACTED] telling him that [REDACTED] identified himself to [REDACTED] as a DEA agent. According to [REDACTED], [REDACTED] was attempting to identify [REDACTED] and told [REDACTED] that [REDACTED] had no reason to be on his property. [REDACTED] advised [REDACTED] to contact the USPIS.

When the OIG contacted him about reviewing a draft of this report, [REDACTED] provided the OIG with an audio recording of what [REDACTED] said was his conversation with [REDACTED] and [REDACTED] at the [REDACTED] U.S. Post Office. [REDACTED] told the OIG that he recorded this conversation on his personal phone and found it while searching through backed up information. The OIG listened to the recording provided by [REDACTED]. In the recording, [REDACTED] is heard identifying himself as a "CIO" and claiming to work for "law

enforcement.”

The OIG gave [REDACTED] and [REDACTED] an opportunity to listen the recording provided by [REDACTED]. Both [REDACTED] and [REDACTED] acknowledged the recording was an accurate account of [REDACTED] conversation with [REDACTED]. However, [REDACTED] contends that he had a conversation with [REDACTED] prior to [REDACTED] conversation with [REDACTED]. According to [REDACTED], it was during that conversation that [REDACTED] identified himself to [REDACTED] as a DEA Agent and showed [REDACTED] what [REDACTED] believed to be a badge. [REDACTED] told the OIG that he subsequently approached [REDACTED] and arranged [REDACTED] conversation with [REDACTED]. [REDACTED] and [REDACTED] told the OIG that during the recorded conversation [REDACTED] provided that when [REDACTED] said he worked as a CIO for “them” that [REDACTED] was holding what appeared to be a government PIV card.

[REDACTED]

Finally, the USPIS informed the OIG that it did not have any record of a complaint from [REDACTED].

The United States Attorney’s Office [REDACTED] declined criminal prosecution of [REDACTED].

[REDACTED] resigned from the DEA [REDACTED].

The OIG has completed its investigation and is providing this report to DEA for its information.

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).