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The OIG investigation substantiated the allegation that (b)(6); (b)(7)(C) developed and maintained a six-year friendship with CS-07 and solicited and received gifts in the form of free tickets to live concerts and professional sporting events and free meals, despite knowing CS-07 was a former DEA CS. (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)

The witnesses told the OIG that CS-07 had many friends in law enforcement, was a local bookie, and was known to have season tickets to professional sporting events.

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

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

(b)(6); (b)(7)(C) called CS-07, advised him that he and (b)(6); (b)(7)(C) were in the arena and requested access to CS-07's private suite. According to CS-07, (b)(6); (b)(7)(C) came up to his suite, introduced themselves to him as "poor government officials," (b)(6); (b)(7)(C)

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

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

CS-07 said that during one of the encounters in (b)(6); (b)(7)(C) CS-07 told (b)(6); (b)(7)(C) of his previous arrest by DEA and his assistance in locating a DEA fugitive. CS-07 recalled that (b)(6); (b)(7)(C) responded, "we are not worried about it, you're good." CS-07 told the OIG that (b)(6); (b)(7)(C) became close friends, and in the following years they communicated frequently and went to sporting events and concerts together where CS-07 paid for (b)(6); (b)(7)(C) admission fees and meals.

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

In two compelled interviews, (b)(6); (b)(7)(C) admitted to accepting tickets to sporting events from CS-07 and said he had done so because he felt they were given to him as a gesture because he had a personal friendship with CS-07.

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

(b)(6); (b)(7)(C) denied having knowledge that CS-07 had been arrested by the DEA or had assisted the DEA in the criminal investigation which led to the apprehension of a DEA fugitive. (b)(6); (b)(7)(C)

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

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

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The OIG has completed its investigation and is providing this report to the DEA 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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ADDITIONAL SUBJECTS

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

Executive Assistant

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

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DETAILS OF INVESTIGATION

Predication

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the Drug Enforcement Administration (DEA) alleging that, between (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Executive Assistant (EA) (b)(6); (b)(7)(C) developed and maintained a friendship with former DEA confidential source (CS) 07- (b)(6); (b)(7)(C) and that (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) accepted gifts from CS-07. (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) The information contained in the allegation was compiled from recorded telephone calls made by (b)(6); (b)(7)(C) to CS-07, in which CS-07 bragged that he, (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) were close friends, that CS-07 provided (b)(6); (b)(7)(C) access to expensive sporting events, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) The OIG conducted this investigation jointly with the DEA Office of Professional Responsibility (OPR).

Investigative Process

The OIG's investigative efforts consisted of the following:

Interview of the following civilian personnel:

- Former DEA CS-07 (b)(6); (b)(7)(C)

Interview of the following DEA personnel:

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

Review of the following:

- (b)(6); (b)(7)(C)
- AT&T records for (b)(6); (b)(7)(C) DEA cell phone
- Verizon records for (b)(6); (b)(7)(C) personal cell phone
- (b)(6); (b)(7)(C)
- CS-07 (b)(6); (b)(7)(C) Confidential Source file
- NADDIS query logs

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

**Associated with and Solicited and Accepted Gifts from a Former DEA CS,
and Misused Their Positions**

The information provided to the OIG alleged that in or around (b)(6); (b)(7)(C) developed and maintained a prohibited association with CS-07, a former confidential source for the DEA. The information further alleged that (b)(6); (b)(7)(C) misused their positions by soliciting and accepting gifts from CS-07.

DEA Personnel Manual § 2735.20, Conduct Prejudicial to the Government (I) Unprofessional Conduct, states in pertinent part: "(2) DEA employees are prohibited from associating with individuals known or suspected to be involved in illegal drug trafficking or other criminal activity in other than a strictly professional capacity. This prohibition also applies to CSs and former CSs. Extrinsic social, financial or business contact with individuals of this nature are expressly prohibited. DEA employees are to strictly maintain only the highest standards of conduct with respect to informants, known criminals, or with individuals engaged in criminally violative activity."

DEA Personnel Manual § 2735.15, (A), Gifts from Outside or Non-Federal Sources, states in pertinent part: "an employee shall not accept a gift from a prohibited source. A DEA employee also shall not accept a gift given because of his/her official position."

DEA Personnel Manual § 2735.18, Misuse of Official Position states in pertinent part: "DEA personnel will not: (1) Use his/her official position for private gain."

5 C.F.R. § 2635.202, "General prohibition on solicitation or acceptance of gifts" contains the following prohibitions on accepting gifts: (1) accepting a gift from a prohibited source; and (2) accepting a gift given because of the employee's official position.

5 C.F.R. § 2635.702, "Use of public office for private gain" states the following: An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations.

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

CS-07 told the OIG that he met (b)(6); (b)(7)(C) in approximately (b)(6); (b)(7)(C)

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

(b)(6); (b)(7)(C) CS-07 said that on the night of the concert, (b)(6); (b)(7)(C) called him and asked if he could come to CS-07's private suite. CS-07

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agreed, and (b)(6); (b)(7)(C) went to the suite and introduced themselves claiming to be "poor government officials". (b)(6); (b)(7)(C)

During an encounter in (b)(6); (b)(7)(C) CS-07 said he explained to (b)(6); (b)(7)(C) that he was previously arrested by DEA and assisted DEA in locating (b)(6); (b)(7)(C) CS-07 recalled that (b)(6); (b)(7)(C) responded, "we are not worried about it, you're good." (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) CS-07 said, for those reasons, he was "100%" certain that (b)(6); (b)(7)(C) knew about his history as a DEA subject and CS. (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) CS-07 stated that over the next several years he maintained a friendship with (b)(6); (b)(7)(C) and routinely communicated with them via cell phone calls, text messages or instant messaging through WhatsApp. CS-07 said he also met in person with (b)(6); (b)(7)(C) during their (b)(6); (b)(7)(C) friendship on multiple occasions where CS-07 provided them free access to his suites to attend sporting events and concerts at multiple venues. CS-07 also stated he had multiple meals with (b)(6); (b)(7)(C) and he always paid their tab.

CS-07 stated that in one instance, (b)(6); (b)(7)(C) called him about bringing (b)(6); (b)(7)(C) to watch a (b)(6); (b)(7)(C) basketball game from CS-07's private suite (b)(6); (b)(7)(C) declined the invitation to the basketball game after learning from (b)(6); (b)(7)(C) that the tickets were being provided free of charge from a former DEA CS. (b)(6); (b)(7)(C) told CS-07 that (b)(6); (b)(7)(C) had admonished (b)(6); (b)(7)(C) and directed them to stop associating with CS-07. CS-07 said he did not communicate with (b)(6); (b)(7)(C) for a year after the incident; however (b)(6); (b)(7)(C) later advised CS-07 (b)(6); (b)(7)(C) and they continued their friendship.

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

CS-07 said that in (b)(6); (b)(7)(C) he received a call from (b)(6); (b)(7)(C) who said he was (b)(6); (b)(7)(C) and wanted to meet in person. CS-07 said he picked up (b)(6); (b)(7)(C) from his hotel and they had lunch together. (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) The OIG reviewed cell phone records for the period of (b)(6); (b)(7)(C)

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(b)(6); (b)(7)(C) and determined that (b)(6); (b)(7)(C) used his DEA issued cell phone to communicate with CS-07 on 41 occasions.

In an OIG interview, (b)(6); (b)(7)(C) stated that he remembered being invited to a basketball game by either (b)(6); (b)(7)(C) but could not remember the specifics. (b)(6); (b)(7)(C) did not remember CS-07, and denied knowing the tickets were provided by him. He also had no recollection of admonishing (b)(6); (b)(7)(C) for associating with CS-07.

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

In an initial OIG compelled interview, (b)(6); (b)(7)(C) admitted being friends with CS-07 and said he met CS-07 in approximately (b)(6); (b)(7)(C) at a sporting event that he attended with (b)(6); (b)(7)(C). In a second OIG compelled interview, (b)(6); (b)(7)(C) acknowledged he associated with CS-07 without (b)(6); (b)(7)(C) on multiple occasions, including going to a (b)(6); (b)(7)(C) football game where CS-07 provided (b)(6); (b)(7)(C) tickets at no charge. (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) admitted to communicating with CS-07 on his DEA issued cell phone and said he last saw him when he traveled to (b)(6); (b)(7)(C).

(b)(6); (b)(7)(C) were offered the opportunity to take voluntary polygraphs, but they both declined.

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

OIG's Conclusion

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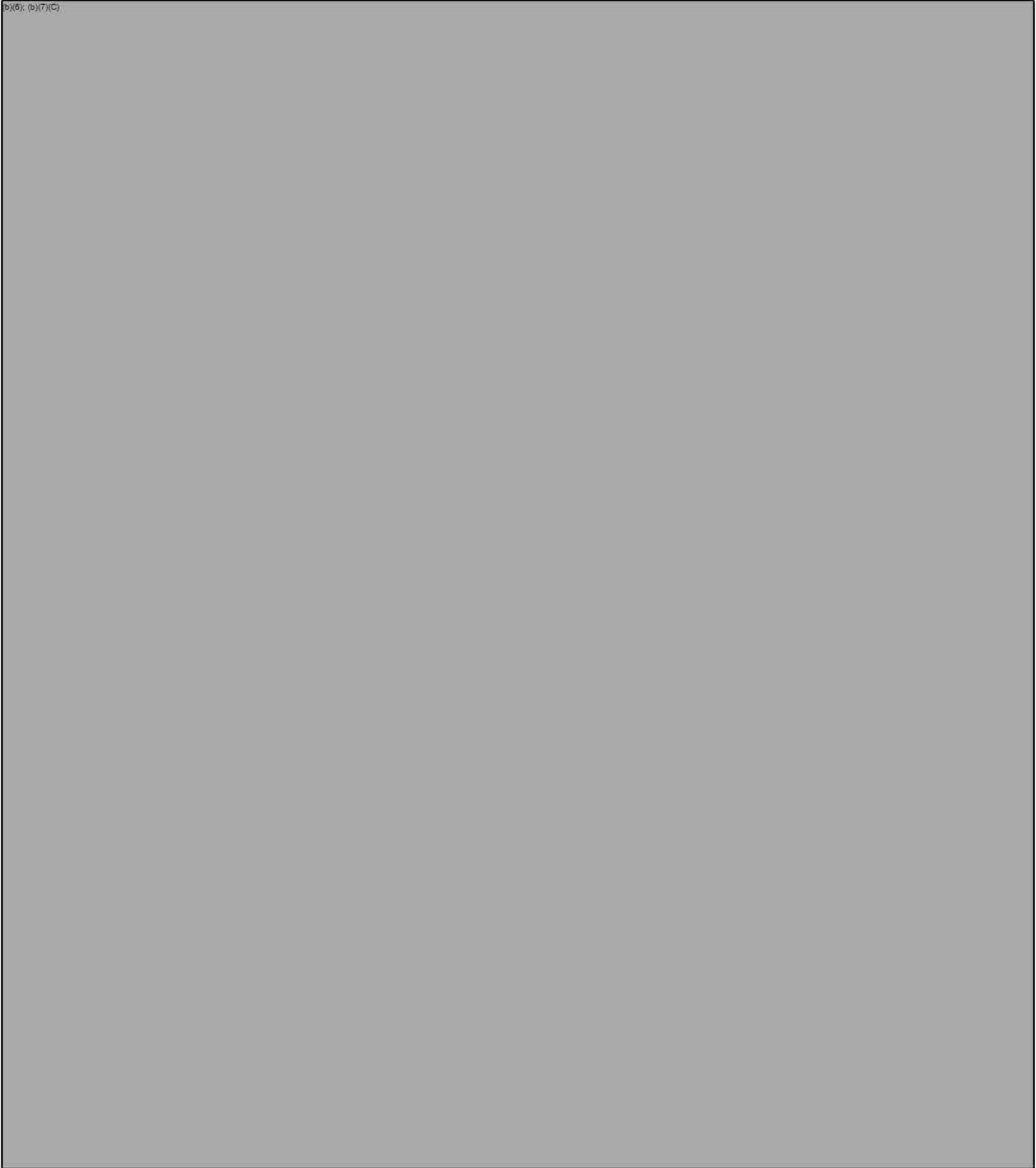
The OIG investigation concluded that (b)(6); (b)(7)(C) associated with CS-07, a former DEA CS, and solicited and accepted gifts from CS-07, and misused their positions in doing so, in violation of DEA policy and federal ethics regulations. The OIG found that (b)(6); (b)(7)(C) learned from CS-07 that he was a former DEA subject and a local bookie with access to exclusive professional sporting events and concerts. The OIG further found that, because (b)(6); (b)(7)(C) believed CS-07 would show them preferential treatment due to their employment with the DEA, they targeted CS-07 to solicit and receive discounted and/or free tickets. The OIG found evidence that (b)(6); (b)(7)(C) knew CS-07 was a former DEA target, identified themselves to CS-07 as DEA agents and during an encounter with CS-07 learned the extent of his affiliation with DEA. This conclusion is supported by evidence from NADDIS, CS-07's testimony to the OIG and OPR, (b)(6); (b)(7)(C). The OIG determined that (b)(6); (b)(7)(C) benefited personally from CS-07 invitations to expensive venues and from CS-07 paying for his meals.

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

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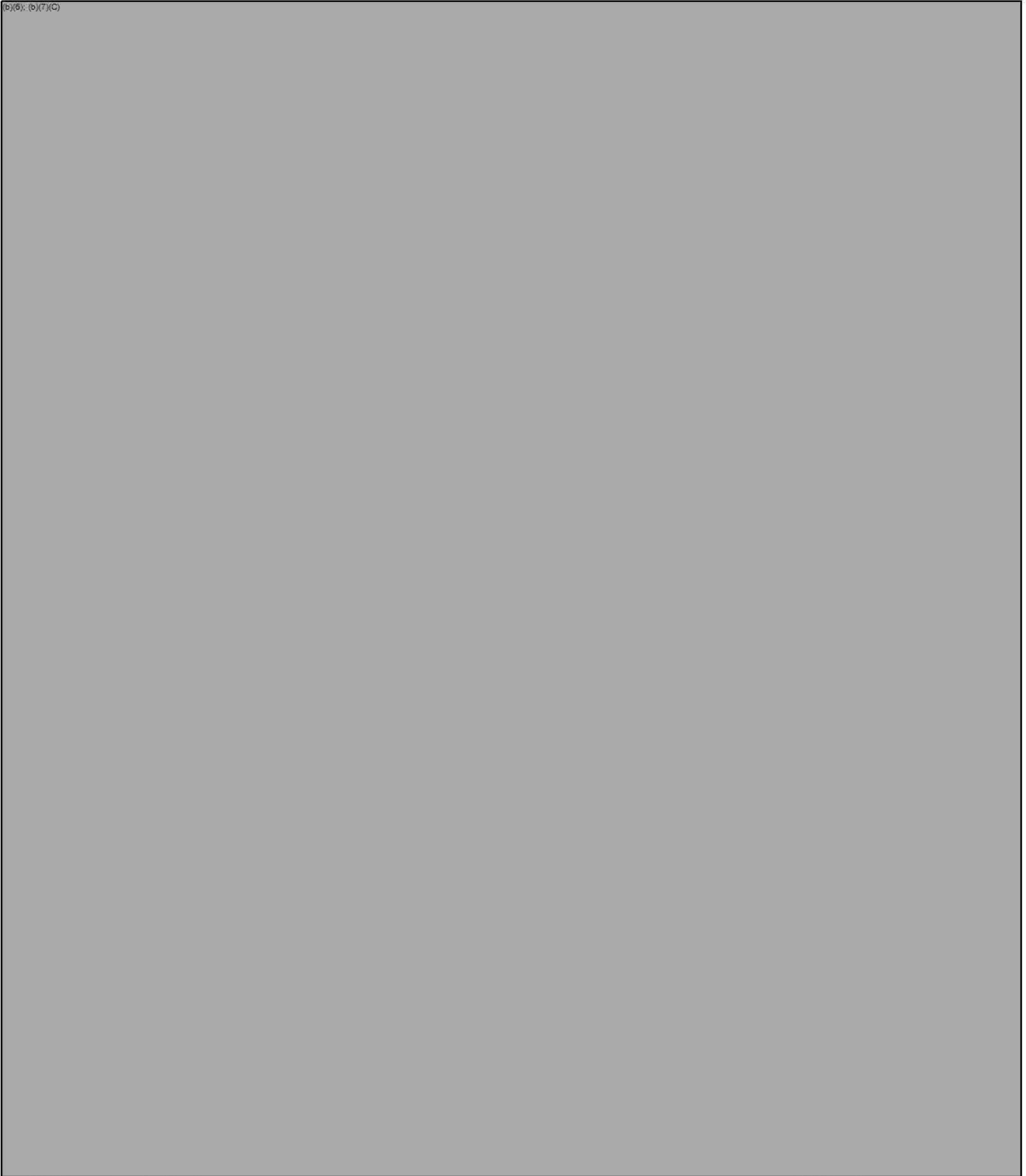
(b)(6); (b)(7)(C)



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



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



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