



OFFICE OF THE INSPECTOR GENERAL

U.S. Department of Justice

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INVESTIGATIVE SUMMARY

Findings of Misconduct by an AUSA for Improperly Receiving, Viewing, Copying, and Sharing Personally Identifiable Information of Coworkers, and Lacking Candor with Supervisors

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation upon receipt of information from the Executive Office for U.S. Attorneys (EOUSA) alleging that a supervisory Assistant United States Attorney (AUSA) obtained without authorization a disc holding thousands of personnel records of current and former United States Attorney's Office (USAO) employees in violation of the Privacy Act and numerous DOJ policies. The AUSA was also alleged to have shared some content of the disc with another AUSA, lacked candor with her supervisor about how she obtained the disc, and copied the records from the disc after having been instructed by her supervisor to return the disc without copying it.

The OIG substantiated the allegations against the AUSA. The investigation determined that the AUSA had previously received from EOUSA, as a result of a Freedom of Information Act request, salary and bonus information for USAO attorneys, with the attorneys' names excluded. Shortly thereafter, with the assistance of another USAO employee who was not authorized to access or share the information, the AUSA improperly obtained a disc holding thousands of personnel records, which included personally identifiable information of current and former USAO employees. The AUSA viewed the records on her personal computer. The records contained salary and bonus information of USAO attorneys, which the AUSA had sought for use in making an equal employment opportunity claim. The records also contained personally identifiable information that was protected by the Privacy Act, such as social security numbers, dates of birth, and performance and disciplinary information about the employees. With the AUSA's cooperation, the OIG forensically wiped the hard drive of her personal computer so that any data from the records that may have existed on her personal computer was erased.

The investigation also established that the AUSA created a table which included salary and bonus information, as well as performance and disciplinary information, of the USAO attorneys identified by their initials. The identities of the attorneys were readily discernible from the table in view of the relatively small number of attorneys in the USAO, and because information in the table specified those who were attorney supervisors and those who were assigned to a branch office. The AUSA then shared the table with another USAO attorney and EEO investigators. The OIG retrieved a copy of the table from the other USAO attorney. The OIG investigation revealed no other dissemination of information from the disc.

When questioned by her supervisor about the disclosure of unrelated USAO personnel information, the AUSA volunteered to her supervisor that she had obtained the disc containing the personnel records of USAO employees but stated that the disc had been provided to her anonymously. In fact, the AUSA had solicited the assistance of the other USAO employee to obtain salary and bonus information, and received the disc shortly after doing so. Additionally, despite the supervisor's direction to her to return the disc without retaining any copy, the AUSA copied the disc and retained a copy, which she subsequently provided to her supervisor. The OIG has secured both copies of the disc. Prosecution was declined.

The AUSA has resigned from the USAO. The OIG has completed its investigation and has provided a report to EOUSA, and to the DOJ Office of Professional Responsibility for review and appropriate action.

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