



REPORT ON INTERNAL INVESTIGATIONS AND EMPLOYEE ACCOUNTABILITY

Fiscal Year 2021



U.S. Customs and
Border Protection

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Message from CBP Leadership



Chris Magnus
Commissioner

As we strive to be the premier law enforcement agency in the nation, we hold our workforce to the highest standards of integrity, professionalism, and personal conduct. When just one employee engages in misconduct or corruption, it can pose a threat to our national or economic security and CBP loses trust with the American people.

It is our duty to conduct thorough and timely investigations of alleged misconduct and corruption. Our disciplinary program must efficiently evaluate employee misconduct and impose consistent, fair, and prompt corrective action independent of any potential criminal sanctions imposed through the judicial system. These standards are essential to the Agency's success and to ensure the public's trust in CBP. It is our responsibility to be transparent about case outcomes and how we hold employees accountable for their actions.



Introduction

As the United States' unified border entity and largest law enforcement agency, CBP takes a comprehensive approach to border management and control, combining border security, immigration, trade, and agriculture protection into one coordinated mission. The workforce is comprised of 64,000 employees including law enforcement personnel and civilians working in administrative, professional, technical, and scientific positions.

Operating in such a complex threat environment requires tremendous focus and a commitment to the highest standards of professionalism and integrity. The conduct of our employees, both on and off duty, forms the basis of public trust. The American people have entrusted us to protect the homeland and much of what we do draws high levels of public attention and scrutiny. Guided by the highest ethical and moral principles, and exhibiting the highest level of professional responsibility, CBP employees strive to maintain public trust and confidence of the communities we serve and protect. However, like all border agencies in the world, CBP remains vulnerable to the potential for corruption and misconduct within its workforce. CBP takes all allegations of misconduct seriously, investigates thoroughly, and holds employees accountable when policies are violated.

We must be accountable and transparent about violations of law, policy, and standards of conduct in alignment with public expectations for a modern law enforcement entity. This is the second year CBP is publishing information on internal investigations and discipline in a joint report. The *Report on Internal Investigations and Employee Accountability Fiscal Year 2021* provides transparency on the process from intake through administrative outcome and provides key statistics on the intake, investigative activity, and disciplinary actions taken against CBP employees for the period from October 1, 2020, through September 30, 2021. It also highlights specific areas that are of particular concern to the Agency as well as updates on new transparency and accountability initiatives. The report also features summaries of significant investigative and disciplinary outcomes that occurred during the reporting period.

Information identifying individual employees has been omitted in accordance with the Privacy Act. Instead, data is presented in aggregate and case summaries do not include personally identifiable information.



MISSION STATEMENT

PROTECT THE AMERICAN PEOPLE, SAFEGUARD OUR BORDERS, AND ENHANCE THE NATION'S ECONOMIC PROSPERITY.

VISION STATEMENT

ENHANCING THE NATION'S SECURITY THROUGH INNOVATION, INTELLIGENCE, COLLABORATION, AND TRUST.

CORE VALUES

Vigilance is how we ensure the safety of all Americans. We are continuously watchful and alert to deter, detect and prevent threats to our nation. We demonstrate courage and valor in the protection of our nation.

Service to Country is embodied in the work we do. We are dedicated to defending and upholding the Constitution of the United States. The American people have entrusted us to protect the homeland and defend liberty.

Integrity is our cornerstone. We are guided by the highest ethical and moral principles. Our actions bring honor to ourselves and our agency.



On a Typical Day in Fiscal Year (FY) 2021, CBP:

Processed:

- 491,688 passengers and pedestrians
- 121,516 incoming international air passengers and crew
- 8,094 passengers and crew on arriving ships/boats
- 362,078 incoming land travelers
- 89,458 truck, rail, and sea containers
- 159,598 incoming privately owned vehicles
- \$7.6 billion worth of imported products
- 101,000 entries of merchandise at our air, land, and seaports of entry
- \$256 million in duties, taxes, and other fees, including more than \$234 million in duties

Conducted:

- 1,703 apprehensions between U.S. ports of entry
- 25 arrests of wanted criminals at U.S. ports of entry
- 723 refusals of inadmissible persons at U.S. ports of entry

Discovered:

- 264 pests at U.S. ports of entry and 2,548 materials for quarantine: plant, meat, animal by product, and soil

Seized:

- 4,732 pounds of drugs
- \$342,000 illicit currency
- \$9 million worth of products with Intellectual Property Rights violations
- 7 intercepted fraudulent documents

Employed 64,272 men and women including:

- 25,914 CBP officers
- 2,693 CBP Agriculture specialists
- 19,536 Border Patrol agents
- 598 Air Interdiction agents (pilots)
- 358 Marine Interdiction agents
- 360 Aviation Enforcement agents
- 1,114 Trade personnel
- More than 867 canine teams and 110 horse patrols

Conducted operations in:




- 48 countries with more than 723 CBP employees working internationally
- 328 ports of entry within 20 field offices
- 135 Border Patrol stations within 21 sectors, with 36 permanent checkpoints
- 74 Air and Marine Operations locations, including branches and units, National Air Security Operations




Based on FY 2021 data



Reporting Misconduct

CBP expects its workforce to demonstrate high standards of professional conduct, as established in our Standards of Conduct. CBP employees must know the Standards of Conduct and how they apply to personal behavior both on and off duty; seek clarification if needed; and be aware of the consequences of violating the Standards of Conduct, as well as applicable statutes, regulations, and rules governing conduct.

Employees have an affirmative duty to report violations of these Standards and any matters that could reflect substantive misconduct or serious mismanagement. Thus, failure to report in and of itself constitutes misconduct and serves as the basis for potential discipline. Employees are required to report criminal activity that violates state or federal criminal laws such as bribery, theft, misuse of funds, smuggling, drug possession, perjury, civil rights violations, and instances in which they have been arrested. They are also required to report serious misconduct that could jeopardize CBP's mission including misuse of government Information Technology (IT) systems, falsification, abuse of official position for personal gain, workplace violence or harassment, improper association, and willful misuse of government vehicle or property. All such matters may be reported to the CBP Joint Intake Center (JIC) or the Department of Homeland Security (DHS) Office of Inspector General (OIG).

Joint Intake Center	
	1-877-2INTAKE
	JointIntake@cbp.dhs.gov
	P.O. Box 14775 1200 Pennsylvania Avenue, NW Washington, DC 20044

DHS Office of Inspector General	
	1-800-323-8603
	DHSOIGHOTLINE@dhs.gov
	http://www.oig.dhs.gov/hotline

CBP Information Center			
	1-877-CBP-5511		
		https://help.cbp.gov	

Law enforcement agencies, members of the public, and advocacy groups may also submit complaints and allegations of misconduct to the JIC and the DHS OIG. They can also contact the CBP Information Center (CIC) to ask questions, register comments, compliments, and complaints related to travel, immigration, and trade issues involving CBP.

Intake, Internal Investigations, and Oversight

In accordance with the *Trade Facilitation and Trade Enforcement Act of 2015 (TFTEA)*, the CBP Office of Professional Responsibility (OPR), previously known as the Office of Internal Affairs, was established and granted expanded authority to investigate corruption, misconduct, or mismanagement on the part of CBP employees, as well as oversee CBP's integrity awareness and internal security programs. It is an independent office led by an Assistant Commissioner, who reports directly to the Commissioner of CBP.

OPR's Investigative Operations Directorate (IOD) leads the investigation, oversight, and proactive mitigation of workforce misconduct, critical incidents, and workforce-related threats. It is the primary entity responsible for the intake of allegations as well as criminal and administrative investigations of serious misconduct, harassment, excessive force, assaults, corruption, and bribery, Prison Rape Elimination Act (PREA) claims, procurement fraud, deaths in custody, as well as cyber and forensic crimes. These core activities are rooted in OPR's legacy Internal Affairs role but have also evolved into expanded functions that include the oversight and review of designated critical incidents where misconduct may not be suspected.

Along with the established values and culture of excellence set forth by CBP and DHS at large, OPR upholds the following core principles:

Integrity in all we say and do

Transparency in our processes, activities, and decisions

Accountability for our actions

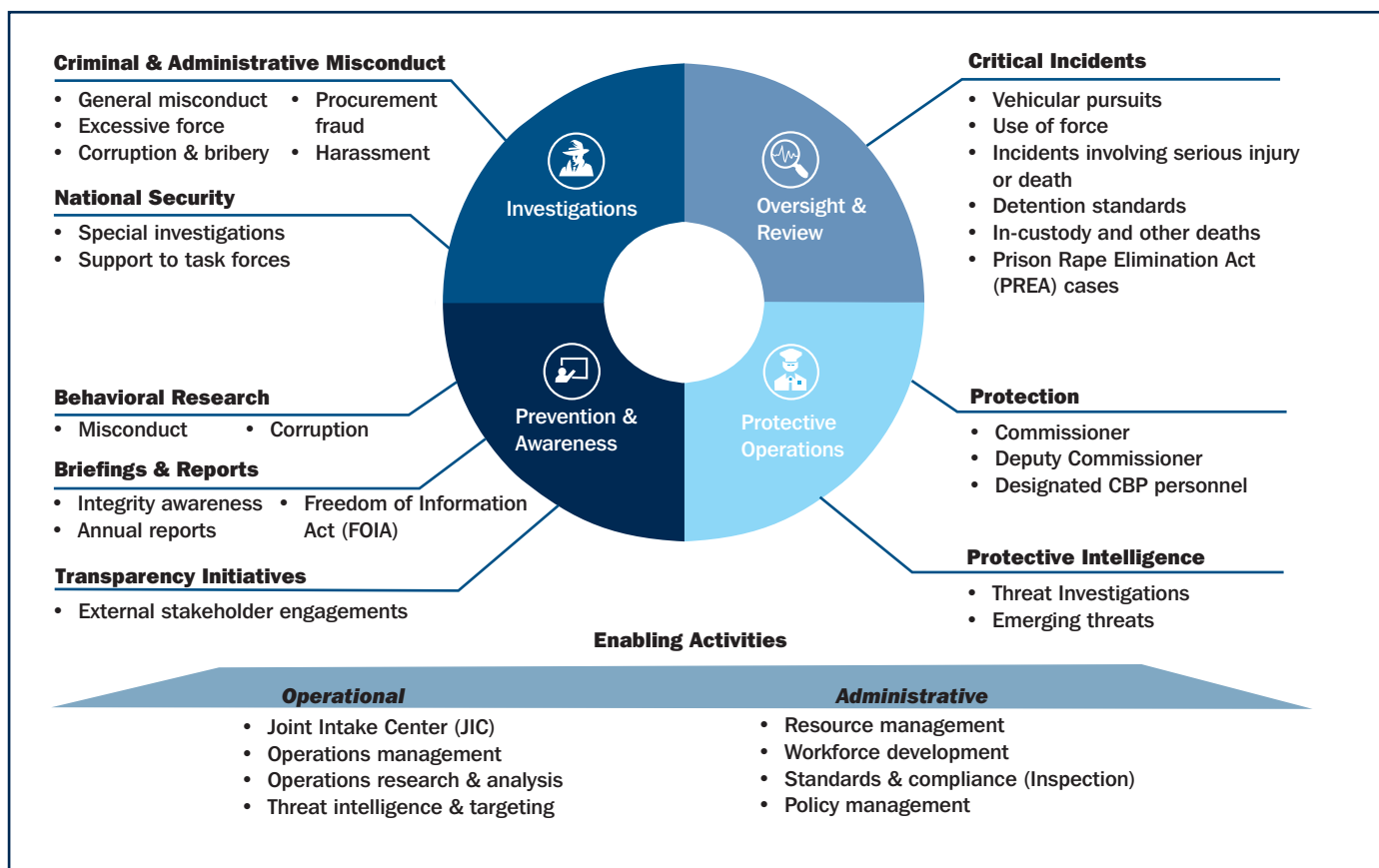
Dignity for each person with whom we interact

OPR's mission priorities orient our operational focus and resources on the most vital matters. These priorities are informed by statutory mandates, Congressional guidance, DHS policy, and CBP's overall commitment to transparency and accountability regarding employee misconduct, critical incidents, and use of force. Specific functions, considerations, and priorities may change each fiscal year to meet new mission needs and requirements. OPR's current priorities are as follows:

1. Improving the [speed, accuracy, and overall quality of reporting on critical incidents](#) to CBP, Congress, and the American people.
2. Improving [transparency of ongoing, as well as closed, investigations and reviews](#) in accordance with TFTEA mandates, to the maximum extent possible.
3. Ensuring standards of [in-custody care prioritize the dignity](#) of human life.
4. Ensuring uses of force prioritize the dignity of human life.
5. Ensuring that [workforce complaints](#), including those related to domestic violent extremism, misconduct, harassment, and other issues, [are investigated expeditiously and thoroughly](#).

Investigative operations center around four core mission activities and are complemented by operational and administrative enabling activities as depicted in Figure 1.

FIGURE 1 OPR MISSION ACTIVITIES



Investigations: Special agents investigate criminal and other serious misconduct by CBP personnel or impacting CBP operations. Ultimately, investigations are conducted to determine whether the subject has committed a crime or violated a standard of conduct.

Oversight and Review: OPR’s mandate often extends into circumstances that do not involve misconduct but nonetheless require federal oversight and review. These matters stem from critical incidents that may involve serious injury, death, or destruction of property and require CBP evaluation to maintain a culture of transparency and accountability.

Prevention and Awareness: OPR is also responsible for increasing organizational awareness of operational trends related to misconduct and corruption to prevent further adverse incidents from occurring. This role supports the overarching CBP enterprise.

Protective Operations: OPR provides protective details and related investigations to safeguard key personnel as well as monitoring or mitigating threats to those key personnel and the offices they lead.

Intake

Situated within OPR, the JIC is the centralized intake point and clearinghouse for complaints and allegations of misconduct involving CBP employees and contractors. These reports come from many sources including employees, other law enforcement agencies, members of the public, and advocacy groups. Employees are required to report suspected misconduct and may do so by either contacting OPR through the JIC or by contacting DHS OIG directly. Members of the public and advocacy groups may also submit complaints or allegations directly to the JIC. In addition to complaints and allegations of misconduct, the JIC also receives information on a variety of other matters including employee performance issues, workplace disagreements and grievances, critical incidents, technology disruptions, lost property, evidence handling discrepancies, and matters involving non-CBP facilities or individuals who have no affiliation to CBP.

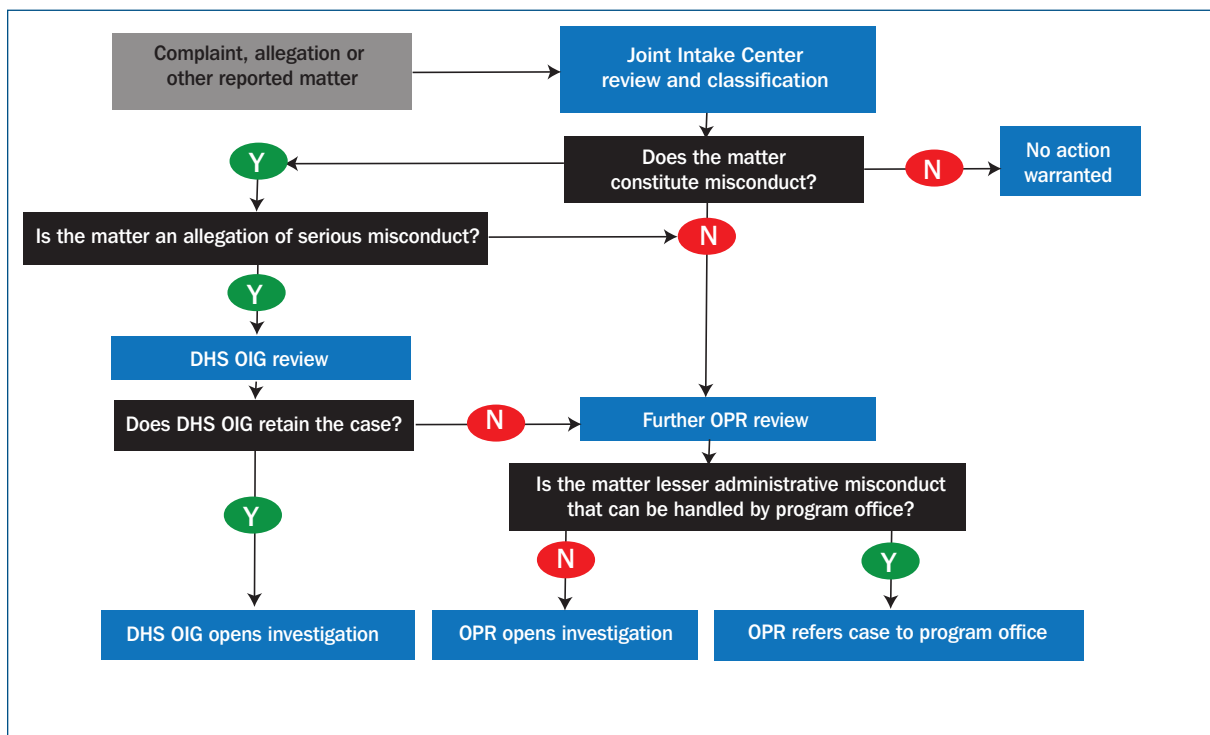
The intake process is initiated upon receipt of a complaint, allegation of misconduct, or other report. OPR records each instance, assigns a file number in the Joint Integrity Case Management System (JICMS), and classifies the matter into one of the following categories:

- **Class 1 Criminal Misconduct:** Criminal activity; conduct in violation of federal laws.
- **Class 2 Criminal Non-Federal Misconduct and Non-Criminal Serious Misconduct:** Serious and substantive misconduct and/or arrests by state/local law enforcement that could jeopardize the Agency's mission including conduct that could result in a suspension of more than 14 days to removal on the first offense if substantiated.
- **Class 3 Administrative Misconduct:** Lesser administrative misconduct: allegations of misconduct referred to CBP management, as Administrative Inquiries or Management Referrals.
- **Class 4 Information Received:** Matters reported to the JIC that do not constitute misconduct that are received, reviewed, indexed, and referred as warranted.

Figure 2 depicts the intake process. As reports arrive in the JIC, OPR reviews each one to distinguish between misconduct and other matters, and to determine the appropriate entity or entities involved and the most appropriate course of action to address the report.

Allegations of serious misconduct are referred to the DHS OIG for independent review and determination in accordance with DHS Management Directive 0810.1. DHS OIG may hold the case and conduct its own investigation. OPR retains cases DHS OIG does not accept as well as those cases which do not meet the criteria for referral. These cases are sent to OPR field offices for further review and appropriate action. OPR field offices initiate investigations on allegations of criminal and serious misconduct. Cases involving lesser administrative misconduct are assigned back to the employee’s program office for administrative inquiry or immediate management action. Matters that do not constitute misconduct are classified as received and closed or referred, as appropriate.

FIGURE 2 JIC INTAKE PROCESS



In FY 2021, OPR developed a case prioritization matrix to review reports received by the JIC. Utilizing the case prioritization matrix, OPR ensured the highest priority matters were promptly sent to its field offices for investigation while other complaints were efficiently referred to component management for an administrative inquiry or other action. During FY 2021, OPR conducted 5 Administrative Inquiry Training Program (AITP) sessions training 114 component personnel to serve as fact finders authorized to perform administrative inquiries.

The JIC received 9,279 reports in FY 2021; a 30% increase from the 7,113 received in FY 2020.

310 of these were referrals from the CIC based on complaints from the public; a 50% increase from the 204 complaints received in FY 2020.

OPR noted significant reporting increases in two areas: 1) reports pertaining to migrant detention, including environmental conditions, care and treatment, and detainment more than 72 hours; and 2) reports of exfiltration of information, e.g., passwords, various forms of Personally Identifiable Information, etc., from CBP IT systems due to employees working remotely during the COVID-19 pandemic.

These reports, also referred to as JIC intake, are listed by program office for both FY 2020 and FY 2021 in Table 1. Eighty-eight percent (8,154) of matters reported to the JIC in FY 2021 involved the Office of Field Operations (OFO) and U.S. Border Patrol (USBP), two of the three operational components which comprise the majority of the CBP workforce. Intake related to USBP increased 72% from FY 2020 (primarily because of migrant detention issues in USBP short-term holding facilities), whereas reporting related to OFO decreased 1%. The remaining 12% of intake pertained to all other CBP program offices combined.

TABLE 1 JIC INTAKE BY PROGRAM OFFICE

Program Office	FY 2020	FY 2021
Air and Marine Operations	106	198
Enterprise Services	235	339
Office of Chief Counsel	6	26
Office of the Commissioner	21	36
Office of Congressional Affairs	2	5
Office of Field Operations	3,868	3,823
Office of Professional Responsibility	61	70
Office of Public Affairs	2	3
Operations Support	79	97
Office of Trade	33	43
U.S. Border Patrol	2,524	4,331
Unknown/Unnamed Subject	176	308
Total	7,113	9,279

At intake, 85% (7,858) of matters suggested potential criminal, serious, or administrative misconduct (Class 1, 2, and 3 combined). Table 2 compares FY 2020 and FY 2021 intake by class type. Intake in the Class 1 Criminal Misconduct category decreased in FY 2021, whereas the other three categories marked increases from FY 2020.

TABLE 2 JIC INTAKE BY CLASS TYPE FY 2020 AND FY 2021

Type of Misconduct	Reports Received by the JIC FY 2020	Reports Received by the JIC FY 2021
Class 1 Criminal Misconduct	789	734
Class 2 Criminal Non-Federal Misconduct	177	232
Class 2 Non-Criminal Serious Misconduct	1,361	2,174
Class 3 Administrative Misconduct	3,351	4,718
Total	5,678	7,858

The remaining 1,421 reports to the JIC in FY 2021 were not alleged misconduct and were categorized as Class 4 Information Received. These reports were slightly lower than the 1,435 reports classified as Information Received in FY 2020. These types of reports include a wide range of issues, but are not limited to, seizure discrepancies with no sign of tampering, arrests involving a CBP employee’s family member with no nexus to the employee’s

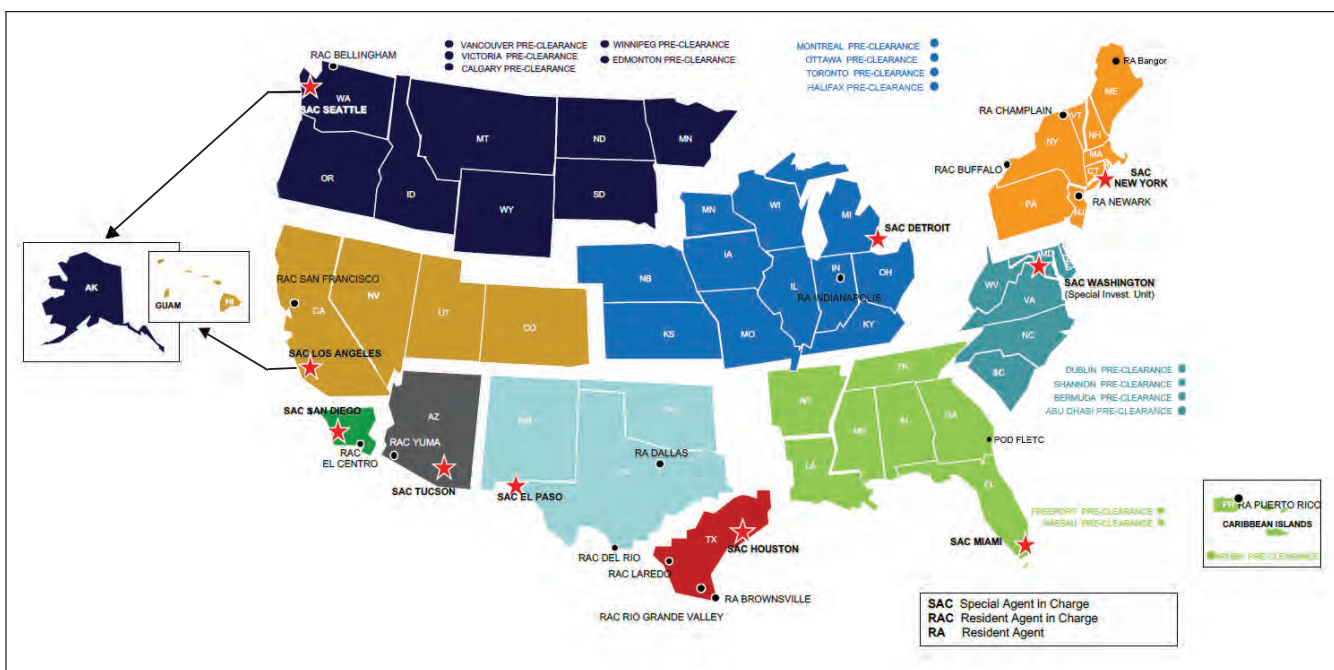
position or job, lost or missing government property with no indication of employee negligence or carelessness, lost or missing personal property or effects reported pursuant to inspections or other interactions with CBP, etc. These are typically closed with no action warranted.

Investigations

After intake, the JIC transfers allegations of misconduct that have either been declined by DHS OIG or were not subject to referral to 1 of the 10 OPR field offices throughout the United States. These offices, led by Special Agents in Charge (SAC) and referred to as SAC offices, are located in Seattle, Los Angeles, San Diego, Tucson, El Paso, Houston, Detroit, Miami, New York, and Washington, DC. Each SAC office receives allegations involving CBP employees assigned to their respective areas of responsibility. Some allegations of misconduct involving employees in the Senior Executive Service (SES) and those at the GS-15 level are assigned to the Special Investigations Unit (SIU) situated in SAC Washington.

OPR criminal investigators work collaboratively with law enforcement partners in the Federal Bureau of Investigation (FBI) Border Corruption Task Forces (BCTF), the Drug Enforcement Administration (DEA) and both the DHS OIG and Homeland Security Investigations (HSI), as well as with state and local law enforcement agencies, while maintaining relationships with key stakeholders.

FIGURE 3 MAP OF OPR OFFICES AND AREAS OF RESPONSIBILITY



Investigations generally focus on suspected CBP employee misconduct (criminal or administrative), criminal activity impacting CBP operations, and matters of national security involving targeted CBP personnel.

- Employee misconduct investigations may include allegations of inappropriate behavior ranging from misuse of government resources to violations of law.
- Excessive force cases involve applications of force resulting in serious injury, death, or destruction of property whereby a law enforcement tactic, technique, less-lethal device, or weapon is used to arrest a subject, address a potential threat, or ensure compliance with a lawful order.
- In corruption investigations, OPR investigates dishonest and/or illegal activities that exploit one's employment for personal material gain. This may include but is not limited to bribery, fraud, theft, smuggling, and misuse of government IT systems.
- Procurement fraud investigations focus on any allegation of dishonest or deceptive practices, whether administrative, civil, or criminal, by external entities contracted to provide goods and services to CBP.
- Harassment investigations involve intentional, severe, recurring, and/or pervasive offenses that may take place in and/or outside the CBP workplace that interferes with an employee's ability to perform the job, or creates an environment of physical, mental, or emotional abuse.
- In national security investigations, OPR investigates activities by foreign and domestic actors with malicious intent that is intended to gain, share, and/or leverage information on CBP personnel.
- OPR investigates any politically motivated activities associated with a U.S. citizen's unlawful use of violence and intimidation against CBP personnel or operations in domestic terrorism investigations.

Throughout the fiscal year, OPR may also initiate investigations as part of its responsibility to provide oversight and review of critical incidents involving serious injury, death, or destruction of property.

These investigations include a review of:

- **Vehicular pursuits:** any incident involving serious injury, death, or destruction of property that involves a law enforcement officer operating a motor vehicle while in pursuit of another individual.
- **Use of Force:** any application of force resulting in serious injury, death, or destruction of property whereby a law enforcement tactic, technique, less-lethal device, or weapon is used to arrest a subject, address a potential threat, or ensure compliance with a lawful order.
- **Other critical incidents:** any critical incidents not falling into the above two categories, but that result in serious injury, death, or destruction of property.
- **Detention standards:** the quality of treatment at facilities designated for the physical confinement of individuals, according to the CBP's National Standards on Transport, Escort, Detention, and Search (TEDS).
- **In-custody and other deaths:** a review against the TEDS Standards, in which an individual under CBP custody becomes a fatality, regardless of cause, or any circumstance involving a fatality where CBP personnel, equipment, or other factors could reasonably imply CBP involvement.
- **PREA:** claims related to suspected PREA violations, to include the suspected misconduct CBP personnel on detainees, as well as conduct of detainees as it relates to other detainees.

Summary of Investigative Activity and Outcomes in FY 2021¹

Of the 7,858 allegations of criminal, serious, and administrative misconduct:

1,044	OPR investigations initiated on the intake received in the JIC during FY 2021, a 46% reduction from the 1,947 investigations opened in FY 2020.
135	Cases retained or pending review by DHS OIG
6,418	Allegations determined to be either lesser administrative misconduct referred for review and appropriate action to program office management, fact finders in the Administrative Inquiry Program, or were allegations of improper use of CBP IT systems by employees of other law enforcement agencies.
62	Pending further review in the JIC.
199	Allegations ultimately closed as Information Only with no further action warranted.

Outcomes of OPR investigative activity:

1,162	Investigations OPR closed by the end of the fiscal year, some of which included investigations opened during previous fiscal years.
193	Critical incidents OPR responded to involving in custody and other deaths, vehicle pursuits, and use of force resulting in serious injury or death.
16	Arrests
17	Indictments
4	Convictions
4	Fines
147	Personnel actions against CBP employees
6	Suspension and debarments of CBP employees

¹ As of 01/13/2022.

Discipline Process

Human Resources Policy and Programs Directorate (HRPPD) is the sole authority within CBP for the management of labor and employee relations (LER) matters. HRPPD develops, establishes, and implements CBP-wide LER policies, programs, and procedures to facilitate effectiveness and operational consistency. HRPPD provides expert advice, training, and processes matters related to disciplinary and adverse actions, medical issues, leave administration, performance-based actions, grievances, unfair labor practices (ULP), and more.

In accordance with CBP’s Delegations of Authority, the authority to propose or decide disciplinary actions is generally delegated to supervisory and managerial officials at the lowest organizational level. The final disposition of proposed discipline is determined by a deciding official in the employee’s chain of command unless there is a conflict of interest. In accordance with 5 U.S.C. § 7513(a), Cause and Procedure, the Office of Human Resources Management (HRM) and management ensure that the employee’s rights are preserved throughout the discipline process and all decisions rendered are fair, consistent, and for “such cause as will promote the efficiency of the service.”

Discipline, whether informal or formal action, is imposed to deter misconduct that affects the efficiency of the service and to encourage conduct that complies with the Agency’s standards of conduct, standard operating procedures, policies, and office practices.

Discipline Intake

Reports of investigation completed by OPR, CBP’s Administrative Inquiry Program, and DHS OIG are routed from OPR to HRM. LER also receives cases directly from management when the misconduct does not require reporting to the JIC. LER conducts a thorough review to determine whether the report and evidence collected substantiates the misconduct. LER then routes the cases to the appropriate proposing official, whether that is the Discipline Review Board (DRB) or local management.

FIGURE 4 DISCIPLINE INTAKE PROCESS

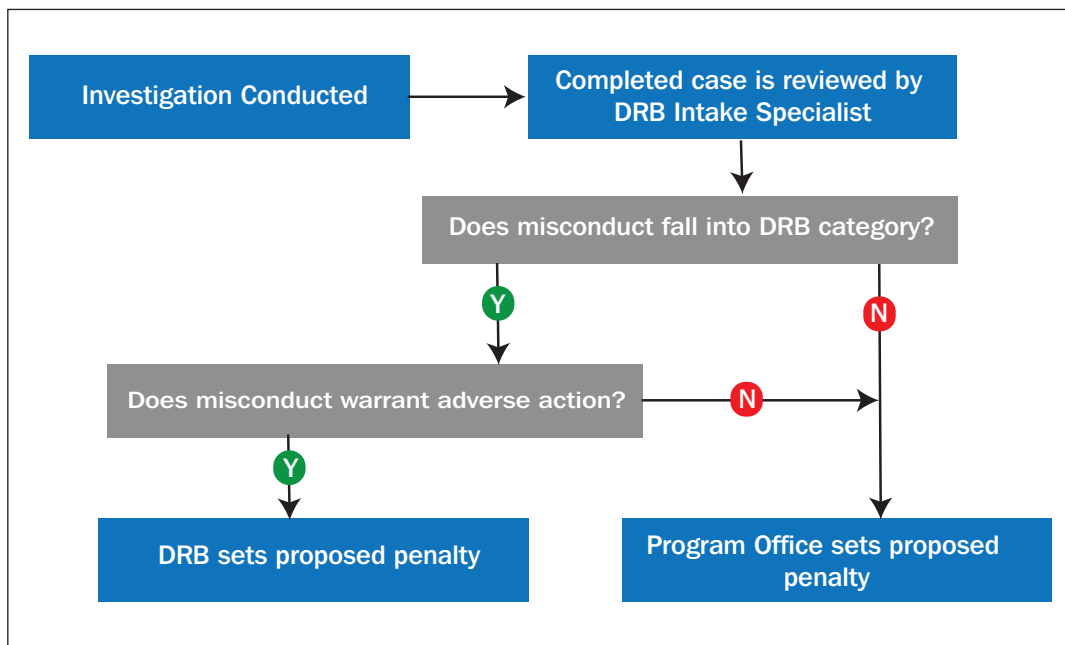


Table 3 depicts the differences in discipline intake between FY 2019, FY 2020, and FY 2021. FY 2021's discipline intake was 3% lower than the 9,269 discipline cases received in FY 2020. FY 2021's discipline intake was 13% higher than the 7,924 discipline cases received in FY 2019. CBP's workforce increased by 4% in the same timeframe.

TABLE 3 DISCIPLINE INTAKE BY COMPONENT OFFICE

Discipline Intake by Component Office	FY 2019	FY 2020	FY 2021
Air and Marine Operations	159	162	220
Enterprise Services	280	311	319
Office of Chief Counsel ²	0	5	2
Office of the Commissioner	22	31	43
Office of Congressional Affairs	0	3	2
Office of Field Operations	4,176	4,928	4,570
Office of Professional Responsibility	39	70	33
Office of Public Affairs	3	4	3
Operations Support	73	109	97
Office of Trade	35	40	44
U.S. Border Patrol	3,137	3,606	3,656
Total Intake	7,924	9,269	8,989

LER assisted management to close 8,989 allegations of misconduct against CBP employees during FY 2021. While this is a substantial number of allegations, it is important to note that management determined that half of the allegations were not supported by a preponderance of evidence warranting disciplinary action.

Ninety-one percent of cases LER assisted management to close in FY 2021 involved employees in OFO and USBP. Employees within these two components comprise 85% of CBP's workforce and include many law enforcement officers who are held to a higher standard than non-weapon carrying employees. OFO and USBP consistently make up over 90% of allegations each year.

Agency-Wide Disciplinary Actions

Formal disciplinary actions include reprimands, suspensions, demotions, last chance agreements (LCA), and removals from federal service, while informal disciplinary action refers to oral or written counselings.³ In FY 2021, CBP took 1,919 formal disciplinary actions, and issued 2,076 counselings, as listed in Table 4.

² LER does not provide disciplinary servicing to the Office of Chief Counsel (OCC). However, OCC sometimes requests assistance from LER.

³ In an LCA, the employee's removal is held in abeyance for the duration of the agreement period and the employee serves a suspension. If the employee commits misconduct during the LCA period, their removal is effected immediately.

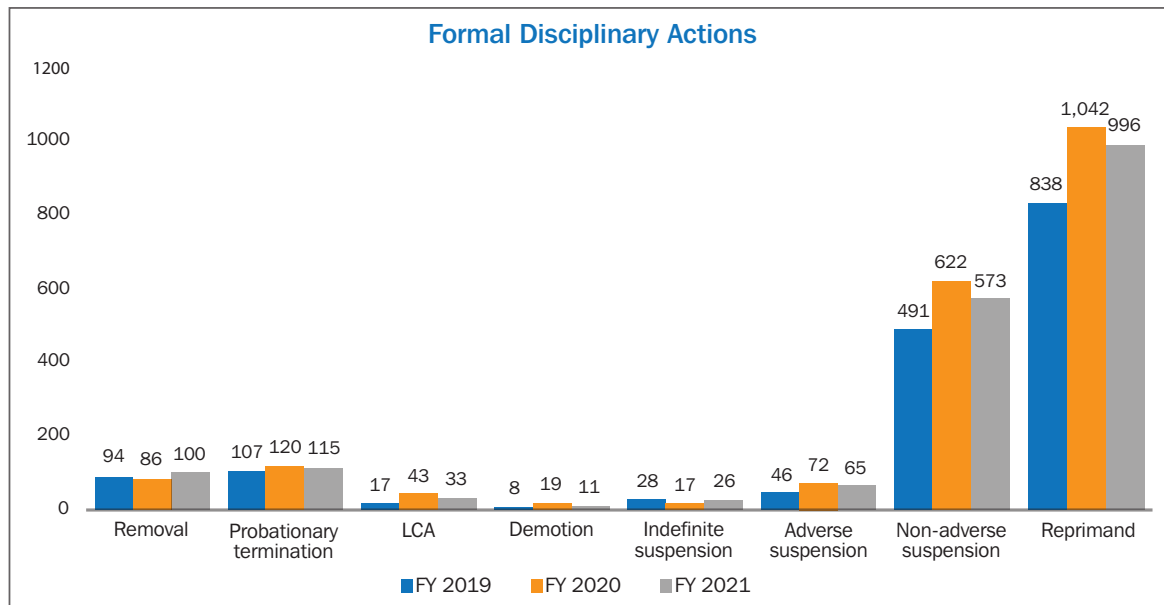
TABLE 4 DISCIPLINARY ACTIONS BY COMPONENT OFFICE AND TYPE

	Removal	Probationary Termination	Last Chance Agreement	Demotion	Indefinite Suspension	Adverse Suspension	Non-adverse Suspension	Reprimand	Counseling	Totals
Office										
Air and Marine Operations	1	4	2	-	1	1	12	15	74	110
Enterprise Services	8	-	3	-	-	5	13	28	105	162
Office of the Commissioner	-	-	-	-	-	-	-	1	16	17
Office of Field Operations	57	79	14	6	13	25	263	462	961	1,880
Office of Professional Responsibility	-	-	-	-	-	-	2	1	4	7
Office of Public Affairs	-	-	-	-	-	-	-	-	1	1
Operations Support	2	2	-	2	1	-	3	2	26	38
Office of Trade	-	-	-	1	-	-	-	2	20	23
U.S. Border Patrol	32	30	14	2	11	34	280	485	869	1,757
Totals	100	115	32	11	26	65	573	996	2,076	3,995

Formal Discipline
 ▲ **18%**
 Since FY 2019

Discipline intake in FY 2021 was 3% lower than in FY 2020, which corresponds with a 5% decrease in the number of disciplinary actions taken. Although the rate of formal disciplinary actions from FY 2020 to FY 2021 was similar, formal disciplinary actions have increased 18% over the number of formal disciplinary actions taken in FY 2019.

FIGURE 5 FORMAL DISCIPLINARY ACTIONS FY 2019-FY 2021



Special Section on Misconduct Topics of Significance

The following sections are subsets of the overall disciplinary actions outlined above. They were selected to depict the various misconduct encountered in FY 2021. The types of misconduct selected are Employee Arrests, Use of Force, CBP Information Center Complaints, and Positive Drug Tests.

Employee Arrests

Employees are required to report to the JIC instances in which they are arrested, cited, detained, or indicted for violations of law. For ease of discussion, these instances are collectively referred to as arrests.

Despite the requirement, employees sometimes delay reporting and/or fail to report such arrests. As a result, the numbers listed here represent all reported arrests as of the date the data was queried. As arrests are reported to the JIC or identified via OPR's continuous evaluation research program, they are added to the appropriate fiscal year. Some of the arrests below were the result of investigations carried out by CBP OPR.

The JIC received 253 reports of arrest in FY 2021 involving 246 employees. Seven employees reported two arrests. The FY 2021 total is a 23% increase from the arrests reported in FY 2020. However, the 205 arrests in FY 2020 were the lowest number of arrests received by the JIC since FY 2005, the first year of recorded arrest statistics. The reason for the historic decrease is not clear, but the impact of the lockdowns due to the COVID-19 pandemic cannot be understated.

The unlawful activity occurred primarily off-duty, but also included activity while on duty in cases of corruption. Upon receipt in the JIC, OPR opens an investigation to document the facts and circumstances surrounding the arrest. OPR further investigates to see if there is any connection to the workplace and if any policies, rules, or procedures were also violated by the arrested employee. The results of the investigation are forwarded to LER for disposition.

Representing 85% of the CBP workforce, employees in OFO and USBP accounted for 94% of all employee arrests, 237/253, respectively. On average, the employee arrested was 40 years of age and had served just over 10 years with CBP at the time of arrest.

All reported arrests of CBP employees are classified into 1 of 16 categories depicted in Figure 6 according to the nature of the offense.

FIGURE 6 ARREST OFFENSE CATEGORIES





Except for Corruption, the totals in each category reflect criminal activity and subsequent arrests that took place during FY 2021. While the arrests and indictments in the Corruption category took place in the fiscal year, they are typically the result of complex investigations of criminal activity that may span multiple fiscal years.



Drug and Alcohol Related Misconduct continued to be the most frequently reported offense. For the first time, 50% of all incidents were drug and alcohol related. This category includes a range of violations involving driving under the influence of alcohol, public intoxication, and drug possession.



Domestic and Family Misconduct is the next highest category of reported unlawful activity, comprising 19% of the arrests reported in FY 2021.

TABLE 5 ARREST OFFENSE CATEGORIES REPORTED TO THE JIC FY 2020 - FY 2021

Arrest Offense Category	FY 2020 ⁴	FY 2021 ⁵
Assault Any willful attempt or threat to inflict injury upon another person. Excludes domestic or sexual assault of adults and any assault of children.	13	11
Civil Rights Violations Actions that violate the rights afforded by the U.S. Constitution, particularly civil liberties, due process, equal protection under the law and freedom from discrimination. This includes actions on duty.	2	1
Corruption Illegal activity for personal gain that involved the misuse or abuse of the knowledge, access, or authority granted by virtue of official position or that violated or facilitated the violation of the laws that CBP enforces.	4	9
Crimes Involving Children Any illicit activity involving a child under the age of 18 including sexual acts.	12	8
Domestic/Family Misconduct Physical violence inflicted upon or disturbances that involve an adult spouse, ex-spouse, co-habitant, domestic partner, or date.	46	47
Drug/Alcohol Related Misconduct Range of violations involving drugs and alcohol, primarily operating a vehicle under the influence of alcohol, public intoxication, and possession of controlled substances.	86	126
Impeding the Criminal Justice System Range of actions that inhibit the practices and institutions of government directed at upholding social control, deterring, and mitigating crime.	5	7
Minor Offenses Nuisance offenses including disorderly conduct, public urination, and fighting.	1	2
Miscellaneous Misconduct Arrests not otherwise classified.	4	5
Property Crimes Array of criminal activity involving the destruction, damage, or theft of material property.	5	14
Sexual Misconduct Any type of illicit activity of a sexual nature committed by or upon an adult.	5	1
Threatening Behavior Threatening, harassing, and stalking others.	2	1
Traffic/Driving Misconduct Serious driving infractions such as excessive speed and reckless driving; violations do not involve alcohol.	14	12
Violent Crimes Any act which results in serious harm and/or injury to another person. Excludes all crimes against children and sexual violence against adults.	2	2
Weapons Violations Primarily relating to firearms.	3	3
White Collar Crime A variety of non-violent crimes typically committed for financial gain.	1	4
TOTAL REPORTED ARRESTS	205	253

⁴ As of 12/08/2021. This total reflects four additional arrests that were reported or discovered after the analysis and publication of the FY 2020 report. In some instances, reports to the JIC are delayed or arrests are discovered through other means.

⁵ As of 12/08/2021.

LER has received reports of investigation on 186 of the 253 arrests in FY 2021; the remaining cases are still under investigation.⁶ Of the 186 cases, 105 were pending management action. The remaining 81 cases resulted in the disciplinary actions listed in Table 6. In some cases, charges were dropped, or employees were exonerated.

TABLE 6 EMPLOYEE ARREST DISCIPLINARY OUTCOMES FY 2021

Type of Arrest & Discipline	Closed Cases
Assault	3
Removal	1
Counseling	1
Action Unwarranted	1
Corruption	3
Retired/Resigned	3
Domestic/Family Misconduct	9
Removal	2
Non-adverse Suspension	2
Counseling	1
Action unwarranted	4
Drug/Alcohol Related	48
Removal	6
Demotion	1
Adverse Suspension	7
Non-adverse Suspension	21
Retired/Resigned ⁷	10
Counseling	1
Action Unwarranted	2
Impeding the Criminal Justice System	4
Removal	1
Action Unwarranted	3
Minor Offenses	1
Counseling	1
Miscellaneous Misconduct	2
Action Unwarranted	2
Property Crimes	4
Non-adverse Suspension	1
Action Unwarranted	2
Retired/Resigned	1
Traffic/Driving	5
Counseling	1
Action Unwarranted	4
White Collar Crime	1
Action Unwarranted	1

⁶ As of 01/05/2022.

⁷ If an employee resigns after proposed disciplinary action, their resignation is coded as in lieu of discipline.

In the FY 2020 *Report on Internal Investigations and Employee Accountability*, CBP provided the disciplinary outcomes of 94 of the 201 arrests that were known at the time. To ensure transparency, we have updated the disciplinary outcomes for the FY 2020 arrests.⁸ Table 7 below shows the outcomes of 160 of the 201 arrests reported in the FY 2020 report. Thirteen of the arrests are pending management action and 28 are still under investigation.

TABLE 7 FY 2020 EMPLOYEE ARREST DISCIPLINARY OUTCOMES

Type of Arrest & Discipline	Closed Cases
Assault	9
Non-adverse Suspension	2
Reprimand	1
Counseling	2
Action Unwarranted	4
Civil Rights Violations	2
Adverse Suspension	1
Retired/Resigned	1
Corruption	2
Removal	1
Retired/Resigned	1
Crimes Involving Children	6
Removal	2
Retired/Resigned	3
Action Unwarranted	1
Domestic/Family Misconduct	32
Removal	4
Combined ⁹	1
LCA	1
Adverse Suspension	2
Non-adverse Suspension	12
Counseling	1
Action Unwarranted	11
Drug/Alcohol Related	81
Removal	5
Last Chance Agreement (LCA)	4
Combined ¹⁰	2
Demotion	1
Adverse Suspension	20
Non-adverse Suspension	36
Reprimand	4
Retired/Resigned	4
Action Unwarranted	5
Impeding the Criminal Justice System	4
Adverse Suspension	1
Non-adverse Suspension	1
Retired/Resigned	2

⁸ As of 12/15/2021.

⁹ One employee had two separate arrests for domestic/family misconduct that were combined into one disciplinary case, which resulted in the employee's removal.

¹⁰ One employee had two separate arrests for drug/alcohol related misconduct that were combined into one disciplinary case, which resulted in the employee agreeing to an LCA. One employee had two separate arrests, one for drug/alcohol related misconduct and one for domestic/family misconduct that were combined into one disciplinary case, which resulted in the employee agreeing to an LCA.

TABLE 7 FY 2020 EMPLOYEE ARREST DISCIPLINARY OUTCOMES - CONTINUED

Minor Offenses	1
Action Unwarranted	1
Miscellaneous Misconduct	2
Non-adverse Suspension	1
Action Unwarranted	1
Property Crimes	3
Removal	1
Reprimand	1
Retired/Resigned	1
Sexual Misconduct	1
Adverse suspension	1
Threatening Behavior	1
Action unwarranted	1
Traffic/Driving	12
Non-adverse Suspension	3
Reprimand	1
Counseling	3
Retired/Resigned	1
Action Unwarranted	4
Weapons Violations	3
Removal	1
Counseling	1
Action Unwarranted	1
White Collar Crime	1
Reprimand	1

Use of Force Oversight

In addition to investigating allegations of misconduct, OPR criminal investigators also review critical incidents, to include serious use of force incidents. When CBP officers and agents use force, OPR deploys a Use of Force Incident Team (UFIT) to the scene. The UFIT is comprised of specially trained personnel and directed by an OPR Incident Commander (IC) who is typically the agent in charge for the area of responsibility. The UFIT gathers facts and evidence related to the incident and prepares investigative reports. In cases involving deadly force or serious injury or death, the IC coordinates with local, state, and federal authorities also having investigative jurisdiction to ensure the investigation is thorough and complete.

In FY 2021, CBP OPR opened and assigned for investigation 684 use of force incidents.

- 21 of the 684 use of force incidents opened by the UFIT in FY 2021 involved the use of deadly force or resulted in serious injury or death. These incidents occurred in five states: Arizona, California, Indiana, Texas, and New Mexico.
- 663 of the 684 use of force incidents opened by the UFIT in FY 2021 involved less-lethal uses of force and did not result in serious injury or death. The incidents took place in 14 states or territories, and the majority occurred in Arizona, Texas, New Mexico, California. Only 36 of the 663 incidents occurred in the 10 other states or territories.

CBP's National Use of Force Review Board (NUFRB) reviews all lethal use of force incidents, including the use of firearms and uses of force that result in serious injury or death. It is chaired by the Executive Director of CBP's Law Enforcement Safety and Compliance (LESC) Directorate and is comprised of eight members and subject matter experts, as necessary. Senior management officials from USBP, OFO, Air and Marine Operations (AMO), Laboratories and Scientific Services (LSS), ICE OPR, DHS Office of Civil Rights and Civil Liberties (CRCL), and the Department of Justice (DOJ) Civil Rights Division serve as voting members, joined by non-voting members from CBP's Office of Public Affairs, the OPR UFIT, the Office of Chief Counsel, and the Office of HRM-LER.

A Local Use of Force Review Board (LUFRB) reviews all less-lethal use of force incidents not addressed by the NUFRB. Chaired by an OPR Supervisory Criminal Investigator, the LUFRB is comprised of four members and two additional subject matter experts, as necessary. Three voting members represent OFO, USBP and AMO, joined by non-voting members from the Office of Chief Counsel and the Use of Force Center of Excellence.

Both the NUFRB and the LUFRB processes are administrative in nature and begin after all judicial action has been completed. Any recommendations regarding tactics, training, equipment, and policy identified are referred to the LESC for evaluation and feasibility assessments in conjunction with the various CBP operational components. Suspected misconduct is referred to the JIC for further investigation and ultimately is referred to HRM-LER for potential disciplinary action, if appropriate.

- During FY 2021, the NUFRB convened four times reviewing a total of seven significant use of force incidents.¹¹ Five of the incidents were found to be within policy with no misconduct. Two incidents were found to be out of policy, one case is open and pending management action. The other case also had other misconduct and was referred to the JIC for investigation. The NUFRB made six recommendations regarding tactics, training, and equipment.
- 73 LUFRBs were held during FY 2021, reviewing a total of 677 less-lethal use of force incidents. In all, the LUFRB made 28 recommendations regarding tactics, training, and equipment. Of the 677 incidents, 637 were found to be within policy; 40 were referred to the JIC for possible misconduct. Investigations on 29 of the 40 incidents referred to the JIC have been completed. The others remain open for investigation either by OPR or component management. Of note, the incident on September 19, 2021, involving members of the USBP Horse Patrol engaging with Haitian migrants who had

¹¹ The incidents reviewed occurred prior to FY 2021.

gathered near the Del Rio, Texas Port of Entry (POE) remains an open review. Completed investigations resulted in the following disciplinary outcomes:

- 11 counselings
- Action was unwarranted in 18 cases.

During FY 2021, OPR developed, organized, and selected board members for a Special Use of Force Review Board (SUFRB) to review uses of force applied by CBP law enforcement personnel deployed during civil disturbances in Portland, Oregon. Senior management officials from CBP including one each from USBP, OFO, AMO, and one official from the DHS CRCL served as voting members on the SUFRB. A senior manager from OPR chaired the SUFRB. Additional CBP officials present, but who served in a non-voting capacity, included representatives from LESC and the Office of Chief Counsel. The SUFRB convened from March 1, 2021, through March 29, 2021, reviewed 37 cases, and casted 467 votes. All applications of force were found to be within CBP policy. The SUFRB made a total of 14 recommendations: 9 regarding administrative issues and 5 recommendations regarding tactics, training, and equipment.

During FY 2021, OPR enhanced its capabilities to respond to serious use of force incidents through an investment in training.¹² This included revising the basic use of force investigations training provided to all new OPR special agents, completing the process of training all OPR special agents to conduct death investigations, and holding advanced training for 30 personnel to enhance their capability to conduct the most complex use of force investigations. This specialized training included force encounter analysis, the use of video evidence, and cognitive interviewing.

Complaints from the Public via the CBP Information Center (CIC)

Most of the public's complaints pertain to issues such as CBP's search authority (including allegations of rude or unprofessional behavior, bias, or discrimination), delays that cause inconvenience to the traveler, or non-specific complaints about missing property or property damage for which there is no video or corroborating evidence. The JIC opened 310 cases based upon allegations of misconduct made to the CIC in FY 2021.

LER has received reports of investigation on 282 of the 310 CIC cases in FY 2021¹³; the remaining referrals are still under investigation. Of the 282 cases, 58 are pending management action.

The remaining 224 cases resulted in the following disciplinary actions:

- 1 LCA
- 1 reprimand
- 8 counselings
- 1 memorandum of instruction
- Management determined no disciplinary action was warranted in 213 cases

¹² These actions were taken in response to a series of recommendations as part of the DHS OIG Audit 2020-064.

¹³ As of 01/05/2022.

CBP is committed to the Federal Drug-Free Workplace Program and mandates a drug-free workplace. As the guardians of our nation's borders, CBP is a leader among other federal agencies in the interdiction of illegal drugs. By the very nature of CBP's mission, illegal drug use is unacceptable.

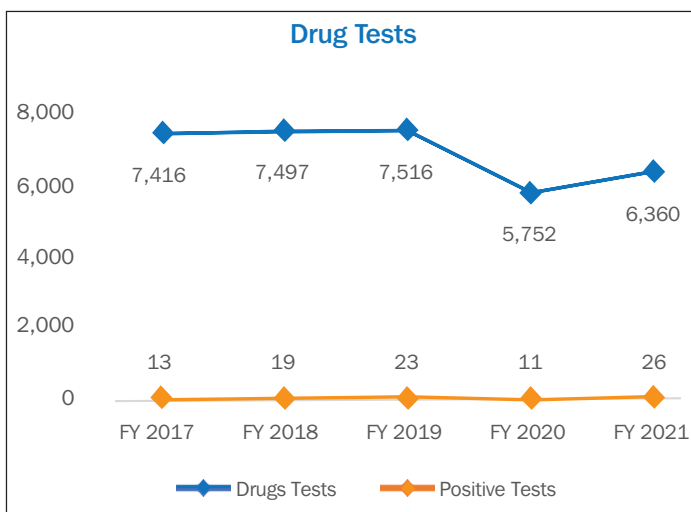
Although the number of tests conducted has varied, the rate of employees testing positive for drugs has consistently remained extremely small. In FY 2021, CBP performed 6,328 random drug tests. Employees in Testing Designated Positions are subject to being selected for random drug testing. System algorithms that use a statistically valid stratified sampling methodology are utilized to randomly select locations and employees within each selected location. Thirteen were performed due to reasonable suspicion of drug use, 8 were done following on-the-job accidents, and 11 were follow-ups. Reasonable suspicion drug testing may be conducted when there is sufficient cause to believe that an employee is using illegal drugs on or off duty.

These tests resulted in 26 employees testing positive for drug use, all but 1 of which resulted from a random test or a test based on reasonable suspicion.

The one other positive test resulted from a follow-up test. It is also considered a positive result when an employee refuses to undergo a drug test; 2 of the 26 positive tests resulted from a refusal.

The collector reports a refusal to test when the donor fails to cooperate with any part of the testing process.

FIGURE 7 DRUG TESTS FY 2017-2021



The majority of positive tests confirmed use of marijuana (Figure 8) and involved employees from OFO (Figure 9).

FIGURE 8 POSITIVE TESTS BY SUBSTANCE

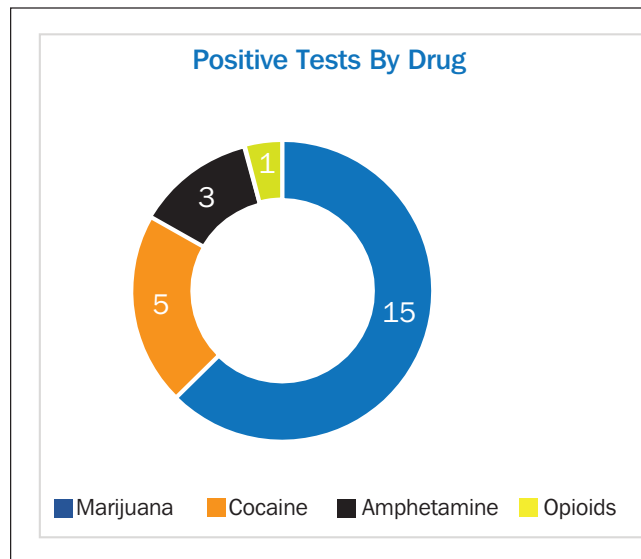


FIGURE 9 POSITIVE TESTS BY OFFICE

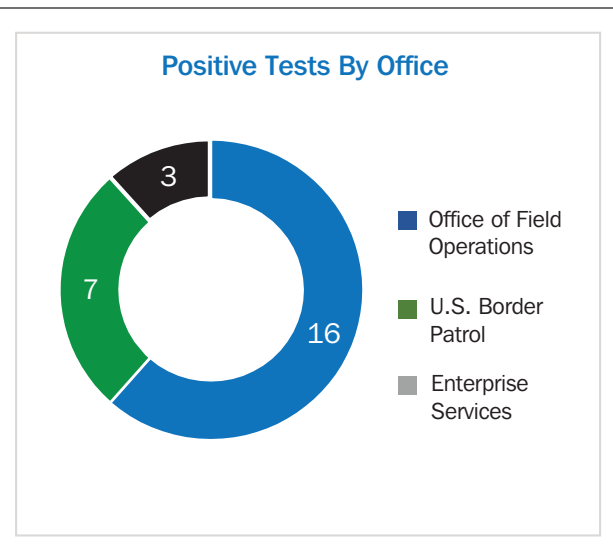


TABLE 8 POSITIVE DRUG TEST DISCIPLINARY OUTCOMES

Type of Drug & Discipline	Closed Cases
Marijuana	13
Removal	3
Resigned/Retired	10
Cocaine	5
Removal	2
Resigned/Retired	3
Amphetamine/Methamphetamine	2
Resigned/Retired	2
Oxymorphone	1
Removal	1

LER has received reports on all 26 positive drug tests.¹⁴ Of the 26 cases, five are pending management action. The remaining 21 cases resulted in the following disciplinary actions listed in Table 8.

All closed cases on employees who tested positive resulted in a removal or the employee resigning or retiring prior to receiving disciplinary action.


¹⁴ As of 1/05/2022 reported in the Human Resources Business Engine (HRBE).

Significant Investigative and Disciplinary Outcomes


The *Report on Internal Investigations and Employee Accountability FY 2021* concludes with actual examples of investigative outcomes and actions taken against employees who violated the Standards of Conduct, as well as applicable statutes, regulations, and rules governing conduct. While the conduct outlined in the following paragraphs is deeply troubling, it was carried out by a very small percentage of CBP's workforce. These case summaries demonstrate CBP's commitment to thoroughly investigating, and bringing to justice, agency personnel who violate the public's trust.¹⁵ These cases also highlight the effectiveness of CBP's misconduct reporting systems, cooperation with other investigative agencies, and internal investigative capabilities.

Investigative Outcomes


OPR received information that a Supervisory Border Patrol Agent (SBPA) was allegedly engaged in unapproved outside employment and frequently traveled to Haiti. The OPR investigation determined he was engaged in unauthorized outside employment and provided false statements to CBP when directed to acknowledge outside employment activities, foreign financial interests and foreign contacts during his reoccurring background investigation and when interviewed by OPR investigators. OPR identified email communications, business records, and financial statements, which showed the SBPA engaged as part-owner of a Haiti-based armed security company after CBP denied his request to engage in this outside employment. During an interview with OPR, he provided false statements and attempted to mislead investigators concerning his involvement in the company, foreign financial interests and unreported foreign contacts. He pled guilty to 1 count of Title 18 United States Code 1001, False Statements, and was sentenced to serve 2 years of probation and pay a \$100.00 assessment fee. The SBPA was removed from CBP employment.



The JIC received a complaint that a CBP Officer (CBPO) was employing a live-in caretaker who had no legal document to work in the United States. OPR investigators surveilled the CBPO's residence and observed a female periodically enter and exit the home who appeared to be conducting housekeeping and babysitting duties at the residence. Further investigation determined the CBPO, and other members of her family conducted multiple money wire transactions to a female citizen of Mexico. A video review of the POE where she worked showed the CBPO assisted the same female citizen of Mexico in entering the United States by helping the female bypass the pedestrian line and utilizing another CBPO's login to facilitate the Mexican citizen's entry. OPR arrested the CBPO for violations of Title 18 United States Code 1001, False Statements, and Title 8 USC 1324, Bringing in and Harboring Certain Aliens. She pled guilty to Title 8 United States Code 1324 and is awaiting sentencing. The CBPO resigned from CBP.



USBP notified OPR that a United States citizen claimed to have information that a BPA allegedly facilitated the smuggling of undocumented noncitizens through a USBP checkpoint. DHS OIG and OPR investigators interviewed the citizen who made the allegation. They conducted a consent search of the person's cellular phone and confirmed there were text messages from the BPA during the time of the alleged activity. During the investigation, the citizen, at the direction of OPR and OIG investigators, met with the BPA and discussed additional smuggling of undocumented noncitizens. DHS OIG and OPR arrested the BPA for Title 8 USC 1324, Conspiracy to Transport an Undocumented Noncitizen within the United States. On July 11, 2021, he pled guilty and is pending sentencing. The BPA was removed from CBP.



¹⁵ As of 01/13/2022.

The JIC received notification that a CBPO had an off duty contact with police, after it was alleged that he pointed a weapon at the driver of another vehicle. The CBPO turned himself in to local police on a state Felony Complaint for Assault with a Dangerous Weapon (Felony Assault). OPR assisted in facilitating the CBPO turning himself in and, along with DHS OIG agents, were present at the police department at the time of the arrest and attempted to interview the CBPO. A preliminary hearing was held, and the case was bound over to Circuit Court and an additional charge of Felony Firearm was added. The CBPO is currently on an indefinite suspension awaiting trial on the charges.



OPR received a complaint regarding the use of excessive force during an encounter with a United States citizen at a POE. The FBI BCTF and OPR investigated the allegation and reviewed video of the incident which showed a CBPO forcibly remove the complainant from a vehicle, place his arm around the person's neck, and force him to the ground. He then retrieved a metal bar from his inspection booth and appeared to use it to hit the complainant. A federal Grand Jury indicted the CBPO for violation of Title 18 USC 242, Deprivation of Rights Under the Color of Law. Later, a federal Grand Jury superseded the indictment and added a charge of Title 18 USC 1519, Destruction, Altercation or Falsification of records in a Federal Investigation and Bankruptcy. The CBPO was arraigned and entered a plea of Not Guilty. He is currently on an indefinite suspension pending the outcome of the trial.



OPR received an anonymous allegation that a USBP Special Operations Supervisor (SOS) had sexually abused and molested two minor children. OPR learned there were two girls involved in the allegation, and although they didn't know each other, they had provided similar stories of sexual abuse. OPR coordinated with local police detectives to gain access to the CBP facility where he worked and facilitated contact with USBP management. Local police and OPR arrested the SOS without incident and he was charged with molestation of a child, sexual abuse, indecent exposure, and child/vulnerable adult abuse-intent. The Grand Jury returned a True Bill of Indictment. The SOS retired from CBP, and further judicial action is pending.



DHS OIG, with the assistance of OPR, initiated an investigation of a BPA who was allegedly assisting with the smuggling of narcotics through a USBP checkpoint. During the investigation, the BPA accepted \$1,000 on two occasions in exchange for helping a vehicle transporting cocaine cross through the USBP checkpoint. The BPA utilized his knowledge as a BPA to act as a "scout" and provided information to the smugglers about which checkpoint lanes to utilize, instructions on how to conceal the drugs, and tactics to employ to distract K-9 units. The BPA was arrested and charged with violating Title 21 USC 846, Knowingly and Intentionally Attempt to Aid and Abet, Title 21 841, Possession with the Intent to Distribute a Controlled Substance. The trial date is pending. The BPA was removed from CBP.



The JIC received a complaint that a BPA had submitted six union expense vouchers for which he had already been reimbursed. OPR, in conjunction with Department of Labor, Office of Labor- Management Standards investigators, reviewed evidence, coordinated interviews, and assisted in obtaining a federal criminal complaint charging the BPA with one count of Title 18 USC 1344, Bank Fraud and Title 18 USC 1343, Wire Fraud. The BPA was arrested and later pled guilty. He entered into a Deferred Prosecution Agreement with the United States Attorney's Office. The conditions included reimbursement of \$6,702.40 to the America Federation of Government Employees local union, agreed to be barred from holding union office for 13 years, and 300 community service hours. The BPA retired from service.



A CBPO was arrested for conspiracy to smuggle cocaine through the JFK Airport. The CBPO assisted and escorted various drug couriers as they smuggled through the airport terminal. Post arrest, a follow-up investigation involving OPR NY, DHS OIG, HSI and the Eastern District of New York (EDNY) Public Corruption Unit was opened, focusing on the members of an international Drug Trafficking Organization (DTO) operating between the Dominican Republic and the U.S. who were assisted by the CBPO. This joint investigation identified a ranking member of the DTO who facilitated several multi-kilogram deliveries and was a primary NYC contact in the DTO, as well as three others who are Dominican Nationals and reside in the New York area. All have conspired to distribute large quantities of narcotics throughout NYC. The U.S. Attorney's Office, EDNY, indicted the four members of the DTO for violations of Title 21 USC 963, Narcotics Conspiracy, based on their participation in the DTO. OPR assisted in the arrest of these four individuals and judicial action is still pending. The CBPO resigned from service.



Significant Misconduct and Disciplinary Outcomes

A Chemist who conducts forensic analysis on controlled substances often enters a vault where the substances are stored. The employee falsified the vault sign-in sheet with his colleague's initials on multiple occasions, to make it appear he was not in the vault alone. The Chemist was removed from CBP in FY 2021.



A CBPO hazed fellow officers on two occasions by simulating sexual activity with them in the workplace. The CBPO was removed from CBP in FY 2021.



A BPA had a gathering of BPAs at his residence. Shots were fired from a CBP weapon, which was reported to the police by a neighbor. Police Officers responded and the BPA told them no shots had been fired. The BPA was removed from CBP in FY 2021.



A CBPO harassed and threatened a woman he met on Craigslist and failed to report his criminal summons for misdemeanor Cyberstalking. He posted restricted travel information about an individual on a political website and attempted to use his position as a CBPO to get information from the local police department about his criminal case. The CBPO also conducted unauthorized queries in CBP databases and lied during his interview with OPR about the queries. The CBPO was removed in FY 2021.



A Telecommunications Specialist told the daughter of his former romantic partner that he would throw acid on her mother's face and threatened to release naked images of her mother. He was arrested and charged with Abuse by Threat and also had a protection order issued against him. The Telecommunications Specialist was removed from CBP in FY 2021.



A CBPO associated with a known drug trafficker and provided sensitive information to him regarding scanning equipment used at the Port of Entry. He also lied during his interview with OPR regarding his relationship with the associate. The CBPO was removed in FY 2021.



A CBPO had ten instances of sending explicit photos of himself to female coworkers via various social media platforms. The CBPO failed to cease and desist from the behavior. The CBPO was removed from CBP in FY 2021.



A CBPO associated with an individual known to be involved in money laundering, firearms, and drug trafficking, and lied about it during his interview with OIG. He also lied to a USCIS Immigration Officer about the source of derogatory information relating to the naturalization application of the criminal associate's ex-wife. The CBPO misused his position to create a TECS record containing derogatory information about the immigration status of the criminal associate's ex-wife. The CBPO was removed from CBP in FY 2021.



A CBPO solicited an undercover police officer who was posing as a 13-year-old girl. He also lied during his interview with OPR about his communications with the undercover officer. The CBPO was removed in FY 2021.

NOTES

NOTES



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