

Office of Criminal Enforcement, Forensics and Training
Professional Integrity and Quality Assurance



Case Summary Report
1100-18-008-CI

Prepared by
Special Agent in Charge [REDACTED]
June 8, 2018

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MEMORANDUM

File: 1100-18-008-CI

SUBJECT: Allegations of [REDACTED] Policy Violations by SAC [REDACTED] Former PSD SAC

FROM: [REDACTED], Special Agent in Charge
Professional Integrity and Quality Assurance
Office of Criminal Enforcement, Forensics and Training

TO: [REDACTED], Director
Office of Criminal Enforcement, Forensics and Training

SYNOPSIS

On [REDACTED], PIQA Special Agent in Charge (SAC) [REDACTED] received an email from an anonymous source [REDACTED], alleging misconduct by Protective Services Detail (PSD) SAC [REDACTED] Former PSD SAC (Exhibit 1). The email was also addressed to [REDACTED], [REDACTED], [REDACTED], and [REDACTED] (Identified as Senior Managers in OECA and OCEFT). It is noted that the email address for [REDACTED] and [REDACTED] were both incorrect. It is presumed based on the other addressees, that the "[REDACTED]" email was intended to reach OECA Deputy Assistant Administrator [REDACTED].

The email generally provides five allegations: 1) [REDACTED]
[REDACTED] 2) a sweep of the Administrator's office for unauthorized electronic devices was done at EPA expense without following proper procurement regulations and the sweep was conducted by an individual with close personal ties to [REDACTED] Former PSD SAC 3) [REDACTED]
[REDACTED]; 4) use of lights and sirens has been routine when transporting the Administrator during non-emergency situations; and, 5) [REDACTED] Former PSD SAC misrepresented perceived threats to the Administrator to falsely justify the use of higher-cost premium class travel.

INTRODUCTION

On February 20, 2018, PIQA SAC [REDACTED] spoke with OCEFT Deputy Director [REDACTED] regarding the allegations. Deputy Director [REDACTED] instructed PIQA to initiate an administrative investigation into the allegations against Former PSD SAC [REDACTED] while coordinating efforts with the EPA-OIG.

On February 21, 2018, SAC [REDACTED] received an email from EPA-OIG Assistant IG for Investigations [REDACTED]. The email referred all of the allegations against Former PSD SAC [REDACTED] back to OCEFT for investigation, with the exception of the allegation alleging Former PSD SAC [REDACTED] “steered” a contract to a friend in relation to a sweep of the Administrator’s office for listening devices.

SUMMARY OF INVESTIGATION

The objective of this investigation was to: determine if Former PSD SAC [REDACTED]; authorized and/or used lights and siren in violation of OCEFT Directives; [REDACTED]; or misrepresented threats to the Administrator to justify using premium travel.

To accomplish this objective, PIQA interviewed the following individuals while audio-recording each session:

Name ¹	Title	Interview Date
[REDACTED]	PSD Special Agent	2/27/2018
[REDACTED]	PSD Special Agent	2/27/2018
[REDACTED]	Former EPA Deputy Chief of Staff	2/27/2018
[REDACTED]	PSD Special Agent	2/28/2018
[REDACTED]	PSD Special Agent	2/28/2018
[REDACTED]	PSD Special Agent	2/28/2018
[REDACTED]	PSD Special Agent	2/28/2018
[REDACTED]	PSD Special Agent	2/28/2018
[REDACTED]	PSD Special Agent	3/1/2018
[REDACTED]	PSD Special Agent	3/1/2018
[REDACTED]	PSD Special Agent	3/1/2018
[REDACTED]	CID-Operations	3/13/2018
[REDACTED]	PSD Special Agent	3/16/2018
[REDACTED]	PSD Special Agent	4/4/2018
[REDACTED]	EPA Deputy Chief of Staff (Acting)	4/11/2018

¹ This report summarizes pertinent information relating to the allegations alone, and is not intended to provide a transcript of each interview. Several interviewees did not have any relevant information regarding the allegations due to their limited time on staff with PSD.

ALLEGATIONS WITH RELEVANT FINDINGS BY PIQA:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Allegation Two (Lights and Sirens): *PSD agents routinely used of lights and siren while transporting the Administrator during on-emergency situations*

Interview of Special Agent [REDACTED]

SA [REDACTED] admitted that the PSD had problems with the utilization of lights and sirens in non-emergency situations while transporting EPA Administrators. [REDACTED] described that as of late, there had been a concerted effort to “put that genie back in the bottle”, describing use to simplify traffic navigation and/or tardiness. SA [REDACTED] described Administrator Pruitt as perpetually late and successful in convincing younger agents on the PSD to use lights and sirens inappropriately. [REDACTED] said that [REDACTED] and Former PSD SAC [REDACTED] had recently engaged in writing long overdue SOPs for the PSD, which included the use of lights and sirens for motorcade activity. Former PSD SAC [REDACTED] has sent emails to the PSD with directives about the use of lights and sirens.

Interview of Special Agent [REDACTED]

SA [REDACTED] said that Administrator Pruitt was historically late and the PSD tries to curtail that with earlier departures. SA [REDACTED] recalled one instance where [REDACTED] was [REDACTED] and the Administrator was late for a flight. The Administrator implied using lights and siren to get to the airport more quickly. SA [REDACTED] recalled Administrator Pruitt saying, “Can you guys use that magic button to get us through traffic?” When [REDACTED] started in [REDACTED] 20[REDACTED], [REDACTED] understood the policy to be that emergency equipment could be used when safe to do so to expedite the Administrator’s travel. Ultimately, the driver generally activates the equipment but it is difficult to not follow what the Administrator wants. As of late, as SOPs are being developed, Former PSD SAC [REDACTED] has put out directives to follow OCEFT policy regarding lights and sirens and to not use them to expedite. It is the Shift Leaders responsibility to tactfully address the Administrator regarding OCEFT policy if necessary. SA [REDACTED] said [REDACTED] knows that Former PSD SAC [REDACTED] spoke to Chief of Staff [REDACTED] who advised to obey the Administrator’s direction.

Interview of Special Agent [REDACTED]

SA [REDACTED] said, “we all have used lights and sirens with the Administrator in the car-without question.” [REDACTED] advised that the use was at the direction of the Administrator and the PSD was uncomfortable doing this because they are to be used for emergency situations. SA [REDACTED] went on to say that, “just because the Administrator makes himself late for an appointment, does not constitute us to arbitrarily turn on lights and sirens to get him to his next appointment timely, to make up time”. SA [REDACTED] described how awkward it is in the car when the Administrator is saying “speed it up”, and “we need to get there quicker”; that is direction from the head of the Agency, and it is hard to disobey. SA [REDACTED] said the PSD agents have worked to use them as little as possible over the last two to three months, but may use them to turn left across oncoming traffic or enter a

venue "hot". SA [REDACTED] said the use of lights and sirens is a hot topic with the Administrator's Office and OCEFT policy is explicit that the use is in emergency situations only. Former PSD SAC [REDACTED] has gone to the length of telling PSD agents to disable/unplug the lights and sirens so they wouldn't use them because the Administrator will still instruct they be used, but the Agent can say they don't work.

Interview of Special Agent [REDACTED]

SA [REDACTED] described a situation where [REDACTED] was driving the Administrator and Former PSD SAC [REDACTED] was the Detail Lead. Former PSD SAC [REDACTED] at the direction of the Administrator actuated the lights and siren in the limousine to expedite travel when the Administrator was late to an appointment. [REDACTED] said that [REDACTED] has been present at various times where lights and sirens were used at the direction of the Administrator, either explicitly by saying something, or implicitly through his body language and cues. [REDACTED] recalled a specific instance where [REDACTED] was driving and the Administrator was 35 minutes late to his staff meeting and directed that he be taken to pick up his dry cleaning prior to going to the office. SA [REDACTED] described using lights and sirens, driving contra-flow against oncoming traffic and said [REDACTED] believed it was reckless. SA [REDACTED] said the urgency from the Administrator was palpable and SA [REDACTED] did not believe [REDACTED] could refuse the order.

SA [REDACTED] recalled shortly after [REDACTED] had come on duty and was driving the limo with SAC [REDACTED] as [REDACTED]. The Administrator told SA [REDACTED] that he was running late and mentioned the use of lights to speed up the trip. SAC [REDACTED] told SA [REDACTED] to stay in park and proceeded to explain to the Administrator that the use of lights and sirens was only for emergency situations and it would be against OCEFT policy to use them to expedite because he was late. The Administrator was visibly upset and was silent for an uncomfortable time in the car. The trip was uneventful but SA [REDACTED] said the Administrator was upset and a few days later, SAC [REDACTED] was removed from [REDACTED] position. SA [REDACTED] described that this action sent a clear message to the PSD that if you didn't perform the bidding of the Administrator, you would lose your job. This idea made for many uncomfortable times where PSD agents were directed to use lights and sirens in violation of OCEFT policy and public safety.

SA [REDACTED] said at some point in the last couple of months with the media reporting of scandals involving the Administrator, the use of lights and sirens had scaled-back considerably. [REDACTED] recalled that either SA [REDACTED] or Former PSD SAC [REDACTED] put out the OCEFT policy and reiterated that the use of emergency equipment is reserved for emergency situations only. [REDACTED] further described that this had always been the policy but Former PSD SAC [REDACTED] was saying now that there is no gray area to the policy, even if directed by the Administrator. [REDACTED] said that Former PSD SAC [REDACTED] told the Administrator at one point that the lights were broken to avoid their use.

Interview of Special Agent [REDACTED]

Regarding the use of lights and sirens while transporting the Administrator, SA [REDACTED] said that the use has been for maneuvering and not a standard practice. Former PSD SAC [REDACTED] expects them to be used to help maneuver and expedite traffic flow. SA [REDACTED] recalled

Former PSD SAC saying we're going to use them as needed and in an emergency. [REDACTED] had one experience where [REDACTED] activated the lights and sirens while [REDACTED] was driving and [REDACTED] has heard the same from other PSD agents. [REDACTED] recalled the Administrator saying things like, "hit them" or "get us there" which translates to using lights and sirens.

Interview of Deputy Chief of Staff [REDACTED]

When asked about motorcades executed by the PSD for Administrator Pruitt, DCOS [REDACTED] recalled a fall 2017 trip to Colorado where [REDACTED] described that [REDACTED] had never seen the excessive use of lights and sirens as [REDACTED]'s seen with EPA's PSD. [REDACTED] has a video of this activity from the Colorado trip. Former PSD SAC [REDACTED] was present and directing this activity, to [REDACTED] knowledge. DCOS [REDACTED] described ongoing high speeds and erratic driving, regardless of in DC or outside of the Capitol. DCOS [REDACTED] recalled a DOI event with POTUS wherein extreme speed and lights and sirens were utilized while Former PSD SAC [REDACTED] was in the car with the Administrator. [REDACTED] said the most recent occurrence was local while returning from the White House to EPA which is approximately four blocks. [REDACTED] described the use of lights and sirens as "overly obnoxious, excessive, and more dangerous to everyone". In [REDACTED] opinion, none of the circumstances [REDACTED] witnessed of the use of lights and sirens was an emergency. [REDACTED] talked to Former PSD SAC [REDACTED] about these issues and was told it was none of [REDACTED] business. [REDACTED] understood that [REDACTED] was removed from [REDACTED] position because [REDACTED] would not permit the limo driver to use lights and sirens.

Consistent Comments from Other Interviewees

Lights and sirens have been used at the direction of the Administrator as the agents do not feel comfortable disobeying the agency head. Their use has not been during emergency situations but to ease travel like turning across oncoming traffic, using excessive speed to expedite a trip or to make a path through other motorists. Within the last few months due to increased media scrutiny, Former PSD SAC [REDACTED] has directed the PSD to OCEFT's policy on the use of emergency equipment.

In addition to interviews, an email was provided to SAC [REDACTED] on [REDACTED], from OCEFT Director [REDACTED]. The email forwarded included an email from Former PSD SAC [REDACTED] from [REDACTED], 2018. The email contained the Subject line: Lights and Siren. The email stated "Btw-Administrator encourages the use..." The email was addressed to [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. All were Special Agents working in some capacity on the Administrator's Protective Service Detail, at that time.

[REDACTED]

[REDACTED]

Allegation Four (Premium Travel Issues): Former PSD SAC [REDACTED] *misrepresented threats to the Administrator to justify using premium travel*

Interview of SA [REDACTED]

SA [REDACTED] believes decision-making relating to how the Administrator travels does take into consideration threats and verbal altercations Administrator Pruitt has encountered, but the PSD has no authority relating to how Administrator Pruitt travels. SA [REDACTED] stated Administrator Pruitt has had unprecedented levels of recognition in airports, on airplanes and wherever he visits. SA [REDACTED] has no knowledge of [REDACTED] Former PSD SAC [REDACTED] mischaracterizing threats to justify travel accommodations.

Interview of SA [REDACTED]

SA [REDACTED] said that based on [REDACTED] previous experience with threat assessments, protective intelligence and threat management, [REDACTED] does not believe that the current climate justifies premium travel but [REDACTED] is not in that decision-making process, and is not sure whom makes decisions relating to the Administrator's travel. [REDACTED] said [REDACTED] has read the OIG report, looked at open-source social media reporting and reporting regarding verbal altercations directed at the Administrator. [REDACTED] said that SAs [REDACTED] and [REDACTED] recently, at SAC [REDACTED] Former PSD SAC [REDACTED] direction, developed a current threat assessment. SA [REDACTED] described that some of the Administrator's recent personal travel has been at hotels where the rates exceeded the 300% GSA rate like the Broadmoor in Colorado. [REDACTED] said several agents including himself had to "eat" the overage because they needed to be proximate to the Administrator.

Interview of Special Agent [REDACTED]

SA [REDACTED] is not aware of any misrepresentations made by [REDACTED] Former PSD SAC [REDACTED] relating to the Administrator's travel. [REDACTED] said the Administrator makes unconventional travel arrangements. PSD has no say in what airlines the administrator uses, what times he flies or what category of seat he uses. It is widely known that the Administrator prefers to travel on Delta airlines even when it is not the contract carrier. This causes the PSD to have to violate travel regulations, as well. The PSD is responsible regardless of where the Administrator is sitting to provide a "bubble" around him as best as possible. SA [REDACTED] described the documentation of negative interactions with the citizenry wherein people approach the Administrator and cast aspersions on him. The only time PSD has a say in flights is when they fly internationally due to the necessity of flying on a single carrier to assist with weapons and equipment. SA [REDACTED] said [REDACTED] understanding is that EPA-OHS was supposed to have done a threat analysis but it never happened so two agents on PSD with prior intelligence experience have prepared one recently. SA [REDACTED] said first class travel is allowed in limited circumstances according to the Federal Travel Regulations including flights exceeding 14 hours, a medical necessity or exceptional circumstances. PSD is not flying first class anymore because they don't want to violate the regulations.

Interview of Special Agent [REDACTED]

SA [REDACTED] said [REDACTED] was aware of a travel memo created justifying for safety reasons the Administrator flying first class based on the IG's security/threat assessment. That is all the information [REDACTED] had on the subject.

Interview of Deputy Chief of Staff [REDACTED]

When asked to describe issues relating to first/business class travel, DCOS [REDACTED] said that the PSD had recommended the Administrator travel in business class for safety reasons but [REDACTED] was unaware of any specifics relating to threats. The PSD Detail Lead would travel in the same class as the Administrator. An assistant to Administrator Pruitt named [REDACTED] traveled in business class with him and DCOS [REDACTED] knew this was not allowed either, based on the Federal Travel Regulations. DCOS [REDACTED] said [REDACTED] refused as the DCOS of Operations to sign-off on these expenditures and [REDACTED] being pushed out of the Agency is retaliation for this refusal. [REDACTED] understanding is that DCOS [REDACTED] would have signed off in [REDACTED] stead. Former Agency employee [REDACTED] and others had refused to sign similar requests and [REDACTED] understood that they were forced out because of this. At Administrator Pruitt's direction, DOSA [REDACTED] was looking for a ride-share program for a private aircraft at one point which DCOS [REDACTED] said seemed completely inappropriate. [REDACTED] explained business class waivers only cover limited circumstances for medical or security reasons.

In addition to the above interviews, additional information was obtained by PIQA relating to the topic of premium travel.

On [REDACTED] 2018, SAC [REDACTED] received an email from OCEFT Directory [REDACTED]. The email contained an attachment memorandum dated [REDACTED] from [REDACTED] former PSD SAC [REDACTED] "Acting" Special Agent in Charge to [REDACTED] – Travel Coordinator on the subject of Business/First Class Travel When Protecting the Administrator. The memorandum is attached. **(Exhibit 2)**

SUMMARY OF FINDINGS WITH SUPPORTING INTERVIEWS

The objective of this investigation was to: determine if Former PSD SAC [REDACTED]; authorized and/or used lights and siren in violation of OCEFT Directives; [REDACTED]; or misrepresented threats to the Administrator to justify using premium travel. This was accomplished primarily through interviews and reviews of email. On [REDACTED], SAC Former PSD SAC [REDACTED] sent an email to include OCEFT ALL, in which [REDACTED] states "It has been a tremendous honor to serve as a special agent for the past 23 years and I wish you all a safe journey ahead as you move forward in both your professional and personal lives." SAC [REDACTED] then confirmed that Former PSD SAC [REDACTED] had retired. After consultation with the OCEFT Director and Deputy Director, PIQA ended any additional investigative activity into the allegations. In addition, as a result of ongoing EPA Office of Inspector General investigations and audits, PIQA conducted limited investigative activity into the allegation that Former PSD SAC [REDACTED] *misrepresented threats to the Administrator to justify using premium travel.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Summary of Allegation Two (Lights and Sirens): *PSD agents routinely used lights and siren while transporting the Administrator during non-emergency situations*

Lights and sirens have been used at the direction of the Administrator as the agents do not feel comfortable disobeying the agency head. Their use has not been during emergency situations but to ease travel like turning across oncoming traffic, using excessive speed to expedite a trip or to make a path through other motorists. After increased media scrutiny, Former PSD SAC directed the PSD to OCEFT's policy on the use of emergency equipment. There are specific situations that should be highlighted:

SA [REDACTED] recalled a specific instance where [REDACTED] was driving and the Administrator was 35 minutes late to his staff meeting and directed that he be taken to pick up his dry cleaning prior to going to the office. SA [REDACTED] described using lights and sirens, driving contra-flow against oncoming traffic and said [REDACTED] believed it was reckless. SA [REDACTED] said the urgency from the Administrator was palpable and SA [REDACTED] did not believe [REDACTED] could refuse the order.

SA [REDACTED] also recalled shortly after [REDACTED] had come on duty and was driving the limo with SAC [REDACTED] as [REDACTED]. The Administrator told SA [REDACTED] that he was running late and mentioned the use of lights to speed up the trip. SAC [REDACTED] told SA [REDACTED] to stay in park and proceeded to explain to the Administrator that the use of lights and sirens was only for emergency situations and it would be against OCEFT policy to use them to expedite because he was late. The Administrator was visibly upset and was silent for an uncomfortable time in the car. The trip was uneventful but SA [REDACTED] said the Administrator was upset and a few days later, SAC [REDACTED] was removed from [REDACTED] position. SA [REDACTED] described that this action sent a clear message to the PSD that if you didn't perform the bidding of the Administrator, you would lose your job. This idea made for many uncomfortable times where PSD agents were directed to use lights and sirens in violation of OCEFT policy and public safety.

The issue with using lights and siren rose to the level that SA [REDACTED] stated that Former PSD SAC [REDACTED] has gone to the length of telling PSD agents to disable/unplug the lights and sirens so they wouldn't use them because the Administrator will still instruct they be used, but the Agent can say they don't work.

[REDACTED]

[REDACTED]

Summary of Allegation Four (Premium Travel Issues): Former PSD SAC [REDACTED] misrepresented threats to the Administrator to justify using premium travel

Most of the agents interviewed were not familiar with the history of decision making relating to the Administrator's travel accommodations (air/hotel). SA [REDACTED] stated that PSD has no say in what airlines the administrator uses, what times he flies or what category of seat he uses.

SA [REDACTED] described that some of the Administrator's recent personal travel has been at hotels where the rates exceeded the 300% GSA rate like the Broadmoor in Colorado. [REDACTED] said several agents including himself had to "eat" the overage because they needed to be proximate to the Administrator.

As previously stated, as a result of ongoing EPA Office of Inspector General investigations and audits, PIQA conducted limited investigative activity into the allegation that **Former PSD SAC** *misrepresented threats to the Administrator to justify using premium travel.*

List of Exhibits

Exhibit 1 -February 20, 2018, Anonymous Complaint against **Former PSD SAC**



02_20_2018_Compla
int.pdf

Exhibit 2- May 1, 2017, Travel/First Class Memorandum from **Former PSD SAC**



05_01_2017_Perrott
aTravelMemo.pdf