



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF INSPECTOR GENERAL
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

Date: September 18, 2018

Prepared by: Special Agent (b) (6), (b) (7)(C)

Case #: OI-CH-2017-ADM-0074

Cross Reference #:

TITLE: (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	

VIOLATION(s): Misuse of EPA computers to view and share pornography

ALLEGATION(s):

On March 3, 2017, Special Agent (SA) (b) (6), (b) (7)(C), Office of Inspector General (OIG), U.S. Environmental Protection Agency (EPA), received a complaint from an employee at the EPA office in (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C), Region 5, EPA was viewing adult pornography at the office during work hours and showing it to other employees at the office.

FINDINGS:

On March 14, 2017, SA (b) (6), (b) (7)(C) conducted an interview of the complainant. The complainant delineated several incidences of (b) (6), (b) (7)(C) showing pornographic images around the office.

On March 15, 2017, SA (b) (6), (b) (7)(C) contacted (b) (6), (b) (7)(C) Region 5, EPA. (b) (6), (b) (7)(C) explained (b) (6), (b) (7)(C) was very familiar with the (b) (6), (b) (7)(C). With the assistance of OI, (b) (6), (b) (7)(C) began monitoring the account. On April 3, 2017, (b) (6), (b) (7)(C) explained that there is a separate EPA funded Comcast modem in the office. (b) (6), (b) (7)(C) felt that that modem should also be monitored. (b) (6), (b) (7)(C) began monitoring on that modem, also. On May 4, 2017, OI reviewed all available network activity and was not able to identify any suspicious network activity including pornography.

On May 3, 2017 SA (b) (6), (b) (7)(C) conducted an interview of (b) (6), (b) (7)(C), Region 5, EPA. Upon the initial line of questioning involving (b) (6), (b) (7)(C) was reluctant to give any information about the incident and denied (b) (6), (b) (7)(C) ever showed (b) (6), (b) (7)(C) pornographic material at work. After SA (b) (6), (b) (7)(C) provided more

RESTRICTED INFORMATION

This report is the property of the Office of Investigations and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined under 5 U.S.C. 552.

details and specifics involving the allegation, specifically stating that (b) (6), was involved, (b) (6) provided more details. (b) (6) stated that on several occasions (b) (6), (b) (7)(C) has shown (b) (6) pictures of women that (b) (6), (b) (7)(C) and from a local bar where waitresses wear bikinis while they work. (b) (6) was then asked more specifically had (b) (6), showed (b) (6) pictures from a "wet T-shirt contest" where women were nude. (b) (6) answered "Yes", it was from a party that (b) (6), (b) (7)(C) had arranged. (b) (6) was then asked if (b) (6), showed (b) (6) pictures in which (b) (6), (b) (7)(C) was having sex with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) replied "Yes". In further questioning, (b) (6), expressed (b) (6) fear of (b) (6), (b) (7)(C).

Continuing on May 3, 2017, SA (b) (6), spoke to (b) (6), (b) (7)(C). When asked, (b) (6), (b) (7)(C) described the following incident: (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) had been walking by (b) (6), (b) (7)(C) office when (b) (6), (b) (7)(C) pulled (b) (6), (b) (7)(C) into (b) (6), (b) (7)(C) office and said, "check this out." (b) (6), (b) (7)(C) then showed (b) (6), (b) (7)(C) pictures of a party that had occurred at (b) (6), (b) (7)(C). The pictures included pictures of a "wet t-shirt contest." (b) (6), (b) (7)(C) confirmed (b) (6), (b) (7)(C) could see the women's breast and nipples in the pictures. (b) (6), (b) (7)(C) stated there were a total of about thirty – forty pictures shown to (b) (6), (b) (7)(C) and "a handful" had clearly visible breasts and nipples of women. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was shown the pictures on (b) (6), (b) (7)(C) personal tablet. (b) (6), (b) (7)(C) stated that it did not appear that the tablet had a cellular card, so (b) (6), (b) (7)(C) felt the tablet must have been connected to the EPA funded wireless network.

Also on May 3, 2017, SA (b) (6), interviewed (b) (6), (b) (7)(C) Region 5, EPA. (b) (6), (b) (7)(C) related approximately one year ago, (b) (6), (b) (7)(C) informed (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) showed (b) (6), (b) (7)(C) a video of (b) (6), (b) (7)(C) having sex with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) was unaware if the video was shown in the office or outside of work and denied ever viewing the video. (b) (6), (b) (7)(C) denied being shown any type of pornography from (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) advised (b) (6), (b) (7)(C) socializes with (b) (6), (b) (7)(C) outside the office and the two of them have been known to frequent a "bikini bar" in the area. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) heard from various co-workers that (b) (6), (b) (7)(C) recently posted a picture of (b) (6), (b) (7)(C) with a female who was wearing a bikini at the bar on (b) (6), (b) (7)(C) Facebook account. (b) (6), (b) (7)(C) denied viewing the picture of (b) (6), (b) (7)(C) or of owning a Facebook account; however, (b) (6), (b) (7)(C) advised the referenced picture was common knowledge in the office. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was unsure if (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) attended the bikini bar during normal business hours.

Continuing on May 3, 2017, SA (b) (6), met with (b) (6), (b) (7)(C). SA (b) (6), asked (b) (6), (b) (7)(C) about the allegation that (b) (6), (b) (7)(C) showed around pictures at work of women in a "wet t-shirt contest." (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) sometimes goes out to lunch at a "bikini bar", especially with (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated the bar is part of (b) (6), (b) (7)(C). One time, the bar had a "wet t-shirt contest" after hours. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) showed (b) (6), (b) (7)(C) pictures of the "wet t-shirt contest." SA (b) (6), asked (b) (6), (b) (7)(C) if the women's breasts and nipples were visible in the pictures. (b) (6), (b) (7)(C) laughed at the question and said, "Yes or what's the point?" When asked, (b) (6), (b) (7)(C) stated there were approximately six women in the contest, so (b) (6), (b) (7)(C) felt (b) (6), (b) (7)(C) had about six pictures.

(b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) also showed the "wet t-shirt contest" pictures in the office to another employee, (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) also stated (b) (6), (b) (7)(C) sent the pictures from (b) (6), (b) (7)(C) personal e-mail account to other employees' personal e-mails accounts. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) would access the pictures on (b) (6), (b) (7)(C) personal device. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) would sometimes access (b) (6), (b) (7)(C) personal e-mail account on (b) (6), (b) (7)(C) work computer, but felt certain (b) (6), (b) (7)(C) never accessed the "wet t-shirt contest" pictures on (b) (6), (b) (7)(C) work computer. When asked, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) could not be sure if (b) (6), (b) (7)(C) had shown the pictures to anyone else in the office.

SA (b) (6), asked, "Other than (b) (6), is there anyone else you showed pornography to?" (b) (6), stated (b) (6) did not show pornography to (b) (6), (b) (7)(C) stated (b) (6) did show (b) (6) pictures of girls in bikinis from the bikini bar, but not pornography. When SA (b) (6), asked about the "wet t-shirt contest" pictures, (b) (6), stated (b) (6) did not consider those pictures pornography. (b) (6), then added (b) (6) did show (b) (6) a video about "boobies." (b) (6), explained the video is topless women jumping on a trampoline. (b) (6), stated (b) (6) also did not feel that was pornography.

Next, (b) (6), was asked about the allegation that (b) (6), showed pictures in the office of (b) (6), having sex with (b) (6), (b) (7)(C), (b) (7) denied the allegation (b) (6), (b) (7) stated (b) (6) did not have pictures like that on (b) (6) phone. SA (b) (6), asked (b) (6), if (b) (6) would ever hurt (b) (6), or anyone else. (b) (6), stated (b) (6) would not hurt anyone. (b) (6), stated (b) (6) would just quit before it came to that. (b) (6), then added that (b) (6) cannot quit because (b) (6), is over educated and paid well.

On May 4, 2017, SA (b) (6), asked some follow up questions to the interview on May 3, 2017. SA (b) (6), asked how the images from the "wet t-shirt contest" and other images were viewed at the office. (b) (6), stated the images were viewed on (b) (6) personal tablet or phone. (b) (6), stated (b) (6) viewed "you tube" videos on (b) (6) work computer and showed them to (b) (6), (b) (7)(C). The "you tube" videos have scantily clad women or women who look nude but do not show any private areas. (b) (6), was asked how (b) (6) connected to the internet on (b) (6) personal devices. (b) (6), stated (b) (6) connected on (b) (6) mobile phone through (b) (6) carrier, Verizon. (b) (6), also stated that (b) (6) phone may connect to whatever internet access is available including the EPA funded wireless networks. (b) (6), also stated (b) (6) tablet had no data plan of its own and could only connect to the internet through a wireless (b) (6) network, such as the EPA funded wireless networks at the EPA facility.

On May 6, 2017, (b) (6), sent an unsolicited email to SA (b) (6), regarding the interview. The e-mail is four pages long. These are some excerpts of the e-mail:

(b) (6), wrote the following, in part, regarding (b) (6), "There are times when I have been discussing building renovations at the (b) (6), (b) (7)(C) with (b) (6) and try to show (b) (6) pictures posted to Facebook (b) (6), (b) (7)(C) page on my personal phone. There are certain individuals (b) (6), (b) (7)(C) who post pictures of scantily clad (even naked) women on the private (b) (6), (b) (7) page. I could see how (b) (6) may have seen some of those picture while I was trying to scroll through my phone quickly to show (b) (6) images posted of the (b) (6), (b) (7)(C) renovations."

Additionally, (b) (6), stated the following regarding the "wet t-shirt contest" and (b) (6), "the members held a wet T-shirt contest. (b) (6) was not in attendance, but I did show (b) (6) pictures of the contest on my personal phone in the parking lot of the (b) (6), (b) (7)(C) facility."

(b) (6), further discusses a time when (b) (6) showed images to (b) (6), (b) (7) and (b) (6), (b) (7) states, "the only image/video that has ever been shared with (b) (6), (b) (7)(C) listed above (which happen all at once) is a You tube video title "Ode to Boobies" which you can look up yourself. And once again, this was on a personal tablet."

DISPOSITION: EPA management was advised regarding the findings of this report. On April 23, 2018, (b) (6), was notified by EPA management of the decision that (b) (6) would serve a 14 day suspension beginning on (b) (6), (b) (7)(C) 2018. No further action is expected in this case; therefore, this case is closed.