



TERMINATION FOR FAILURE TO DISCLOSE CRIMINAL CONVICTIONS

Activity Date: August 9, 2017

Web Summary: OIG-WS-2017-312

We initiated an investigation after we received allegations that an Amtrak Locomotive Inspector in Los Angeles, California failed to report his criminal convictions to the company. While already employed by the company, the employee pleaded guilty before a California Superior Court to 11 felony counts of sexual conduct with a minor, was sentenced to 36 months of formal probation, and 210 days in custody of the County Sheriff, to be served on weekends. He was also required to register his address with local law enforcement within five days, pursuant to California's Sex Offender Registration Act. The employee reported this conviction to his supervisor, which was deemed sufficient notification to management at that time.

However, in March 2014, the employee was arrested on an outstanding felony warrant from a Superior Court in California for failing to register his current address with local law enforcement. The employee pleaded "no contest," and was sentenced to 120 days in jail and 3 years of probation. We found that the employee failed to disclose this more recent criminal conviction in accordance with company policy, which required him to notify Human Capital within three business days after the conviction.

We found the employee's failure to disclose the latter conviction was a violation of the company's Ethical Conduct and Conflict of Interest, policy as well as the Standards of Excellence, which requires employees to be truthful and honest. On August 9, 2017, the company terminated the employee.

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