



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE SUMMARY | 21-066

Findings of Misconduct by an Assistant United States Attorney for Illegal Possession and Attempted Smuggling of a Controlled Substance (Xanax) Without a Prescription, False Statements, Attempted Obstruction, Failure to Report Foreign Travel, and Misuse of Official Time

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the Executive Office for United States Attorneys (EOUSA) alleging that in March 2018, at a port of entry on the United States-Mexico border, an Assistant United States Attorney (AUSA) was arrested by state highway patrol for misdemeanor Driving Under the Influence (DUI), misdemeanor DUI with a blood alcohol content above .08%, and misdemeanor possession of a controlled substance (Xanax).

The OIG investigation substantiated that the AUSA illegally possessed and attempted to smuggle a controlled substance (Xanax) without a prescription into the United States, in violation of federal law. While investigating the allegations related to possession of a controlled substance, the OIG substantiated that the AUSA provided multiple false statements to the OIG and other federal officials, in violation of federal law. The OIG also substantiated that the AUSA attempted to obstruct the state case against him and the OIG's investigation of him, by presenting a fraudulent Mexican prescription, in violation of state and federal law. Lastly, the OIG substantiated that the AUSA traveled to Mexico for personal matters during working hours without self-reporting and obtaining approval for international travel, and without approved leave, in violation of federal ethics regulations and DOJ policy.

The AUSA pled no contest to misdemeanor DUI in state court, and the remaining state charges were dismissed.

Federal prosecution was declined.

The OIG has completed its investigation and provided its report to EOUSA and DOJ's Office of Professional Responsibility for appropriate action.



Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct.