



OFFICE OF INSPECTOR GENERAL

2022-0005-INVI-P – Architect of the Capitol (AOC) Employees Violated the AOC Standards of Conduct and Ethics Policies by Wagering on the Outcome of the 2020 Presidential Election and Engaging in Political Conversation While on Duty

**Employee 1: Suspected Violations of the AOC “Standards of Conduct” Policy and “Ethics” Policy.
- Substantiated.**

**Employee 2 Suspected Violations of the AOC “Standards of Conduct” Policy and “Ethics” Policy.
- Substantiated.**

**Employee 3: Suspected Violations of the AOC “Standards of Conduct” Policy and “Ethics” Policy.
- Not Substantiated.**

On February 14, 2022, the Architect of the Capitol (AOC) Office of Inspector General (OIG) received a referral from the Human Capital Management Division (HCMD) regarding a Diversity, Inclusion and Dispute Resolution (DI/DR) investigation. The OIG reviewed the report, which alleged that Employee 1 had engaged in a \$200.00 monetary wager with their supervisor, Employee 3, on the outcome of the 2020 Presidential Election and that this wager took place while on duty, sometime in the fall of 2020. Further evidence in the DI/DR-provided report suggested that Employee 1 did not pay Employee 3 the \$200.00 for losing the bet once the results of the 2020 Presidential Election were finalized.

AOC employees are prohibited from participating in all forms of gambling including online gambling, lotteries, football or other pools, numbers, raffles, wagering, bingo and other games of chance while on duty. “Gambling” is defined as: (1) A game of chance, (2) for which one pays to participate (3) to win money or a prize. The absence of any one element is not defined as gambling by AOC policy.

The OIG confirmed through testimonial evidence that Employee 1 originally placed a \$100.00 monetary wager with Employee 2 on the outcome of the 2020 Presidential Election in addition and prior to the \$200.00 wager with Employee 3. It was also determined through testimonial evidence that the wager placed between Employee 1 and Employee 3 had originated following a discussion that Employee 2 and Employee 1 had in the Capitol Building breakroom where all parties in question were present. Additionally, Employee 1 and Employee 2 admitted to not only discussing the wager while at work, but that they, including Employee 3, regularly engaged in political conversation while on duty. Employee 1, Employee 2, and Employee 3 all confirmed that they had received the annual AOC Standards of Conduct and Ethics training and that each employee knew it was prohibited to engage in monetary wagers while on duty and on the Capitol complex.

The OIG policy requires all three elements be met to constitute gambling. Employee 3 repeatedly denied placing a bet with Employee 1. Money was never exchanged between the two parties and corroborative interviews (outside of Employee 1) did not provide evidence in support of a bet having taken place; therefore, there was not sufficient evidence to substantiate charges against Employee 3. Additionally,



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Investigative Summary

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considering testimonial evidence, the OIG considered the report of Employee 3 engaging in political conversation while on duty as hearsay.

By their own admissions, Employee 1 and Employee 2 knowingly and willfully violated AOC policy and their actions met all three elements of the AOC Standards of Conduct definition for gambling while on duty.

Final Management Action: The OIG substantiated that AOC Employee 1 and Employee 2 violated multiple AOC policies when they knowingly placed a wager on the outcome of the 2020 Presidential Election and had political discussions while on duty. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.