

TO: Civil Division Employees

FROM: Shirley Lloyd
Security Programs Manager

SUBJECT: Self-Reporting of Arrests and Allegations of Misconduct

This message will serve as a reminder that any Department of Justice employee who is arrested is responsible for immediately self-reporting in writing the fact of their arrest to his or her supervisor or a higher official in the chain of command **and** to their component's Security Programs Manager (Shirley Lloyd).

In addition, Department of Justice employees who have access to National Security Information, and any employees in high-risk positions (all attorney positions are considered "high-risk"), are also required to report in-writing (to the same parties as a report of an arrest) serious allegations of on-duty or off-duty misconduct. "Misconduct" refers to conduct that could reasonably be deemed to constitute violations of law, rule, regulations, or policy; dishonesty in matters pertaining to legal obligations or employment; or moral turpitude. Examples of reportable misconduct include, but are not limited to, citations for driving while under the influence or while intoxicated, security violations, disbarment, or failure to pay Federal or state taxes.

Supervisors and managers should continue to report to the Office of the Inspector General instances of criminal or serious administrative misconduct by employees, as well as allegations of waste, fraud, or abuse of Government resources. If an allegation of misconduct involves a Department attorney, and relates to an attorney's exercise of authority to litigate, investigate, or render legal advice, supervisors/managers should report such allegations to the Office of Professional Responsibility.

Please see the attached memorandum from the Department Security Officer reiterating these requirements.



U.S. Department of Justice

Justice Management Division

Security and Emergency Planning Staff

Washington, D.C. 20530

SEP 10 2004

MEMORANDUM TO JMD SENIOR MANAGERS

Executive Officers

Security Programs Managers

FROM:

James L. Dunlap
Department Security Officer

SUBJECT:

Self-Reporting of Arrests and Allegations of Misconduct

Any Department employee who is arrested is responsible for immediately self-reporting in writing the fact of his or her arrest to his or her supervisor or a higher-level official in the chain of command and to the relevant component Security Programs Manager (SPM). In addition, those Department employees who have access to national security information (NSI), are in high-risk positions (Risk Level 6), or carry weapons in their official capacity are also required to report in writing any on or off-duty allegations of misconduct. Reportable misconduct includes, but is not limited to, citations for driving under the influence or while intoxicated, failure to pay Federal or state taxes, disbarment, and security violations.

The following outlines the SPMs' responsibilities relative to the self-reporting requirement:

- 1) SPMs must ensure that all employees in their respective components are aware of the requirement to immediately self-report the fact of an arrest;
- 2) SPMs must ensure that all employees in their respective components are made aware of their position sensitivity level and that the employees understand if they have access to NSI, occupy a Risk Level 6 position or carry weapons as a part of their official duties, it is their responsibility to self-report all allegations of misconduct;
- 3) SPMs in the Offices, Boards and Divisions (OBDs) are responsible for immediately reporting to the Department Security Officer (DSO) all self-reported allegations made by OBD employees;
- 4) Bureau SPMs should report attorney self-reported allegations of misconduct to the DSO where the Security and Emergency Planning Staff is responsible for maintaining the attorney's background investigation; and
- 5) with the exception of the Federal Bureau of Investigation, all SPMs in the Bureaus and OBDs are responsible for immediately reporting to the DSO misconduct of any Department employee who has access to Sensitive Compartmented Information. All reports submitted to the DSO must be in writing.

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Supervisors/managers should continue to contact the Office of Inspector General to report allegations related to waste, fraud, or abuse of Government resources, or to criminal or serious administrative misconduct by Department employees. If the allegations of misconduct are against Department attorneys or law enforcement personnel and relate to an attorney's exercise of his or her authority to litigate, investigate or render legal advice, supervisors/managers should continue to report such allegations of misconduct to the Office of Professional Responsibility.

If you have any questions, please direct your calls to Anna Harrison, Assistant Director, Personnel Security Group, at (202) 514-2351.