

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Office of the Inspector General

Inspector General



EXECUTIVE SUMMARY CONCERNING AN INVESTIGATION INTO MISCONDUCT VIOLATIONS BY AN EMPLOYEE OF THE ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

INVESTIGATIVE SYNOPSIS

The D.C. Office of the Inspector General (OIG) completed an investigation, which revealed that an Alcoholic Beverage Regulation Administration (ABRA) investigator failed to fully disclose to his/her supervisor, his/her off-duty interactions with a Sale to Minor (STM) participant from the National Capital Coalition to Prevent Underage Drinking (NCCPUD), about obtaining a tattoo. Because of his/her position as an investigator with the District of Columbia government, the ABRA investigator's lack of candor adversely affects the confidence of the public in the integrity of the government.¹

During an OIG interview, the STM participant stated that the ABRA investigator's presence at the tattoo parlor made him/her feel "weird." According to the STM participant, the ABRA investigator was seated at his/her feet while s/he lay prone on a table, partially disrobed. The STM participant recalled that the ABRA investigator asked for the STM participant's cellular telephone so the ABRA investigator could take pictures of the participant getting the tattoo.

The ABRA investigator's supervisor explained to OIG investigators that the ABRA investigator voluntarily reported to the supervisor that an incident occurred during a STM operation. The ABRA investigator also explained that s/he offered to provide a STM participant with the name of a District tattoo artist and that s/he and the STM participant exchanged telephone calls and text messages in an attempt to find one for the STM participant. The ABRA investigator told the ABRA supervisor that s/he was unsuccessful and did not know whether the STM participant obtained a tattoo.

The ABRA investigator admitted to OIG investigators that s/he assisted the STM participant in getting a tattoo and was present when the tattoo was applied. According to the ABRA investigator, when s/he arrived at the tattoo parlor, the STM participant was in the process of getting a tattoo.² The ABRA investigator explained that the STM participant asked him/her to take pictures with the STM participant's cellphone. Afterward, the STM participant and his/her friend gave the ABRA investigator a ride home.

¹ The OIG received a second allegation against the ABRA investigator about his/her conduct during an STM operation. The OIG did not substantiate the matter; therefore, this ROI will only focus on the ABRA investigator's lack of candor to an ABRA official.

² The ABRA Investigator's time and attendance records indicate that s/he was on unscheduled sick leave on August 21, 2013.

ANALYSIS/CONCLUSION

When the ABRA investigator decided to self-report to his/her supervisor, the ABRA investigator failed to disclose his/her full off-duty interaction with the STM participant with respect to the participant getting a tattoo. The ABRA investigator told the ABRA supervisor that s/he (ABRA investigator) offered to provide the STM participant with the name of a District tattoo artist and that s/he (ABRA investigator) and the STM participant exchanged telephone calls and text messages in an attempt to find one for him/her. The ABRA investigator also told the ABRA supervisor that s/he was unsuccessful and did not know whether the STM participant obtained a tattoo. The ABRA investigator failed to tell his/her supervisor that s/he (ABRA investigator) was seated at the STM participant's feet while s/he lay prone on a table, partially disrobed, while receiving a tattoo, and that s/he (ABRA investigator) took photos of the same. The ABRA investigator had a responsibility to tell the ABRA supervisor the full story, rather than determine what was or was not relevant for his/her supervisor to know. As a result, the ABRA investigator misled his/her supervisor by saying that s/he only attempted to assist the STM participant locate a tattoo parlor, but was unsuccessful, and that s/he did not know whether the STM participant obtained a tattoo, which the ABRA investigator knew was not true.

Accordingly, this investigation has **SUBSTANTIATED** that the ABRA investigator failed to fully disclose to his/her supervisor his/her off-duty interactions with the STM participant about the participant obtaining a tattoo, and that the ABRA investigator's conduct, therefore, violated DPM § 1803.1 (a)(6) (Affecting adversely the confidence of the public in the integrity of government).

RECOMMENDATIONS

Based on the results of this investigation, the OIG recommends that ABRA:

- Address ABRA investigator's conduct with appropriate administrative action; and
- Ensure that all ABRA investigators are aware of the District's standards of conduct.

September 30, 2014