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DHS OIG HIGHLIGHTS

DHS Has Not Adequately Addressed Law Enforcement Officer Misconduct Related to Domestic Violence

May XX, 2020

Why We Did This Evaluation

We conducted this evaluation to determine whether CBP, Secret Service, ICE, and TSA effectively identify, report, investigate, and discipline law enforcement employees arrested for and/or convicted of domestic violence offenses.

What We Recommend

We made 9 recommendations to improve components' oversight of domestic violence committed by law enforcement officers and ensure implementation of Departmental requirements related to the Lautenberg Amendment.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

CBP, Secret Service, ICE, and TSA have not adequately addressed allegations of domestic violence committed by law enforcement officers. We identified 35 cases in which CBP, Secret Service, and ICE investigations substantiated that an employee had engaged in domestic violence, but in most instances, the employee received little or no discipline and remained a law enforcement officer with access to a firearm. In addition, none of the four components has fully complied with a DHS Policy Directive that established guidelines for implementing the requirements of the Lautenberg Amendment, a law intended to ensure domestic violence offenders do not have access to firearms. Specifically, none of the four components provided annual domestic violence awareness training and quarterly advisements of officers' duty to self-report. Additionally, CBP and Secret Service did not ensure law enforcement officers annually certified that they had not been convicted of a misdemeanor crime for domestic violence. Further, CBP and ICE have not used available resources to monitor law enforcement officer arrests for domestic violence offenses in real-time.

Agency Response

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Abbreviations

CBP	U.S. Customs and Border Protection
FBI	Federal Bureau of Investigation
ICE	U.S. Immigration and Customs Enforcement
MCDV	Misdemeanor Crime of Domestic Violence
OIG	Office of Inspector General
TOP	Table of Offenses and Penalties
TSA	Transportation Security Administration



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Introduction

According to the American Journal of Public Health, domestic violence victims are five times more likely to be killed if their abuser has access to a gun. Research also suggests that domestic violence is higher in law enforcement families than in the general population. Prior to 1996, only individuals convicted of felonies were prohibited from possessing firearms. Yet, those who engage in serious spousal or child abuse often were not charged with felonies. To address this issue, in 1996, Congress amended the *Gun Control Act of 1968* (Lautenberg Amendment) to prohibit individuals convicted of a misdemeanor crime of domestic violence (MCDV) from possessing a firearm. As a result, Federal law enforcement officers, whose jobs require them to possess a firearm, cannot continue to hold such positions if convicted of an MCDV. Several DHS components employ law enforcement officers — including U.S. Customs and Border Protection (CBP) with approximately 45,000, United States Secret Service (Secret Service) with over 5,000, and U.S. Immigration and Customs Enforcement (ICE) with more than 12,000. The Transportation Security Administration (TSA) also employs law enforcement officers.¹ With tens of thousands of law enforcement officers in its ranks, it is imperative that DHS and its components take appropriate action against those who have committed domestic violence.

Background

The Lautenberg Amendment prohibits any person convicted of an MCDV from possessing a firearm.² A qualifying MCDV under the Lautenberg Amendment consists of any misdemeanor conviction in any court involving:

*the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.*³

¹ The number of TSA law enforcement numbers is considered Sensitive Security Information, which is information that, if publicly released, would be detrimental to transportation security, as defined by Federal Regulation 49 C.F.R. Part 1520. Accordingly, we have not reported the number of law enforcement officers employed by TSA in this report.

² 18 U.S.C. § 922(g)(9).

³ 18 U.S.C. § 921(a)(33)(A)(ii).



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There is no exception for law enforcement officers. Therefore, any law enforcement officer who has a qualifying MCDV may not lawfully possess or receive firearms or ammunition for any purpose, including performance of his or her official duties.

In 2017, DHS issued Policy Directive 045-05 (Policy Directive)⁴ to ensure department-wide compliance with the Lautenberg Amendment. The Policy Directive sought to “ensure officer behavior is consistent with the Department’s law enforcement mission, responsibilities, and values” and to clarify the “expectation that its law enforcement personnel will uphold the highest standards of conduct.” DHS assigned responsibility for overseeing implementation of the Policy Directive to its Law Enforcement Policy Division within the DHS Office of Strategy, Policy, and Plans. The Policy Directive outlines component and law enforcement officer responsibilities for complying with the Lautenberg Amendment and reporting domestic violence offenses and convictions. The Policy Directive states components must, among other things:

- Require law enforcement officers to report all off-duty law enforcement officer/agency and judicial contact, including MCDV convictions;
- Require law enforcement officers to annually certify they have no convictions of an MCDV;
- Revoke law enforcement officer authority to carry a weapon and perform duties with a qualifying MCDV conviction; and
- Require domestic violence awareness training for all law enforcement officers.

At the component level, CBP, Secret Service, ICE, and TSA identify incidents of domestic violence committed by their law enforcement officers through various methods, including employee self-reporting; partnerships with local law enforcement agencies regarding contact or arrests; periodic employee background checks; and information-sharing agreements with the Federal Bureau of Investigation (FBI). According to component field office personnel, after becoming aware of a domestic violence allegation, the components take steps to protect the interests of the public, including removing firearms from law enforcement officers and immediately suspending their authority to perform law enforcement duties. If the allegation involves an arrest, the components cooperate with local law enforcement in the formal investigation and any related legal proceedings. Law enforcement officers convicted of an

⁴ Policy Directive 045-05, *Required Reporting of Off-Duty Contact with Law Enforcement by DHS Law Enforcement Personnel and the Suspension and/or Revocation of Authority to Carry a Firearm or other Weapon and Perform Law Enforcement Duties*, January 10, 2017.



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MCDV are generally removed from their position since they can no longer carry a weapon, which is a condition of their employment.

However, even when allegations of domestic violence do not result in an MCDV conviction, CBP, Secret Service, ICE, and TSA may still investigate the offenses to determine whether the employees engaged in misconduct. Components address domestic violence allegations through their misconduct process, which establishes standards for employee conduct, both on and off duty. The standards of conduct outline component expectations for employees, including that they maintain high standards of character and a standard of personal behavior that reflects positively upon DHS. When an employee is alleged to have violated the standards of conduct, the component's designated investigative office may conduct an internal investigation. If the investigation substantiates misconduct, each component's Table of Offenses and Penalties (TOP) provides a range of penalties for appropriate discipline.

We conducted this evaluation to determine how CBP, Secret Service, ICE, and TSA identify, report, investigate, and discipline law enforcement employees arrested for and/or convicted of domestic violence offenses. To identify the full universe of allegations, we reviewed all domestic violence-related arrests identified by the four components from January 2016 through December 2018. Of these 344 arrests, we selected a judgmental sample of 162 cases and examined investigative and disciplinary files for each. We identified 2 cases in which the employee was convicted of a domestic violence offense and removed. We found another 35 cases in which the employee was not convicted of a domestic violence offense, but CBP, Secret Service, or ICE determined the employee engaged in domestic violence.⁵ In addition, we evaluated actions taken by each component to comply with the Policy Directive requirements.

Results of Evaluation

Although DHS has expressed a commitment to take a stand against crimes of domestic violence, CBP, Secret Service, ICE, and TSA have not adequately addressed allegations of domestic violence involving their law enforcement officers. We identified cases in which CBP, Secret Service, and ICE determined their law enforcement officers engaged in domestic violence, but in most instances, the employees received little to no discipline and returned to their law enforcement positions with access to firearms. Further, none of the four components has fully complied with the requirements of the Policy Directive related to the Lautenberg Amendment. Specifically, none of the four

⁵ During this timeframe, TSA did not substantiate any domestic violence allegations that did not result in a criminal conviction.



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components provided annual domestic violence awareness training and quarterly advisements regarding officers' duty to self-report, as required. CBP and Secret Service did not ensure officers annually certified they had not been convicted of an MCDV. In addition, CBP and ICE do not use available resources to monitor law enforcement officer arrests for domestic violence offenses in real-time. The limited discipline for employees who engaged in domestic violence-related misconduct, as well as the components' non-compliance with elements of the DHS Policy Directive, put victims and the public at risk of further violence.

CBP, ICE, and Secret Service Took Limited Disciplinary Action Against Law Enforcement Officers Who Engaged in Domestic Violence

Our review of investigative and disciplinary files from the four components found that CBP, Secret Service, and ICE took limited disciplinary action against law enforcement officers who engaged in domestic violence. From 162 allegations spanning January 2016 to December 2018, we identified 2 cases in which the employee was convicted of a domestic violence offense and removed. We identified an additional 35 cases in which the employee was not convicted of an MCDV⁶, but internal investigations by the three components⁷ substantiated that the employee engaged in domestic violence. The penalty ranges outlined in the components' TOPs offered the component proposing and deciding officials a wide range of disciplinary actions to select from to address the substantiated charges in these 35 cases — e.g., issuing Letters of Reprimand up to removal. We found that the components generally took disciplinary action on the lower side of the penalty ranges.

As shown in table 1, in 5 of the 35 instances (14 percent) in which the components determined that a law enforcement officer had committed domestic violence, the employee either resigned, retired, or was removed from his/her position. In the remaining 30 cases (86 percent), the penalties ranged from letters of reprimand to suspensions of 15 days or less. In these 30 instances, the employees retained their law enforcement positions and possession of firearms after the misconduct investigations were completed. In at least one case, the employee committed domestic violence again. None of the employees received a suspension of more than 15 days, even though the applicable penalty ranges included suspensions of longer lengths, as well as removal.

⁶ In these cases, there may not have been an MCDV conviction because the employee entered into court agreements (plea deal) to plead to lesser crimes or the victim dropped the criminal charges.

⁷ We did not identify any allegations where TSA determined domestic violence occurred.



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Table 1: Discipline Administered by CBP, Secret Service, and ICE for Substantiated Domestic Violence, January 2016 to December 2018

Component	Substantiated Cases of Domestic Violence	Employee Removed, Resigned, or Retired	Employee Received Suspension of 15 Days or Less	Employee Received Letter of Reprimand
CBP	27	3	17	7
Secret Service	4	1	1	2
ICE	4	1	3	0
Total	35	5	21	9

Source: OIG analysis of component investigative and disciplinary files

The following are examples of law enforcement officers at CBP, Secret Service, and ICE who were arrested for, charged with, or had other law enforcement contact for domestic violence offenses. Ultimately, none of these employees received an MCDV conviction, but internal investigations by the components determined the employee had engaged in domestic violence:

- A CBP officer was arrested and charged with assault after he punched his wife in the face. He admitted assaulting his wife in court documents but entered into an agreement to avoid a criminal conviction. CBP proposed termination for the assault, citing Conduct Unbecoming a CBP Protection Officer, but ultimately suspended the employee for 5 days. The CBP officer then assaulted another woman less than 2 years later. In this instance, CBP charged the officer with Conduct Unbecoming a CBP Officer and proposed a 30-day suspension, but ultimately suspended him for 15 days. In both instances, the officer had his firearm removed during the investigation, but later returned to his law enforcement position and regained possession of his firearm.
- A Border Patrol agent was arrested for domestic violence for a physical altercation with his girlfriend, and pleaded guilty to misdemeanor assault. Although the conviction did not include domestic violence as part of the offense, the court-imposed sentence required the agent to attend 26 domestic-violence counseling sessions. During CBP's internal investigation, the agent admitted hitting his girlfriend multiple times. CBP initially proposed a 30-day suspension, explaining in the proposal



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letter that the agent's "conduct was in direct conflict with the professional image [CBP] strives to project to the public." Ultimately, CBP suspended the agent for 15 days for Conduct Unbecoming a Border Patrol Agent. The officer had his firearm removed during the investigation, but later returned to his law enforcement position and regained possession of his firearm.

- A Secret Service Agent was served with a preliminary protective order after his wife alleged he physically assaulted her in their home. Although the protective order was later dismissed, the agent admitted to Secret Service investigators that he engaged in a verbal and physical altercation with his spouse when he "put his knee on her chest" and "shoved her cheek with his fist." Secret Service suspended the agent for 10 days, stating that the agent's "behavior [was] inappropriate and raises serious questions about [his] judgment and trustworthiness." The agent had his firearm removed during the investigation, but later returned to his law enforcement position and regained possession of his firearm.
- An ICE detention and deportation officer was arrested for domestic battery, but pleaded guilty to a misdemeanor public nuisance offense. The police report stated the ICE officer shoved his live-in girlfriend and her child. Although the guilty plea was not for a domestic violence offense, the court-imposed sentence required the ICE officer to complete a 52-week domestic-violence recovery program and provided a civil protection order for the girlfriend. ICE initially proposed a 15-day suspension, but ultimately suspended the officer for 5 days for Conduct Unbecoming. The officer had his firearm removed during the investigation, but later returned to his law enforcement position and regained possession of his firearm.
- An ICE detention and deportation officer was arrested following a physical altercation with his girlfriend and charged with felony aggravated assault (domestic violence), felony larceny, and misdemeanor vandalism. According to the police report, the ICE officer threw a glass object at the victim, striking her and leaving a large contusion on her forehead and cuts on her foot. The ICE officer also threw a metal object at the victim. The two felony counts were not prosecuted pursuant to a guilty plea on the misdemeanor vandalism charge, but the officer acknowledged having engaged in the physical altercation to ICE investigators. ICE initially proposed a 14-day suspension, but ultimately suspended the officer for 7 days for Conduct Unbecoming. The officer had his firearm removed during the investigation, but later returned to his law enforcement position and regained possession of his firearm.



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Although CBP, Secret Service, ICE, and TSA have specific penalties for many offenses in their TOP, none had a specific offense charge or penalty related to domestic violence that did not result in an MCDV or felony conviction.⁸ Instead, when a component substantiated domestic violence that did not result in an MCDV or felony conviction, the components used general misconduct categories to charge the law-enforcement-officer offenders. For example, in most cases we reviewed, CBP and ICE charged the employee with Conduct Unbecoming. Based on our case file review, these non-specific charges result in a broad range of penalties, from letters of reprimand to employee termination. Because there are generally no specific charges for offenses related to domestic violence, the components have wide discretion to choose among charges and penalties.

Based on their standards of conduct, components expect employees to act in a way that reflects positively on DHS and that sustains the trust, respect, and confidence of the public they serve. Even when there is no legal or other requirement to remove an employee who was not convicted of an MCDV, leaving employees who have engaged in domestic violence in law enforcement positions with authority to possess firearms perpetuates the risk the Lautenberg Amendment seeks to address. In cases where the employee has shown a propensity to violence, agencies put victims and the public at risk of further violence by keeping weapons in these individuals' hands.

Components Did Not Provide Required Domestic Violence Awareness Training to Law Enforcement Officers

In January 2017, DHS issued Policy Directive 045-05 as part of “the Department’s strong stand against crimes of domestic violence.” It requires components to provide: 1) annual domestic violence awareness training for law enforcement officers and their supervisors, and 2) quarterly verbal advisement to officers, during quarterly firearms qualifications, of the duty to report any off-duty contact with law enforcement. However, CBP, Secret Service, ICE, and TSA did not fully develop plans to implement the Policy Directive and did not comply with the training requirements. As a result, law enforcement officers

⁸ Although Secret Service’s TOP contains an offense code for domestic violence, it only applies when a law enforcement officer is actually convicted of misdemeanor or felony domestic violence. CBP officials told us during our review that they were planning to add domestic violence as a specific offense, but were still in the process of revising their TOP. Although the other components’ TOPs do not include an MCDV charge as a specific offense, all components we reviewed nevertheless stated that they remove employees convicted of an MCDV. Our case review corroborated this claim — in the two cases in which an employee was convicted of an MCDV, the component removed the employee.



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may not understand their responsibilities to self-report or the consequences they could face under the Lautenberg Amendment.

In January 2017, DHS' Law Enforcement Policy Division forwarded the Policy Directive to the components and requested that each component provide a plan to implement the policy. ICE, TSA, and Secret Service provided implementation plans, which identified component officials or offices responsible for implementation and, in some cases, the written policies that required revision in order to meet the requirements of the Policy Directive.⁹ However, none of the implementation plans described specific actions the components intended to take to comply with the new training requirements. For example, none of the implementation plans specified whether the component would develop a new training course, how the component would deliver the training to law enforcement officers in the field, or when the training would begin.

None of the components could provide documentary evidence, such as training records or training slides, to demonstrate they consistently provided either annual awareness training or quarterly verbal advisements. Finally, law enforcement officers from the 15 field offices we visited across the four components unanimously confirmed that the required domestic violence awareness training was not provided annually to either law enforcement officers or supervisors. The law enforcement officers we asked in the field also told us they were not receiving the mandatory verbal advisements during quarterly firearms qualifications. Because components did not fully implement the training requirements outlined in the Policy Directive, components lack assurance that law enforcement officers understand requirements under the Lautenberg Amendment.

Moreover, we found that DHS did not conduct oversight of, or provide assistance to, components to ensure they met the Policy Directive requirements. When we asked why, DHS' Office of Strategy, Policy, and Plans told us the Law Enforcement Policy Division, the unit responsible for overseeing implementation of the Policy Directive, was eliminated during a May 2019 reorganization and DHS never reassigned oversight responsibility. Notwithstanding this explanation, DHS could not provide any documentation of oversight conducted by the Law Enforcement Policy Division between the March 2017 request for implementation plans and when the group was eliminated in May 2019.

⁹ According to the Director for DHS Office of Strategy, Policy and Plans, CBP initially acknowledged it received the policy directive, but never submitted a completed plan. CBP could not provide any evidence that it took any actions to implement the Policy Directive.



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Some Components Have Not Taken Steps to Identify Law Enforcement Officer Arrests or Convictions for Domestic Violence Offenses

CBP and Secret Service did not comply with the Policy Directive requirement that all law enforcement officers complete an annual Lautenberg Amendment certification stating they do not have an MCDV conviction. In addition, while TSA and Secret Service have taken advantage of available FBI monitoring programs to identify law-enforcement-officer arrests and MCDV convictions through continuous background checks, CBP and ICE have not.

CBP and Secret Service Did Not Enforce Completion of DHS-Required Annual Lautenberg Certification

The Policy Directive requires all law enforcement officers to complete an annual Lautenberg Amendment certification stating they have not been convicted of an MCDV. None of the CBP field offices we visited required law enforcement officers to complete the annual certifications mandated by the Policy Directive. Management at these CBP field offices told us that they were not aware of the annual certification requirement. In addition, CBP never provided an implementation plan to DHS to outline how the component planned to comply with the Policy Directive, including the annual certification requirement. DHS did not conduct oversight to ensure CBP had implemented this requirement. As a result, since the Policy Directive became effective in January 2017, CBP law enforcement officers have not been required to submit annual certifications attesting that they have not been convicted of an MCDV.

Secret Service also did not require law enforcement officers to complete annual certifications during the timeframe we reviewed. Secret Service management told us that, in lieu of signing annual certifications, agents signed an annual statement of compliance with the contents of the Secret Service Law Enforcement Manual. However, this manual did not specify agent responsibilities related to the Lautenberg Amendment. The implementation plan Secret Service submitted to the DHS Policy Division suggested DHS should develop an annual Lautenberg Amendment certification for use by all of the components, but did not specify how Secret Service would comply with the annual certification requirement in the absence of DHS action.¹⁰ DHS did not

¹⁰ In June 2019, Secret Service issued a policy requiring compliance with the annual Lautenberg Amendment certification requirement. OIG could not examine the implementation of this new policy for compliance with the DHS Policy Directive because Secret Service had not completed a full cycle of certifications at the time of our review.



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conduct oversight to ensure Secret Service had implemented the certification requirement under the Policy Directive.

Unlike CBP and Secret Service, ICE and TSA both complied with the Policy Directive's annual certification requirement. All but one ICE and TSA field offices we visited provided 100 percent of the annual certifications we requested. One TSA field office was missing 5 of 115 signed annual certifications from the 2 years we examined; according to TSA, this was due to a clerical error.

CBP and ICE Did Not Use Available Resources to Monitor Law Enforcement Officer Arrests and Convictions for Domestic Violence Offenses

Secret Service and TSA currently enroll all their respective law enforcement agents in FBI monitoring programs that notify the components when an officer is arrested or convicted.¹¹ These monitoring programs help Secret Service and TSA comply with the Lautenberg Amendment by identifying officers arrested for or convicted of an MCDV. The FBI monitoring programs are described below:

- Secret Service receives notifications of law-enforcement-officer arrests and convictions through the Blue Force program, operated by the FBI Specialized Identity Management Unit. Secret Service enrolls each law enforcement officer in Blue Force upon hire and provides the FBI with the identification and biometric data necessary to match the Secret Service officers against FBI crime databases. As the FBI databases are updated, real-time notifications of Secret Service law-enforcement-officer arrests and convictions, including those for domestic violence offenses, are sent to Secret Service.
- TSA participates in the FBI Rap Back service, which functions similarly to the Blue Force Program and provides the component with continuous monitoring of the law enforcement officers enrolled in the service and notifications of any TSA law-enforcement-officer arrests and convictions. Like Secret Service, TSA enrolls all of its officers in the service upon hire and provides FBI with a list of the identifying information necessary to match TSA law enforcement personnel against the FBI crime databases.

In contrast, CBP and ICE do not participate in FBI monitoring programs. Although these free services are currently available to CBP and ICE, DHS

¹¹ FBI officials explained that although their programs provide comprehensive monitoring of arrests and convictions of enrolled officers based upon a thorough search of FBI databases, they are not foolproof because the underlying FBI databases are dependent upon the accurate and timely reporting of arrests and convictions by state and local jurisdictions.



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officials told us CBP and ICE have not enrolled their law enforcement officers in these programs because they are awaiting implementation of an internal DHS technology solution that will provide real-time monitoring of FBI databases for arrests and convictions of DHS law enforcement officers (“continuous evaluation program”). DHS is currently enrolling a portion of each component’s population into the continuous evaluation program and expects to complete implementation sometime in 2021.

Recommendations

1. We recommend the CBP Commissioner revise CBP’s table of offenses and penalties to identify specific charges and penalties for domestic violence offenses.
2. We recommend the Secret Service Director broaden Secret Service’s table of penalties to identify specific charges and penalties for substantiated domestic violence offenses, regardless of whether there was an accompanying misdemeanor or felony conviction for domestic violence.
3. We recommend the ICE Director revise ICE’s table of offenses and penalties to identify specific charges and penalties for domestic violence offenses.
4. We recommend the TSA Administrator revise TSA’s table of offenses and penalties to identify specific charges and penalties for domestic violence offenses.
5. We recommend the CBP Commissioner ensure compliance with requirements in DHS Policy Directive 045-05, specifically:
 - a. Annual domestic violence awareness training for law enforcement officers and their supervisors;
 - b. Quarterly verbal advisement, during quarterly firearms qualifications, of duty to report contact with law enforcement; and
 - c. Annual completion of Lautenberg Amendment certifications by all law enforcement officers.
6. We recommend the Secret Service Director ensure compliance with requirements in DHS Policy Directive 045-05, specifically:
 - a. Annual domestic violence awareness training for law enforcement officers and their supervisors;
 - b. Quarterly verbal advisement, during quarterly firearms qualifications, of duty to report contact with law enforcement; and



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- c. Annual completion of Lautenberg Amendment certifications by all law enforcement officers.

- 7. We recommend the ICE Director ensure compliance with requirements in DHS Policy Directive 045-05, specifically:
 - a. Annual domestic violence awareness training for law enforcement officers and their supervisors; and
 - b. Quarterly verbal advisement, during quarterly firearms qualifications, of duty to report contact with law enforcement.

- 8. We recommend the TSA Administrator ensure completion of requirements in DHS Policy Directive 045-05, specifically:
 - a. Annual domestic violence awareness training for law enforcement officers and their supervisors; and
 - b. Quarterly verbal advisement, during quarterly firearms qualifications, of duty to report contact with law enforcement.

- 9. We recommend the DHS Under Secretary for the Office of Strategy, Policy, and Plans exercise oversight of components to ensure compliance with DHS Policy Directive 045-05.

DHS Comments

OIG Analysis of DHS Comments



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Appendix A
Objective, Scope, and Methodology

The DHS Office of Inspector General (OIG) was established by the *Homeland Security Act of 2002* (Pub. L. No. 107-296) by amendment to the *Inspector General Act of 1978*.

We conducted this evaluation to determine whether CBP, Secret Service, ICE, and TSA effectively identify, report, investigate, and discipline law enforcement employees who commit domestic violence offenses.

We reviewed DHS and component policies as well as applicable databases or other mechanisms used to track compliance with the Lautenberg Amendment, the process for law enforcement officers reporting arrests and convictions for MCDVs, and guidance used to determine disciplinary actions for law enforcement officers who have been arrested for and/or convicted of an MCDV.

We interviewed DHS, CBP, Secret Service, ICE, and TSA leadership with oversight of policies and directives, personnel security, misconduct investigations, and disciplinary actions. We also spoke with representatives from FBI's Criminal Justice Information Services, as well as FBI representatives with oversight of TSA's Rap Back and Secret Service's Blue Force data services.

We reviewed case files to determine actions the components took to discipline law enforcement officers who engaged in domestic violence offenses. We did not review pending cases in which either local law enforcement authorities or components had not completed their investigations or prosecutions, or cases in which the components determined the employee had not engaged in domestic violence. Secret Service headquarters conducts all investigations and maintains all case files on site in Washington, DC, where we reviewed its case files. We also conducted interviews with senior field office leadership at the Secret Service Field Office in Denver, CO. For CBP, ICE, and TSA, we completed field site visits in five states where we conducted interviews with senior field office leadership and (at locations with relevant cases) documented the results of case file review performed at the following locations:

CBP:

- Office of Field Operations and Border Patrol – El Paso, TX; Laredo, TX; Tucson, AZ
- Office of Field Operations – New York, NY
- Air and Marine Operations – Tucson, AZ



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ICE:

- Enforcement and Removal Operations – Newark, NJ; New York, NY; Denver, CO
- Homeland Security Investigations – Newark, NJ; Tucson, AZ; Denver, CO
- Office of Professional Responsibility – Tucson, AZ

TSA:

- Federal Air Marshal Service – Newark NJ; New York, NY; Denver, CO

In addition, we evaluated actions taken by each component to comply with the requirements of the Policy Directive.

We conducted this evaluation between April and November 2019 under the authority of the *Inspector General Act of 1978*, as amended, and according to the Quality Standards for Inspection and Evaluation issued by the Council of the Inspectors General on Integrity and Efficiency. The evidence obtained provides a reasonable basis for our findings and conclusions based upon our objectives.



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Appendix B
DHS Comments to the Draft Report

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Appendix C
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