



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

## INVESTIGATIVE SUMMARY | 22-046

### **Findings of Misconduct by a then-Immigration Judge in the Executive Office for Immigration Review for an Inappropriate Comment to a Party during a Court Proceeding**

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation after receiving information from the Executive Office for Immigration Review (EOIR) alleging that a then-Immigration Judge may have made an inappropriate comment to a party during a court proceeding.

The OIG investigation substantiated the allegation that the then-Immigration Judge used inappropriate language when questioning a party during a proceeding in violation of ethical rules applicable to Immigration Judges in the EOIR. The Immigration Judge resigned from the EOIR after being contacted by the OIG for an interview and declined to be interviewed. The OIG has the authority to compel testimony from current Department employees upon informing them that their statements will not be used to incriminate them in a criminal proceeding. The OIG does not have the authority to compel or subpoena testimony from former Department employees, including those who retire or resign during the course of an OIG investigation.

The OIG has completed its investigation and provided its report to the EOIR for its information and to the Department'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.