

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



June 8, 2001

The Honorable Anthony A. Williams
Mayor of the District of Columbia
One Judiciary Square
441 4th Street, N.W., Suite 1100
Washington, D.C. 20001

RE: Management Implication Report on Recent Amendments to the District's Personnel Manual Requiring Employees of the District Government to Report Issues of A Criminal Nature to the Office of the Inspector General (OIG) (**MIR-2001-1**)

Dear Mayor Williams:

The purpose of this Management Implication Report is to inform you of recent amendments to District regulations requiring District employees and agency heads to immediately report allegations of a criminal nature and conflicts of interest to this Office. The Office of Inspector General (OIG) provides these reports when we believe a serious matter requires the immediate attention of a District of Columbia government office.

Recent amendments to District Personnel Manual (DPM) Chapter 18 have been published in the District of Columbia Register at 48 DCR 3074 (April 6, 2001). Prior to these amendments, the DPM required District government employees to report misconduct to either their agency head **or** the OIG. Section 1803.7 of the DPM has been amended to mandate reporting to both agency heads **and** the OIG. The section reads as follows:

An employee shall report directly and without undue delay to his or her agency head and to the Office of the Inspector General of the District of Columbia any information concerning conduct which he or she knows, or should reasonably know, involves corrupt or other criminal activity, or conflict of interest:

- a) On the part of another District employee, which concerns that person's employment or office; or

The Honorable Anthony A. Williams
Mayor of the District of Columbia.
June 8, 2001
Page 2

- b) On the part of a person dealing with the District government, which concerns that person's dealings with the District government.

DPM § 1803.7.

In addition, a new section has been created within the DPM that also requires an agency head to immediately report any information he/she has received regarding criminal activity or conflicts of interest to the OIG. Specifically, Section 1803.8 mandates the following:

An agency head who has information concerning conduct as described in §1803.7 shall immediately report such information to the Office of the Inspector General of the District of Columbia.

DPM § 1803.8.

These amendments to the DPM facilitate the OIG's mandate to independently investigate allegations of fraud, corruption, waste and abuse by District employees and contractors, and are designed to circumvent the inherent conflicts presented when agencies attempt to conduct internal investigations that involve criminal activity and/or conflicts of interest. Agencies should be aware that their attempts to investigate allegations of this nature can contaminate evidence, compromise witness testimony, and otherwise imperil OIG investigative efforts. Agencies should also be aware that any of the foregoing results would place District employees at risk for violating DPM § 1803.9, which states:

An employee shall not interfere with or obstruct an investigation by a District or federal agency of misconduct by another District employee or by a person dealing with the District.

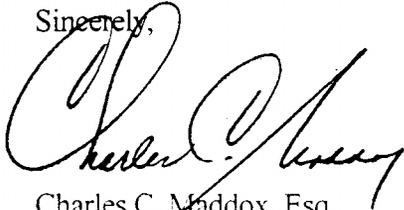
DPM § 1803.9.

In closing, District agency heads are cautioned to avoid investigating allegations of criminal misconduct at the agency level and to be cognizant of the mandatory reporting requirements implemented by these recent amendments to DPM Chapter 18.

The Honorable Anthony A. Williams
Mayor of the District of Columbia
June 8, 2001
Page 3

If you have questions concerning this matter, please call me or David M. Bowie, the Assistant Inspector General for Investigations, at (202) 727-9249.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles C. Maddox". The signature is written in a cursive style with a large initial "C" and "M".

Charles C. Maddox, Esq.
Inspector General

CCM/tmf

cc: District of Columbia Financial Responsibility
and Management Assistance Authority
District of Columbia Councilmembers
District of Columbia Agency Heads