



# Professionalism within the Workforce

*July 17, 2015*

Fiscal Year 2015 Report to Congress



Homeland  
Security

*U.S. Secret Service*

# Message from the Director of the U.S. Secret Service

July 17, 2015

I am pleased to present the following report, “Professionalism within the Workforce,” which has been prepared by the U.S. Secret Service (Secret Service).

This document has been compiled pursuant to a requirement in the *Fiscal Year (FY) 2015 Department of Homeland Security (DHS) Appropriations Act (P.L. 114-4)*, accompanying Explanatory Statement, and House Report 113-481. Over the past 150 years, the Secret Service has established itself as one of the most highly regarded law enforcement agencies in the world. The cornerstone of our success has always been the selfless dedication to duty displayed by the men and women of this agency. This report outlines the actions the Secret Service has taken over the past several years to support that dedication and to communicate an unwavering organizational commitment to professionalism within the workforce.



Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:

The Honorable John R. Carter  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Hoeven  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jeanne Shaheen  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries relating to this report may be directed to me at (202) 406-5700, or to the Department's Deputy Under Secretary for Management and Chief Financial Officer, Chip Fulghum, at (202) 447-5751.

Sincerely,

A handwritten signature in black ink that reads "Joseph P. Clancy". The signature is written in a cursive style with a large, prominent initial "J".

Joseph P. Clancy  
Director  
U.S. Secret Service

# Executive Summary

The mission of the Secret Service contributes significantly to DHS's overarching goals of preventing terrorism and enhancing security, as well as safeguarding cyberspace and critical infrastructure. The protection of the President and Vice President, in particular, is central to the continuity of government and DHS's goal of reducing risk to the Nation's critical infrastructure, key leadership, and events.

To accomplish its mission, the Secret Service relies heavily on an exceptional workforce comprising special agents, Uniformed Division officers, and administrative, professional, and technical support staff. As with all organizations, the Secret Service is judged by the actions of our workforce. To that end, Secret Service employees are not only responsible for carrying out the mission of the organization, but also for carrying out that mission in a way that earns the trust and confidence of those we serve.

While professionalism is the responsibility of all employees, the Secret Service as an organization is responsible for providing the policies and mechanisms to reinforce it. Employee misconduct in Cartagena, Colombia, in April 2012, raised questions regarding whether the Secret Service was doing everything it could do to carry out its responsibility to support its employees and their professional development. To answer those questions, the Secret Service requested the assistance of the Professionalism Reinforcement Working Group (PRWG), which was established approximately 1 month following the incidents that occurred in Cartagena. This working group was co-chaired by former Director John Berry of the Office of Personnel Management and Director Connie Patrick of the Federal Law Enforcement Training Center. Over the course of 8 months, they, along with a number of subject matter experts, conducted a comprehensive and objective review of Secret Service human resource policies and procedures. At the conclusion of this review, the PRWG issued 17 recommendations, which the Secret Service accepted.

The two major recommendations made by the PRWG relating to discipline were (1) instituting a table of penalties that would instill greater transparency, consistency, and fairness to disciplinary processes; and (2) creating a standalone Office of Integrity (ITG). In November 2013, the Secret Service published the Table of Offense Codes and Penalty Guidelines (Table of Penalties)<sup>1</sup> and applied it to all future disciplinary proceedings. The Table of Penalties serves as a guide in determining appropriate corrective, disciplinary, or adverse actions for common offenses. The Secret Service established ITG<sup>2</sup> on December 1, 2013, which reports to the Deputy Director. ITG oversees adherence to the Secret Service's code of conduct by impartially adjudicating allegations of employee misconduct in a fair, consistent, and timely manner. The Chief Integrity Officer and the

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<sup>1</sup> See Appendix A.

<sup>2</sup> See Appendix B.

Deputy Chief Integrity Officer apply the guidance contained in the Table of Penalties to adjudicate substantiated allegations of employee misconduct.

Another recommendation made by the PRWG was to develop and issue a user-friendly Ethics Desk Reference Guide to all Secret Service employees. This guide, which was posted electronically on the agency's Intranet in January 2013, and distributed to every employee in March 2013, highlights the Secret Service's core values, compliance principles, standards of conduct, security clearance adjudication guidelines, and the expectation that all employees must adhere to standards of ethical conduct.

Although the fulfillment of these recommendations has strengthened professionalism within the agency, the Secret Service has continued its efforts to enhance, define, and communicate its expectations regarding professionalism and conduct to the workforce. Updating and revising policies as needed, the agency has kept a close eye on trending issues affecting employee conduct. To that end, effective March 23, 2015, the Secret Service issued a new policy prohibiting employees from operating a government-owned, -leased, or -rented vehicle within 10 hours of consuming an alcoholic beverage. On that same date, Deputy Director Magaw issued an official message to all Secret Service employees emphasizing that any employee who violates this policy will be subject to the full range of available disciplinary and adverse actions up to and including removal from employment. In addition, Director Clancy issued an official message to the entire Secret Service workforce making clear that employees are required to report through their chain of command any activities that violate the agency's standards of conduct or that otherwise negatively affect the agency's mission. Going forward, the Secret Service will continue to refine its policies in an effort to make clear the high standards that it sets for its employees.



# Professionalism within the Workforce

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# I. Legislative Language

This document has been compiled in response to language in the *Fiscal Year (FY) 2015 Department of Homeland Security (DHS) Appropriations Act* (P.L. No. 114-4), accompanying Explanatory Statement, and House Report 113-481.

P.L. 114-4 includes the following requirement:

... *Provided further*, That not later than 90 days after the date of enactment of this Act, the Director of the United States Secret Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report providing evidence that the United States Secret Service has sufficiently reviewed its professional standards of conduct; and has issued new guidance and procedures for the conduct of employees when engaged in overseas operations and protective missions, consistent with the critical missions of, and the unique position of public trust occupied by, the United States Secret Service: *Provided further*, That of the funds provided under this heading, \$10,000,000 shall be withheld from obligation for Headquarters, Management and Administration until such report is submitted ...

Additionally, the Explanatory Statement that accompanies P.L. 114-4 provides:

## Professionalism within the Workforce

As described in the House report, recurring allegations of misconduct within the Secret Service are deeply disappointing. The Secret Service is expected to take all steps necessary to ensure that it has in place the proper training and protocols to prevent similar incidents and to hold violators accountable for their actions. Accordingly, the bill withholds \$10,000,000 from obligation for Headquarters, Management and Administration until the Secret Service submits to the Committees, not later than 90 days after the date of enactment of this Act, a report providing evidence that the Secret Service has sufficiently reviewed its professional standards of conduct; issued new guidance for the procedures and conduct of employees when engaged in overseas operations and protective missions; and instituted a professional standards policy consistent with the agency's critical missions and unique position of public trust.

House Report 113-481 states:

the bill withholds \$20,000,000 from obligation for Headquarters, Management and Administration until the Secret Service submits to the

Committee, not later than 90 days after the date of enactment of this Act, a report providing evidence that the Secret Service has sufficiently reviewed its professional standards of conduct; issued new guidance for the procedures and conduct of employees when engaged in overseas operations and protective missions; and instituted a zero-tolerance policy consistent with the agency's critical missions and unique position of public trust.



## II. Background

Pursuant to Title 18 of the United States Code, sections 3056 and 3056A, the mission of the United States Secret Service (Secret Service or USSS) is to ensure the security of the President, the Vice President, their families, the White House Complex, the Vice President's residence, visiting world leaders, former Presidents and their spouses, and events of national significance. The Secret Service also protects the integrity of our currency and investigates crimes against our national financial systems committed by criminals around the world and in cyberspace.

To accomplish its mission, the Secret Service implements the following operational programs: protection; protective intelligence; and criminal investigations. The Secret Service achieves excellence in these programs by developing leading-edge technologies to mitigate emerging threats and contributing to the success of the goals DHS has identified in its Quadrennial Homeland Security Review.

The Secret Service takes allegations of employee misconduct seriously. Any employee, regardless of rank or position, who engages in misconduct, will be held accountable for his or her actions. This includes employees failing to report an incident, supervisors inappropriately choosing not to act on information reported to them, or any acts taken or threats of retaliation against an employee who reports misconduct.

Approximately 1 month after the misconduct by Secret Service employees in Cartagena, Colombia, in April 2012, the Secret Service established a Professionalism Reinforcement Working Group (PRWG). The PRWG, co-chaired by former Director John Berry of the Office of Personnel Management (OPM) and Director Connie Patrick of the Federal Law Enforcement Training Center (FLETC), consisted of a panel of five government executives, supported by approximately 70 subject matter experts from OPM, FLETC, the Federal Bureau of Investigation (FBI), the U.S. military, and the Secret Service. The PRWG was tasked with three major responsibilities: 1) review the Secret Service controls on professional conduct; 2) benchmark the Secret Service against other similar agency best practices; and 3) identify any areas where the Secret Service excelled and areas where there is a need for enhancement.

At the conclusion of its review, the PRWG issued 17 recommendations, all of which were accepted by the Secret Service. Additionally, the Secret Service has continued to update and more fully implement its professionalism standards, including the institution of new reporting standards when employees encounter misconduct, disciplinary penalties for failure to report misconduct, and new policies governing other specific facets of employee behavior.

### III. Review of Standards of Conduct and Establishment of a Professional Standards Policy

In May 2012, the Secret Service established the PRWG co-chaired by former OPM Director John Berry and FLETC Director Connie Patrick who worked closely with a panel that consisted of more than 70 subject matter experts from OMB, FLETC, the FBI, members of the U.S. military, and the Secret Service. The PRWG was tasked with three major responsibilities: (1) review the Secret Service's internal controls on professional conduct; (2) benchmark the Secret Service against other federal agency's best practices; and (3) identify any areas where the Secret Service excelled and where the agency needed to improve.

Following an 8-month review, the PRWG found that, although a number of the Secret Service's procedures were identified as best practices, and many more were found to be consistent with peer organizations, there were areas where enhancements could be implemented to support the workforce further. The PRWG issued 17 recommendations with the goal of reinforcing professionalism within the workforce. The Secret Service accepted all of the recommendations, many of which were implemented by the end of 2013, and, in accordance with a strategic action plan, all 17 were fully adopted by the end of 2014.

As the PRWG was winding up its actions, the DHS Office of the Inspector General (OIG) began an audit and issued a report aimed at assessing the Secret Service's "Efforts to Identify, Mitigate, and Address Instances of Misconduct and Inappropriate Behavior."<sup>3</sup> In its report issued December 19, 2013, the DHS OIG "did not find evidence that misconduct is widespread in [the Secret Service]."<sup>4</sup> However, the report contained a number of recommendations for the agency. Many of these recommendations concerned matters that overlapped with the recommendations of the PRWG; some of which had already been fully implemented by the Secret Service. Nonetheless, by mid-April 2014, all recommendations issued by the DHS OIG had been completed and the recommended procedural changes fully established.

Several of the recommendations made by the PRWG and the OIG focused on establishing a robust disciplinary process grounded in transparency, consistency, and fairness. To meet these objectives, enhanced training and educational materials emphasizing the expectation of ethical behavior and conduct were made available to all employees. The Secret Service introduced updated training on ethics and standards of

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<sup>3</sup> Department of Homeland Security Office of Inspector General, Adequacy of USSS Efforts To Identify, Mitigate, and Address Instances of Misconduct and Inappropriate Behavior, December 2013. Available at: [https://www.oig.dhs.gov/assets/Mgmt/2014/OIG\\_14-20\\_Dec13.pdf](https://www.oig.dhs.gov/assets/Mgmt/2014/OIG_14-20_Dec13.pdf)

<sup>4</sup> *Id.* at 1.

conduct; developed new briefings on professionalism that are given prior to major protective events and all overseas protective trips; and issued a user-friendly Ethics Desk Reference Guide for all employees. The ethics guide, published in January 2013, highlights the Secret Service's core values, compliance principles, standards of conduct, security clearance adjudication guidelines, and the expectation that all employees must adhere to standards of ethical conduct.

The two major recommendations made by the PRWG relating to discipline were (1) the institution of a table of penalties (the Table of Offense Codes and Penalty Guidelines, or Table of Penalties<sup>5</sup>) that would ensure that employees knew the consequences for specific offenses, instilling greater predictability and a sense of fairness to the disciplinary process; and (2) the creation of a separate Office of Integrity.

The development of the Table of Penalties began with the establishment of a Secret Service working group that consisted of representatives from multiple offices in the agency, including the Office of Chief Counsel, the Office of Protective Operations, the Office of Investigations, the Office of Technical Development and Mission Support, the Office of Strategic Intelligence and Information, the Office of Administration, the Security Clearance Division, and the Human Capital Division/Employee Relations Branch. Over a 6-month period, this working group benchmarked the Secret Service against other federal agencies, such as the FBI, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, and the Transportation Security Administration, and developed recommendations to centralize disciplinary processes and develop a table of penalties. A second working group comprising Deputy Assistant Directors from each Secret Service directorate finalized the creation of an Office of Integrity and the Table of Penalties.

In November 2013, the Secret Service published the Table of Penalties and applied it to all future disciplinary proceedings. The Table of Penalties is intended to serve as a guide in determining appropriate corrective, disciplinary, or adverse actions for common offenses. The purpose of the Table of Penalties is to:

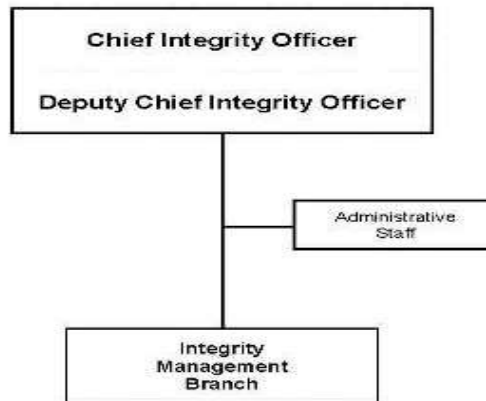
- provide employees the ability to review both offenses and penalties for various types of misconduct;
- provide consistency and predictability based on the facts of the incident; and
- provide penalties that are not overly narrow for a particular offense that may limit the ability to take appropriate factors into consideration.

In addition and in order to better facilitate consistent discipline, the Secret Service established the Office of Integrity (ITG) on December 1, 2013, as a separate office that reports to the Deputy Director. On January 31, 2014, the functional responsibilities of

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<sup>5</sup> See Appendix A.

the ITG were formalized and an organization chart was approved by the Chief Integrity Officer as follows:



The ITG oversees adherence to the Secret Service’s code of conduct by impartially adjudicating allegations of employee misconduct in a fair, consistent, and timely manner. The Chief Integrity Officer and the Deputy Chief Integrity Officer apply the guidance contained in the Table of Penalties to adjudicate substantiated allegations of employee misconduct.

With the ITG now firmly established and the Table of Penalties in use, the process for reporting and investigating allegations of misconduct, as well as proposing and taking disciplinary action is more clearly defined than it was prior to April 2012. Under the new process, if an initial complaint is received by a front-line supervisor, the supervisor is required, outside of a limited number of minor violations, to report the allegation through his/her chain of command to the Secret Service Office of Professional Responsibility (RES). Within RES, the Inspection Division (ISP) then has a responsibility to chair an Intake Group meeting to review the misconduct allegations. The Intake Group comprises the Special Agent in Charge of ISP, the Chief of the Security Clearance Division or higher, the Deputy Chief Integrity Officer, an attorney from the Office of Chief Counsel, and a representative from the Assistant Director’s office where the affected employee is assigned.

The Intake Group has a responsibility to examine the allegation to (1) determine whether further investigation by ISP is warranted, (2) refer allegations of misconduct where additional information is not warranted to the ITG for appropriate administrative action, (3) administratively close cases where allegations of misconduct are unfounded, lacking in specificity, or where no violation of Secret Service policy has occurred, and (4) refer the matter to the appropriate management official when appropriate. If the Intake Group determines that additional investigation by ISP is necessary, then ISP presents the information to the DHS OIG. In consultation with the DHS OIG, a decision is then

reached on whether the DHS OIG or the Secret Service will assume responsibility for investigating the allegation of misconduct.

At the conclusion of either the DHS OIG or Secret Service investigation, all allegations are forwarded to the ITG for review and possible disciplinary action. Once an allegation is received by the ITG, the Deputy Chief Integrity Officer will prepare a formal disciplinary proposal to present to the employee. This proposal is based on evidence and information provided to the Deputy Chief Integrity Officer during the intake process and investigation, if in fact an investigation occurred. The Deputy Chief Integrity Officer uses this information in accordance with ITG disciplinary policies and the Table of Penalties to prepare the proposal. In determining the appropriate penalty for the offense, consideration is given to a number of mitigating (e.g., acceptance of responsibility) and/or aggravating (e.g., holding a supervisory position at the time of the offense, notoriety of the offense) factors. The Deputy Chief Integrity Officer is the issuing official for all adverse actions, and the Chief Integrity Officer can mitigate the proposed penalty.

Employees facing disciplinary actions are afforded certain procedural rights pursuant to Title 5 of the United States Code, Chapter 75, and regulations prescribed by OPM. Before an agency imposes a suspension for 14 days or fewer, an employee is entitled to: (1) an advanced written notice stating the specific reasons for the proposed action; (2) a reasonable time to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer; (3) representation by an attorney or other representative; and (4) a written decision and the specific reasons thereof at the earliest practicable date. When an employee is proposed for removal, a suspension for more than 14 days, a reduction in grade or pay, or a furlough of 30 days or less, that employee is entitled to: (1) at least 30 days advance written notice stating the specific reasons for the proposed action; (2) a reasonable time, but not less than 7 days, to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer; (3) be represented by an attorney or other representative; and (4) a written decision and the specific reasons thereof at the earliest practicable date. The regulations promulgated pursuant to Title 5, Chapter 75 incorporate and implement these procedural requirements.

Secret Service policy regarding all formal disciplinary or adverse actions implements the procedural due process protections required by OPM and Title 5. In assessing and determining the appropriate penalty to impose for employee misconduct, the Chief Integrity Officer and Deputy Chief Integrity Officer utilize the Secret Service's Table of Penalties as instructive guidelines, and consider the Douglas Factors, 12 criteria established by the Merit Systems Protection Board (MSPB) in the case of Douglas v. Veteran's Administration. Once the notice of the proposed disciplinary action(s) is issued to the employee, he/she is entitled to review the materials relied on to support the reasons for the action and reply (orally and/or in writing) to the deciding official. If

practicable, an employee is carried in an active duty status prior to and during the notice period of the proposed action. The employee may be placed in a nonduty status only when circumstances are such that the retention of the employee in an active duty status may pose a threat to the employee or others, may result in the loss of or damage to Government property, or otherwise may jeopardize legitimate Government interests (including security). In such situations, the Secret Service may place the employee in a paid nonduty status (administrative leave) for such time as is necessary to effect the action. In other circumstances, at the employee's request, the agency may allow the employee to take leave as appropriate. The employee ultimately is issued a written decision that provides the specific reasons for the decision.

Following the issuance of a final decision on the disciplinary action, an employee has several avenues of recourse. A non-Senior Executive Service (SES) employee may request review before the Secret Service's Discipline Review Board (DRB). The DRB has the authority to vacate, mitigate, or uphold the charge and penalty consistent with guidance provided in the Table of Penalties. Alternatively, an employee may: file an Equal Employment Opportunity complaint with the Secret Service, if the individual believes that discrimination was a factor in his/her effected disciplinary action; bring a complaint to the Office of Special Counsel, if the individual is claiming whistleblower status; or, in cases where the employee has been removed, demoted, or suspended for more than 14 days, appeal to the MSPB. Employees at the SES level may not file an appeal with the DRB, but each of the other avenues of appeal is available to them.

If the employee files an appeal with the MSPB, the employee must first prove that the appeal is timely, and that the MSPB has jurisdiction to hear the appeal. If the employee meets this initial burden, then the burden shifts to the agency. The agency must prove all facets of the charge against the employee by a preponderance of the evidence, *i.e.*, that the facts underlying the charge occurred, that they constitute misconduct, that the penalty promoted the efficiency of the service, and that the penalty was reasonable given the charges. An employee may appeal the initial decision of the administrative judge to the full MSPB Board, and a final order of the Board to the United States Court of Appeals for the Federal Circuit, if the appeal is filed within 60 days.

Although all of the described protocols focus on the processing of a disciplinary action, the Secret Service is aware that the most important piece of this equation is knowledge by management of the occurrence of an act of misconduct. To this end, the Secret Service provides its workforce a number of internal avenues to report misconduct including the Secret Service's Ombudsman, the Secret Service's Office of Professional Responsibility, the Secret Service's Inspection Division, the Secret Service's Inspection Hotline, the Secret Service's ITG, and externally through the DHS OIG, the DHS OIG Hotline, or the Office of Special Counsel. Additionally, on March 23, 2014, Director Clancy notified all employees that they are required to report incidents of misconduct that became known to them as soon as practicable but no later than at the conclusion of each employee's tour of

duty. Further, the failure of an employee to report misconduct will be subject to disciplinary action under the Table of Penalties.

## IV. New Guidance for the Procedures and Conduct of Employees When Engaged in Overseas Operations and Protective Missions

On April 27, 2012, the Secret Service enhanced its existing Code of Conduct and implemented new policies relative to foreign travel. These policy enhancements included: (1) making clear that all laws of the United States shall apply to Secret Service personnel while abroad; (2) making clear that patronization of nonreputable establishments is prohibited; (3) restricting the consumption of alcohol; and (4) prohibiting foreign nationals from all Secret Service personnel hotel rooms. To enhance oversight of employees while on foreign travel, the Secret Service now requires that car planes be staffed by senior supervisors who are responsible for briefing employees on standards of conduct prior to a trip departure, as well as enforcing those standards while in a foreign country. In addition, all personnel are required to complete online ethics training in order to be eligible for foreign travel.

In addition, the Secret Service's Human Resources and Training Manual section addressing special security clearance requirements and reporting was updated in 2012 and again in 2014. The policy updates explain that, if an employee fails to report for a scheduled assignment, the supervisor is authorized to verify the employee's whereabouts via telephone, electronic devices, or responding to the employee's residence. Additionally, more detailed definitions and examples of activities and conduct that are reportable to the Security Clearance Division (SCD) are included. The term "foreign contact" is clarified and contemporary examples of reportable contact (e.g., Internet, email, chat rooms, Facebook and other social networking sites, gaming sites, webcams, etc.) are listed. Examples of foreign influence/close personal association with foreign nationals are also provided.

Prior to April 2012, the SCD Counterintelligence Branch (SCD CIB) provided counterintelligence and defensive travel briefings to car planes travelling to high counterintelligence threat countries as defined by the Department of State. Subsequent to April 2012, counterintelligence and defensive travel briefings are provided by SCD CIB to all Secret Service employees travelling on car planes in support of the President, First Lady, and the Vice President. These briefings are conducted at Joint Base Andrews prior to departure. All Secret Service employees must sign an attendance sheet to confirm receipt of the briefing. In addition, a General Schedule (GS)-15 Special Agent and/or a GS-14 Special Agent are assigned as a Jump Team Leader (JTL) and Alternate Jump Team Leader (AJTL) for these trips. These JTLs/AJTLs arrive at headquarters 1 day prior to the trip and receive briefings on ethics, travel issues, and other relevant topics. Subsequently, they relay this information to all Secret Service personnel assigned to the



car plane prior to departure. Each briefing emphasizes the Secret Service's alcohol and drug policy, etiquette for association with foreign nationals, and personal accountability for security purposes. SCD CIB has conducted foreign travel briefings for 13,630 employees since April 2012 (2012 – 738; 2013 – 4,837; 2014 – 5,764; 2015 – 2,271). These briefings include both personal and official trips, to include car planes.

SCD CIB also provides operational security briefings to all new employees at headquarters, as well as for all Uniformed Division (UD) Officer and special agent classes at the Rowley Training Center (RTC). Employee conduct and the vulnerabilities that inappropriate behavior may cause when travelling are among the topics briefed.

### **Other Relevant Training**

Beyond the issuance of new guidance for the procedures and conduct of employees when engaged in overseas operations and protective missions, the Secret Service has enhanced training and briefings to ensure that employees are receiving the best-in-class instruction on professional conduct.

The Office of Chief Counsel (LEG) is responsible for the Secret Service's ethics program and for implementing the requirements of the Ethics in Government Act and the Standards of Ethical Conduct for Employees of the Executive Branch, as well as departmental and agency ethics policies. In this capacity, LEG has long provided the training required under the Ethics in Government Act for Public and Confidential Financial Disclosure filers. Beginning in 2010, LEG enhanced its ethics program by increasing the number of employees who receive annual ethics training to include employees who were not required to receive it under the Act.

LEG worked to further enhance ethics training after the events of April 2012. While in-person training is not required, LEG now provides in-person, rather than online or written, annual ethics training to nearly all employees required to receive ethics training under the Ethics in Government Act as well as to hundreds of additional employees. From 2010 to 2013, LEG ethics officials visited half of the domestic field office and protective division regions each year on a rotating basis to provide in-person training. Beginning in 2014, officials now visit one region each year, and the special agents in charge (SAIC) of all other domestic and foreign field offices and protective divisions, regardless of region, are required to participate in in-person briefings at Headquarters by video or audio conference. The regional visits include training stops at every field office and protective division within that region. The SAIC of each visited office/division is required to have available supervisors present and frequently opens the briefing to all employees.

Ethics officials from LEG also provide in-person ethics briefings to all new administrative, professional, and technical (APT) employees who onboard at

Headquarters every pay period, as well as to current employees in a wide variety of other settings. For example, ethics officials have presented as part of the Secret Service’s Johns Hopkins University Law Enforcement and Ethics program; Administrator Officers’ Conference; new supervisors’ orientation; Combined Federal Campaign Keyworkers’ orientation; and divisional meetings for the Human Capital and Special Operations Divisions. In 2014, nearly 1,100 Secret Service employees attended a LEG ethics briefing, including 100 percent of the GS-15 SAICs assigned to protective divisions and field offices.

In addition, since April 2012, RTC has hosted more than 1,501 instances of instructor-led ethics training and 594 instances using a contractual instructor, totaling more than 118 training courses completed over a 3-year period. Online training totaled 8,169 completions since April 2012.

**In-Service Instructor-Led Ethics Courses**

The most in-depth training offered to Secret Service employees regarding ethics is the in-service “Ethics in Law Enforcement” course.

Course/Event	Length	# of Courses Since April 1, 2012	Total # of Attendees
Ethics in Law Enforcement	16 hours	9	594

**Instructor-Led Standards of Conduct (Ethics)—Supplement to In-Service Training**

Through the winter of 2012–2013, an instructor-led course was developed by the RTC Legal section, working in conjunction with agency ethics officials, titled “Standards of Conduct (Ethics).” This course focuses on an individual’s thought processes in personal and professional decision-making, and then considers these processes in the context of the rules and regulations that govern standards of conduct for Secret Service employees. The course is adaptable to particular time allotments, but the course was designed as a 3-hour block of instruction. (However, indicative of the basic/in-service course type, the lesson content was altered varying the lesson length. See length listings below.)

In late 2012, the decision was made by RTC to implement Standards of Conduct (Ethics) blocks of instruction into many new recruit and in-service courses. The length of the block varies by course and is dictated of scheduling considerations. The changes were implemented between February and April 2013. The affected courses are:

Course/Event	Length of Standards of Conduct (Ethics) Block	# of Courses / Events Since April 2012	Total # of Attendees
<b>Basic Courses</b>			
<i>*The basic course instructional blocks were titled Ethical Decision Making &amp; Standards of Conduct</i>			
Special Agent Training Course	2.5 hours	5	118
UD Training Course	2.5 hours	7	158
Mixed Basic Training Course	3 hours	2	7
Protective Detail Training Course	3 hours	14	313
Counter Assault Team Basic School	2 hours	5	57
Counter Assault Team Cycle Training	2 hours	10	90
<b>In-Service Courses</b>			
<i>*The in-service course instructional blocks were titled Standards of Conduct</i>			
4 <sup>th</sup> Shift Training	2 hours	14	49
Firearms Instructor Training Course	2 hours	10	85
Seminar for First-Line Supervisors	45 minutes	6	135
SA Reintegration Course	1.5 hours	1	13
UD In-Service Training Course	1 hour	17	343
Essentials of Instruction <i>*Lesson entitled: Ethics and Professionalism (was taught by Instructional Systems Specialists)</i>	2 hour	18	133

### On-Line Ethics Courses

Several different types of online ethics courses are available to employees through the Learning Management System (LMS). One is a required course titled, "Making Decisions Ethically," which was a DHS-developed course that became mandatory in April 2012. This required course was replaced in March 2015 with a new Secret Service-specific course titled, "Decision Making Elements." Additionally, there are several other courses that are optional. The LMS course completions related to ethics are shown in the following table:

Learning Management System Training Course	Length	# of Completions Since April 1, 2012
Decision-Making Elements <i>*Newly created mandatory course for all USSS employees (replaced Making Decisions Ethically on March 2015).</i>	1+ hours	3,359

<b>Learning Management System Training Course</b>	<b>Length</b>	<b># of Completions Since April 1, 2012</b>
Ethical Decision-Making	1 hours	69
Government Ethics	.5 hours	30
Making Decisions Ethically <i>*Previously mandatory course for all USSS employees</i>	2.5 hours	4,598
Other Miscellaneous Ethics Courses	1+ hours	113

*\*These totals include active (current employees) and inactive (personnel who have departed the agency).*

## VI. Conclusion

While aggressively attempting to curtail instances of employee misconduct, the Secret Service will, like any large organization, continue to face isolated incidents requiring an appropriate response. All Secret Service employees must abide by the highest standards of professional conduct, whether on duty or off duty, and regardless of whether or not a particular behavior is prohibited in the Table of Penalties. As stated in the Secret Service manual, the absence of an offense code for a particular act does not mean that such an act is condoned or acceptable, or that it will not result in adverse action or discipline.

The Secret Service will continue to institute changes in the way that the agency reinforces professionalism across the workforce and how it responds to instances of misconduct. Although many of the enhancements put in place over the past several years provide a strong foundation, standards of conduct will need to be periodically reinforced and, in some instances, adjusted, and the consequences for failing to meet them will need to be communicated. Most recently, on March 23, 2015, Director Clancy issued an official message to all Secret Service employees making clear that employees are required to report through their chain of command any activities that violate the Secret Service standards of conduct or that otherwise negatively affect the protective or investigative mission of the Secret Service. The official message further stated that failure by an employee to make such notifications may result in disciplinary action. Employees were also informed of the options available to them to report incidents of misconduct. These options include the Secret Service's Ombudsman, the Secret Service's Office of Professional Responsibility, the Secret Service's Inspection Division, the Secret Service's Inspection Hotline, the Secret Service's ITG, and externally through the DHS OIG, the DHS OIG Hotline, and the Office of Special Counsel.

The Secret Service is continuing its efforts to define and communicate its expectations regarding professionalism and conduct to the workforce. Effective March 23, 2015, Secret Service employees were also prohibited from operating a government-owned, -leased, or -rented vehicle within 10 hours of consuming an alcoholic beverage. On that same date, Deputy Director Magaw issued an official message to all Secret Service employees emphasizing that any employee who violates this policy will be subject to the full range of available disciplinary and adverse actions up to and including removal from employment.

The Secret Service is committed to ensuring a strict code of professional conduct, a transparent process for administering discipline, and accountability regardless of rank or grade. Although it is ultimately the individual responsibility of employees to adhere to the standards of conduct, the Secret Service understands that it must provide its employees with clear, comprehensive policies and mechanisms to enforce them. When

misconduct is found to have occurred, those within and outside the Secret Service should be confident that there is a mechanism in place to deal with it swiftly, fairly, and consistently.

## VII. Appendices

- A. Table of Penalties
- B. Official message and manual section establishing the Office of Integrity

# Appendix A: United States Secret Service Table of Penalties

## Introduction

The United States Secret Service's (Secret Service) Table of Penalties is intended to serve as a **guide** in determining appropriate corrective, disciplinary, or adverse actions for common offenses and supersedes all previous policies and practices regarding disciplinary offenses and penalties.

The Offense Codes outlined in the Table of Penalties do not cover every possible offense but rather provide a general description of certain types of misconduct, whether committed on or off-duty, for which employees may be disciplined. The absence of a specific Offense Code covering an act does not mean that such an act is condoned, permissible, or would not result in disciplinary or adverse action. Offenses not described in the Offense Codes may be separately identified and result in appropriate disciplinary or adverse action, provided there is a nexus between the misconduct and the efficiency of the service. Employees are encouraged and expected to report through their chain of command, or the Inspection Division Hotline, or the DHS Office of the Inspector General hotline, information that indicates another employee may have engaged in misconduct described in the Table of Penalties. Supervisors are required to report through their chain of command an employee's misconduct involving violations set forth in the Table of Penalties. Failure of a supervisor to report information required by this policy may result in disciplinary action. See Offense Code 5.6.

## Purpose and Progressive Nature of Discipline

The Secret Service is a world renowned, pre-eminent law enforcement agency and is distinguished by its responsibilities to protect the president, vice-president, and other national leaders, visiting world leaders, and designated National Special Security Events. As such, the Secret Service employs advanced recruitment strategies designed to attract and retain employees who possess the highest levels of aptitude and integrity. All Secret Service employees are held to a high standard of conduct and are expected to be worthy of trust and confidence. The Secret Service's disciplinary and adverse action processes serve to ensure adherence to the highest standards of conduct. Disciplinary measures are imposed to promote behaviors and principles that champion the pursuit of organizational achievement and excellence. The discipline model of the Secret Service is designed to incentivize self-discipline at all levels. Discipline at the Secret Service is progressive in nature, meaning that subsequent acts of misconduct are treated with increasing severity, especially but not exclusively, when the acts of misconduct are similar in nature. Certain offenses are so egregious that a single act is sufficient to warrant an employee's removal from employment with the Secret Service.

## Penalty Ranges and Factors Considered in Determining the Penalty

The Secret Service's Penalty Guidelines are expressed in terms of a Standard Penalty, a Mitigated Range, and an Aggravated Range. Selection of an appropriate penalty involves a responsible balancing of the relevant factors in each case. The aggravating and mitigating factors listed in the Penalty Guidelines are a general description of certain factors that will result in higher or lower penalties depending on the specific case's circumstances. The factors listed in the Penalty Guidelines are illustrative and not exhaustive.

In addition, the Douglas Factors set forth below will be considered in every case prior to determining the penalty. Not all of these factors are applicable to every case, and the deciding official will balance the relevant ones.



The Douglas Factors are:

- 1) The nature and seriousness of the offense, and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated;
- 2) The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;
- 3) The employee's past disciplinary record;
- 4) The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;
- 5) The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon supervisors' confidence in the employee's ability to perform assigned duties;
- 6) Consistency of the penalty with those imposed upon other employees for the same or similar offenses;
- 7) Consistency of the penalty any applicable agency table of penalties;
- 8) The notoriety of the offense or its impact upon the reputation of the agency;
- 9) The clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question;
- 10) The potential for the employee's rehabilitation;
- 11) Mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and
- 12) The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.

The penalty for misconduct will be mitigated or aggravated only after full and fair consideration of all available information. The Table of Penalties is a guide to help ensure consistent application of similar penalties for similar offenses, but the selection of a penalty should always be appropriate to the facts of the case.

Statutory, regulatory, or policy citations listed in the Offense Codes or Penalty Guidelines are provided strictly for the convenience of the user. A specific reference to a statute, regulation, or policy in the Offense Codes or Penalty Guidelines does not mean that the citation is the only one applicable or that a citation is required to determine a violation. Although a criminal statute or conduct may be cited, the level of proof required for disciplinary purposes does not rise to the level required for criminal prosecution.

Suspensions are imposed in calendar days, not work days, and are intended to be served concurrently. Demotions may also be considered as an appropriate disciplinary measure even though they are not specifically designated as a penalty in the Penalty Guidelines. (Consult with designated Secret Service Employee Relations officials (Human Capital Division) for additional guidance.)

## **Combination of Penalties**

In cases where more than one offense is substantiated against an employee, the penalties may be added together. However, in proposing a disciplinary action, the proposing official will not assess multiple penalties where the substantiated charges are essentially restatements of the same misconduct. Further, if an employee commits more than one kind of offense, then the employee may be subject to a higher penalty to

include removal, even when one offense, standing alone, would not necessarily result in the higher penalty or removal.

## **Nexus**

The listed offenses apply to all Secret Service personnel regardless of position or title. Law enforcement officials and supervisory personnel may be held to a higher standard of conduct than other employees. The term “on duty” refers to the period when an employee is performing an official duty or acting in an official capacity, whether or not the employee is being paid at the time (e.g., misconduct occurring while an employee is driving an official Government Vehicle (GOV) at the end of the employee’s work day, traveling on a commercial carrier while armed, and/or is on official travel, is considered “on duty” for administrative disciplinary purposes).

An employee may be disciplined for misconduct that occurs off duty. In such circumstances, there must be a nexus between the employee’s misconduct and the efficiency of the Secret Service. A nexus may be established by the effect of the misconduct on the mission of the Secret Service, publicity or notoriety arising from the misconduct, the misconduct’s effect on the Secret Service’s ability to rely on the integrity, honesty, or judgment of the employee, and other similar and relevant factors.

## **Senior Executive Service (SES)**

Title 5 of the Code of Federal Regulations, section 752.601 provides that members of the SES may not receive an adverse action of less than fifteen days. Accordingly, where the Penalty Guidelines indicate a suspension of one to fourteen days for an offense, that sanction cannot be imposed on an SES employee. When the proposing and deciding officials conclude that an adverse action of more than a three day suspension, but less than a fifteen day suspension is appropriate, an SES employee will generally receive a minimum of a fifteen day suspension. When the proposing and deciding officials conclude that an adverse action of a one day to a three day suspension is appropriate, an SES employee may receive a letter of reprimand rather than a minimum of a fifteen day suspension if, after weighing the heightened behavioral and managerial expectations associated with SES personnel against the facts and circumstances of the case, the deciding official determines that a fifteen day suspension is not appropriate.

## **Exceptions to the Offense Codes and Penalty Guidelines**

The security clearance process is separate from the disciplinary process and this guidance does not apply to security clearance determinations regarding the denial, suspension, or revocation of eligibility for access to classified information. However, as outlined in the Offense Codes, when an employee’s Top Secret security clearance has been suspended or revoked, a proposed indefinite suspension may be issued; and when an employee’s Top Secret security clearance has been finally revoked by the Security Appeals Board, a proposal to remove the employee from Federal service will be issued. Consistent with this guidance, an employee may be subject to disciplinary or adverse action for misconduct that raises security concerns regardless of whether or not the Security Clearance Division takes a security related action in the matter.

The Medical Review Board process is also separate from the disciplinary process, and this guidance does not apply to removals proposed by the Medical Review Board based on inability to perform the essential functions of an employee’s position due to his or her medical condition.

This guidance also does not apply to performance deficiencies which may be addressed through the use of performance improvement plans (see PER-06(03) or its successor HCD section), to denials of within-grade increases (see PER-06(04) or its successor HCD section), or to removal or demotion actions taken under title 5 of the United States Code, chapter 43.

In addition, a matter may be referred to other Secret Service divisions for appropriate action regardless of whether or not disciplinary action is taken. For example, a matter may be referred to the Financial Management Division for the recoupment of monies owed to the government; to the Safety, Health and Environmental Programs Division for a fitness-for-duty or medical examination; and to the Security Clearance Division for review.

Although some offenses may fall within an Offense Code listed in the Table of Penalties, supervisors may consider issuing informal discipline to an employee in certain situations. Supervisors and managers have the responsibility of using good judgment when considering whether informal discipline may be appropriate, based on the totality of the circumstances. The following are examples (not inclusive) of such situations:

- Tardiness – non habitual
- Absent Without Leave – less than one workday
- Appearance Policy – minor violations
- Performance – minor issues that do not affect the mission
- Discourtesy or disruptive behavior– minor, non-habitual violations
- Failure to follow instructions – minor, non-habitual violations
- Failure to follow leave policies – minor, non-habitual violations
- Loss of Government Property valued at \$500 or less (non-protective equipment or weapons)
- Loss of Government issued identification or access cards (does not include badges)
- Security Violation (First Offense)

When considering whether other offenses not listed above may not be so severe as to warrant formal discipline, and therefore may be addressed using Informal Discipline (verbal counseling or memorandum of counseling), supervisors and managers should first review the Table of Penalties. Minor offenses for which a Letter of Reprimand is within the mitigated penalty range may be addressed through Informal Discipline.

# United States Secret Service Table of Penalties

## (Offense Codes – Applicable to USSS’s Internal Disciplinary Process)

### Offense Codes – Applicable to USSS’s Internal Disciplinary Process

- The Offense Codes are arranged by category of offenses. Within each category, the offenses are arranged alphabetically.
- Unless otherwise noted, the listed offenses apply to all USSS personnel, regardless of position or title.
- The term “on duty” refers to the period when an employee is performing an official duty or acting in an official capacity, whether or not the employee is being paid at the time (e.g., misconduct occurring while an employee is driving a USSS vehicle home at the end of the employee’s shift, is traveling on a commercial carrier while armed, or is on official travel status is considered “on duty” for administrative disciplinary purposes).
- See the Penalty Guidelines for an expanded discussion of applicable penalties, including examples of mitigating and aggravating factors for various offenses.

#### 1. MISSION RELATED MISCONDUCT

**Offense Code 1.1**  
Activities that Jeopardize the USSS Mission

**Engaging, assisting, or participating in an activity that jeopardizes or negatively impacts the USSS’s mission or operations not specifically delineated in any other Offense Code.**

**Mitigated: 5-10 Days**  
**Penalty: 14 Days**  
**Aggravated: 21 Days - Removal**

**Offense Code 1.2**  
Asset/Cooperating Witness (CW)/Informant (Source) – Failure to Report Criminal Activity or Improper Intervention on Behalf Of

**Failing to inform in a timely manner the appropriate USSS official of a source’s unauthorized criminal activity about which the employee knows, or reasonably should know, based upon all available information; or without authorization, aiding, protecting, harboring, or shielding a source, or any attempt to aid, protect, harbor, or shield a source from law enforcement or legal obligations. Timely manner means as soon as possible in light of operational/mission requirements.**

“Criminal activity” does not include non-felonious traffic related offenses.

**Mitigated: 1 – 5 Days**  
**Penalty: 7 Days**  
**Aggravated: 10 Days – Removal**

<p><b>Offense Code 1.3</b> Asset/CW/Informant (Source) – Improper Relationship</p>	<p><b>Without authorization, directly or indirectly loaning money to or receiving money from a source; giving a favor/gift to or accepting a favor/gift from a source; paying a source for a favor, gift, or service; attempting to obtain any favor, gift, or service from a source; or engaging in a social, romantic, sexual, or intimate relationship with a source.</b></p> <p>This includes financial benefits, favors, and gifts conferred upon an employee’s relatives or associates due to the employee’s relationship with the source.</p> <p>Social relationships/associations involve any contact beyond that reasonably necessary for the completion of an investigative mission or beyond that which is authorized. An employee can be disciplined for: 1) engaging in an improper personal relationship, or 2) engaging in unauthorized conduct that would cause the reasonably prudent person to believe that there is an improper relationship.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>
<p><b>Offense Code 1.4</b> Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government</p>	<p><b>Intentionally failing to properly process, seize, describe, package, inventory, verify, record, document, control, store, secure, or safeguard documents or property under the care, custody, or control of the government, including evidence, counterfeit currency/notes/bonds, non-evidentiary items, or seized property held by the government.</b> This offense includes, but is not limited to, the unauthorized or improper use, loss, damage, destruction, or improper disposal of documents or property, to include electronic surveillance materials and classified or law enforcement sensitive documents. Note that the improper handling of classified information also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 Days – 30 Days</u></b></p>
<p><b>Offense Code 1.5</b> Leaving Post Without Proper Relief</p>	<p><b>Without authorization, leaving an assignment without proper relief.</b></p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 Days – 30 Days</u></b></p>
<p><b>Offense Code 1.6</b> Misconduct Related to Judicial Proceedings</p>	<p><b>During the investigative or litigation phases of a criminal or civil case, engaging in conduct that dishonors, discredits, or otherwise brings the integrity of the USSS into question.</b> This does not apply to conduct involving falsification covered under Offense Code 2.6, Lack of Candor/Lying - Under Oath.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>

<p><b>Offense Code 1.7</b> Misconduct Related to Investigative or Protective Activities</p>	<p><b>Recklessly disregarding rules governing search, seizure, arrest, treatment of suspects or individuals under arrest, or the exercise of an individual's constitutional rights.</b> See Federal Rules of Criminal Procedure, Rule 41.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 – 30 Days</u></b></p>
<p><b>Offense Code 1.8</b> Negligence in Performance of Official Duties</p>	<p><b>Negligently performing your official duties.</b> Examples of negligent performance include, but are not limited to, sleeping or appearing to sleep while on duty, inattention to duty, using unauthorized electronic devices while on duty.</p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 - 21 Days</u></b></p>
<p><b>Offense Code 1.9</b> Suspect/Criminal Element – Improper Relationship</p>	<p><b>Without authorization, engaging in a social, romantic, sexual, or intimate relationship or association with a person the employee knew, or should have known, is involved in criminal activities, or is a suspect in a USSS investigation.</b> Social relationships or associations involve any contact beyond that reasonably necessary for the completion of an investigative mission or beyond that which is authorized.</p> <p><b><u>Mitigated: 5-10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 1.10</b> Violation of Operational Guidelines and Policies, Other</p>	<p><b>Failing to enforce or comply with a USSS operational guideline or policy not specifically delineated in any of the other Mission Related Misconduct Offense Codes provided herein.</b></p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 - 30 Days</u></b></p>

<p><b>2. INTEGRITY/ETHICAL MISCONDUCT</b></p>	
<p><b>Offense Code 2.1</b> False/Misleading/Inaccurate Information – Employment/Security Document(s)</p>	<p><b>Knowingly providing false, misleading, or inaccurate information in an employment-related or security-related document; or signing or attesting to the truthfulness of information provided in an employment-related or security-related document in reckless disregard of the accuracy or completeness of pertinent information contained therein.</b> Employment/security related documents include, but are not limited to, the Employment Application, Security Investigation Questionnaires, and other security clearance forms; Government Employees Training Acts forms; training records; Candidate Qualification forms; report of medical history; and other documents/forms which impact hiring, retention, transfer, promotion and award decisions. Note that knowingly providing false, inaccurate, or misleading information on a security-related document also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 5 – 10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>

<p><b>Offense Code 2.2</b> False/Misleading Information – Fiscal Matter(s)</p>	<p><b>Knowingly providing false or misleading information in a fiscal-related document; or signing or attesting to the truthfulness of information provided in a fiscal-related document in reckless disregard of the accuracy or completeness of pertinent information contained therein.</b> Documents involving fiscal matters include, but are not limited to, Time and Attendance (T&amp;A) records, travel vouchers, disbursement/expenditure forms, draft requests, expense forms, supporting documentation for leave purposes, insurance forms, benefits forms, and transfer documents.</p> <p><b><u>Mitigated: 5 - 10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 2.3</b> False/Misleading Information – Investigative Activity</p>	<p><b>Knowingly providing false or misleading information in an investigative document; or signing or attesting to the truthfulness of information provided in an investigative document in reckless disregard of the accuracy or completeness of pertinent information contained therein.</b> Documents involving investigative matters include, but are not limited to, Memorandum Reports, inserts, evidence control documents, and documentation of informant matters.</p> <p><b><u>Mitigated: 5 – 10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 2.4</b> False/Misleading Information – Other Official Matter(s)</p>	<p><b>Knowingly providing false or misleading information in an official USSS document or an official document of another government agency; or signing or attesting to the truthfulness of information provided in an official USSS document or official document of another government agency in reckless disregard of the accuracy or completeness of pertinent information contained therein.</b> This applies to documents executed either on-duty or off-duty.</p> <p><b><u>Mitigated: 5 – 10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 2.5</b> Lack of Candor – No Oath</p>	<p><b>Knowingly providing inaccurate information when making a verbal or written statement, not under oath, to a supervisor, another USSS employee in an authoritative position, or another governmental agency, when the employee is questioned about his/her conduct or the conduct of another person.</b> “Inaccurate information” includes misrepresentations, the failure to be fully forthright, or the concealment of a material fact/information.</p> <p><b><u>Mitigated: 1 – 5 Days</u></b> <b><u>Penalty: 7 Days</u></b> <b><u>Aggravated: 10 – Removal</u></b></p>
<p><b>Offense Code 2.6</b> Lack of Candor/Lying – Under Oath</p>	<p><b>Knowingly providing false information in a verbal or written statement made under oath.</b> “False information” includes false statements, misrepresentations, the failure to be fully forthright, or the concealment of a material fact/information.</p> <p><b><u>Mitigated: 60 – 120 Days</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>

<p><b>Offense Code 2.7</b> Misuse of Position</p>	<p><b>Exceeding the limits of USSS authority to further a personal, unofficial, or unauthorized interest; or using USSS position or affiliation for private gain or advantage or for the gain or advantage of relatives or associates of the employee.</b> See 5 C.F.R. § 2635.702 for additional information.</p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 - 30 Days</u></b></p>
<p><b>Offense Code 2.8</b> Failure to Cooperate in an Administrative Matter</p>	<p><b>Failing or refusing to fully participate in an administrative matter after an employee has been provided with the administrative warnings (i.e., Kalkines Warnings).</b> “Administrative Matter” includes, but is not limited to, internal disciplinary investigations, OIG investigations, Inspection Division investigations, or EEO Matters.</p> <p><b><u>Mitigated: 60 – 120 Days</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 2.9</b> Obstruction of an Administrative Matter</p>	<p><b>Taking any action to influence, intimidate, impede or otherwise obstruct an administrative matter.</b> “Administrative Matter” includes, but is not limited to, internal disciplinary investigations, OIG investigations, Inspection Division investigations, or EEO Matters.</p> <p><b><u>Mitigated: 3- 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>
<p><b>Offense Code 2.10</b> Prohibited Personnel Practices</p>	<p><b>Committing a prohibited personnel practice (5 U.S.C. 2302) not elsewhere covered in the Offense Codes provided herein.</b> See 5 U.S.C. § 2302 for information concerning prohibited personnel practices.</p> <p><b><u>Mitigated: Letter of Reprimand – 1 Day</u></b> <b><u>Penalty: 3 Days</u></b> <b><u>Aggravated: 5 Days –Removal</u></b></p>
<p><b>Offense Code 2.11</b> Violation of Ethical Guidelines</p>	<p><b>Engaging in any activity or conduct prohibited by the uniform Standards of Conduct of Employees of the Executive Branch (5 C.F.R. Part 2635), the supplemental regulations (5 C.F.R. Part 3801), or USSS policy.</b> Prohibited conduct involves, but is not limited to, issues such as conflict of interest, favoritism, and gifts. See Executive Order 12674; 5 C.F.R. Part 2635; 5 C.F.R. Part 3801; 5 U.S.C. § 3110; 18 U.S.C. §§ 203, 205, 208, and 209; and LEG-06(02), “Standards of Ethical, Professional, and Personal Conduct: A Desk Reference for USSS Employees.”</p> <p><b><u>Mitigated: Letter of Reprimand</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 10 Days – Removal</u></b></p>



3. PROPERTY/RELATED MISCONDUCT	
<p><b>Offense Code 3.1</b> Destruction or Improper Disposal of Government Property</p>	<p><b>Without proper authority, damaging, destroying, or disposing of any government document(s) or property.</b> This does not include the destruction or wrongful disposal of the type of property and documents covered in Offense Code 1.4, Mission Related Misconduct, Improper Handling of Document(s) or Property.</p> <p><b><u>Mitigated: Letter of Reprimand - 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7- 14 Days</u></b></p>
<p><b>Offense Code 3.2</b> Loss of Government Property or Document(s) of a Sensitive/Valuable Nature</p>	<p><b>Loss or theft of government property, including documents, resulting from the employee's failure to adequately safeguard an item, deemed by an appropriate authority to be of a sensitive or valuable nature.</b> This includes loss or theft of a USSS Special Agent or Uniformed Division badge or USSS credentials. This does not include the loss of the type of property and documents covered in Offense Code 1.4, Mission Related Misconduct, Improper Handling of Document(s) or Property or the loss or theft of classified information which is covered by Offense Code, 3.3, Loss of Classified Information.</p> <p><b><u>Mitigated: Letter of Reprimand - 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7- 14 Days</u></b></p>
<p><b>Offense Code 3.3</b> Loss of Classified Information</p>	<p><b>Loss or theft of classified national security information, resulting from the employee's willful failure to adequately safeguard the information.</b> Refer to SCD-03(01). Note that the loss or theft of classified information also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 3 - 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days - Removal</u></b></p>
<p><b>Offense Code 3.4</b> Loss of Firearm</p>	<p><b>Loss or theft of a USSS official firearm resulting from employee's failure to adequately safeguard the property.</b></p> <p><b><u>Mitigated: 3 - 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 – 30 Days</u></b></p>
<p><b>Offense Code 3.5</b> Misuse of USSS Database(s)/Unauthorized Access</p>	<p><b>Without authorization, accessing a USSS or other government database or record.</b> Examples of databases include but are not limited to NCIC, TECS, etc. This does not include the disclosure of such information to others, which is covered in Offense Code 4.12, Illegal/Criminal Misconduct, Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information or Offense Code 4.13, Illegal/Criminal Misconduct, Unauthorized Disclosure - Sensitive Information</p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 Days – Removal</u></b></p>

<p><b>Offense Code 3.6</b> Misuse of Government Computer(s)</p>	<p><b>Using a government computer or other electronic device for personal, unofficial, or unauthorized use.</b> This does not include use of a classified system. This does not apply to <i>de minimis</i> use, i.e., where the cost to the government is negligible, as long as the use is not otherwise objectionable. See 5 C.F.R. § 2635.704, IRM-10(03), and ITG-03(06).</p> <p><b><u>Mitigated: Letter of Reprimand – 1 Day</u></b> <b><u>Penalty: 3 Days</u></b> <b><u>Aggravated: 5 – 14 Days</u></b></p>
<p><b>Offense Code 3.7</b> Misuse of Government Computer(s) – Inappropriate Content</p>	<p><b>Without authorization, using a government computer or electronic device to create, send, solicit, or view any material that is sexual in nature or that makes fun of or insults others' race, religion, color, sex, disability, national origin, or sexual orientation (“prohibited material”).</b> The unintended receipt and viewing of prohibited material is not a violation of this Offense Code.</p> <p><b><u>Mitigated: Letter of Reprimand – 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 Days – Removal</u></b></p>
<p><b>Offense Code 3.8</b> Misuse of Secure Communication Systems</p>	<p><b>Using a secure communication system for personal, unofficial, or unauthorized use.</b> Refer to SCD -03(01). Note that misuse of classified systems also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 3 - 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>
<p><b>Offense Code 3.9</b> Misuse of Government Charge Card – Personal Use</p>	<p><b>Knowingly using or permitting the use of, a Government Charge Card (GCC) for personal purchase, rentals, services, and/or cash advance resulting in financial gain to the employee or others.</b></p> <p><b><u>Mitigated: 21 – 45 Days</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 3.10</b> Misuse of Government Vehicle Non-Title 31</p>	<p><b>Using or permitting the use of, a government owned, leased, or rented passenger motor vehicle, boat, or aircraft, or the equipment therein, regardless of the employee’s intent, for an unofficial purpose; or transporting or allowing another to transport an unauthorized passenger in a motor vehicle, boat, or aircraft.</b></p> <p><b><u>Mitigated: Letter of Reprimand - 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7- 30 Days</u></b></p>
<p><b>Offense Code 3.11</b> Misuse of Government Vehicle Title 31</p>	<p><b>Knowingly or with reckless disregard, using or permitting the use of, a government owned or leased passenger motor vehicle, boat, or aircraft for an unofficial or purely personal purpose (i.e., a purpose other than the facilitation of government work or the execution of the USSS’s mission).</b> See 31 U.S.C. §§ 1344 and 1349(b).</p> <p><b><u>Mitigated: N/A</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 Days – Removal</u></b></p>

<b>Offense Code 3.12</b> Misuse of Government Property, Other	<p><b>Using government property, not specifically delineated in another offense code, for personal, unofficial or unauthorized use.</b> This does not apply to <i>de minimis</i> use, where the cost to the government is negligible. See 5 C.F.R. § 2635.704.</p> <p><u>Mitigated: N/A</u>  <u>Penalty: Letter of Reprimand</u>  <u>Aggravated: 1-10 Days</u></p>
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<b>4. ILLEGAL/CRIMINAL CONDUCT</b>	
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<b>Offense Code 4.1</b> Assault	<p><b>Attempting or threatening to inflict bodily harm on another using unlawful force or violence.</b></p> <p><u>Mitigated: 1 – 5 Days</u>  <u>Penalty: 7 Days</u>  <u>Aggravated: 10 Days – Removal</u></p>
<b>Offense Code 4.2</b> Battery	<p><b>Inflicting bodily harm on another using unlawful force or violence.</b></p> <p><u>Mitigated: 5 – 10 Days</u>  <u>Penalty: 14 Days</u>  <u>Aggravated: 21 Days – Removal</u></p>
<b>Offense Code 4.3</b> Counterfeit Related Offenses	<p><b>Any activity which violates laws relating to the creation, passing, or uttering of counterfeit currency, notes, bonds, or other obligations of the United States.</b></p> <p><u>Mitigated: 21 – 45 Days</u>  <u>Penalty: Removal</u>  <u>Aggravated: N/A</u></p>
<b>Offense Code 4.4</b> Domestic Violence – Law Enforcement Officers   Domestic Violence – Non- Law Enforcement Personnel	<p><b>Conviction of a felony or misdemeanor act of domestic violence.</b> Applies to law enforcement officers only. Law enforcement officers include: Special Agents, Uniformed Division Officers, Physical Security Specialists, Special Officers, and Operation Support Technicians, Physical Security Technicians. An LEO convicted of a domestic violence offense will, at a minimum, be removed from his/her LEO position. See 18 U.S.C. §922(g)(9) and 5 U.S.C. § 7371.</p> <p><u>Mitigated: 21 – 45 Days</u>  <u>Penalty: Removal</u>  <u>Aggravated: N/A</u></p> <p><b>Conviction of a non-law enforcement employee for felony or misdemeanor act of domestic violence.</b></p> <p><u>Mitigated: 21 – 45 Days</u>  <u>Penalty: Removal</u>  <u>Aggravated: N/A</u></p>

<p><b>Offense Code 4.5</b> Drugs – Use or Possession</p>	<p><b>Knowingly and consciously ingesting, injecting, inhaling, possessing, selling or distributing an illegal controlled substance or anabolic steroid, on or off duty, after entering on duty.</b> An illegal controlled substance includes all substances designated as such under Federal law. See 21 U.S.C. § 812 for a list of controlled substances. Note that marijuana is an illegal controlled substance under Federal law regardless of any State law initiatives which may permit recreational or medicinal use. This Offense Code does not apply to the possession of controlled substances for official purposes.</p> <p><b><u>Mitigated: 21 – 45 Days</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 4.6</b> DUI/DWI – Government Vehicle</p>	<p><b>Operating or being in actual physical control of government owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.</b> Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present.</p> <p><b><u>Mitigated: 30 – 40 Days</u></b> <b><u>Penalty: 45 Days</u></b> <b><u>Aggravated: Removal</u></b></p>
<p><b>Offense Code 4.7</b> DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer</p>	<p><b>Operating or being in actual physical control of any privately owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.</b> This offense code applies to Law Enforcement officers. Law enforcement officers include: Special Agents, Uniformed Division Officers, Physical Security Specialists, Special Officers, and Physical Security Technicians.</p> <p>Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present.</p> <p><b><u>Mitigated: 5 - 10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 4.8</b> DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel</p>	<p><b>Operating or being in actual physical control of any privately owned, leased, or rented passenger motor vehicle, boat, or aircraft, while intoxicated or impaired by alcohol or a controlled substance.</b> This offense code applies to non-Law Enforcement personnel.</p> <p>Impairment can be evidenced by a chemical analysis (breathalyzer and/or blood test), or credible observations of law enforcement personnel or other witnesses if no law enforcement personnel are present.</p> <p><b><u>Mitigated: 1 – 5 Days</u></b> <b><u>Penalty: 7 Days</u></b> <b><u>Aggravated: 10 Days – Removal</u></b></p>

<p><b>Offense Code 4.9</b> Fraud/Theft</p>	<p><b>Taking, obtaining, or withholding, by any means, from the possession of the government or another owner, any money, property or article of value of any kind, with the intent to deprive or defraud the government or another owner, of the use and benefit of the property or with the intent to appropriate it for personal use of for the use of another entity or person other than the owner.</b> This does not include conduct covered under the Offense Codes included in Part 3, Property Related Misconduct.</p> <p><b><u>Mitigated: 21 – 45 Days</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 4.10</b> Indecent/Lascivious Acts</p>	<p><b>Inappropriately acting in a manner to appeal to or gratify the sexual desires of the employee, victim, or both; or intentionally exposing an intimate body part to public view.</b> This does not apply to sexual assault or any sexually related conduct rising to the level of a felony offense, as determined by the jurisdiction in which the act occurred, which is covered under 4.11, Other Felonies.</p> <p><b><u>Mitigated: 10 -21 Days</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 Days – Removal</u></b></p>
<p><b>Offense Code 4.11</b> Other Felonies</p>	<p><b>Engaging in an act, other than one which has been specifically delineated in another offense code, which is considered a felony in the jurisdiction in which the act occurred.</b> This does not apply to perjury, which is covered under Offense Code 2.6, Lack of Candor/Lying- Under Oath.</p> <p><b><u>Mitigated: 10 – 21 Days</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 Days – Removal</u></b></p>
<p><b>Offense Code 4.12</b> Other Misdemeanors</p>	<p><b>Engaging in an act, other than one which has been specifically delineated in another offense code, which is considered a misdemeanor in the jurisdiction in which the act occurred.</b></p> <p><b><u>Mitigated: 1 – 5 Days</u></b> <b><u>Penalty: 7 Days</u></b> <b><u>Aggravated: 10 – Removal</u></b></p>
<p><b>Offense Code 4.13</b> Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information</p>	<p><b>Without authorization, disclosing or attempting to disclose classified, or law enforcement sensitive materials, or Grand Jury Information.</b> See the Federal Rules of Criminal Procedure, Rule 6(e), for additional information. Refer to SCD-03(01). Note that the loss or theft of classified information also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>
<p><b>Offense Code 4.14</b> Unauthorized Disclosure - Sensitive Information</p>	<p><b>Without authorization, disclosing or attempting to disclose the USSS's, or another Agency's, sensitive material.</b> This also includes disclosures of information in violation of the Privacy Act of 1974, 5 U.S.C. § 552a.</p> <p><b><u>Mitigated: 1 – 5 Days</u></b> <b><u>Penalty: 7 Days</u></b> <b><u>Aggravated: 10 Days – Removal</u></b></p>

<b>5. GENERAL MISCONDUCT</b>	
<b>Offense Code 5.1</b> Absence Without Leave	<b>Absence Without Leave (AWOL) or unauthorized absence from work place.</b>  <u>Mitigated: Letter of reprimand - 1 Day</u> <u>Penalty: 3 Days</u> <u>Aggravated: 5 Days – Removal</u>
<b>Offense Code 5.2</b> Alcohol/Substance Abuse – Under the Influence While on Duty	<b>Without authorization, consuming a beverage containing alcohol while on duty or during a break; consuming alcohol prior to reporting for duty to the extent that it has an effect on the employee’s workplace or performance; or using prescribed medicine in a manner inconsistent with the prescribing physician’s instructions, having an effect on the employee’s workplace or performance.</b>  <u>Mitigated: 5 – 10 Days</u> <u>Penalty: 14 Days</u> <u>Aggravated: 21 Days – Removal</u>
<b>Offense Code 5.3</b> Alcohol/Substance Abuse – Consumption During Abstinence Period or at Prohibited Locations	<b>Consuming alcohol within any designated period of abstinence prior to reporting for duty or consuming alcohol at the protectee’s hotel after a protective visit begins.</b>  <u>Mitigated: 1 – 5 Days</u> <u>Penalty: 7 Days</u> <u>Aggravated: 10 Days – Removal</u>
<b>Offense Code 5.4</b> Bias-Motivated Groups or Activities	<b>Becoming or remaining a member of, participating in activities or knowingly associating yourself with a hate group or the hate-motivated activities of others.</b>  “Hate group” or “hate-motivated activities” include any organization, association, event, or activity whose sole or primary purpose is to advocate or promote hate, violence, or invidious prejudice against individuals on account of protected classes. See ITG-03(05).  <u>Mitigated: 21 – 45 Days</u> <u>Penalty: Removal</u> <u>Aggravated: N/A</u>
<b>Offense Code 5.5</b> Bias-Motivated Conduct or Behavior	<b>On or off duty, using offensive, abusive, derisive, profane, degrading, critical, or demeaning statements, remarks, comments, observations, or actions, conduct, or gestures based on another’s protected group, including creating a hostile work environment based on protected group membership. “Protected Group” includes race, color, religion, national origin, sex, age, disability, sexual orientation, protected genetic information, marital status, parental status.</b>  <u>Mitigated: Letter of Reprimand - 3 Days</u> <u>Penalty: 5 Days</u> <u>Aggravated: 7 Days - Removal</u>

<p><b>Offense Code 5.6</b> Dereliction of Supervisory Responsibility</p>	<p>A supervisor, or an employee acting in an authorized supervisory capacity, failing to exercise reasonable care in the execution of his duties or responsibilities; disregarding his duties or responsibilities; significantly deviating from appropriate methods of supervision; or intentionally failing to report an employee's misconduct involving violations set forth in the Table of Penalties; section SCD-02(01) relating to security policies and procedures; and other violations of law, regulation, or policy (see LEG-06(02), "Standards of Ethical, Professional, and Personal Conduct: A Desk Reference for USSS Employees." This Offense Code does not require that supervisors report performance issues and other minor policy violations not otherwise described above.</p> <p><u>Mitigated: Letter of Reprimand - 3 Days</u> <u>Penalty: 5 Days</u> <u>Aggravated: 7-14 Days</u></p>
<p><b>Offense Code 5.7</b> Disclosure of Information and Documents</p>	<p>Intentional disclosure of sensitive information obtained during course of employment with the USSS including information obtained from a protectee, observations of a protectee, sensitive but unclassified information, or USSS documents without permission.</p> <p><u>Mitigated: 1-5 Days</u> <u>Penalty: 7 Days</u> <u>Aggravated: 10 Days – Removal</u></p>
<p><b>Offense Code 5.8</b> Discrimination/Harassment</p>	<p>Acting or failing to act on an official matter in a manner which improperly takes into consideration an individual's protected group; failing to take appropriate action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisor knew or should have known the conduct was discriminatory. "Protected Group" includes race, color, religion, national origin, sex, disability, age, parental status, sexual orientation, protected genetic information, marital status, parental status, or political affiliation. See, e.g., Civil Rights Act of 1964; Age Discrimination in Employment Act; and Executive Order 11478.</p> <p><u>Mitigated: 10 – 21 Days</u> <u>Penalty: 30 Days</u> <u>Aggravated: 45 Days – Removal</u></p>
<p><b>Offense Code 5.9</b> Discourteous Conduct</p>	<p>Using rude, impolite, discourteous, disrespectful, unprofessional, foul, derogatory, or similarly inappropriate language, gestures, or other conduct to or about another employee or members of the public while on duty or acting in an official capacity.</p> <p><u>Mitigated: Letter of Reprimand - 1 Day</u> <u>Penalty: 3 Days</u> <u>Aggravated: 5 Days – Removal</u></p>
<p><b>Offense Code 5.10</b> Disruptive Behavior</p>	<p>Fighting, threatening, intimidating, attempting to inflict, or inflicting bodily harm to another; harassing or provoking quarrel; engaging in dangerous horseplay; any violent, reckless, or disorderly act, language, gestures, or conduct toward other employees or members of the public.</p> <p><u>Mitigated: Letter of Reprimand - 3 Days</u> <u>Penalty: 5 Days</u> <u>Aggravated: 7 Days - Removal</u></p>

<p><b>Offense Code 5.11</b> Failure to Follow Appearance Policy</p>	<p><b>Failure to maintain a neat, clean, professional, and business-like appearance; failure to comply with uniform or appearance standards while on duty, on official travel, or (if a Law Enforcement Officer) traveling while armed in a non-duty status.</b> Note, this does not include instances where an accommodation has been granted. See ITG-03(05) for the Appearance Standards for USSS employees.</p> <p><b><u>Mitigated: Letter of Reprimand - 1 Day</u></b> <b><u>Penalty: 3 Days</u></b> <b><u>Aggravated: 5 Days – Removal</u></b></p>
<p><b>Offense Code 5.12</b> Failure to Follow Instructions</p>	<p><b>Failure to promptly and fully comply with lawful directions, instructions, or assignments of a supervisor or other management official; failure to follow a regulation, policy, procedure, practice, protocol or rule.</b></p> <p><b><u>Mitigated: Letter of Reprimand - 1 Day</u></b> <b><u>Penalty: 3 Days</u></b> <b><u>Aggravated: 5 – 7 Days</u></b></p>
<p><b>Offense Code 5.13</b> Failure to Follow Leave Policies</p>	<p><b>Failure to follow established leave procedures including while on leave restriction or on administrative leave; improper use of sick leave or other leave programs; excessive unscheduled absences.</b></p> <p><b><u>Mitigated: Letter of Reprimand - 1 Day</u></b> <b><u>Penalty: 3 Days</u></b> <b><u>Aggravated: 5 Days – Removal</u></b></p>
<p><b>Offense Code 5.14</b> Failure to Honor Just Debts/Regulatory Obligations</p>	<p><b>Without valid justification, failing to satisfy an uncontested, lawful debt, or to fulfill legal or regulatory obligation.</b> The failure to satisfy the debt or fulfill the obligation must be characterized by deceit, evasion, false promises, or other indicators of a deliberate nonpayment or gross indifference towards the just debt or obligation. This includes failure to file and/or pay any Federal, state, or local tax obligation. This does not apply to debts involving government credit cards, which are covered under Offense Code 3.7, Misuse of Government Charge Cards – Personal Use. Note that Failure to Honor Just Debts also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>
<p><b>Offense Code 5.15</b> Failure to Maintain Top Secret Security Clearance – Final Revocation</p>	<p><b>Failure to maintain your Top Secret Security Clearance resulting in its final revocation. See Human Resources and Training Manual, section RPS-02(02).</b></p> <p><b><u>Mitigated: N/A</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 5.16</b> Failure to Maintain Top Secret Security Clearance – Revocation or Suspension</p>	<p><b>Failure to maintain your Top Secret Security Clearance resulting in its revocation. See Human Resources and Training Manual, section RPS-02(02).</b></p> <p><b><u>Mitigated: Approved Leave Status</u></b> <b><u>Penalty: Indefinite Suspension</u></b> <b><u>Aggravated: N/A</u></b></p>



<p><b>Offense Code 5.17</b> Failure to Report</p>	<p>Failing to inform the appropriate USSS official or supervisor, and the Security Clearance Division, in a timely manner, about a matter concerning the employee which the employee knew, or should have known, was required by USSS policy to be reported, including foreign contacts and foreign travel. Refer to SCD-02(01) for additional information. Note that this offense does not include failure to report criminal or serious misconduct by the employee which is covered by Offense Code 5.18, Failure to Report – Criminal/Serious Misconduct.</p> <p><u>Mitigated: N/A</u> <u>Penalty: Letter of Reprimand</u> <u>Aggravated: 1- 10 Days</u></p>
<p><b>Offense Code 5.18</b> Failure to Report – Criminal/Serious Misconduct</p>	<p>Failing to inform the appropriate USSS official or supervisor, in a timely manner, about any serious misconduct the employee committed; any arrest, summons, contact with law enforcement, or involvement in the court system by the employee; or any serious misconduct or criminal conduct committed by another employee of which the employee was aware and of which the employee is also aware was not otherwise reported. Refer to SCD-02(01) for additional information.</p> <p><u>Mitigated: Letter of Reprimand – 3 Days</u> <u>Penalty: 5 Days</u> <u>Aggravated: 7 -14 Days</u></p>
<p><b>Offense Code 5.19</b> Insubordination</p>	<p>After being given a legitimate order, made orally or in writing, by a supervisor or another person in authority, intentionally or willfully failing to comply with the order.</p> <p><u>Mitigated: 5 – 10 Days</u> <u>Penalty: 14 Days</u> <u>Aggravated: 21 Days – Removal</u></p>
<p><b>Offense Code 5.20</b> Misuse of Weapon – Storage</p>	<p>Inappropriate storage, care, or misplacement of a weapon, explosive, incendiary device, or ammunition. This offense does not include the loss or theft of a firearm which is covered by Offense Code 3.4, Loss or Theft of Firearm.</p> <p><u>Mitigated: Letter of Reprimand – 3 Days</u> <u>Penalty: 5 Days</u> <u>Aggravated: 7 Days – Removal</u></p>
<p><b>Offense Code 5.21</b> Misuse of Weapon – Display</p>	<p>Inappropriate handling, displaying, operating, brandishing, or otherwise displaying a weapon, explosive, or incendiary device in a manner inconsistent with the use and safety protocols and procedures established by the USSS and federal regulatory agencies.</p> <p><u>Mitigated: 1 – 5 Days</u> <u>Penalty: 7 Days</u> <u>Aggravated: 10 Days – Removal</u></p>
<p><b>Offense Code 5.22</b> Misuse of Weapon – Negligent Discharge</p>	<p>Causing the unintentional discharge of a weapon.</p> <p><u>Mitigated: Letter of Reprimand</u> <u>Penalty: 1 Day</u> <u>Aggravated: 3-14 Days</u></p>

<p><b>Offense Code 5.23</b> Misuse of Weapon – Intentional Discharge</p>	<p><b>Purposefully or willfully discharging a weapon in violation of the use of force policy.</b></p> <p><b><u>Mitigated: 10 - 21 Days</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 Days – Removal</u></b></p>
<p><b>Offense Code 5.24</b> Reasonable Cause to Believe Crime Has Been Committed</p>	<p><b>Engaging in conduct which provides reasonable cause to believe that a crime has been committed for which a term of imprisonment may result.</b> “Reasonable cause” includes but is not limited to a criminal indictment or the acceptance of a case for criminal prosecution. Note that this offense also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: N/A</u></b> <b><u>Penalty: Indefinite Suspension</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 5.25</b> Retaliation</p>	<p><b>Taking, or threatening to take, an adverse employment action against an employee who made, or was believed to have made, a protected disclosure, or who engaged, or who was believed to have engaged in a protected activity.</b> See, e.g., Whistleblower Protection Act; Whistleblower Protection Enhancement Act of 2012; Civil Rights Act of 1964; and any other anti-retaliation provisions of federal law.</p> <p><b><u>Mitigated: 10 – 21 Days</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 Days – Removal</u></b></p>
<p><b>Offense Code 5.26</b> Security Violation (Second Offense)</p>	<p><b>Failing to safeguard or control access to non-public USSS space, to sensitive or classified material, or to the equipment or location where such material is inputted, maintained, collected, stored, or preserved after having received a prior security violation memorandum.</b> This does not apply to items covered in Offense Code 1.4, Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government. Note that this offense also raises security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: Letter of Reprimand</u></b> <b><u>Penalty: 1 Day</u></b> <b><u>Aggravated: 3 – 14 Days</u></b></p>
<p><b>Offense Code 5.27</b> Sexual Misconduct - Consensual</p>	<p><b>Engaging in sexual, intimate, or romantic activity in an inappropriate location (such as government spaces, government vehicles), or while on duty.</b></p> <p><b><u>Mitigated: 5-10 Days</u></b> <b><u>Penalty: 14 Days</u></b> <b><u>Aggravated: 21 Days – Removal</u></b></p>
<p><b>Offense Code 5.28</b> Sexual Harassment</p>	<p><b>Making unwelcome or unwanted sexual advances, requesting sexual favors, or engaging in other verbal or physical conduct of a sexual nature.</b> Unwelcome conduct of a sexual nature by a supervisor or coworker can constitute sexual harassment. See the Civil Rights Act of 1964, Title VII, §703, for additional information.</p> <p><b><u>Mitigated: 10 – 21 Days</u></b> <b><u>Penalty: 30 Days</u></b> <b><u>Aggravated: 45 – Removal</u></b></p>

<p><b>Offense Code 5.29</b> Solicitation or Payment for Sexual Services</p>	<p><b>Solicitation of a prostitute or the exchange of money or items of value for sexual services regardless of whether the payment is made or negotiated prior to the act.</b> The fact that prostitution is legal in a particular location does not prevent the Agency from taking a disciplinary action under this Offense Code. The fact that an employee did not intend to pay for sexual services at the time they were rendered does not prevent the Agency from taking a disciplinary action under this Offense Code. Note this conduct may also raise security concerns and could result in a security clearance action.</p> <p><b><u>Mitigated: 14 - 30 Days</u></b> <b><u>Penalty: 45 Days</u></b> <b><u>Aggravated: Removal</u></b></p>
<p><b>Offense Code 5.30</b> Striking</p>	<p><b>Engaging or encouraging a strike, work stoppage/slowdown, or sick out. See 5 U.S.C. § 7311.</b></p> <p><b><u>Mitigated: N/A</u></b> <b><u>Penalty: Removal</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 5.31</b> Unprofessional Conduct – Off Duty</p>	<p><b>Engaging in conduct, while off duty, which dishonors, disgraces or discredits the USSS; seriously calls into question the judgment or character of the employee; or compromises the standing of the employee among his peers or his community.</b> This applies to misconduct not otherwise specifically delineated in any other Offense Code.</p> <p><b><u>Mitigated: Letter of Reprimand - 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 Days- Removal</u></b></p>
<p><b>Offense Code 5.32</b> Unprofessional Conduct – On Duty</p>	<p><b>Engaging in conduct, while on duty or while in a travel status, which dishonors, disgraces, or discredits the USSS; seriously calls into question the judgment or character of the employee; or compromises the standing of the employee among his peers or his community.</b> This applies to misconduct not otherwise specifically delineated in any other Offense Code.</p> <p><b><u>Mitigated: 1 – 5 Days</u></b> <b><u>Penalty: 7 Days</u></b> <b><u>Aggravated: 10 Days– Removal</u></b></p>
<p><b>Offense Code 5.33</b> Unauthorized Recording</p>	<p><b>Unauthorized recording or monitoring of telephone calls, meetings, conversations, emails, and things of a similar nature.</b> This offense does not include instances where such conduct could be considered a criminal violation covered by Offense Code 4.11 Other Felonies or 4.12 Other Misdemeanors.</p> <p><b><u>Mitigated: 3 – 7 Days</u></b> <b><u>Penalty: 10 Days</u></b> <b><u>Aggravated: 14 Days – Removal</u></b></p>

<p><b>Offense Code 5.34</b> Unavailability for Unscheduled Duty</p>	<p><b>Unable to perform unscheduled duty for an extended period of time due to physical or health reasons, or failure to perform unscheduled duty (availability or work) as assigned or reported.</b> See 5 C.F.R. § 550.184. This does not apply to falsification or inaccurate reporting of LEAP hours which is covered by Offense Code 2.2 False/Misleading Information – Fiscal Matter(s). This Offense only applied to employees who receive Law Enforcement Availability Pay (LEAP).</p> <p><b><u>Mitigated: N/A</u></b> <b><u>Penalty: Cancellation of LEAP</u></b> <b><u>Aggravated: N/A</u></b></p>
<p><b>Offense Code 5.35</b> Violation of Miscellaneous Rules/Regulations</p>	<p><b>Engaging in an activity or conduct in violation of, or failing to enforce or comply with a USSS, DHS, Office of Personnel Management, or other federal administrative or operational guideline or policy not specifically delineated in any other Offense Code.</b></p> <p><b><u>Mitigated: Letter of Reprimand - 3 Days</u></b> <b><u>Penalty: 5 Days</u></b> <b><u>Aggravated: 7 – 30 Days</u></b></p>

# United States Secret Service Table of Penalties

## (Penalty Guidelines – Applicable to USSS’s Internal Disciplinary Process)

### Penalty Guidelines – Applicable to USSS’s Internal Disciplinary Process

- The listed penalties apply to all USSS personnel, regardless of position or title, except that federal law prohibits an agency from taking a suspension action of less than 15 days against a Senior Executive Service (SES) employee. 5 C.F.R. §752.601. In keeping with that requirement, the Introduction to the Table of Penalties provides that if a non-SES employee would have received a 3 day suspension, the Deciding Official may impose on an SES employee a letter of reprimand or a minimum 15 day suspension, based on the Deciding Official weighing of the facts and circumstances of the case against the heightened behavioral and managerial expectations associated with SES personnel.
- See the Offense Codes for a description of the behavior or actions that define the offenses.

#### 1. MISSION RELATED MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 1.1</b>	Activities that Jeopardize the USSS Mission	5 – 10 days  (minimal financial impact)	14 days	21 days – Removal  (personal injury or property damage; significant financial impact)
<b>Penalty Guideline 1.2</b>	Asset/Cooperating Witness (CW)/ Informant/ Source – Failure to Report Criminal Activity or Improper Intervention on Behalf of	1 – 5 days  (No personal gain; good faith attempt to help source)	7 days	10 days – Removal  (Compromise case or other cases; seriousness of criminal activity; financial benefit to employee; non-disclosure to AUSA)
<b>Penalty Guideline 1.3</b>	Asset/CW/Informant/ Source – Improper Relationship	3 – 7 days  (No personal gain; good faith attempt to help source; Lack of initial knowledge the individual was a source)	10 days	14 days – Removal  (Financial benefit to employee; Non-disclosure to AUSA)
<b>Penalty Guideline 1.4</b>	Improper Handling of Document(s) or Property in the Care, Custody, or Control of the Government	Letter of Reprimand – 3 days  (Others contributed to improper handling; inadvertent; exigent circumstances)	5 days	7 – 30 days  (Significant loss of document(s)/property; intentional; compromise of case or mission)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 1.5</b>	Leaving Post Without Proper Relief	Letter of Reprimand – 3 days  (exigent circumstances)	5 days	7 – 30 days  (intentional disregard for safety of protectee or mission; failure to seek relief)
<b>Penalty Guideline 1.6</b>	Misconduct Related to Judicial Proceedings	3 – 7 days  (Acted in good faith; inadvertent; no personal gain)	10 days	14 Days – Removal  (Judicial criticism; significant impact on case; intentional)
<b>Penalty Guideline 1.7</b>	Misconduct Related to Investigative or Protective Activities	3 – 7 days  (Acted in good faith inadvertent; no personal gain)	10 days	14 – 30 days  (Judicial criticism; significant impact on case; intentional; damage to persons or property)
<b>Penalty Guideline 1.8</b>	Negligence in Performance of Official Duties	Letter of Reprimand – 3 days  (minimal impact on mission; exigent circumstances)	5 days	7 – 21 days  (disruption of the mission)
<b>Penalty Guideline 1.9</b>	Suspect/Criminal Element – Improper Relationship	5 – 10 days  (lack of initial knowledge the individual's criminal activity)	14 days	21 days - Removal  (investigation or prosecution impacted; future or past cases impacted of USSS or another LE agency)
<b>Penalty Guideline 1.10</b>	Violation of Operational Guidelines and Policies, Other	Letter of Reprimand – 3 days  (unintentional)	5 days	7 – 30 days  (Jeopardizing safety of others; the mission; a prosecution or investigation)

## 2. INTEGRITY/ETHICAL MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 2.1</b>	False/Misleading Information – Employment/Security Document(s)	5 – 10 days  (Minor issues that were immaterial to a hiring/security decision; failure to report mental health treatment)	14 days	21 days – Removal  (Drugs, criminal activity, foreign contacts; or otherwise material to hiring/security decision)
<b>Penalty Guideline 2.2</b>	False/Misleading Information – Fiscal Matter(s)	5 – 10 days  (Minor issues; little benefit to employee)	14 days	21 days – Removal  (Serious T&A abuse; significant benefit to employee; involving others; NOTE: voucher fraud warrants Removal)
<b>Penalty Guideline 2.3</b>	False/Misleading Information – Investigative Activity	5 – 10 days  (Unintentional; minor issues; no material effect on agency/mission)	14 days	21 days – Removal  (Intentional; significant issues; material impact on investigation/case; Jeopardizing safety of others; causing use of additional resources Intentional )
<b>Penalty Guideline 2.4</b>	False/Misleading Information – Other Official Matter(s)	5 – 10 days  (Unintentional no material effect on agency/mission )	14 days	21 days – Removal  (Intentional and particularly material; released to another government agency or Congress)
<b>Penalty Guideline 2.5</b>	Lack of Candor/Lying – No Oath	1 – 5 days  (Relatively insignificant matters)	7 days	10 days – Removal  (Jeopardizing safety of others; causing use of additional resources Intentional and particularly material; released to another government agency or Congress)
<b>Penalty Guideline 2.6</b>	Lack of Candor/Lying – Under Oath	60 – 120 days  (No impact on the safety of others; no additional resources used; no impact on mission)	Removal	N/A

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 2.7</b>	Misuse of Position	Letter of Reprimand – 3 days  (Doing so to prevent harm to another or to ensure safety of public/others; minor issue; minimal benefit)	5 days	7 – 30 days  (Uncooperative; confrontational; display of weapon; safety hazard; security issue; financial gain; threatening or aggressive behavior)
<b>Penalty Guideline 2.8</b>	Failure to Cooperate in an Administrative Matter	60 – 120 days  (Eventually cooperated and there was no impact on the safety of others; no additional resources used; no impact on mission)	Removal	N/A
<b>Penalty Guideline 2.9</b>	Obstruction of an Administrative Matter	3 – 7 days  (unintentional)	10 days	14 days - Removal  (Threatening or aggressive behavior; intimidating a witness)
<b>Penalty Guideline 2.10</b>	Prohibited Personnel Practices	Letter of Reprimand – 1 day  (unintentional; no personal gain)	3 days	5 days – Removal  (interfering with promotions or hiring)
<b>Penalty Guideline 2.11</b>	Violation of Ethical Guidelines	Letter of Reprimand  (No personal gain; good faith attempt to assist another)	5 days	10 days – Removal  (Financial gain; duration; direct/obvious conflict; impact on agency/mission)



### 3. PROPERTY/RELATED MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 3.1</b>	Destruction or Improper Disposal of Government Property	Letter of Reprimand - 3 days  (Minimal, insignificant value of property)	5 days	7 – 14 days  (Significant value of property; personal gain; weapon)
<b>Penalty Guideline 3.2</b>	Loss of Government Property or Document(s) of a Sensitive/Valuable Nature	Letter of Reprimand - 3 days  (Minimal, insignificant value; minimal impact on agency/mission; prompt reporting)	5 days	7 – 14 days  (Significant value of property; compromise investigation; repeated loss; failure to promptly report)
<b>Penalty Guideline 3.3</b>	Loss of Classified Information	3 – 7 days  (Minimal impact on agency/mission; prompt reporting)	10 days	14 days – Removal  (Significant impact on agency/mission; failure to promptly report)
<b>Penalty Guideline 3.4</b>	Loss of Firearm	3 – 7 days  (prompt reporting; exigent circumstances)	10 days	14 – 30 days
<b>Penalty Guideline 3.5</b>	Misuse of USSS Database(s)/Unauthorized Access	Letter of Reprimand - 3 days  (Non-sensitive information; NOTE: no mitigation for NCIC, TECS or other LEO database with criminal penalties for misuse)	5 days	7 days – Removal  (Duration; frequency; type of information obtained/accessed; personal gain/use)
<b>Penalty Guideline 3.6</b>	Misuse of Government Computer(s)	Letter of Reprimand – 1 day  (Minimal use/duration)	3 days	5 – 14 days  (Duration; frequency; type of information obtained/accessed)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 3.7</b>	Misuse of Government Computer(s) – Inappropriate Material	Letter of Reprimand – 3 days	5 days	7 days – Removal  (Frequency; numerous recipients; sent outside the Agency; repeated misuse)
<b>Penalty Guideline 3.8</b>	Misuse of Secure Communications Systems	3 – 7 days  (No impact on agency mission)	10 days	14 days – Removal  (Frequency)
<b>Penalty Guideline 3.9</b>	Misuse of Government Charge Card – Personal Use	21 – 45 days  (Expeditious self-reporting of unintentional or emergency use; minimal dollar amount charged)	Removal	N/A
<b>Penalty Guideline 3.10</b>	Misuse of Government Vehicle, Non-Title 31	Letter of Reprimand – 3 days  (minimal use and duration)	5 days	7 – 30 days  (Frequency; duration; accident; injury/harm to persons/property; citation/arrest/other violation of law, rule or regulation)
<b>Penalty Guideline 3.11</b>	Misuse of Government Vehicle, Title 31	N/A	30 Days	45 days – Removal  (Frequency; duration; accident; injury/harm to persons/property; citation/arrest/other violation of law, rule or regulation)
<b>Penalty Guideline 3.12</b>	Misuse of Government Property, Other	N/A	Letter of Reprimand	1 – 10 days  (Frequency; duration; high value amount)

#### 4. ILLEGAL/CRIMINAL CONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 4.1</b>	Assault	1 – 5 days  (Provocation; defense of self or others)	7 days	10 days – Removal  (Arrest/indictment/ Conviction; Extent of injuries; Alcohol- related; on-duty; criminal charges filed)
<b>Penalty Guideline 4.2</b>	Battery	5 -10 Days  (Provocation; no physical injuries; defense of self or others)	14 Days	21 days – Removal  (Child abuse; extent of injuries; alcohol- related; domestic violence – no conviction; on duty; Arrest/indictment/ conviction)
<b>Penalty Guideline 4.3</b>	Counterfeit Related Offenses	21 – 45 days  (non-LEO)	Removal  LEO	N/A
<b>Penalty Guideline 4.4</b>	Domestic Violence  Law Enforcement Officers  Domestic Violence  Non-Law Enforcement Personnel	21 – 45 days  (no physical injuries, self-defense, provocation)  21 – 45 days  (no physical injuries, self-defense, provocation)	Removal  Removal	N/A  N/A
<b>Penalty Guideline 4.5</b>	Drugs – Use or Possession	21 – 45 days  (Minimal occurrence in distant past)	Removal	N/A

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 4.6</b>	DUI/DWI – Government Vehicle	30 – 40 days  (first DUI/DWI; no personal injury or property damage)	45 days	Removal  (Accident, injury, death; Arrest/indictment/Conviction) NOTE: second occurrence may result in Removal)
<b>Penalty Guideline 4.7</b>	DUI/DWI – Privately Owned Vehicle, Law Enforcement Officer	5 – 10 days  (first DUI/DWI; no personal injury or property damage)	14 days	21 days – Removal  (Accident, injury, death; Arrest/indictment/Conviction) NOTE: third occurrence may result in Removal
<b>Penalty Guideline 4.8</b>	DUI/DWI – Privately Owned Vehicle, Non-Law Enforcement Personnel	1 – 5 days  (first DUI/DWI; no personal injury or property damage)	7 days	10 days – Removal  (Accident, injury, death; repeated occurrence; Arrest/indictment/conviction)
<b>Penalty Guideline 4.9</b>	Fraud/Theft	21 – 45 days  (minimal value; off duty)	Removal	N/A
<b>Penalty Guideline 4.10</b>	Indecent/Lascivious Acts	10 – 21 days  (off-duty; private location)	30 days	45 days – Removal  (on duty; public location; complaints; child victim; arrest/indictment/conviction)
<b>Penalty Guideline 4.11</b>	Other Felonies	10 – 21 days	30 days	45 days – Removal  (Arrest/indictment/conviction; injury/harm to persons/property; child victim)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 4.12</b>	Other Misdemeanors	1 – 5 days	7 days	10 days – Removal  (Arrest/indictment; conviction; injury/harm to persons/property; child victim)
<b>Penalty Guideline 4.13</b>	Unauthorized Disclosure – Classified/Law-Enforcement Sensitive/Grand Jury Information	3 – 7 days  (Unintentional; minimal impact on agency/mission)	10 days	14 days – Removal  (Compromise of case; jeopardizes safety of others; sensitivity of information; security issues; intentional; personal gain)
<b>Penalty Guideline 4.14</b>	Unauthorized Disclosure - Sensitive Information	1 – 5 days  (Unintentional; minimal impact on agency/mission)	7 days	10 days – Removal  (Compromise of case; jeopardizes safety of others; sensitivity of information; security issues; intentional; personal gain)

## 5. GENERAL MISCONDUCT

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.1</b>	AWOL	Letter of Reprimand – 1 day (exigent circumstances; limited time period – less than a full day; timely self- reporting)	3 days	5 days – Removal  (Repeated occurrences; AWOL for a full work day or more)
<b>Penalty Guideline 5.2</b>	Alcohol/Substance Abuse – Under the Influence While on Duty	5 – 10 days  (called into duty unscheduled and limited prior consumption)	14 days	21 days – Removal  (Weapons involved; supervisory position; brought alcohol into workplace; extent of intoxication; injury/harm to persons/property; disruption of the workplace)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.3</b>	Alcohol/Substance Abuse – Consumption During Abstinence Period or at Prohibited Locations	1 – 5 days  (inadvertence; consumption in close proximity to abstinence period)	7 days	10 days – Removal  (engaging in inappropriate behavior; level of intoxication; supervisory position)
<b>Penalty Guideline 5.4</b>	Bias-Motivated Groups or Activities	21 – 45 days  (minimal participation; distant past)	Removal	N/A
<b>Penalty Guideline 5.5</b>	Bias-Motivated Conduct or Behavior	Letter of Reprimand – 3 days  (unintentional)	5 days	7 days – Removal  (frequency; public nature; pervasiveness; previously warned; severity)
<b>Penalty Guideline 5.6</b>	Dereliction of Supervisory Responsibility	Letter of Reprimand – 3 days  (minimal impact on agency mission; no harm to persons or property; inadvertent)	5 days	7 – 14 days  (Jeopardizes safety of others; injury/harm to persons/property; impact on agency/mission)
<b>Penalty Guideline 5.7</b>	Disclosure of Information and Documents	1 – 5 days  (minimal impact on agency mission; no harm to persons or property; inadvertent)	7 days	10 days – Removal  (Jeopardizes safety of others; injury/harm to persons/property; impact on agency/mission; personal gain)
<b>Penalty Guideline 5.8</b>	Discrimination/ Harassment	10 – 21 days  (minimal involvement; limited duration; not severe or pervasive)	30 days	45 days – Removal  (Supervisory position; pervasiveness; duration; frequency; severity; multiple victims; previously warned)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.9</b>	Discourteous Conduct	Letter of Reprimand – 1 day  (unintentional; private setting)	3 days	5 days – Removal (Supervisory position; pervasiveness; duration; frequency; severity; multiple victims; previously warned; public setting)
<b>Penalty Guideline 5.10</b>	Disruptive Behavior	Letter of Reprimand – 3 days (unintentional; private setting)	5 days	7 days – Removal  (On duty; in uniform; Supervisory position; duration; frequency; severity; previously warned; public setting)
<b>Penalty Guideline 5.11</b>	Failure to Follow Appearance Policy	Letter of Reprimand – 1 day  (inadvertent)	3 days	5 days – Removal  (Frequency; Willfulness; previously warned)
<b>Penalty Guideline 5.12</b>	Failure to Follow Instructions	Letter of Reprimand – 1 day  (unintentional; lack of understanding)	3 days	5 – 7 days  (Willful; intentional; repeated behavior; instructed several times or instructions clarified)
<b>Penalty Guideline 5.13</b>	Failure to Follow Leave Policies	Letter of Reprimand – 1 day  (unintentional)	3 days	5 days – Removal  (Repeated)
<b>Penalty Guideline 5.14</b>	Failure to Honor Just Debts/Regulatory Obligations	3 – 7 days  (Took steps to resolve matter prior to discovery; minimal debt and prompt payment plan initiated)	10 days	14 days – Removal  (Amount of debt; violation of court order; pattern; duration; frequency; NOTE: repeated or serious failure to pay federal, state, or local taxes could result in Removal)
<b>Penalty Guideline 5.15</b>	Failure to Maintain Top Secret Security Clearance – Final Revocation	N/A	Removal	N/A

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.16</b>	Failure to Maintain Top Secret Security Clearance – Revocation or Suspension	Approved Leave Status  (mental health issue)	Indefinite Suspension  (criminal or other serious violation alleged; Notice of Determination Issued)	N/A
<b>Penalty Guideline 5.17</b>	Failure to Report	N/A	Letter of Reprimand	1 – 10 days  (willful; Significant security issues; impact on agency/mission)
<b>Penalty Guideline 5.18</b>	Failure to Report – Criminal/Serious Misconduct	Letter of Reprimand – 3 days  (inadvertent)	5 days	7 – 14 days  (Willful; Seriousness of incident; significant security issues; impact on agency/mission; continuing)
<b>Penalty Guideline 5.19</b>	Insubordination	5 – 10 days  (Reasonable belief order was unlawful or in violation of rule, regulation or policy)	14 days	21 days – Removal  (Jeopardize safety to others; injury/harm to persons/property; impact on agency/mission; compromise of investigation)
<b>Penalty Guideline 5.20</b>	Misuse of Weapon - Storage	Letter of Reprimand – 3 days  (prompt reporting; exigent circumstances)	5 days	7 days – Removal  (Repeated; other violation of law, rule or regulation involved; failure to promptly report; personal injury or property damage; level of safety risk)



Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.21</b>	Misuse of Weapon - Display	1 – 5 days  (exigent circumstances)	7 days	10 days – Removal  (Intentional; level of safety risk; used to intimidate or threaten; altered weapon rendering more unsafe)
<b>Penalty Guideline 5.22</b>	Misuse of Weapon – Negligent Discharge	Letter of Reprimand	1 day	3 – 14 days  (Injury/harm to persons/property; violation of weapons law, regulation or policy)
<b>Penalty Guideline 5.23</b>	Misuse of Weapon – Intentional Discharge	10 – 21 days  (Doing so to prevent harm to another or to ensure safety of public/others- no injury to persons or property)	30 days	45 days – Removal  (Injury/harm to persons/property; violation of weapons law or regulation)
<b>Penalty Guideline 5.24</b>	Reason to Believe a Crime Has Been Committed	N/A	Indefinite Suspension	N/A
<b>Penalty Guideline 5.25</b>	Retaliation	10 – 21 days  (No tangible employment action taken; minimal involvement; no adverse finding against the agency)	30 days	45 days – Removal Liability imputed to the agency. EEOC/Court finding of retaliation; multiple victims;
<b>Penalty Guideline 5.26</b>	Security Violation (Second Offense)	Letter of Reprimand  (Minimal impact on agency/mission; insignificant matter; expeditious self-reporting; unintentional)	1 day	3 – 14 days  (Compromise of case; impact on agency/mission; frequency; duration; severity; injury/harm to persons/property; jeopardize the safety of others; intentional)

Number	Offense	Mitigated Range	Standard Penalty	Aggravated Range
<b>Penalty Guideline 5.27</b>	Sexual Misconduct - Consensual	5 – 10 days  (Minimal impact on agency/mission; insignificant matter)	14 days	21 days – Removal  (Pervasiveness; impact on agency/mission; public nature)
<b>Penalty Guideline 5.28</b>	Sexual Harassment	10 – 21 days  (initially consensual; unintentional; minimal involvement; limited duration; not severe or pervasive)	30 days	45 days – Removal  (Pervasiveness; impact on agency/mission; impact on victim; EEOC or Court finding against the Agency)
<b>Penalty Guideline 5.29</b>	Solicitation	14 – 30 days  (Non-law enforcement personnel; legal; off-duty)	45 days	Removal  (Law enforcement officer; illegal; on-duty; on mission related travel)
<b>Penalty Guideline 5.30</b>	Striking	N/A	Removal	N/A
<b>Penalty Guideline 5.31</b>	Unprofessional Conduct – Off Duty	Letter of Reprimand – 3 days  (Minor incident; private setting; minimal mission/agency impact)	5 days	7 days – Removal  (public nature; seriousness of the incident; impact on agency mission)
<b>Penalty Guideline 5.32</b>	Unprofessional Conduct – On Duty	1 – 5 days  (Minor incident; private setting; minimal mission/agency impact)	7 days	10 days – Removal  (public nature; seriousness of the incident; impact on agency mission)
<b>Penalty Guideline 5.33</b>	Unauthorized Recording	3 – 7 days  (unintentional)	10 days	14 days – Removal  (prior warning)
<b>Penalty Guideline 5.34</b>	Unavailability for Unscheduled Duty	N/A	Cancellation of LEAP	N/A
<b>Penalty Guideline 5.35</b>	Violation of Miscellaneous Rules/Regulations	Letter of Reprimand - 3 days  (Minor incident; minimal mission/agency impact)	5 days	7 – 30 days  (seriousness of the incident; impact on agency mission; prior warning)

# Appendix B: Official Message and Manual Section Establishing the Office of Integrity

United States Secret Service  
Directives System

Manual    District Directory  
RO        MNO

Section    DO-Front  
Date        12/24/2013

From:        MNO  
Sent:        Tuesday, December 24, 2013 10:01 AM  
To:          USA  
Subject:     DCP#: DD 2013-09 Establishment of the Office of Integrity

FROM: Headquarters (AD - Administration) DCP#: DD 2013-09  
TO: All Supervisors and Holders of the District Directory  
SUBJECT: Establishment of the Office of Integrity

This directive should be reproduced locally and filed in front of the District Directory.

This directive is in effect until superseded.

Effective December 1, 2013, the Office of Integrity has been established under the Deputy Director.

Contact/identifying information for the new division is as follows:

Office Name	Office of Integrity
Three Digit Office Code	630
Three Letter Alpha Code Abbreviation	ITG

A Functional Responsibility Statement and Organization Chart for the new office, as well as corresponding location and contact information, will be the subject of forthcoming directives.

Questions regarding this directive should be directed to the Office of Integrity at 202-360-5197; or to the Management and Organization Division at 202-406-6892.

Headquarters (AD - Administration)

Bunting/Paramore

# OFFICE OF INTEGRITY FUNCTIONS

## Office of Integrity Functional Responsibility Statement

The United States Secret Service (Secret Service) Office of Integrity (ITG) oversees adherence to the agency's code of conduct by impartially adjudicating allegations of employee misconduct in a fair, consistent, and timely manner. Secret Service employees are held to rigorous standards of personal and institutional responsibility to ensure public confidence in the Secret Service's ability to accomplish its mission.

The Office of Integrity reports to the Deputy Director of the Secret Service. A Chief Integrity Officer (equivalent in rank to a Deputy Assistant Director) provides guidance and leadership to the office and participates on a collateral basis in regular and recurring meetings of the Director's Staff. The Chief Integrity Officer ensures that there are processes and procedures in place that are fully consistent with the requirements of federal law and regulations governing adverse and disciplinary actions involving Federal employees. The Chief Integrity Officer will encourage employees to raise concerns and ask questions about potential or actual violations of law, regulations, and/or policies so that these issues can be examined and resolved.

Assisted by a Deputy Chief Integrity Officer, the Chief Integrity Officer:

- Advises managers and employees about conduct, integrity, and professionalism issues;
- Administers the disciplinary adjudication system within established deadlines and periodically reports to the Deputy Director regarding the Office of Integrity's compliance with those deadlines;
- Ensures consistent resolution of disciplinary actions involving similarly situated employees;
- Educates and communicates the Secret Service's conduct policies to employees through training sessions, Official Messages, and the Office of Integrity's intranet page; and
- Makes recommendations for strengthening accountability and transparency regarding employee misconduct and discipline throughout the Secret Service.

The Chief Integrity Officer and the Deputy Chief Integrity Officer apply the guidance contained in the Secret Service Table of Offense Codes and Penalty Guidelines ("Table of Penalties") to adjudicate substantiated allegations of employee misconduct. The Table of Penalties identifies specific actions that constitute misconduct, and the range of penalties associated with each type of infraction.

There will be instances when misconduct overlaps with other issues, such as employee performance problems or national security concerns. In such cases, the Chief Integrity Officer will refer the relevant facts to the appropriate entities. The Chief Integrity Officer works proactively with the Office of the Chief Counsel, the Inspection Division, the Security Clearance Division, the Ombudsman Program, the Human Capital Division, the Management and Organization Division, and other Secret Service offices and divisions to analyze emerging integrity issues, develop appropriate risk mitigation strategies, and facilitate corresponding education and awareness efforts.

United States Secret Service  
Directives System

Manual : Office of the Director  
RO : ITG

Section : ITG-01  
Date : 01/31/2014

### **Integrity Management Branch**

Provides advice and guidance to managers and supervisors regarding the disciplinary and adverse action process. Reviews Inspection Division reports or other applicable material concerning employee misconduct matters and recommends appropriate action based on the Table of Offense Codes and Penalty Guidelines. Prepares discipline and adverse action communications on behalf of the proposing and deciding officials and the Disciplinary Review Board to ensure compliance with federal law and regulations governing adverse actions involving federal employees. Maintains the databases and filing systems for the Office of Integrity and the Secret Service disciplinary program, including the Disciplinary Review Board.

## Office of Integrity Organization Chart (January 2014)

