

Table of Disciplinary Actions Taken Against U.S. Customs Agents

Supporting Document from:
Borderline Security by Bill Conroy
A Book Published by The Narco News Bulletin

The following table was prepared from information supplied by the U.S. Customs Service pursuant to a Freedom of Information Act (FOIA) request. The specific FOIA request, filed in September 2000, sought the total number of complaints filed against Customs agents, as well as the nature and outcome of those complaints -- all sorted by date, gender, rank and ethnicity. The data was sought for the time period 1995 through 2000 for special agents of the Customs Service that fall under the GS-1811 classification. (GS-1811 is a designation for federal criminal investigative positions across most government agencies, including Customs. At the time of the request, Customs employed some 20,000 people.)

Customs supplied the data in August 2001. However, information on ethnicity was not included. The abbreviations included in the list represent the following:

AD -- Alternative discipline -- such as a referral to a substance-abuse program; **FC** -- Formal counseling -- usually results in a letter of reprimand being placed in the employee's official personnel file; **LOW** -- Letter of warning -- a low form of disciplinary action; **OA** -- Oral admonishment -- unwritten oral counseling, no record placed in employee's file; **OC** -- Oral counseling -- lower form of disciplinary action; **ORCW** -- Oral reprimand confirmed in writing -- lower form of disciplinary action; **WR** -- Written reprimand -- a letter is placed in employee's file; **LWOP** -- Leave without pay -- the most serious of the above.

Grade is equivalent to rank. Senior special agents are all Grade Schedule (GS) 13s. Grade Schedules 14-15 are supervisory criminal investigators. After GS-15, the next level is the Senior Executive Level, or SES.

The FOIA request sought complaint information on all Customs special agents (criminal investigators), job series 1811, Grade Schedules 12 through 15, in the Office of Investigations and the Office of Internal Affairs of the United States Customs Service. The agent grouping for which the information was sought is roughly equivalent to the subset of 400 active and retired agents identified as being part of the the Hispanic class-action lawsuit discussed in the book. The goal was to compare disciplinary treatment within the same GS range of special agents on the basis of ethnicity to determine if disparity existed. However, since Customs did not provide ethnicity information with the data, it is not possible to conduct such an analysis. Still, the raw data does provide insight into the range of violations and accompanying disciplinary action for Customs agents overall during the five-year time period examined.

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Customs' FOIA Response

Dear Mr. Conroy,

This is in response to your request for information dated Sept. 21, 2000, filed in accordance with the Freedom of Information Act (FOIA). In our interim response, dated June 21, 2001, you were advised that our office could only respond to the portions of item (4), of your request, that are available through our system of records.

A search of our records reflects the following:

Actions Taken on GS-1811 Special Agents; 1/1/95 through 12/31/00

Date	Grade	Gender	Findings	Discipline
01/95	12	Male	Failure to Report Arrest	Demotion
01/95	12	Male	Misuse of Property	WR
01/95	12	Male	Careless Perf.of Duties	WR
01/95	12	Male	Unauthorized Disclosure	WR
01/95	12	Male	Careless Perf. of Duties	WR
01/95	14	Male	Discourteous Conduct	Suspension
02/95	13	Male	Discriminatory Behavior	WR
02/95	13	Male	Misuse of Property	Suspension
02/95	12	Male	Misuse of Property	WR
03/95	12	Female	Abusive Statement with Gesture	WR
04/95	12	Male	Failure to Follow Orders	WR
04/95	12	Male	Violation of Security Procedures	Suspension
04/95	12	Male	Failure to Follow Orders	Suspension
05/95	13	Male	Unauthorized Possession of Seized Property	Suspension
05/95	12	Male	Conduct Prejudicial to Government	Demotion, Reassign &

				Suspension
05/95	12	Male	Discourteous Conduct	Suspension
05/95	12	Male	Failure to Report Misconduct, Misuse of Property	Suspension
05/95	12	Male	Violation of Security Procedures	Suspension
05/95	12	Male	Possess, Use or Sale of Illegal Drugs	Removal
07/95	13	Male	Failure to Follow Orders	WR
07/95	14	Male	Abusive Statement or Gesture	ORCW
07/95	12	Male	Fighting, Threaten or Attempt to Inflict Bodily Harm	WR
07/95	14	Male	Misuse of Govt. Vehicle	Suspension
07/95	12	Male	Failure to Follow Orders	WR
08/95	13	Male	Failure to Follow Orders	WR
08/95	12	Male	Discriminatory Behavior	Suspension
09/95	12	Male	Interfere w/Other Employees Duties	ORCW
09/95	12	Male	Unintent/Intentional Falsification	Suspension
10/95	14	Male	Misuse of Property	Suspension
10/95	13	Male	Conduct Prejudicial to Government	Suspension
10/95	12	Male	Discriminatory Behavior	OC
10/95	13	Male	Misuse of Property	Suspension
10/95	13	Male	Loss of Property	Suspension
11/95	12	Male	Discourteous Conduct	Suspension
12/95	13	Male	Failure to Observe Safety Precautions	Suspension
12/95	14	Male	Neglect of Duty	WR
01/96	13	Male	Careless Perf. of	WR

Duties

01/96	13	Male	Failure to Follow Orders	WR
01/96	13	Male	Failure to Follow Orders	ORCW
01/96	13	Female	Unintent/Intentional Falsification	LOW
01/96	14	Female	Misuse of Property	WR
02/96	12	Male	Failure to Follow Orders	Suspension
02/96	13	Male	Delay in Carrying Out Orders, Conduct Prejudicial to Gov.	Suspension
02/96	12	Male	Abusive Statement	WR
03/96	13	Male	Loss of Property	AD/5-days LWOP
03/96	12	Male	Being on Duty Under the Influence of Alcohol	Suspension
03/96	12	Male	Disruptive Behavior	FC
03/96	14	Male	Disruptive Behavior	Suspension
04/96	12	Male	Discriminatory Behavior	WR
04/96	12	Male	Acceptance of Gift from Subordinate	WR
04/96	14	Male	Acceptance of Gift from Subordinate	WR
04/96	13	Male	Conduct Prejudicial to Government	Suspension
05/96	12	Female	Failure to Follow Orders	WR
05/96	14	Male	Conduct Prejudicial to Government	Demotion
05/96	12	Male	Conduct Prejudicial to Government	Removal
06/96	13	Male	Conduct Prejudicial to Government	Suspension

06/96	12	Male	Violation of Security Procedures	Suspension
06/96	12	Male	Absent Without Leave	Suspension
06/96	12	Female	Inapprop. Assoc. with Informant; Failure to Observe Precautions for Personal Safety; Violation of Security Procedures	Suspension
07/96	14	Male	Conduct Prejudicial to Government	Suspension
07/96	15	Male	Misuse of Property	WR
07/96	13	Male	Unintent/Intentional Falsification	Suspension
08/96	12	Male	Unauthorized Disclosure	LOW
08/96	12	Male	Misuse of Position	Suspension
08/96	13	Female	Being on Duty Under the Influence of Alcohol	Suspension
08/96	15	Male	Interfering in Official Investigation	OC
08/96	14	Male	Failure to Follow Orders	Suspension
09/96	12	Male	Conduct Prejudicial to Govt.; Gambling on Govt. Premises; Inapprop. Assoc. with Informant or Person Connected with Criminal Activity; Drinking Alcohol While on Duty or Carrying a Weapon	Removal
09/96	13	Male	Misuse of Property	ORCW
09/96	14	Male	Conduct Prejudicial to Government	Suspension
10/96	12	Male	Unintent/Intentional Falsification	LOW
10/96	13	Male	Misuse of Property	Suspension
11/96	14	Male	Failure to Follow Orders	ORCW
11/96	13	Male	Failure to Follow Orders	ORCW
11/96	14	Male	Misuse of Property	WR

11/96	12	Male	Misuse of Property; Conduct Prejudicial to Government; Misuse of Position	Removal
12/96	12	Male	Failure to Follow Orders	LOW
12/96	13	Male	Violation of Security Procedures	Suspension
01/97	12	Male	Failure to Maintain Clean Appearance	WR
01/97	13	Male	Disruptive Behavior	Suspension
03/97	13	Male	Misuse of Govt Vehicle	Suspension
03/97	14	Male	Failure to Report Misconduct to Internal Affairs	WR
03/97	15	Male	Failure to Report Misconduct to Internal Affairs	WR
04/97	12	Male	Failure to Honor Financial Obligations	WR
04/97	14	Female	Failure to Report Misconduct to Internal Affairs	Suspension
05/97	13	Male	Disgraceful Conduct	LOW
05/97	12	Male	Misuse of Position	Suspension
06/97	12	Male	Failure to Follow Orders	Suspension
06/97	12	Male	Failure to Follow Orders	WR
06/97	13	Female	Unintent/Intentional Falsification	Suspension
07/97	12	Male	Inattention to Duty; Potential Danger to Life/Property	Suspension
07/97	12	Male	Inattention to Duty	Suspension
08/97	12	Male	Violation of Security Procedures	Suspension
08/97	12	Male	Failure to Follow Orders	WR

08/97	13	Male	Misuse of Property	Suspension
09/97	14	Male	Discourteous Conduct toward Public	Suspension
09/97	13	Male	Absent Without Leave	Suspension
10/97	13	Male	Conduct Prejudicial to Government	Suspension
10/97	13	Male	Failure to Honor Financial Obligations	WR
10/97	14	Male	Failure to Follow Orders	WR
10/97	13	Male	Careless Performance of Duties	WR
10/97	13	Male	Careless Performance of Duties	WR
10/97	12	Male	Careless Performance of Duties	Suspension
12/97	12	Female	Refusal to Cooperte with Official Investigation	WR
12/97	13	Male	Careless Performance of Duties	WR
12/97	12	Male	Careless Performance of Duties	Suspension
12/97	12	Male	Careless Performance of Duties	Suspension
12/97	12	Male	Off-Duty Altercation	Suspension
01/98	14	Male	Careless Performance of Duties	Suspension
02/98	12	Male	Absent Without Leave	ORCW
03/98	13	Male	Careless Performance of Duties	Suspension
03/98	12	Female	Careless Performance of Duties	WR
04/98	12	Male	Failure to Follow Orders	Suspension
04/98	14	Male	Failure to Follow Orders	WR
04/98	13	Male	Failure to Cooperate in Internal Audit Investigation	Removal

05/98	13	Male	Unintent/Intentional Falsification	Suspension
05/98	14	Male	Careless Performance of Duties	WR
05/98	13	Male	Misuse of Property	LOW
06/98	14	Male	Failure to Follow Orders	WR
06/98	13	Male	Abusive Statements	WR
06/98	12	Male	Reporting for Duty Under the Influence of Alcohol; Negligent Performance of Duties	Suspension
06/98	13	Male	Careless Performance of Duties	WR
06/98	13	Male	Failure to Follow Orders	WR
06/98	13	Male	Loss of Govt Property; Drinking Alcohol While Carrying a Weapon	Suspension
07/98	12	Male	Failure to Follow Orders	WR
07/98	13	Male	Discourteous Conduct	WR
07/98	14	Male	Failure to Follow Orders	OA
07/98	14	Male	Failure to Follow Orders	OA
07/98	14	Male	Failure to Follow Orders	OA
07/98	14	Male	Failure to Follow Orders	OA
07/98	14	Male	Failure to Follow Orders	OA
07/98	13	Male	Unintentional Discharge of Weapon	Suspension
08/98	13	Female	Unintentional Discharge of Weapon	Suspension
08/98	12	Female	Unauthorized Disclosure	WR
08/98	14	Male	Failure to Follow Orders	WR
08/98	12	Male	Failure to Follow Orders	WR
08/98	14	Male	Abusive Statement or Gesture	FC
09/98	14	Male	Careless Performance of Duties	WR

10/98	14	Male	Misuse of Position	Suspension
10/98	13	Male	Failure to Follow Orders	WR
10/98	12	Male	Improper Purchase of Govt Property	WR
10/98	12	Male	Disruptive Behavior	Suspension
11/98	13	Male	Violation of Security Procedures	Suspension
11/98	14	Male	Improperly Obtained Records	ORCW
11/98	12	Male	Misuse of Property	FC
11/98	13	Male	Careless Performance of Duties	FC
12/98	12	Male	Neglect of Duty	WR
12/98	12	Male	Careless Performance of Duties	ORCW
12/98	12	Male	Failure to Timely Report Arrest	Suspension
01/99	12	Male	Unethical Conduct	Suspension
01/99	13	Male	Abusive Statement or Gesture	Suspension
01/99	12	Male	Failure to Observe Safety Practices	Suspension
01/99	14	Male	Neglect of Duty	ORCW
01/99	14	Male	Careless Performance of Duties	LOW
01/99	12	Male	Failure to Follow Orders	WR
01/99	13	Male	Fighting, Threaten or Attempt to Inflict Bodily Harm	Suspension
01/99	14	Male	Misuse of Govt Vehicle	Suspension
01/99	13	Male	Drinking Alcohol While on Duty	Suspension
02/99	13	Male	Failure to Observe Safety Practices	Suspension
02/99	13	Female	Unauthorized Disclosure;	FC

Misuse of Property

02/99	12	Male	Failure to Honor Financial Obligations	WR
02/99	12	Male	Negligent Operation of Govt Vehicle	WR
02/99	13	Male	Failure to Follow Orders	WR
03/99	12	Male	Abusive Statement or Gesture	WR
03/99	13	Male	Abusive Statement or Gesture	WR
03/99	14	Male	Careless Performance of Duties	Suspension
03/99	13	Male	Failure to Follow Orders	WR
03/99	13	Male	Careless Performance of Duties	Suspension
04/99	13	Male	Unauthorized Disclosure	WR
04/99	13	Male	Failure to Follow Orders	WR
04/99	14	Male	Discriminatory Behavior	WR
04/99	12	Male	Misuse of Property	Suspension
04/99	12	Male	Failure to Report Arrest	Suspension
05/99	13	Male	Failure to Follow Orders	Suspension
05/99	13	Male	Misuse of Govt Vehicle	Removal
05/99	12	Male	Careless Performance of Duties	WR
05/99	12	Male	Delay in Following Orders	WR
05/99	12	Male	Delay in Following Orders	WR
05/99	13	Male	Delay in Following Orders	WR
05/99	13	Male	Delay in Following Orders	WR
05/99	13	Male	Neglect of Duty	WR
05/99	13	Female	Inappropriate Assoc w/Informant	Suspension

05/99	13	Male	Neglect of Duty	OC
05/99	14	Male	Discriminatory Behavior LOW	
05/99	12	Male	Failure to Honor Financial Obligations	OC
06/99	12	Female	Failure to Obtain Approval Before Engaging in Outside Employment	Suspension
06/99	13	Male	Discourteous Conduct	OC
06/99	13	Male	Interference w/other Employees' Official Duties	Suspension
06/99	14	Male	Unintent/Intentional Falsification	OA
06/99	12	Male	Delay in Following Orders	WR
06/99	12	Male	Misuse of Govt Vehicle	Suspension
06/99	12	Male	Misuse of Govt Vehicle	Suspension
07/99	14	Male	Misuse of Property	OA
07/99	12	Male	Misuse of Govt Vehicle	Suspension
07/99	12	Male	Misuse of Govt Vehicle	Suspension
07/99	13	Male	Untinent/Intentional Falsification	Removal
08/99	13	Male	Violation of Security Procedures	OC
08/99	13	Male	Failure to Report Misconduct to Internal Affairs	WR
08/99	13	Male	Tape Recording a Conversation w/out Consent	Suspension
08/99	14	Male	Failure to Follow Orders	Suspension
08/99	13	Male	Discourteous Conduct	FC
08/99	13	Male	Careless Performance of Duties	FC

08/99	12	Male	Misuse of Govt Vehicle	Removal
09/99	12	Male	Misuse of Property	WR
09/99	15	Male	Unintent/Intentional Falsification	WR
09/99	12	Male	Discriminatory Behavior	Suspension
09/99	14	Male	Unauthorized Possession of Weapon	Suspension
09/99	14	Male	Inappropriate Assoc w/Informant	Removal
09/99	12	Male	Loss of Govt Property	Suspension
09/99	13	Male	Inappropriate Storage of Weapon	Suspension
09/99	12	Male	Careless Performance of Duties	WR
09/99	13	Male	Inappropriate Assoc w/Informant	Suspension
10/99	12	Female	Improper Operation of Govt Property	FC
10/99	15	Male	Failure to Follow Orders	Suspension
10/99	12	Male	Unintent/Intentional Falsification; Failure to Obtain Approval Before Engaging in Outside Employment	Removal
10/99	12	Female	Misuse of Property	FC
11/99	14	Male	Unintent/Intentional Discharge of Weapon	Suspension
11/99	12	Male	Unintent/Intentional Falsification	FC
11/99	14	Male	Careless Performance of Duties	WR
11/99	14	Male	Careless Performance of Duties	WR
11/99	13	Male	Inappropriate Storage of Weapon or Ammunition	OA

12/99	14	Male	Failure to Follow Leave Procedures	FC
12/99	14	Male	Failure to Follow Leave Procedures	FC
12/99	13	Male	Negligent Performance of Duties	WR
12/99	14	Male	Careless Performance of Duties	WR
12/99	13	Male	Careless Performance of Duties	Suspension
12/99	14	Male	Discriminatory Behavior	Suspension
12/99	12	Male	Improper Operation of Govt Property	WR
12/99	12	Male	Failure to Follow Orders	Suspension
12/99	13	Male	Delay in Following Orders	WR
12/99	13	Male	Misuse of Property	FC
01/00	12	Male	Delay in Following Orders	WR
01/00	14	Female	Inappropriate Assoc w/Informants	Suspension
01/00	14	Male	Careless Performance of Duties	Suspension
01/00	14	Male	Careless Performance of Duties	Suspension
01/00	14	Male	Abusive Statement or or Gesture; Failure to Follow Orders; Inattention to Duty	Suspension
01/00	12	Male	Conduct Prejudicial to Govt; Failure to Timely Report Arrest	WR
01/00	13	Male	Unauthorized Disclosure	Suspension
02/00	12	Male	Abusive Statement or Gesture	Suspension
02/00	12	Male	Abusive Statement or Gesture	FC

02/00	14	Male	Failure to Follow Orders	WR
02/00	12	Male	Refusal to Follow Orders	Suspension
03/00	13	Male	Disruptive Behavior	WR
03/00	13	Male	Unauthorized Disclosure	Suspension
03/00	14	Male	Inappropriate Storage of Weapon	LOW
04/00	13	Female	Failure to Report Accident	Suspension
04/00	14	Male	Abusive Statement or Gesture	Suspension
04/00	13	Male	Unauthorized Disclosure	WR
04/00	13	Female	Misuse of Property	FC
04/00	12	Male	Careless Performance of Duties	WR
04/00	13	Male	Discourteous Conduct	WR
04/00	12	Male	Discourteous Conduct	WR
05/00	12	Male	Careless Performance of Duties	FC
05/00	13	Female	Failure to Follow Orders	FC
05/00	13	Male	Unintentional Discharge of Weapon	Suspension
05/00	12	Male	Delay in Following Orders	WR
05/00	14	Male	Unintentional Discharge of Weapon	WR
05/00	13	Female	Inappropriate Assoc w/Informant; Giving the Appearance of Conflict of Interest	Demotion
06/00	12	Male	Careless Performance of Duties	WR
06/00	14	Male	Unauthorized Disclosure	Suspension
06/00	13	Male	Conduct Which May	FC

			Appear Disrespectful	
06/00	12	Female	Discriminatory Behavior	WR
06/00	12	Male	Inappropriate Storage of Weapon	Suspension
06/00	12	Male	Careless Performance of Duties; Failure to Follow Orders	Suspension
07/00	12	Male	Fighting, Threaten or Attempt to Inflict Bodily Harm	Suspension
07/00	12	Male	Disruptive Behavior	WR
07/00	13	Male	Unauthorized Use of Law Enforcement Equipment	Suspension
07/00	14	Male	Unauthorized Use of Law Enforcement Equipment	Suspension
07/00	12	Female	Neglect of Duty	WR
08/00	13	Male	Careless Performance of Duties	Suspension
08/00	12	Male	Inappropriate Storage of Weapon	WR
08/00	12	Male	Misuse of Property	WR
08/00	12	Male	Failure to Follow Orders, Absent Without Leave	Suspension
08/00	13	Male	Failure to Report Attempted Bribe; Misuse of Property	Suspension
09/00	12	Male	Misuse of Property	Suspension
09/00	14	Male	Delay in Following Orders	WR
09/00	12	Male	Careless Performance of Duties	Suspension
09/00	13	Male	Careless Performance of Duties	Suspension
09/00	13	Male	Improper Operation of Govt Property	Suspension

09/00	13	Male	Improper Operation of Govt Property	Suspension
10/00	13	Male	Operating a Govt Vehicle While Under the Influence of Alcohol; Misuse of Govt Vehicle; Damage to Govt Property	Suspension
10/00	12	Male	Unintent/Intentional Falsification; Giving the Appearance of Conflict of Interest	Suspension
11/00	13	Male	Delay in Following Orders	Suspension
12/00	14	Male	Acceptance of Gift from Prohibited Source	Suspension
12/00	12	Male	Careless Performance of Duties	WR
12/00	12	Male	Unintent/Intentional Falsification	Suspension
12/00	14	Male	Careless Performance of Duties	Suspension