

ATTACHMENT 1

Case #	Open Date	Date Assigned	Close Date	Type Case	Inspector	Investigating Agency
09-0219	4/13/2009	6/25/2009	1/11/2013	Criminal	Fang	OIG

Date Sent to OIG	Date Received from OIG	OIG Case Number	Date Sent to CRD	Date Received from CRD
4/13/2009	4/16/2009	2009004792		

Last Name	First Name	Middle Name	Position	Prior Cases
King	Willard		DUSM	07-0306, 07-0357, 08-0199, 09-0059

District/Division	SSN	EOD	DOB	Noteworthy?
DC/SC		4/20/2003	2/9/1971	<input type="checkbox"/>

Allegation	Allegations Detail
Theft or Fraud of Government Property	Excessive overtime
Allegation	
Conduct Unbecoming - On-Duty	
Allegation	Allegation

Complainant	Private Citizen/Title	Anger Management Issue	Case Link
Griscavage, Stan	USMS Management	<input type="checkbox"/>	s:\oia\case_years\2009\09-0219.pdf

Date Sent to DM	Discretionary Closure?	Disposition	Initial Case Information
1/11/2013	<input type="checkbox"/>		s:\oia\documents\Initial Case Infor

OIG Report Required?	Report sent?	Date Report Sent	Disposition Date	Disposition Link	Destroyed:
<input type="checkbox"/>	<input type="checkbox"/>				

AD/DD Letters	MEMO

During an investigation of overtime hours billed in DC/SC, the overtime hours billed by DUSM Willard King were deemed to be potentially excessive in FY 2007, FY 2008 and FY 2009 to date. NOTE: Case transferred from Barker to Honaker on 4/25/11. Case transferred from Honaker to Todd on January 23, 2012. Case transferred from Todd to Fang on July 31, 2012.

**U. S. Department of Justice
United States Marshals Service
Office of Inspection, Internal Affairs**



CASE SUMMARY

Case Number: 09-0219		Date Complaint Received: 04/13/2009	
Date Complaint Occurred: 2007-2009		Date Retained By DOJ/OIG: 04/16/2009	
SUBJECT: King, Willard	EOD: 04/20/2003	TITLE: DUSM	DISTRICT: DC/SC
ALLEGATION(S): Theft or Fraud of Government Property, Violation of the Code of Professional Responsibility, Conduct Unbecoming-On Duty			
COMPLAINANT(S): Stanley E. Griscavage, Jr.			
ADDRESS: Washington, D.C.			
INVESTIGATED BY: USDOJ OIG			

Allegation

During a review of District of Columbia, Superior Court overtime hours, the overtime hours billed by Deputy United States Marshal Willard King were deemed to be potentially excessive in FY 2007, FY 2008 and FY 2009.

Synopsis

The United States Department of Justice (USDOJ) Office of the Inspector General (OIG) conducted an investigation in this matter. The OIG Report of Investigation Synopsis is attached.

This case will be referred to Discipline Management for review and adjudication.

U.S. Department of Justice
Office of the Inspector General

REPORT OF INVESTIGATION

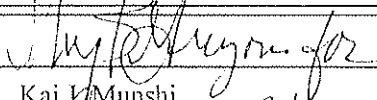
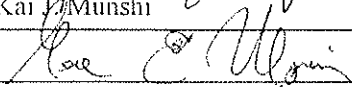
SUBJECTS Kelvin Barnes, et al (XXX-XX-1240) Deputy United States Marshal (DUSM) (GS-11) United States Marshals Service Superior Court Washington, DC		CASE NUMBER 2010-003034
OFFICE CONDUCTING INVESTIGATION Washington Field Office		DOJ COMPONENT United States Marshals Service
DISTRIBUTION <input checked="" type="checkbox"/> Field Office WFO <input checked="" type="checkbox"/> AIGINV HQ <input checked="" type="checkbox"/> Component USMS <input type="checkbox"/> Other <input type="checkbox"/> Other	STATUS <input type="checkbox"/> OPEN <input type="checkbox"/> OPEN PENDING PROSECUTION <input checked="" type="checkbox"/> CLOSED PREVIOUS REPORT SUBMITTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Previous Report:	

SYNOPSIS

This OIG investigation was predicated on receipt of information from the United States Marshals Service (USMS) Office of Internal Investigations (OII) that Supervisory Deputy United States Marshal (SDUSM) Tam Wyatt alleged Deputy United States Marshals (DUSM) Kelvin Barnes and Willard King submitted time and attendance (T&A) documents claiming unworked hours of overtime in the cellblock at Superior Court. Wyatt further alleged that Barnes and King attempted to have her sign the fraudulent T&A documents when she was not the supervisor on duty during the hours claimed. The OIG conducted a review of overtime hours claimed by Barnes, King, and other USMS personnel assigned to Superior Court.

The review of T&A documents revealed that Barnes earned \$141,710.90 for 3286 hours of overtime during Fiscal Years (FY) 2009 and 2010. Barnes' compensation equaled approximately 3.4% of the total amount of overtime paid during this period to approximately 295 employees assigned to Superior Court. King earned \$107,472.89 for approximately 2536 hours of overtime claimed during this same period, which was approximately 2.5% of the total amount of overtime paid to approximately 295 employees assigned to Superior Court during this period.

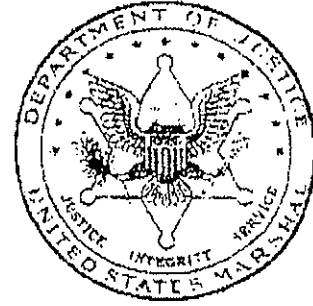
The OIG initiated electronic tracking of Barnes and King utilizing Global Positioning System (GPS) devices. Pursuant to a Court Order issued in the United States District Court of Maryland, the OIG installed GPS devices on the government vehicles (GOV) assigned to Barnes and King. The OIG

DATE October 11, 2012	SIGNATURE 
PREPARED BY SPECIAL AGENT	Kai J. Munshi
DATE 10/12/12	SIGNATURE 
APPROVED BY SPECIAL AGENT IN CHARGE	Gene E. Morrison

LIST OF EXHIBITS

1. Predicating material, dated March 12, 2008, Initiative Case Number 2009-008466.
2. Memorandum of Investigation (MOI) dated September 28, 2009, Installation of GPS Tracking Devices, and attachment.
3. MOI dated September 30, 2009, MOI Return of Subpoena from Verizon Wireless, and attachments.
4. MOI dated January 15, 2010, OIG Subpoena to Sprint/Nextel, and attachment.
5. Predicating Material, dated February 1, 2010, Case Number 2010-003034
6. MOI dated January 22, 2010, OIG Receipt of Emails from Tam Wyatt, and attachments.
7. MOI dated January 25, 2010, Telephonic Interview of Tam Wyatt.
8. MOI dated February 18, 2010, Seizure of USMS Documents
9. MOI dated February 26, 2010, USMS Policy on Scheduling and Payment of Overtime, and attachments.
10. MOI dated March 2, 2010, Telephonic Interview of DUSM Jacqueline Hargrove.
11. MOI dated March 3, 2010, Telephonic Interview of DUSM Valleri Nazaire.
12. MOI dated March 9, 2010, Interview of SDEO Howard Williams, and attachments.
13. MOI dated March 16, 2010, Kelvin Barnes Interview Transcript, and attachments.
14. MOI dated March 25, 2010, Transcript of Antonio Gause Interview, and attachment.
15. MOI dated July 14, 2010, D.C. Superior Court Overtime Payments, and attachment.
16. MOI dated October 20, 2010, Interview of Matthew Greenlee, and attachments.
17. MOI dated October 20, 2010, Interview of William O'Shaughnessy, and attachments.
18. MOI dated November 1, 2010, USMS Management Controls for T&A Attendance Reporting, and attachment.
19. MOI dated November 5, 2010, Telephonic Interview of Paul Zitsch, and attachment.
20. MOI dated November 5, 2010 Interview of Ronald Bolls, and attachments.

OIG
EXHIBIT 1



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**United States Marshals Service
Office of Inspection
Washington, DC 20350-1000**

202-307-9155
202-307-9268 (fax)

MEMORANDUM

Date: March 12, 2008

From: Stanley E. Griscavage, Jr. *SEG*
Chief Inspector
Office of Internal Investigations

To: Gene Morrison
Special Agent in Charge
Office of the Inspector General
Washington Field Office

Subject: Kelvin Barnes, DUSM Willard King, DUSM
District of Columbia, Superior Court

The attached allegation is being forwarded for your review. Please advise my office of the appropriate action. There are 11 pages excluding the cover sheet. Please call me at 202-307-9155 if you have any questions.

DUSMs Kelvin Barnes and Willard King were submitting USM-7's (time and attendance sheets) with hours worked that did not match the district sign-in sheets for the cellblock attendance.

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Duncan, Sharon (USMS)
From: Wyatt, Tam (USMS)
Sent: Thursday, March 06, 2008 1:47 PM
To: Duncan, Sharon (USMS)
Subject: allegations of attempted fraud

Sharon;

Per our conversation, the following information is being provided to you:

On January 29, 2008, Deputy Kelvin Barnes reported to the cellblock, for A.M. overtime at approximately 7:30 A.M. He was seen arriving by SDUSM Wyatt who was sitting in the "bubble"; which is the secure operations room in the cellblock. SDUSM Wyatt asked DIC Tom Pellicane and ASDEO Otto Starks (temp. for SDEO Williams) if anyone had called in prior to 6:30 A.M. SDUSM Wyatt was advised that no one had called in for sick, annual leave, or to advise that they would be late for work. SDUSM Wyatt had sent out instructions to all Deputies in SC/DC to contact an A.M. Supervisor, on January 9th and 24th via e-mail.

DUSM Barnes was not on the cellblock sign in sheet for 1/29/08. SDUSM Wyatt observed the sign in sheet for court support in the DUSM's squad room. DUSM Barnes had signed in at court support at 6:30 A.M. on 1/29/08. The only OT in the morning at SC/DC is A.M. cellblock.

SDUSM Wyatt advised ACDUSM's Murray and Petchel in the "Big room" (main office at SC/DC) that she did not know who had been approving DUSM's Barnes and King's A.M. overtime on their USM-7's. ACDUSM Petchel advised me to check their time sheets. Upon viewing them, SDUSM Wyatt determined that SDUSM Hedgepeth was approving DUSM Barnes, and SDUSM Graham was signing DUSM Kings. SDUSM Wyatt spoke to SDUSM Hedgepeth and advised him not to sign DUSM Barnes USM-7, unless he wanted to be involved in an IA investigation. SDUSM Wyatt also advised other SDUSM's not to sign DUSM Barnes USM-7.

On February 5, 2008, DUSM Barnes submitted, for the first time, his USM-7 for approval of A.M. overtime to SDUSM Wyatt. DUSM Barnes submitted his hours worked on 1/29/08 as 8:30 A.M. to 8:00 P.M. SDUSM Wyatt has documentation to support her statement if needed. Thank you for your attention to this matter.

Tam M. Wyatt
Supervisory Deputy U.S. Marshal
Superior Court
Washington, DC
(202)616-8555 (O)
(571)259-9674 (C)

**OIG
EXHIBIT 5**

Received By: MCCASKILL, JOHN J Date Received: 02/01/2010 How Received: I

SUBJECT: BARNES, KELVIN F Key: 133142 SSNO:
 Title: DUSM Pay Plan: GS-00082-11 D.O.B.: 11/03/1960
 Component: USM EOD Date: 08/11/2002 Alien No.:
 Misc: F.B.I.No.:
 Home: B.O.P.No.:
 Phone: () - ZIP: D/L No.:
 Work: , Offenses: 003
 Phone: ZIP:

SUBJECT: KING, WILLARD THOMAS Key: 171601 SSNO:
 Title: SA Pay Plan: GL-01811-09 D.O.B.: 02/09/1971
 Component: USM EOD Date: 04/20/2003 Alien No.:
 Misc: F.B.I.No.:
 Home: B.O.P.No.:
 Phone: ZIP: D/L No.:
 Work: Offenses: 003
 Phone: ZIP:

WITNESS: WYATT, TAM M Key: 216763 SSNO:
 Title: SSA Pay Plan: GS-01811-13 D.O.B.: 08/12/1957
 Component: USM EOD Date: 08/03/1986 Alien No.:
 Misc: F.B.I.No.:
 Home: B.O.P.No.:
 Phone: ZIP: D/L No.:
 Work: Offenses:
 Phone: ZIP:

Details:

This investigation was originally opened as an investigative "Initiative" on August 20, 2009 under OIG case number 2009-008466. The purpose of the Initiative was to inquire into allegations of Time & Attendance Fraud by Deputy United States Marshals (DUSM) working overtime at the District of Columbia (D.C.) Superior Court Cell Block.

In furtherance of the inquiry, the OIG looked at the overtime claims for DUSM's at the D.C. Superior Court Cell Block. From Fiscal Year (FY) 2004 to present, the OIG found DUSM Kelvin Barnes had claimed overtime (in addition to regular salary) in excess of 9,000 hours and DUSM Willard King had claimed (in addition to regular salary) overtime in excess of 7,000 hours. In addition to Barnes and King, the OIG identified other DUSM's that were claiming an unusually high amount of overtime hours. However, Barnes and King were the most egregious.

On January 29, 2010, the OIG presented the preliminary results of the inquiry to AUSA Eric Olshan, Public Integrity Section. Based on the information presented, AUSA Olshan requested the OIG to proceed with a full criminal investigation into the alleged overtime fraud by Barnes, King.

ALLEGATIONS: 003 Time & Attendance Fraud

Occurrence Date: TIME:
 CITY: Washington State: DC Zip:

DISPOSITION DATA: Disposition: I Date: 02/01/2010 Approval: MORRISON, GENE E

Referred to Agency: Date Sent: Component: USM *JEH*

Patriot Act: N Civil Rights: N Recovery Act: Component Number:

Sensitive: N Whistleblower: N Consolidated Case Number: