

## Harsh disciplinary actions within EPA Criminal Investigation Division

McAfee & Taft RegLINC - January 2011

By [Chris Paul](#)

A quarter of the staff in the Environmental Protection Agency's Criminal Investigation Division has considered leaving the agency in the wake of a disciplinary program, according to an internal review obtained by Public Employees for Environmental Responsibility (PEER). Consultants who conducted the review reported a pattern of disciplinary actions being handed down "arrogantly and harshly." According to the review, the reports were "too numerous to be attributed to sour grapes among a few bad apples." Cynthia Giles, EPA's Assistant Administrator for Enforcement and Compliance Assurance was critical of the review's conclusions. The consultants "were not in a position to make many of the sweeping conclusions they made in their report" given how they conducted the review, she said.



"They did not have any information about the basis for agency action in individual cases, so were not in a position to assess whether the conduct of the employee merited the action taken, and whether appropriate standards were used to make decisions, or the reasons for managers' decisions on personnel matters," she said in her memo. "Some of the statements in the review are inaccurate, go well beyond what the evidence supports, and do not appropriately reflect these acknowledged limits."

Along with EPA's internal review, PEER released a survey in which a majority of criminal investigators who responded expressed concerns about the division's management. More than 75 percent of investigators surveyed criticized the criminal division's management, with more than half calling enforcement efforts under the Obama administration weaker than those under the preceding Bush administration. Nearly 80 percent of respondents said they lacked the resources to perform their duties.

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