



governmentattic.org

"Rummaging in the government's attic"

Description of document:	Reports of Selected AMTRAK Office of Inspector General (OIG) investigations closed 2021-2022
Requested date:	16-February-2023
Release date:	22-March-2023
Posted date:	19-February-2024
Source of document:	Office of Inspector General National Railroad Passenger Corporation 10 G St. NE, Suite 3W-300 Washington D.C., 20002 Attn: FOIA Request Email: foia@amtrakoig.gov Fax: (202) 906-4695 (Attn: FOIA Request)

The governmentattic.org web site ("the site") is a First Amendment free speech web site and is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



OFFICE of INSPECTOR GENERAL
NATIONAL RAILROAD PASSENGER CORPORATION

Via Electronic Mail

March 22, 2023

Re: Freedom of Information Act Request (Request ID 2023-OIG-002)

Amtrak's Office of the Inspector General (OIG) received your request for information made under the Freedom of Information Act (FOIA) to Amtrak's FOIA Office, who was the initial recipient of your request. Amtrak's FOIA Office referred your information request to our office on February 16, 2023, for separate processing, independent review, and direct response as your request sought information and/or records maintained, owned, or held by Amtrak OIG or pertaining to the Amtrak OIG.

Specifically, your request seeks,

"A copy of the final report and report of investigation and closing memo and referral memo for each of the following closed investigations: DC-16-0283-HL-O, HQ-21-0147-HL-S, CC-21-0039-O, CC-21-0086-S, PA-17-0284-O, IL-20-0152-O, FL-20-0573-S, HQ-21-0259-O, CC-21-0288-P, HQ-21-0037-O, CA-22-0128-O, CA-21-0569-HL-P, HQ-22-0236-HL-S, CA-22-0249-HL-S, CA-21-0460-S, CC-21-0551-S, DC-21-0486-S."

In response, our office searched for records responsive to your request and, as a result, we are providing you with 23 records with all reasonably segregable portions of the case closings and/or reports of investigations enclosed, while redacting or withholding certain information pursuant to exemptions 5 U.S.C. § 552 (b)(4), (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) and (b)(7)(F).

Exemption 4 protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential. The financial or commercial information that has been withheld is contractual in nature and related to Amtrak business and trade, which could be materially affected by disclosure. The disclosure thereof would jeopardize Amtrak's commercial interests or reveal information about Amtrak's ongoing

operations, which would adversely affect the company's ability to negotiate future contractual terms.

Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges.

Exemption 6 protects information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." In other words, Exemption 6 protects names and any data identifying individuals if public disclosure would be a clearly unwarranted invasion of privacy. Specifically, Exemption 6 protects the privacy interest of individuals identified in connection with an OIG investigation, whose substantial interest in personal identity protection outweighs any public interest in disclosure of information that could be used to identify them.¹

Exemption 7(C) recognizes that law enforcement records are inherently more invasive of privacy than "personnel and medical files and similar files." Named individuals have substantial interests in nondisclosure of their identities and connection to particular investigations.² In fact, the case law has long recognized, either expressly or implicitly, that "the mention of an individual's name in a law enforcement file will engender comment and speculation and carries a stigmatizing connotation."

Exemption 7(E) protects law enforcement records if their release would disclose techniques and procedures for law enforcement investigation or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumvention of the law. We have determined that releasing certain portions of the enclosed records would disclose techniques, procedures, or guidelines for conducting OIG investigations and allow certain individuals, armed

¹ Courts have specifically addressed the privacy interests of third parties and/or witnesses involved in investigations and have overwhelmingly ruled that individuals' privacy interests outweigh public interests because of the stigma or harassment that may result from public knowledge of such an investigation.

² Courts have consistently held that the central purpose of FOIA is to allow people to learn about the conduct of agencies, not to discover information about other individuals. The U.S. Supreme Court held that "the statutory purpose [of FOIA] is not fostered by disclosure of information about private citizens that is accumulated in various governmental files but that reveals little or nothing about an agency's own conduct." *U.S. Dep't of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749, 773 (1989).

with this information, to circumvent the law. As a result, this information has been withheld.

Exemption 7(F) protects records or information the disclosure of which could reasonably be expected to endanger the life or physical safety of any individual. Exemption 7(F) has also been used to withhold details of the staffing levels, physical structures, and security plans of certain facilities because of the risks to individuals or staff that would be created by disclosure. We have determined that releasing certain physical locations in the enclosed records could reasonably to endanger the physical safety of Amtrak employees and passengers, as well as facilitate potential destruction or damage to Amtrak property if released. As a result, these physical locations or addresses have been withheld.

You have the right to file an administrative appeal within 90 days of the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the OIG a chance to review and reconsider your request and the decision. A copy of your initial request, a copy of this letter, and your statement of circumstances, reasons, and arguments should accompany your letter of appeal. Please address your letter of appeal to:

National Railroad Passenger Corporation
Office of Inspector General
10 G Street, NE, 3W-300
Washington, D.C. 20001
ATTN: FOIA Appeal

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison for assistance. If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes.

We have not assessed any charges to you for processing this request. If you have any questions concerning this response to your request, please contact me.

Sincerely,

Nadine Bennett

Nadine J. Bennett
Associate Counsel
Amtrak Office of Inspector General

Enclosures

ENCLOSURES



Date: July 28, 2022

Case Number: CA-21-0569-HL-P

Subject: [REDACTED]

Case Closing: On September 23, 2021, the Amtrak Office of Inspector General received hotline submissions 1236, 1237, and 1238 in which an anonymous complainant alleged that [REDACTED] Amtrak Police Department (APD), was self-employed as a personal trainer and utilizing company property to conduct his personal training business.

[REDACTED]

Review of [REDACTED] company emails and [REDACTED] revealed nothing of investigative significance.

Review of [REDACTED] social media [REDACTED] revealed numerous images and videos of workout videos filmed on company property, specifically APD gyms.

Review of [REDACTED] network image revealed over 10,000 visits to the National Academy of Sports Medicine's website in addition to several documents related to fitness assessments.

On July 27, 2022, the reporting agent and Special Agent in Charge [REDACTED], Amtrak Office of Inspector General, interviewed [REDACTED] [REDACTED] admitted to filming workout videos in the company gym but stated he never profited from the videos. [REDACTED] stated his supervisor at the time, [REDACTED], knew [REDACTED] was working out in between assignments, on breaks, etc. [REDACTED] also stated that he is a [REDACTED] for APD and has responsibilities to maintain his fitness, plan fitness programs for new recruits, etc.

[REDACTED] also stated that he filmed all the workout videos when he was assigned to the [REDACTED]. The [REDACTED] has since shutdown and all officers were reassigned to [REDACTED] [REDACTED] has not filmed any videos since being reassigned to [REDACTED]

CLASSIFICATION:

~~FOR OFFICIAL USE ONLY~~

WARNING

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Case to be closed with no further action taken.

Prepared By: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
Los Angeles, CA

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



April 4, 2022

Case Number: CA-22-0128-O

Case Classification: Major Misconduct and General Crimes

Case Title: [REDACTED]

Case Closing:

Investigative Activity: On November 18, 2021, Special Agent in Charge (SAC) HQ [REDACTED] and Senior Special Agent [REDACTED] received from Amtrak Police Department, [REDACTED] information regarding the November 16, 2021 arrest of Amtrak employee [REDACTED] assigned to Los Angeles, CA. [REDACTED] was held on state charges regarding possession of obscene matter and/or intent to distribute or sell obscene matter depicting an individual under the age of eighteen.

Details: During the course of the investigation, it was learned that [REDACTED] had been terminated and was not eligible for re-hire. [REDACTED] was considered having resigned for being absent from work for fifteen days.

Spoke with [REDACTED] Police Department Detective [REDACTED] and offered any assistance, if needed.

On or about December 20, 2021, the arrest report and conviction documents for the November 16, 2021, arrest were requested from [REDACTED].

[REDACTED] email and Amtrak laptop (which belonged to another Amtrak employee) was reviewed for any potential child exploitation or obscene images and yielded no results.

On January 6, 2022, information was requested regarding reporting of a prior alcohol offense. [REDACTED] stated that [REDACTED] had not reported any arrests or convictions for the time period of November 2021 and June 2017-June 2018.

[REDACTED] were requested relating to the

CLASSIFICATION:

~~FOR OFFICIAL USE ONLY~~

WARNING

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

driving under the influence charges from July 20, 2017. [REDACTED] pled nolo contendere to California vehicle code 23103(a) reckless driving.

As [REDACTED] was terminated and is ineligible for rehire and no additional images or material were found on Amtrak computers or networks, this investigation will be closed.

Prepared By: Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
Los Angeles, CA

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Date: October 17, 2022

Case Number: CA-22-0249-HL-S

Subject: [REDACTED]

Case Closing: On February 13 and February 24, 2022, the Amtrak Office of Inspector General (OIG) received two separate hotline complaints stating that [REDACTED] had her employment information on her Facebook account listed as “madame for railroad brothel that whores out the male conductors and engineers.” The complaints also stated that [REDACTED] Facebook account contained images of [REDACTED] in her company uniform.

Based on this information, the OIG’s Digital Investigations Unit performed a social media search on [REDACTED] and found a publicly available Facebook account for [REDACTED] that included images identifying her as an Amtrak employee, as well as her employment information listed as “madame” at “railroad brothel” with the caption, “I whore out the male conductors and engineers.”

Review of [REDACTED] public Facebook account uncovered the following:

- Employment information listed as “madame” at “railroad brothel” with the caption, “I whore out the male conductors and engineers.” The employment location was listed as “Uranus.”
- On August 6, 2021, [REDACTED] posted an image of perfume boxes with the caption, “When passengers give me \$300 worth of perfume.”
- On September 1, 2021, [REDACTED] posted the caption “railroad employees” followed by a laughing emoji. Below the caption was an image depicting a character from Star Wars with the words, “When the slightest thing goes wrong at work... That’s it I’m getting drunk today!”
- On September 4, 2021, [REDACTED] posted the caption, “I’m not white but same.” Below the caption was an image depicting pumpkin spice as an illicit drug with the words, “One leaf falls on the ground... white girls.”
- On September 5, 2021, [REDACTED] posted the caption “Military men, this you??” followed by a laughing emoji. Below the caption was an image depicting Kermit the Frog firing a rifle, passing out from intoxication, sitting in the shower, and

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

engaging in a sexual act with Miss Piggy with the words, "Random citizen: Thank you for your service... My service..."

On July 20, 2022, the reporting agent (RA) interviewed [REDACTED] [REDACTED] acknowledged that the Facebook account belonged to her and admitted that she posted the pictures of herself in her Amtrak uniform. [REDACTED] stated she understood the company's policy on social media and how the images she posted could be deemed inappropriate and offensive. [REDACTED] stated the posts were a joke and that she thought her account was private. The RA pointed out that the posts could be seen by customers and other employees, and [REDACTED] agreed they could be deemed inappropriate and offensive.

With regard to the alleged \$300 worth of perfume from a customer, [REDACTED] stated she thought the perfume was a gift. She later stated she thought the perfume was a tip. When questioned whether [REDACTED] reported the perfume as a tip, she stated that she did not.

[REDACTED] actions of posting inappropriate and offensive images on her Facebook account that publicly identified her as an Amtrak employee violated the following company policies: (1) Amtrak Employee Code of Ethics and Standards for Behavior; and (2) Amtrak Social Media Policy.

On August 15, 2022 the OIG submitted a Report of Investigation to Amtrak summarizing the investigative findings. On September 26, 2022, an administrative hearing was held. The RA testified at the hearing in addition to several other individuals. On October 4, 2022, the charging officer found that the charges were proven. On October 5, 2022, Amtrak terminated [REDACTED] effective immediately.

Case to be closed.

Prepared By: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
Los Angeles, CA

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Date: September 1, 2022

Case Number: CA-22-0460-O

Subject: [REDACTED] et al
Seattle, WA

Investigative Activity: Case Closing

Predicate: On July 13, 2021, Amtrak Assistant [REDACTED] On Board Services, [REDACTED] advised the Reporting Agent (RA) that On Board [REDACTED] [REDACTED] had been improperly entering PTO hours, but he addressed it with her in April/May 2021, when he started supervising her, and it was no longer an issue. However, [REDACTED] reported that [REDACTED] was scheduled to work Tuesday through Saturday, but he received text messages and phone calls from other managers who reported that [REDACTED] either did not show up on Saturdays or left early.

[REDACTED] further advised that [REDACTED] was operating a business, [REDACTED], with her husband, [REDACTED] also an Amtrak employee, and that the business website included a calendar which showed the company bookings, indicating that [REDACTED] was working during the time she was apparently out on medical leave. [REDACTED] provided a link to an article from May 2021, and further stated there were customer reviews on the business website from Amtrak employees.

Investigation:

We determined that [REDACTED] managed social media activities and marketing promotions for her personally owned business, [REDACTED], while on FMLA leave. Specifically, in early July 2021, her business website, [REDACTED], provided customer reviews and bookings for dates where [REDACTED] was on medical leave from Amtrak starting July 2, 2021. We also reviewed her business's Instagram profile, [REDACTED], and found regular postings from October 2020 through mid-November 2021, including descriptions, comments, pictures of customers' hot tub installations, marketing promotions, sales, and replies to followers and customers.

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Specifically, we observed approximately 43 posts by [REDACTED] from July 2021 through mid-November 2021. As the business's social media, marketing, and web development manager, [REDACTED] would have been involved and actively engaged in these social media activities during the time she was on medical leave from the company.

[REDACTED] business and Instagram websites also showed that Amtrak employees, [REDACTED] Conductor, and [REDACTED] Conductor, were customers. On November 16, 2021, we interviewed [REDACTED] who told our agents that [REDACTED] delivered a rental hot tub to her residence in [REDACTED], on or about July 18 and picked it up on or about July 21, 2021. [REDACTED] said she paid approximately \$300 in cash for the rental and left the money at her residence for [REDACTED]. Similarly, on November 17, 2021, we interviewed [REDACTED] who told us that he rented a hot tub from [REDACTED] [REDACTED] from February 16 through February 22, 2021, and paid \$388.60 via his credit card.

We determined that [REDACTED] submitted an updated Certificate of Compliance form in June 2021 to disclose that she was the owner of [REDACTED] and managed its social media, marketing, and web development. [REDACTED] did not promptly amend the Certificate of Compliance form in January 2021 (official launch of business) when her outside activities changed, as company policy requires.

We interviewed [REDACTED] on December 7, 2021, and he confirmed he was joint owner with his wife, [REDACTED] of [REDACTED]. However, [REDACTED] told us that he never performed work for [REDACTED] while he was scheduled for duty with Amtrak.

When we asked [REDACTED] whether he provided [REDACTED] services to [REDACTED] on July 18, 2021, and [REDACTED] on February 16, 2021, [REDACTED] told us that he had but denied accepting any payment from [REDACTED] or [REDACTED] for those services, contrary to what [REDACTED] and [REDACTED] told us during their interviews.

Disposition: On December 7, 2021, after we attempted to interview [REDACTED] and retrieve her company-owned mobile phone, she resigned from the company. We found that [REDACTED] violated the following company policies by engaging in outside employment (including self-employment) with her mobile spa business while on a medical leave of absence from the company, and also by failing to promptly amend her Certificate of Compliance form:

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

- Amtrak Code of Ethics and Standards of Behavior
- Amtrak Medical Leave and Absences Policy
- Amtrak Conflict of Interest Policy

In addition, we found that [REDACTED] violated the following company policies by providing false statements and deliberately lying to our agents regarding the acceptance and receipt of payment for services rendered by [REDACTED] to Amtrak employees [REDACTED] and [REDACTED]

- Amtrak Code of Ethics and Standards of Behavior
- Amtrak Office of Inspector General Policy

On May 27, 2022, the OIG forwarded its Investigative Report to the company. On August 9, 2022, [REDACTED] Amtrak [REDACTED] [REDACTED] advised the OIG that apparently, the matter was forwarded to the appropriate departments for handling; however, the ball was dropped on the specific follow up regarding [REDACTED] and the company failed to charge him prior to the restricted time limits.

The OIG will close this matter with no further investigation or action.

Prepared by: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations, Western Area Field Office
Los Angeles, California

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Date: April 20, 2021

Case Number: CC-21-0039-O

Subject: NCC – National Communications Command Center

Case Closing: This case was opened to investigate numerous phone calls being made to the NCC - National Communications Command Center, that would occupy the phone lines of the call center. Through the investigation vulnerabilities were located within the telephonic system. One specific vulnerability was a [REDACTED]

[REDACTED] This vulnerability was fixed during this investigation and over time the phone calls ceased.

Amtrak OIG issued a Management Information Report dated February 18, 2021.

[REDACTED] responded with a Management Response dated April 12, 2021. In the response, [REDACTED] indicates that security reviews of the telecommunications servers has been completed, the disabling of [REDACTED] has been completed and lastly working with the IT Security Operations Center to implement licensed application to [REDACTED] [REDACTED] is in progress and expected to be completed by May 30, 2021.

This investigation is closed.

Attachments:

Prepared By: Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
Washington, D.C.

DISTR: File

~~CONFIDENTIAL~~
~~INFORMATION:~~

~~LAW ENFORCEMENT~~
~~SENSITIVE~~

WARNING

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your organization/agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving organization/agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Office of Investigations

Date: February 26, 2021

Case Number: CC-21-0086-S

Subject: [REDACTED]
Washington, DC

Case Closing: On November 18, 2020, Amtrak's IT Security Operations Center (SOC) advised members of the Amtrak Office of Inspector General (OIG), Digital Investigations Unit (DIU), of an IT security incident whereby [REDACTED] [REDACTED] IT, Amtrak, was repeatedly viewing pornographic websites with his Amtrak computer.

On December 3, 2020, Special Agent [REDACTED], Amtrak Office of Inspector General (OIG), Digital Investigations Unit (DIU), Washington, DC, [REDACTED] [REDACTED]. On several occasions SA [REDACTED] observed the user [REDACTED] watching pornographic videos online.

[REDACTED] admitted watching adult pornographic videos up to five times a week late at night on his company-owned computer. [REDACTED] told us he would download the videos from the websites, store them on a personal USB drive, and delete the videos when he finished his viewing. [REDACTED] stated that he started visiting these sites shortly after the company moved to telework due to the COVID-19 pandemic. [REDACTED]

[REDACTED] [REDACTED] said he understood how his actions online could impact the company by making him a target for malware and viruses and said that he would not access these sites again. [REDACTED] told us the USB drive where he stored the videos contains only personal information and nothing related to Amtrak. He also admitted to having a personal Microsoft OneDrive account connected to his company-owned computer but stated that it has not synced since January 2020, when the company began blocking access to personal cloud-based accounts.⁶ [REDACTED] cooperated with our agents and shared his screen with us, allowing us to view the folders stored on his company-owned computer. We saw that he also had a Dropbox cloud storage account synced with his computer, and he shared its contents with us. We observed a KeePass7 file called "Mechanical IT,"

CLASSIFICATION:

~~FOR OFFICIAL USE ONLY~~

WARNING

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

which [REDACTED] told us the Mechanical department shared with him when he worked with IT years ago. As of the writing of this report, we cannot confirm whether this file still exists on [REDACTED] Dropbox cloud server. [REDACTED] also acknowledged that he installed the computer cleaning software, CCleaner, on his company-owned computer but said that he did so for testing purposes as part of his work duties. He did not admit to using the application to clear his web history.

On February 5, 2021 [REDACTED] was terminated from Amtak. This investigation is closed.

Prepared by: Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
10 G St., NE
Washington, DC 20002

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Case Number: CC-21-0288-P

Date: December 22, 2021

Subject: Proactive – Computer Misuse and Related Criminal Activities

Case Closing: On April 26, Amtrak Office of Inspector General, Digital Investigations Unit opened a proactive case to utilize newly acquired access to Amtrak's Security Operations Center (SOC) security tools to efficiently identify and evaluate potential violations of Amtrak computer use policies and fraudulent activities.

The RA identified through reviews of network log potential violations and misconfigurations. Violations from malicious websites was identified and checked with Microsoft's 365 portal and verified that the traffic was blocked. On June 24, the RA identified [REDACTED] Amtrak's cyber team was alerted and able to verify [REDACTED]

From meetings with Amtrak's SOC they have informed DIU that they are making changes to the infrastructure by [REDACTED]

[REDACTED] No further investigative action required at this time. Case will be reviewed for closing by Amtrak OIG Special Agent in Charge, [REDACTED]

Prepared by: Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
10 G St., NE
Washington, DC 20002

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Office of Investigations

Case Number: CC-21-0551-S**Date:** October 7, 2022**Subject:** Food and Beverage Server Ransomware

Case Closing: On September 3, 2021, [REDACTED] Amtrak, contacted Special Agent in Charge, [REDACTED], Amtrak Office of Inspector General, regarding a successful ransomware compromise of a non-production Food and Beverage server located in an Amtrak contractor's Microsoft Azure environment. The investigation revealed that [REDACTED], Contractor, Accenture Federal Services, set up the cloud server in support of the Food and Beverage server project in a manner that was out of compliance with the Amtrak IT security protocols. The cloud server installation, conducted without coordination with Amtrak IT.

This investigation was coordinated with SA [REDACTED] FBI, who after discussing the attack with him stated he has an ongoing case targeting the same threat actors using what is known as the [REDACTED]. SA [REDACTED] agreed to include Amtrak's incident in his investigation, and he participated in the interview of [REDACTED] who was terminated from Accenture following this incident. The interview revealed a timeline of how the compromise occurred and identified that he connected his compromised personal laptop to the Amtrak Food and Beverage server.

Reporting Agent (RA), in coordination with Accenture Federal Services, acquired a copy of [REDACTED] personal laptop for analysis. The system, analyzed by RA and the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (DHS CISA) revealed that on September 1, 2021, [REDACTED] personal computer was compromised from coordinated attacks from two IP addresses, [REDACTED]. According to CISA, both IP addresses have been historically known for automated attacks on other networks in community threat reporting. After gaining access to [REDACTED] system, the threat actor conducted reconnaissance and enumeration on the network, dumped credentials, and later began encrypting drives (both physical and cloud). It also confirmed that the compromise of the cloud server occurred after [REDACTED] connected to the server with his compromised personal laptop, another violation of Amtrak security policies. The IP's of the attacking computers researched by Amtrak IT security, revealed they had not threatened the Amtrak network but were blocked from any future attacks against Amtrak.

CLASSIFICATION:**~~FOR OFFICIAL USE ONLY~~****WARNING**

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

The complete CISA forensics report was provided to Amtrak IT Security for their review. This investigation is closed.

Prepared by: Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
10 G St., NE
Washington, DC 20002

DISTR: File

~~**CLASSIFICATION:**~~

~~**FOR OFFICIAL USE ONLY**~~

~~**WARNING**~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Date: December 8, 2022

Case Number: DC-21-0486-S

Case Classification: Contract and Procurement/Conflict of Interest

Subject: [REDACTED] et al
Collage Companies

Case Closing – In June 2021, Amtrak OIG received a referral of possible conflict of interest and or collusion with vendor; small, disadvantaged business certification contract fraud. An Amtrak procurement official received and then referred allegations related to Amtrak contracts with the Collage Companies (Collage), Lake Mary, FL. Collage, the prime contractor, allegedly used the Disadvantaged Business Enterprise (DBE) certification of V&R, a woman/minority owned business, to obtain Amtrak contracts as required during the bid process. After winning the contracts, Collage allegedly cut V&R from the project and refused to pay V&R and other subcontractors for work done on the project. V&R's owner alleged that Collage colluded with Amtrak's contracting agent, [REDACTED], stationed in [REDACTED].

On June 10, 2021, Amtrak OIG and Amtrak Manager of [REDACTED] [REDACTED] tried to do an interview with the complainant, [REDACTED] of V&R, however, she did not want to do a detailed interview.

On November 8, 2021, SSA [REDACTED] learned that the complainant [REDACTED] had been the subject of a criminal investigation by DCIS.

In December 2021, SSA [REDACTED] conducted numerous site visits and met with Amtrak Tampa Station employees regarding the work conducted by the Collage. SSA [REDACTED] also reviewed contract documents at the station and there were no indications of fraud. There were minor concerns about deficiencies in the planning of the station construction.

~~CONFIDENTIAL~~
~~INFORMATION:~~

~~LAW ENFORCEMENT~~
~~SENSITIVE~~

WARNING

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your organization/agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving organization/agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

On January 3, 2022, SSA [REDACTED] followed up with DCIS who revealed that [REDACTED] had been a subject in a fraud case and been investigated by the U.S. Attorney's Office in Orlando, FL. [REDACTED] also came up in [REDACTED] as having obtained a vehicle by fraud.

SSA [REDACTED] did an extensive email and document review regarding [REDACTED] and found nothing that indicated that the Amtrak employee colluded with the Collage. The Collage appears to be a company in good standing with contracts with the State of Florida.

Based on the prior fraud history of the complainant and her unwillingness to cooperate with an interview or provided detailed information concerning her allegation, this case is closed. No further action needed by the OIG.

This investigation is closed.

Prepared By: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
Washington, D.C.

DISTR: File



Office of Investigations

Date: November 1, 2021

Case Number: FL-20-0573-S

Case Classification: Major Misconduct and General Crimes

Subject(s): [REDACTED]

Case Closing 302:

On August 21, 2020, the Human Resource Department's Employee Service Center notified our office of a complaint it received alleging that [REDACTED] submitted false Family Medical Leave Act (FMLA) medical records relating to her spouse and failed to report her criminal arrests.

We conducted a preliminary criminal records search and corroborated that [REDACTED] was arrested in April 2019 while employed with the company. After assessing the complaint and relevant company policies, we opened an investigation to determine whether [REDACTED] violated any criminal statutes or company policies and, more specifically, whether she disclosed her arrest, as company policy requires.

The Results of the Investigation

We found that [REDACTED] violated company policies by failing to report her April 19, 2019 drug-related arrest, as required by company policy.¹ During her interview, [REDACTED] acknowledged her arrest and admitted that she failed to report it to the company. The allegation that [REDACTED] submitted false FMLA medical records was unfounded.

¹ According to the company's Drug and Alcohol-Free Workplace Program Policy, "Employees who are arrested, noticed for arraignment or otherwise detained by law enforcement due to a drug or alcohol offense are required to notify Amtrak of such arrest, notice, or detention by calling the Amtrak Helpline at (866) 908-7231 as soon as possible. If notification is impractical or impossible due to detention, incarceration or hospitalization, the employee must report within 48 hours of being released from detention, incarceration or from a healthcare facility."

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

█████ arrest. We reviewed █████ arrest record and subsequent court case disposition, and found that, on April 19, 2019, the █████ Police Department in █████ arrested █████ and charged her with Possession of Marijuana, Drug Paraphernalia, and Simple Battery – Domestic Violence. According to the police report, police responded to a report of a disturbance at a residential address in █████ and encountered █████ who was intoxicated and injured. █████ attributed her injuries to an altercation with a household member. In addition, a pipe and plastic bag containing 1.3 grams of marijuana were in plain view on the countertop of the residence. █████ told police officers that the pipe and bag of █████ belonged to her.

Certified records from the City of █████ Clerk of Courts disclosed that, on October 10, 2019, the criminal charges were dismissed after █████ completed a drug diversion program.

Interview of █████. On March 10, 2021, we interviewed █████, a Crew Base Manager in █████, who is █████ direct supervisor. █████ stated that █████ did not report her arrest. She said that █████ marked off on April 20, 2019 and returned to work on April 21, 2019.

Interview of █████ On March 11, 2021, we interviewed █████ who was cooperative and confirmed that she was arrested at her house on April 19, 2019, on the three charges described above. █████ told us she did not report her arrest to the company because she was embarrassed. We asked her if she knew she was required to report drug and alcohol-related arrests to the company, and she told us she did not. █████ stated that, following her arrest, she attended several days of drug rehabilitation sessions at an out-patient clinic and consequently had all charges dismissed.

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Administrative Hearing

On October 22, 2021, an administrative hearing was held in [REDACTED] absence. Furthermore, On October 27, 2021, based on the aforementioned administration hearing, Hearing Officer [REDACTED], concluded that based on the testimony and the hearing record as a whole, the charges against [REDACTED] were proven.

Notice of Discipline/Termination

On October 29, 2021, [REDACTED] issued/mailed [REDACTED] a letter of dismissal stating the following:

Based on findings of the Hearing Officer you are assessed with the following discipline:

Dismissal in all capacities effective immediately. Please return all Amtrak property in your possession, including your Rail Travel Privilege card to [REDACTED] Crew Base, Attn: [REDACTED] immediately.

Based on the aforementioned, , no further investigation is warranted, and it is recommended that the case be closed.

Prepared by: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General – Office of Investigations
Central Region – Miami, Florida Field Office

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Office of Investigations

Date: March 21, 2022**Case Number:** HQ-21-0037-O**Case Classification:** Major Misconduct – Non Criminal Complaint**Subject:** CSX Transportation
Jacksonville, FL

Case Closing Report: On October 7, 2020, the Amtrak Office of Inspector General (OIG) received information that a September 8, 2020 e-mail from CSX [REDACTED] [REDACTED] was sent to CSX dispatchers and operations managers that instructed them to give “TOP PRIORITY” to CSX trains carrying United Parcel Service (UPS) packages—at the expense of Amtrak’s trains.

The reporting agent (RA), Special Agent-in-Charge, [REDACTED], and Associate Counsel, [REDACTED], (collectively, the “investigative team”) interviewed several Amtrak and CSX officials and reviewed relevant Amtrak records. Beginning in May 2021, the investigative team made the determination to request additional information and interviews from CSX to continue fully investigating this matter. The Office of Counsel reached out to the United States Department of Justice, Civil Division, in Washington, DC and then later to the United States Attorney’s Office (USAO) for the Middle District of Florida to request assistance in resolving a request for information made to CSX.

On August 2, 2021, the investigative team sent CSX a written request for documents to aid the investigation. In September 2021, the investigative team received CSX’s production of records—nearly 100 documents—however, the team found nothing of relevance. On September 30, 2021, with the assistance of the USAO, the investigative team issued a secondary, and more focused, request for records and documents, which yielded nearly 1,300 new records that spanned more than 37,000 pages of records. After further review, the investigative team found that there was no evidence that [REDACTED] acted in concert with any other CSX employee or official when he sent the September 8 e-mail and did so of his own volition. Further, the investigative team’s review yielded

~~CLASSIFICATION:~~**~~FOR OFFICIAL USE ONLY~~****~~WARNING~~**

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

no evidence that [REDACTED] was disciplined thereafter nor that there were any additional communications regarding or related to his e-mail or Amtrak's right to preference.

At the conclusion of the CSX interviews and, after review of CSX records and documents, the investigative team found that the e-mail sent by [REDACTED] was inconsistent and in contradiction of what the law provides under the statute regarding Amtrak's statutory right of preference over freight transportation. However, the investigative team was unable to substantiate nor find direct evidence that CSX dispatchers and operations managers took any actions based on the e-mail sent on September 8, 2020, by [REDACTED]. In addition, the investigative team was unable to substantiate nor find any direct evidence that the September 8, 2020, email, authored by [REDACTED] had an impact to Amtrak's on-time performance.

As a result, after coordination with the Office of Counsel and the USAO, the investigative team concluded this investigation.

Prepared By: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
10 G Street, NE
Washington, DC 20002

Date: April 14, 2021**Case Number:** HQ-21-0147-HL-S**Subject:** [REDACTED]
Washington, DC, 20002

Case Closing: This investigation was initiated based on information received on January 15, 2021, from Amtrak's ETHICSPOINT. An anonymous caller alleged that [REDACTED] had a prior relationship with Plusgrade, Montreal, Quebec, a company seeking to conduct business with Amtrak through a marketing agreement. The complainant alleged that [REDACTED] showed favoritism due to a personal relationship even though Plusgrade was the best company selected

The investigation disclosed on May 29, 2020, Amtrak and Plusgrade entered into a Revenue Sharing agreement regarding the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A review of [REDACTED] emails disclosed that [REDACTED] had a personal relationship with [REDACTED] Plusgrade. [REDACTED] signed the revenue sharing agreement with Amtrak on behalf of Plusgrade. The emails disclosed that [REDACTED] and his partner attended [REDACTED] wedding on or about September 28, 2019. In addition, based on a Google Invite, it appeared that [REDACTED] and [REDACTED] husband were invited to spend the weekend at [REDACTED] residence on February 29, 2020.

On March 30, 2021, the OIG interviewed [REDACTED] who admitted that he has a close personal relationship with [REDACTED] that included overnight stays at each other's residence. [REDACTED] said he was aware of an apparent conflict of interest and did not involve himself in the procurement process at all. [REDACTED] said he did not receive any gratuities from Plusgrade or [REDACTED] and he did not have any financial interest in Plusgrade. [REDACTED]

~~CLASSIFICATION:~~**~~FOR OFFICIAL USE ONLY~~****~~WARNING~~**

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

knew Plusgarde and [REDACTED] from their work at [REDACTED] and he believed their services would be beneficial to Amtrak.

On April 7, 2021, the OIG briefed [REDACTED]
[REDACTED] Law Department and [REDACTED], Law
General Litigation on the outcome of the investigation. The OIG was closing the investigation based on no apparent policy violation and no report would be issued.

Based on the above information this case is closed.

Prepared by: Senior Special Agent [REDACTED]
Amtrak Office of the Inspector General
Headquarters Office of Investigation
Washington, DC

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Date: April 14, 2021**Case Number:** HQ-21-0147-HL-S**Subject:** [REDACTED]
Washington, DC, 20002

Case Closing: This investigation was initiated based on information received on January 15, 2021, from Amtrak's ETHICSPOINT. An anonymous caller alleged that [REDACTED] had a prior relationship with Plusgrade, Montreal, Quebec, a company seeking to conduct business with Amtrak through a marketing agreement. The complainant alleged that [REDACTED] showed favoritism due to a personal relationship even though Plusgrade was the best company selected

The investigation disclosed on May 29, 2020, Amtrak and Plusgrade entered into a Revenue Sharing agreement regarding the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A review of [REDACTED] emails disclosed that [REDACTED] had a personal relationship with [REDACTED] Plusgrade. [REDACTED] signed the revenue sharing agreement with Amtrak on behalf of Plusgrade. The emails disclosed that [REDACTED] and his partner attended [REDACTED] wedding on or about September 28, 2019. In addition, based on a Google Invite, it appeared that [REDACTED] and [REDACTED] husband were invited to spend the weekend at [REDACTED] residence on February 29, 2020.

On March 30, 2021, the OIG interviewed [REDACTED] who admitted that he has a close personal relationship with [REDACTED] that included overnight stays at each other's residence. [REDACTED] said he was aware of an apparent conflict of interest and did not involve himself in the procurement process at all. [REDACTED] said he did not receive any gratuities from Plusgrade or [REDACTED] and he did not have any financial interest in Plusgrade. [REDACTED]

~~CLASSIFICATION:~~**~~FOR OFFICIAL USE ONLY~~****~~WARNING~~**

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

knew Plusgarde and [REDACTED] from their work at [REDACTED] and he believed their services would be beneficial to Amtrak.

On April 7, 2021, the OIG briefed [REDACTED]
[REDACTED] Law Department and [REDACTED], Law
General Litigation on the outcome of the investigation. The OIG was closing the investigation based on no apparent policy violation and no report would be issued.

Based on the above information this case is closed.

Prepared by: Senior Special Agent [REDACTED]
Amtrak Office of the Inspector General
Headquarters Office of Investigation
Washington, DC

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Major Misconduct and General Crimes

Case Number: HQ-21-02590

October 26, 2021

Subject: Ham, Christopher
Yard Conductor, Washington, DC

Case Closure: Christopher Ham (Ham), Yard Conductor, Washington, DC, was arrested on April 6, 2021 by the Federal Bureau of Investigation (FBI), and Washington, DC, Metropolitan Police Department (MPD, Child Exploitation and Human Trafficking Task Force (CEHTTF), on a U. S. District Court arrest warrant. Ham was charged with Travel with Intent to Engage in Illicit Sexual Conduct (18 U.S.C. 2423(b), and First Degree Child Sexual Abuse with Aggravating Circumstances (22 DC 3008).

On April 29, 2021, Ham was involuntarily separated from employment at Amtrak with a notation that he is not eligible for rehire. Ham's preliminary hearing was moved from June 28, 2021 to August 16, 2021, then to September 29, 2021, then to November 3, 2021. Due to the extended continuation of Ham's preliminary hearing date the recommendation is made to close this investigation.

Prepared By: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations, Headquarters
Washington, DC

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Office of Investigations

Case Number: HQ-22-0236-HL-S

Date: June 14, 2022

Subject: [REDACTED], et. al.

Case Closing: On November 15, 2021, OIG case number HQ-22-0099-HL was opened regarding Hotline Submission 1290, an anonymous complaint that alleged nepotism, unfair/unequal treatment, conflicts of interest, and other potential policy violations benefitting Amtrak Police Department (APD) [REDACTED] because of her romantic relationship and marriage to APD [REDACTED]. On December 3, 2021, that case was closed following an OIG interview of APD [REDACTED] during which he addressed the allegations and provided reports issued by APD Inspection and Internal Affairs from their inquiries into allegations made against [REDACTED] since her Entry on Duty (EOD) in 2009. Those inquiries resulted in unsubstantiated findings regarding the Hotline allegations.

The current investigation (HQ-22-0236-HL-S) was initiated based on information received on January 24, 2022, from [REDACTED] Amtrak Human Resources (HR) Investigations, regarding an anonymous complaint that APD [REDACTED] was promoted to [REDACTED] over more qualified candidates because of her marriage to [REDACTED]. An administrative investigation was opened to determine whether violations of Amtrak policies had occurred, including Amtrak Policy 7.6.5, Employment of Relatives.¹

During the course of the investigation, the OIG interviewed the following Amtrak employees who had direct involvement in the events that led to the selection and promotion of [REDACTED] to [REDACTED].²

¹ Under the company's Employment of Relatives policy (7.6.5.) an employee may not (1) participate in the selection or placement of a relative, (2) directly supervise a relative, or (3) indirectly supervise a relative when potential conflict cannot be adequately mitigated (for example, involvement in decisions or transactions of a relative).

² [REDACTED] applied for two job openings in [REDACTED] and [REDACTED]. She was not selected for the [REDACTED].

CLASSIFICATION:

FOR OFFICIAL USE ONLY

WARNING

This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

The OIG additionally obtained copies of social media postings from HR Investigations, which included photographs of the [REDACTED] and [REDACTED] and his wife, [REDACTED] on personal travel together in [REDACTED] and [REDACTED]. The postings had been captured from [REDACTED] Facebook profile. The OIG learned, through interviews of [REDACTED] and [REDACTED], that the couples also traveled together to [REDACTED] and [REDACTED].

All of the trips (except to [REDACTED]) took place in 2019 and 2020, before the [REDACTED] job was posted in June 2021. The trip to [REDACTED] took place over four days from November 11-14, 2021. This was shortly before [REDACTED] second interview for [REDACTED] on November 16, 2021, and the panel selection on November 17, 2021. [REDACTED] stated, during his OIG interview, that he never coached [REDACTED] or otherwise discussed the [REDACTED] position with her either during or outside of work, other than to encourage her to apply for the position as he did with other APD [REDACTED] when the vacancy was first posted. [REDACTED] told us he did this because he believed she was a good supervisor and because, "...it's part of the [REDACTED] job to encourage people to apply for positions." Further, [REDACTED] stated, during

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

his OIG interview, that when his wife first told him she was applying for the position, he advised [REDACTED] and [REDACTED]. According to [REDACTED], that was the last time he discussed the captain position until after she was selected for the promotion and before she was notified. [REDACTED] said that it was only then that [REDACTED] approached him to discuss how the department's organizational structure needed to change with her promotion. While the [REDACTED] would have provided an opportunity for [REDACTED] or [REDACTED] to coach [REDACTED] before her second interview, no such coaching or discussion of the [REDACTED] position happened based on representations made by [REDACTED] and [REDACTED] to the OIG, and no evidence was found to contradict their assertions.

The OIG searched for and examined social media accounts owned by the [REDACTED] [REDACTED] and [REDACTED] in March 2022. The search did not produce any content relevant to the investigation and no photographs of the [REDACTED] [REDACTED] and [REDACTED] together were observed in [REDACTED] public-facing Facebook posts, including the previously captured travel photographs.

The OIG also obtained relevant company emails regarding the patrol captain position and its selection process. The emails covered the job authorizations, announcements, ethics consultations, applicant packages, interviews, panel assessments, and final candidate recommendation and selection. Among other things, the OIG reviewed emails detailing the minimum qualifications for the patrol captain position to determine if they had been modified to accommodate or benefit [REDACTED], and to assess whether she met the qualifications. When HR initially posted the two positions (i.e., [REDACTED] and [REDACTED]) the requirements from the associated PDs were inadvertently swapped between the two positions. As a result, HR had to correct the vacancy postings to ensure the correct PDs were accurately associated with the appropriate vacancy posting. However, when we compared the final minimum qualifications in the June 2021 [REDACTED] internal posting to those approved for the position in March 2019, we found that they were the same.

One of the minimum qualifications for the [REDACTED] position was a formal education or equivalent work-related experience, as follows.

"Bachelor's degree from an accredited college or university with coursework in criminal justice, police science, public or business administration, business or information technology, and/or other related field, or equivalent work-related experience."

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Our review of [REDACTED] resume showed that she had not obtained a bachelor's degree, however, she had extensive work-related experience—including 17 years as a sworn law enforcement officer, and 12 years with APD. Her tenure at APD included positions as a [REDACTED] and [REDACTED]

During his OIG interview, [REDACTED], who led the selection panel, credited [REDACTED] wide-ranging APD experience in various positions and under different commands as strengths. He stated that, most importantly, she was administratively strong, and had special skills in systems, policy, and organization. In summary, our thorough review of the company emails did not reveal or disclose any evidence of a policy violation or actual preferential treatment given towards [REDACTED].

Finally, the OIG identified steps that were taken by company employees to remove or mitigate the risks of nepotism, preferential treatment, and conflicts of interest, or the appearance thereof, in the selection of a patrol captain. Those steps included the following:

- [REDACTED] contacted HR [REDACTED] and asked him to provide oversight of the interview process for applicants for a [REDACTED] position that [REDACTED] had applied for and that was under the supervision of [REDACTED]. This prompted [REDACTED] to seek guidance from the Ethics Office.
- Ethics Officer and [REDACTED], in consultation with [REDACTED] recommended that (i) [REDACTED] and [REDACTED] be removed from the interview and selection process; (ii) the panel include members outside of [REDACTED] chain of command and at least one member from HR;³ (iii) the same panel members conduct a second round of interviews using a different set of questions; (v) the panel reach a consensus on

³ The panel was comprised of [REDACTED] who reports to APD [REDACTED], APD [REDACTED], from Internal Affairs in Chicago, IL, and [REDACTED] who reports to HR [REDACTED].

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

its final selection; and (vi) the [REDACTED] position to be reorganized within APD so as not to report to [REDACTED] (if [REDACTED] was selected).⁴

- [REDACTED] reported the potential conflict of interest to his direct superior, [REDACTED]. [REDACTED] stated during his OIG interview that he told [REDACTED] “...obviously, [REDACTED] cannot be part of that hiring decision and we need to look at...any conflict with company policy,...but beyond that I also recommended strongly that [REDACTED] not be a part of that selection decision either, and he agreed with that.” We confirmed that [REDACTED] guidance was followed.⁵
- [REDACTED] was not involved in the hiring process other than he developed questions for the second interviews with [REDACTED]. He had no role in candidate screenings, interviews, assessments, panel deliberations, or selection. [REDACTED] did not discuss the position or hiring process with [REDACTED]. He did not share his candidate preferences or opinions with others, and he accepted the panel’s unanimous recommendation and selection as final.
- [REDACTED] was not involved in the hiring process. Further, [REDACTED] avoided discussing the topic altogether, including with [REDACTED] and [REDACTED], and did not share his candidate preferences or opinions with others.
- [REDACTED] became aware of the Facebook posts of the [REDACTED] and [REDACTED] traveling together from an APD employee arbitration case and promptly counseled [REDACTED]. [REDACTED] told the OIG, “Again, I asked for guidance from HR...on what conversations I should have. And, I had that conversation with [REDACTED] around advising against those kinds of postings and anything that drew attention to that relationship. It’s, you know, certainly wasn’t illegal or

⁴ The witnesses that we interviewed confirmed that the ethics guidance provided by [REDACTED] was followed, without exception. In addition, we corroborated this during our comprehensive review of company emails which were exchanged during this period.

⁵ Similarly, our review of company email messages exchanged during this period confirmed that [REDACTED] involvement was limited to making appropriate notifications to the Ethics Officer and leadership of the potential conflict of interest. Further, [REDACTED] did not participate in the review of applicant packages, interviews, panel assessments, or the final candidate selection. Finally, we also confirmed that [REDACTED] was also not a party to the abovementioned hiring and selection process.

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

even against company policy, but that it was just...in my mind was poor judgment to the extent he and [REDACTED] could sort of control that.”⁶ [REDACTED] told the OIG that he is now more cognizant of how his personal friendships with members of the staff can appear or be perceived by others..

- [REDACTED] and [REDACTED] conferred again once the selection had been made by the panel and before it was announced publicly. [REDACTED] explained, “And we went back and rechecked with HR and legal to make sure that we didn't miss anything,” *[sic]* and they said, “Yes, you did everything fine.” He added, “So yeah, from from the very beginning that we knew that [REDACTED] was going to be a candidate. HR and legal were our partners in that.” *[sic]*

Based on the evidence and information collected, we found that [REDACTED] and others recognized the potential for conflicts of interest ahead of the consideration of [REDACTED] for the [REDACTED] position and provided timely notification to appropriate personnel in the HR and Law Departments – as required by paragraph 5.1 of Amtrak Policy 7.6.5, Employment of Relatives. Guidance intended to prevent or mitigate nepotism, unfairness, or conflicts of interest, or the appearance thereof, was sought from and provided by the Ethics Officer and others in managerial and leadership positions. This guidance most importantly included removing [REDACTED] and [REDACTED] from the interview and selection process; constituting an interview and selection panel of members who did not report to [REDACTED] with at least one member from HR; requiring the panel to make a consensus final recommendation and selection; and reorganizing the patrol captain position so as not to fall under the command of [REDACTED] (if [REDACTED] was selected). We found that this guidance was followed and did not substantiate any violations of company policies.

The investigation is closed.

Prepared by: Senior Special Agent [REDACTED]
Amtrak Office of Inspector General
Office of Investigations
10 G St., NE
Washington, DC 20002

⁶ The postings were made to [REDACTED] Facebook, and not to accounts held by the [REDACTED] or [REDACTED]

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

DISTR: File

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~



Date: November 2, 2021

Case Number: IL-20-0152-O

Subject: [REDACTED] et al
Transportation
Chicago, IL

Investigative Activity: Case Closing

In January 2020, we received a complaint alleging, that [REDACTED] [REDACTED] Transportation, had covered up, falsified, or misled the company about [REDACTED] employees' operating rules violations. In particular, the complaint alleged that [REDACTED] covered up at least three violations committed by [REDACTED] a Train Director at the [REDACTED] with whom the complainant alleged [REDACTED] had a prior working relationship and friendship. The three violations were all potential violations of an Operating Rule or Special Instruction and fall within the 22 categories of major violations listed on Amtrak's Form 7000.

The complainant further alleged that the violations went unreported for myriad of reasons, including financial incentives tied to management's safety goals, threats by management to move the [REDACTED] to Boston, and because [REDACTED] management was incompetent and did not coordinate with the System Operating Practices Department (Operating Practices department).

Our investigation did not substantiate the allegations that [REDACTED] knowingly or intentionally covered up any operating rules violations. Nonetheless, we determined that at least one or more of the three incidents involving [REDACTED] were likely violations, and that [REDACTED] personnel reported them only internally to [REDACTED] managers who did not share them with the Operating Practices department to determine whether a violation had occurred, as had been the previous practice but not a requirement.

Specifically, we requested that the Operating Practices department provide us all the major operating rules violations reported from January 1, 2019 to January 14, 2020. The

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Operating Practices department had information about only one Major Operating Rule Violation (MORV) during this period—a May 13, 2019 violation by [REDACTED] that was not among the three [REDACTED] allegedly covered up. We then requested the same information from [REDACTED] management, which provided nine memoranda summarizing close calls and other incidents for various [REDACTED] employees, including one of the three referenced incidents attributed to [REDACTED] the November 2, 2019 incident—and two additional incidents attributed to [REDACTED]

We learned the incidents in question were potentially protected under the company's Confidential Close Call Reporting System (C³RS) Implementing Memorandum of Understanding (IMOU), but we found that the [REDACTED] reporting protocols related to close calls and major operating rules violations were vague and confusing, that employees did not consistently understand them, and that they were not in line with the expectations of the Operating Practices department and the Voluntary Safety Reporting Program. [REDACTED] personnel were uncertain about C³RS reporting procedures, what role the department had in these incidents, and whether this information needed to be reported or coordinated with the Operating Practices department. This confusion may contribute to company personnel committing violations and not correctly or properly reporting them, which, in turn, limits the company's ability to address and improve safety practices in a timely manner.

We found that employees were uncertain how to interpret the rules governing MORVs and the associated reporting requirements. We interviewed several [REDACTED] employees, including managers of train operation and train directors, who had varying degrees of understanding of whether these incidents constituted a MORV or qualified as a C³RS/IMOU protected event. Everyone we interviewed generally agreed that while the incidents were likely MORVs, if the incidents were reported under C³RS, the respective employees would be protected from discipline. [REDACTED] personnel were uncertain, however, whether certain events constituted a reportable operating rules violation, or an operating rules violation otherwise protected by C³RS. Employees were also uncertain or had varying interpretations about the time limit to file a Confidential Close Call Report and what constituted an “immediate work group” and “real-time observations” for reporting purposes.

Based on our observations during this limited investigation and review of [REDACTED] incidents, it was determined by OIG management that this matter would be referred to

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

the Office of Audit for consideration of a full-scale audit. On October 8, 2021, the Office of Investigations met with the Office of Audit to share the weaknesses and inconsistent practices and interpretations identified among [REDACTED] employees' understanding of the C³RS/IMOU provisions and the company's reporting requirements for MORVS may impact safety at the [REDACTED]. The RA previously spoke with GAO auditor, [REDACTED], regarding an audit GAO was conducting of voluntary reporting and C³RS/IMOU across the transportation industry, which included Amtrak. The Office of Audit agreed to coordinate any further activity with GAO about GAO's request for additional information about the OIG's limited review of Amtrak's voluntary reporting and C³RS/IMOU.

This case will be closed with no further action at this time.

Prepared by: Special Agent [REDACTED]

Amtrak Office of Inspector General

Office of Investigations

Chicago, Illinois

Distribution: CFO; HQ

~~CLASSIFICATION:~~

~~FOR OFFICIAL USE ONLY~~

~~WARNING~~

~~This document is the property of the Amtrak Office of Inspector General and is on loan to your agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving agency without the specific prior authorization of the Assistant Inspector General for Investigations.~~

Date: March 30, 2021

Case Number: PA-17-0284-O

Case Classification: Major Misconduct and General Crimes

Subject: [REDACTED]
Prior Amtrak [REDACTED]
New York, NY

Case Closing report:

On Sunday, April 3, 2016, Amtrak Train 89 struck an Amtrak maintenance of way backhoe near Chester, PA, located on railroad tracks within Amtrak's Northeast Corridor. As a result of the collision, post-accident drug testing was completed on all associated employees, including the train crew. The post-accident drug testing of [REDACTED] detected marijuana in his urine and blood.

The reporting agent (agent) obtained key documentation from Amtrak and the NTSB concerning the accident facts, subpoenaed records and interviewed witnesses.

During the agent's investigative work, the following facts were developed:

- On January 26, 2017, the National Transportation Safety Board (NTSB) issued a Medical Factual Report concerning the collision between Train 89 and a maintenance of way (MOW) backhoe that occurred on April 3, 2016. The report outlined the results of the investigation NTSB conducted to evaluate the locomotive engineer and the MOW employees for any medical conditions, use of medications/illicit drugs and presence of toxins. The post-accident drug testing of [REDACTED] detected marijuana in his urine and blood.
- After the accident, [REDACTED] was transported to Crozier Chester Hospital for medical treatment. A hospital urine drug screen collected April 3, 2016 was positive for cannabinoids, which indicates the use of marijuana. The FRA post-accident toxicology collected on April 3, 2016 via blood and urine. [REDACTED] test results indicated that his blood contained 2.2 ng/ml of marijuana parent – Tetrahydrocannabinol and 16.1 ng/ml

~~CONFIDENTIAL~~

~~INFORMATION:~~

~~LAW ENFORCEMENT~~

~~SENSITIVE~~

WARNING

This document is the property of the Amtrak Office of Inspector General and is on loan to your organization/agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving organization/agency without the specific prior authorization of the Assistant Inspector General for Investigations.

of marijuana metabolite – Carboxy-tetrahydrocannabinol. [REDACTED] urine results showed 48.6 ng/ml of marijuana metabolite – Carboxy-tetrahydrocannabinol.

- On September 15, 2016, [REDACTED] attended an administrative hearing concerning charges that he failed to comply with Amtrak's Drug and Alcohol Free Workplace Policy. During the proceedings [REDACTED] did not dispute the positive test result of marijuana. He stated that he had made a mistake two weeks prior to the accident and that it in no way affected his performance on the date of the accident. The charges were deemed proven and [REDACTED] was terminated in all capacity, effective September 23, 2016.

- On May 1, 2017, Department of Transportation (DOT), Office of Inspector General (OIG) Special Agent [REDACTED] and reporting agent presented the [REDACTED] case to the United States Attorney's Office for criminal prosecution of federal violation 18 U.S.C. § 342 Operation of a common carrier under the influence of alcohol or drugs.

- On May 17, 2017, the FRA issued [REDACTED] the final Order of Disqualification. [REDACTED] was disqualified from working as an [REDACTED] or any safety sensitive functions for one and a half years for violating 49 C.F.R. § 219.102. The disqualification period started on April 6, 2016 and will end on October 6, 2017.

- On March 22, 2021, AUSA [REDACTED] advised that **the** office decided not to move forward with an Indictment on this case. While all decision makers agreed that while the case was important, there were just too many hurdles to establishing guilt beyond a reasonable doubt. [REDACTED]

[REDACTED] This sets up the classic battle of the experts and a direct path to reasonable doubt even without considerations of the other factors.

Based on the decision of the United States Attorney's Office, Philadelphia, PA, no further attention is warranted, and it is recommended that this case be closed.

~~CONFIDENTIAL
INFORMATION:~~

~~LAW ENFORCEMENT
SENSITIVE~~

WARNING

This document is the property of the Amtrak Office of Inspector General and is on loan to your organization/agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving organization/agency without the specific prior authorization of the Assistant Inspector General for Investigations.

Prepared by: Special Agent [REDACTED]
Amtrak Office of the Inspector General
Office of Investigation
Philadelphia, PA.

DISTR: File

~~CONFIDENTIAL~~
INFORMATION:

LAW ENFORCEMENT
SENSITIVE

WARNING

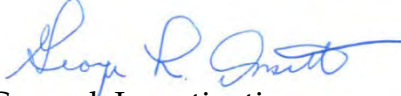
This document is the property of the Amtrak Office of Inspector General and is on loan to your organization/agency. Contents may not be disclosed to any party under investigation nor may this document be distributed outside the receiving organization/agency without the specific prior authorization of the Assistant Inspector General for Investigations.



Via Electronic Mail

Memorandum

To: Christian Zacariassen
EVP, Chief Information Officer

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: February 2, 2021

Subject: Investigative Report: *Violation of Company Policy by* [REDACTED]
[REDACTED] *Information Technology, Washington,*
D.C. (OIG-I-2021-516)

This report presents the results of our investigation into whether [REDACTED] based in Washington, D.C., violated Amtrak (the company) policies by viewing pornographic videos and using personal cloud storage on his company-owned computer. We are providing this report to you for whatever administrative action you deem appropriate.

Why We Conducted the Investigation

On November 18, 2020, the company's IT Security Operations Center, which conducts reviews of [REDACTED] activity on company-owned computers, identified traffic to the website pornhub.com, which allows users to download and view pornographic videos. The reviews showed that [REDACTED] and other employees visited this and other pornographic websites, but that [REDACTED] was the top user. The review also provided that [REDACTED] accessed these types of websites on November 11, 14, and 15, 2020.

After assessing the complaint and relevant company policies, we opened an investigation to determine whether [REDACTED] violated any criminal statutes or company policies. Appendix A provides additional information about the activities we conducted in our investigation.

¹ [REDACTED] is an application controlled by Amtrak's IT Security. It provides real-time visibility and control of company-managed devices accessing the cloud and web. The application attempts to appropriately identify visited websites into categories like pornography or gambling, but such identification typically requires additional investigation to ensure accuracy.

The Results of the Investigation

We found that ■■■ violated company policies by downloading and viewing pornographic videos from various websites and viewing videos that were stored on a USB storage device connected to his company-owned computer.² In addition, ■■■ repeatedly used this computer for personal shopping, communicating via his personal email account, streaming sporting events, and other activities that were not work-related—both during the workday and in the evening outside of work hours.

Review of ■■■ computer. During the course of our investigation, we observed ■■■ viewing sexually explicit videos during working hours on three occasions in December 2020 on his company-owned computer. In addition, ■■■ used his company-owned computer to visit pornographic sites such as pornhub.com on fifteen occasions, between December 2020 and January 11, 2021 outside work hours. In several instances, we witnessed ■■■ saving videos from these sites and transferring them to a USB drive connected to his company-owned computer. In addition to violating company policies, these types of sites are commonly used to install malware or ransomware without the users' knowledge, which could compromise the company's networks.

During our work, we also observed a personal Microsoft OneDrive cloud-based storage account connected to ■■■ company-owned computer, which company policy prohibits. We also observed ■■■ deleting his web surfing history and running an application called "CCleaner,"³ which wipes users' logs and histories. In investigating potential violations of company policy or other wrongdoing, web histories can yield valuable insights into an individual's actions and intent. Installing this application can obstruct efforts to identify unauthorized or criminal user behavior. Further, company

² According to the company's Acceptable Use Policy, employees are prohibited from using "computer systems, data stores and network resources in any manner that may be considered abusive, unethical or inappropriate is not permitted." For example, employees are prohibited from "[a]ccessing, downloading, posting, uploading, or copying material that might be considered racially, culturally, or sexually sensitive or explicit." In addition, the company's Employee Code of Ethics and Standards of Behavior provides that each employee has a responsibility to protect "the Company's operations and information technology assets" and that employees are "responsible for keeping these assets confidential, available and secure and for preventing unauthorized use, modification, misappropriation, theft, disclosure and destruction." Further, the Code also stresses that all employees must act with integrity stating, "Integrity means doing the right thing every day. It is a fundamental value to Amtrak. That means being transparent, trustworthy and honest, fair in all that we do, and efficiently attending to your duties."

³ CCleaner can delete potentially unwanted files left behind by certain programs, along with browsing history, cookies, recycle bin, memory dumps, file fragments, log files, system caches, application data, autocomplete form history, and various other data.

policy prohibits employees from installing any kind of software on company-owned computers without prior approval.⁴

Interview of [REDACTED] On January 11, 2021, we interviewed [REDACTED] and he admitted watching adult pornographic videos up to five times a week late at night on his company-owned computer. [REDACTED] told us he would download the videos from the websites, store them on a personal USB drive, and delete the videos when he finished his viewing. [REDACTED] stated that he started visiting these sites shortly after the company moved to telework due to the COVID-19 pandemic. [REDACTED]

[REDACTED] said he understood how his actions online could impact the company by making him a target for malware and viruses and said that he would not access these sites again.

[REDACTED] told us the USB drive where he stored the videos contains only personal information and nothing related to Amtrak. He also admitted to having a personal Microsoft OneDrive account connected to his company-owned computer but stated that it has not synced since January 2020, when the company began blocking access to personal cloud-based accounts.⁶

[REDACTED] cooperated with our agents and shared his screen with us, allowing us to view the folders stored on his company-owned computer. We saw that he also had a Dropbox cloud storage account synced with his computer, and he shared its contents with us. We observed a KeePass⁷ file called "Mechanical IT," which [REDACTED] told us the Mechanical department shared with him when he worked with IT years ago. As of the writing of this report, we cannot confirm whether this file still exists on [REDACTED] Dropbox cloud server.

[REDACTED] also acknowledged that he installed the computer cleaning software, CCleaner, on his company-owned computer but said that he did so for testing purposes as part of his work duties. He did not admit to using the application to clear his web history.

⁴ The company's Acceptable use Policy states, "Covered Personnel are not permitted to install their own software on Amtrak workstations or laptop computers without prior approval from Amtrak Information Security and Amtrak Information Technology."

⁵ A virtual private network extends a private network across a public network and enables users to send and receive data across shared or public networks as if their computing devices were directly connected to the private network.

⁶ A Corporate Communication sent to employees in February 2020 stated, "Effective Friday, January 31, Amtrak began blocking access to export, upload and share data from our network to unauthorized public cloud storage sites. If you have Amtrak data stored on any public cloud storage site, you should remove it immediately, and ensure it is permanently deleted from the site."

⁷ KeePass Password Safe is a free and open-source password manager primarily for Windows.

The Violations

████ actions in using his company-issued computer for nonwork purposes during work hours (e.g., personal shopping, streaming sporting events, and communicating via his personal email account) and viewing sexually explicit/pornographic videos both during and after work hours on his company-owned computer violated the following company policies:

- Amtrak Employee Code of Ethics and Standards of Behavior⁹
- Amtrak Acceptable Use Policy

For Your Information

At the request of the appropriate officials, we are available to discuss the information referenced in this report. Please advise us within 45 days of the date of this report of any action taken on this matter. If you have any questions concerning this report, please contact me at █████ or █████

cc: William J. Flynn, Chief Executive Officer
 Stephen J. Gardner, President
 Eleanor D. Acheson, EVP/General Counsel and Corporate Secretary
 Roger Harris, EVP/Chief Marketing and Revenue Officer
 Scot Naparstek, EVP/Chief Operations Officer
 Dennis Newman, EVP/Planning & Strategy
 Steven Predmore, EVP/Chief Safety Officer
 Qiana Spain, EVP/Chief Human Resource Officer
 Tracie Winbigler, EVP/Chief Financial Officer
 William Herrmann, VP, Senior Managing Deputy General Counsel
 Keren Rabin, Deputy General Counsel
 Mark Richards, Senior Director, Risk Management & Controls

End of Report

⁹ On November 16, 2020, the company announced a new comprehensive resource, *The Code of Ethics and Standards for Behavior*, that combined the former *Standards of Excellence* and the *Code of Ethics and Business Conduct*.

~~*This report contains sensitive information. It may not be released to any person or organization outside Amtrak without the express written consent of the Office of Inspector General.*~~

APPENDIX A

The Activities We Conducted

To conduct the investigation, we took the following actions:

- Analyzed the company's network logs for [REDACTED] activities
- Reviewed images captured from [REDACTED] computer
- Reviewed [REDACTED] computer and USB drives
- Interviewed [REDACTED]




OFFICE of INSPECTOR GENERAL
NATIONAL RAILROAD PASSENGER CORPORATION

Via Electronic Mail

Memorandum

To: Scott Naparstek
EVP/Chief Operations Officer

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: April 19, 2021

Subject: Investigative Report: *Violation of Company Policy by [REDACTED] a Service/Train Attendant, On-Board Services, [REDACTED] (OIG-I-2021-522)*

This report presents the results of our investigation into whether [REDACTED] a Service/Train Attendant based in [REDACTED], violated Amtrak (the company) policies by failing to report a criminal drug arrest to the company. We are providing this report to you for whatever administrative action you deem appropriate.

Why We Conducted the Investigation

On August 21, 2020, the Human Resource Department's Employee Service Center notified our office of a complaint it received alleging that [REDACTED] submitted false Family Medical Leave Act (FMLA) medical records relating to her spouse and failed to report her criminal arrests.

We conducted a preliminary criminal records search and corroborated that [REDACTED] was arrested in April 2019 while employed with the company. After assessing the complaint and relevant company policies, we opened an investigation to determine whether [REDACTED] violated any criminal statutes or company policies and, more specifically, whether she disclosed her arrest, as company policy requires. Appendix A provides additional information about the activities we conducted in our investigation.

The Results of the Investigation

We found that [REDACTED] violated company policies by failing to report her April 19, 2019 drug-related arrest, as required by company policy.¹ During her interview, [REDACTED] acknowledged her arrest and admitted that she failed to report it to the company. The allegation that [REDACTED] submitted false FMLA medical records was unfounded.

[REDACTED] employment history. [REDACTED] has been employed with the company as a Service/Train Attendant since March 13, 2017.

[REDACTED] arrest. We reviewed [REDACTED] arrest record and subsequent court case disposition, and found that, on April 19, 2019, the [REDACTED] Police Department in [REDACTED] arrested [REDACTED] and charged her with Possession of Marijuana, Drug Paraphernalia, and Simple Battery—Domestic Violence. According to the police report, police responded to a report of a disturbance at a residential address in [REDACTED] and encountered [REDACTED] who was intoxicated and injured. [REDACTED] attributed her injuries to an altercation with a household member. In addition, a pipe and plastic bag containing 1.3 grams of marijuana were in plain view on the countertop of the residence. [REDACTED] told police officers that the pipe and bag of marijuana belonged to her.

Certified records from the City of [REDACTED] Clerk of Courts disclosed that, on October 10, 2019, the criminal charges were dismissed after [REDACTED] completed a drug diversion program.

Interview of [REDACTED]. On March 10, 2021, we interviewed [REDACTED] a [REDACTED] in [REDACTED], who is [REDACTED] direct supervisor. [REDACTED] stated that [REDACTED] did not report her arrest. She said that [REDACTED] marked off on April 20, 2019 and returned to work on April 21, 2019.

Interview of [REDACTED] On March 11, 2021, we interviewed [REDACTED] who was cooperative and confirmed that she was arrested at her house on April 19, 2019, on the three charges described above. [REDACTED] told us she did not report her arrest to the company because she was embarrassed. We asked her if she knew she was required to

¹ According to the company's Drug and Alcohol-Free Workplace Program Policy, "Employees who are arrested, noticed for arraignment or otherwise detained by law enforcement due to a drug or alcohol offense are required to notify Amtrak of such arrest, notice, or detention by calling the Amtrak Helpline at (866) 908-7231 as soon as possible. If notification is impractical or impossible due to detention, incarceration or hospitalization, the employee must report within 48 hours of being released from detention, incarceration or from a healthcare facility."

report drug and alcohol-related arrests to the company, and she told us she did not. [REDACTED] stated that, following her arrest, she attended several days of drug rehabilitation sessions at an out-patient clinic and consequently had all charges dismissed.

The Violations

[REDACTED] failure to report her criminal drug-related arrest violated the following company policies:

- Amtrak Employee Code of Ethics and Standards of Behavior
- Amtrak Drug and Alcohol-Free Workplace policy

For Your Information

At the request of the appropriate officials, we are available to discuss the information referenced in this report. Please advise us within 45 days of the date of this report of any action taken on this matter. If you have any questions concerning this report, please contact me at [REDACTED] or [REDACTED].

cc: William J. Flynn, Chief Executive Officer
 Stephen J. Gardner, President
 Eleanor D. Acheson, EVP/General Counsel & Corporate Secretary
 Roger Harris, EVP/Chief Marketing and Revenue Officer
 Steven Predmore, EVP/Chief Safety Officer
 Dennis Newman, EVP/Planning & Strategy
 Qiana Spain, EVP/Chief Human Resource Officer
 Tracie Winbigler, EVP/Chief Financial Officer
 Christian Zacariassen, EVP/Chief Information Officer
 William H. Herrmann, VP, Senior Managing Deputy General Counsel
 Bruno Maestri, VP, Government Affairs & Corporate Communications
 Keren Rabin, Deputy General Counsel
 Adria Boetig, Director HR Compliance & Risk Management
 Mark Richards, Senior Director, Risk Management & Controls

End of Report

~~*This report contains sensitive information. It may not be released to any person or organization outside Amtrak without the express written consent of the Office of Inspector General.*~~

APPENDIX A

ACTIVITIES WE CONDUCTED

To conduct the investigation, we took the following actions:

- Reviewed the complaint
- Reviewed [REDACTED] New Hire and FMLA personnel files
- Reviewed company policies
- Interviewed [REDACTED]
- Interviewed [REDACTED]
- Reviewed [REDACTED] Police Department arrest report and associated court records for [REDACTED] April 19, 2019 arrest



Via Electronic Mail

Memorandum

To: Scot Naparstek
EVP/Service Delivery and Operations

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: May 27, 2022

Subject: Investigative Report: *Violation of Company Policy by* [REDACTED]
[REDACTED] *Seattle, Washington, and* [REDACTED]
[REDACTED] *Seattle, Washington (OIG-I-2022-522)*

This report presents the results of our investigation into whether [REDACTED] a [REDACTED] based in Seattle, Washington, violated Amtrak (the company) policies by engaging in outside employment while on medical leave. In addition, this report includes the results of our investigation into whether [REDACTED] [REDACTED] based in Seattle, Washington, who is married to [REDACTED] violated company policies by not being completely forthcoming with our agents. We are providing this report for whatever administrative action you deem appropriate.

Why We Conducted the Investigation

On July 13, 2021, we received an allegation that [REDACTED] had either not been arriving for work on Saturdays or was leaving early to go work at her personally owned business, [REDACTED]. We confirmed that [REDACTED] owns this business, which delivers, installs, and removes mobile hot tubs for short-term rentals. Further, the listed business address is the same address the company has on file for both [REDACTED] and [REDACTED]. In addition, we learned that [REDACTED] was approved for Family and Medical Leave Act (FMLA) leave starting July 2, 2021, yet her business's public website showed bookings after this date on a viewable appointment/booking calendar.

After assessing the complaint and relevant company policies, we opened an investigation to determine whether [REDACTED] and/or [REDACTED] violated any criminal statutes or company policies. Appendix A provides additional information about the activities we conducted.

The Results of the Investigation

Our investigation found that [REDACTED] violated company policies by engaging in outside employment, including self-employment, while on medical leave.¹

In addition, we found that [REDACTED] violated company policies by not being completely forthcoming with our agents² when he denied that [REDACTED], of which he is a joint owner, received payment for services from Amtrak employees, [REDACTED] Conductor, and [REDACTED] Conductor.

Hernandez's employment history. The company hired [REDACTED] on January 10, 2011. She resigned on December 7, 2021, after our agents attempted to retrieve her company-owned mobile phone and interview her.³

According to Leave Management, the company granted [REDACTED] medical leave under the Family and Medical Leave Act from July 2, 2021, through September 23, 2021, when her eligibility was exhausted. [REDACTED] requested an extension of FMLA leave through December 2021, which the company denied for business reasons. The company later granted leave, however, as a reasonable accommodation under the Americans with Disabilities Act (ADA), and [REDACTED] continued to receive pay through short-term disability. [REDACTED] was due to return to work on January 8, 2022, when her reasonable accommodation and short-term disability benefits would be exhausted.

[REDACTED] outside employment. In June 2021, [REDACTED] submitted an updated Certificate of Compliance (CoC) form, to make her initial disclosure that she was the owner of [REDACTED] and managed its social media, marketing, and web development. We determined, through business filings and social media, that [REDACTED] established the company in October 2020, but that it did not officially launch until January 2021. [REDACTED] did not, however, promptly amend the CoC form in

¹ The company's Medical Leave and Absences policy (P/I Number 7.51.0), effective March 21, 2018, prohibits employees from engaging in outside employment (including self-employment) during a medical leave of absence.

² Amtrak's Office of Inspector General policy (P/I Number 2.1.4) states, in part, that "failure to cooperate with or the intentional furnishing of false or misleading information to the OIG by Amtrak employees, contract personnel, or representatives, may result in disciplinary actions, contract termination, and/or criminal sanctions or penalties."

³ [REDACTED] refused to speak with us; however, [REDACTED] later provided the company-issued mobile phone to our agents.

January 2021, when her outside activities changed, as company policy requires, but submitted the amended Certificate of Compliance form in June 2021.⁴

We determined that [REDACTED] managed social media activities and marketing promotions for her personally owned business while on FMLA leave. Specifically, in early July 2021, her business website, [REDACTED], provided customer reviews and bookings for dates where [REDACTED] was on leave from Amtrak. We also reviewed her business's Instagram profile, [REDACTED] and found regular postings from October 2020 through mid-November 2021, including descriptions, comments, pictures of customers' hot tub installations, marketing promotions, sales, and replies to followers and customers. Specifically, from July 2021 through mid-November 2021, we observed approximately 43 posts by [REDACTED]. As the business's social media, marketing, and web development manager, she would have been involved and actively engaged in these social media activities we observed.

[REDACTED] business and Instagram websites also showed that Amtrak employees, [REDACTED] and [REDACTED] were customers. On November 16, 2021, we interviewed [REDACTED] who told our agents that [REDACTED] delivered a rental hot tub to [REDACTED] residence in [REDACTED] Washington, on or about July 18 and picked it up on or about July 21, 2021. [REDACTED] who was on medical leave at this time, confirmed with [REDACTED] that the hot tub had been picked up.

Employment history and interview of [REDACTED]. The company hired [REDACTED] in January 2010 as a [REDACTED] and in February 2013, he was promoted to [REDACTED]. Currently, [REDACTED] is assigned as an Extra Board employee, who fills in for vacant positions when the regularly assigned employees are on vacation or sick. The schedule is varied.

We interviewed [REDACTED] on December 7, 2021, and he confirmed he was joint owner with his wife, [REDACTED] of [REDACTED]. However, [REDACTED] told us that he has never performed work for [REDACTED] while he was scheduled for duty with Amtrak.

When we asked [REDACTED] whether [REDACTED] provided services to [REDACTED] on July 18, 2021, and [REDACTED] on February 16, 2021, [REDACTED] told us that they had but denied accepting any payment from [REDACTED] or [REDACTED] for those services. [REDACTED] also stated in his interview with us that he usually handles processing the payments for [REDACTED]

⁴ The company's Conflict of Interest policy (P/I Number 1.3.7), effective April 24, 2019, states, in part, "The COC Form requires employees and independent contractors to disclose certain relationships, non-Amtrak business activities and interests, and certain business activities and interests of their dependents and household members...Individuals required to complete the COC Form...must amend their disclosures promptly whenever changed circumstances warrant a supplemental disclosure."

When we interviewed [REDACTED] however, she told us she left a cash payment at her house for her hot tub rental but could not recall the exact amount and did not have a receipt.⁵ Similarly, when we interviewed [REDACTED] he provided our agents with a text message confirming that he had paid \$388.60 for a hot tub rental from February 16 through February 22—after he reviewed his online banking information. Further, the transaction data we received from [REDACTED] for February 2021 illustrated a payment received on February 16, 2021, in the amount of \$388.60, the same amount [REDACTED] stated that he paid to [REDACTED]. Both [REDACTED] and [REDACTED] accounts of making payment to [REDACTED] for the service they received are in direct conflict with [REDACTED] statement to our agents wherein he denied the business received payment from both [REDACTED] and [REDACTED].

Further, [REDACTED] told us that, other than his sister, [REDACTED], the business had no other employees. However, [REDACTED] told us that, in February, [REDACTED] and someone named “[REDACTED]” delivered and set up the hot tub at his residence. In addition, while [REDACTED] refused to provide specifics regarding the roles of each person, we asked him, with it being a small business, whether all of [REDACTED] employees “do a little bit of everything” to which he responded, “yeah, sure.”

The Violations

We found that [REDACTED] violated the following company policies by engaging in outside employment (including self-employment) with her mobile spa business while on a medical leave of absence from the company, and by failing to promptly amend her Certificate of Compliance form:

- Amtrak’s Code of Ethics and Standards of Behavior
- Amtrak’s Medical Leave and Absences Policy
- Amtrak’s Conflict of Interest Policy

In addition, we found that [REDACTED] violated the following company policies by not being completely forthcoming with our agents regarding the acceptance and receipt of payment for services rendered by [REDACTED] to Amtrak employees, [REDACTED] and [REDACTED]

- Amtrak’s Code of Ethics and Standards of Behavior

⁵ [REDACTED] told us she rented the smallest hot tub available. The listed cost on the [REDACTED] website for a 48-hour hot tub rental started at \$295 for its smallest unit.

- Amtrak's Office of Inspector General Policy (P/I 2.1.4)⁶

For Your Information

At the request of the appropriate officials, we are available to discuss the information referenced in this report. Please advise us within 45 days of the date of this report of any action taken on this matter. If you have any questions about this investigative report, please contact me at [REDACTED] or [REDACTED].

cc: Stephen J. Gardner, President and Chief Executive Officer
 Eleanor D. Acheson, EVP/General Counsel and Corporate Secretary
 Roger Harris, EVP/Chief Marketing and Revenue Officer
 Dennis Newman, EVP/Strategy and Planning
 Steven Predmore, EVP/Chief Safety Officer
 Tracie Winbigler, EVP/Chief Financial Officer
 Christian Zacariassen, EVP/Digital Technology and Innovation
 Qiana Spain, EVP/Chief Human Resource Officer
 Laura Mason, EVP/Capital Delivery
 William H. Herrmann, VP, Senior Managing Deputy General Counsel
 Bruno Maestri, VP, Government Affairs & Corporate Communications
 Keren Rabin, Deputy General Counsel
 Adria Boetig, Director HR Compliance & Risk Management
 Mark Richards, Senior Director, Risk Management & Controls

End of Report

⁶ This policy is also sometimes referred to as the "Amtrak Office of Inspector General Relationship Policy."

APPENDIX A

ACTIVITIES WE CONDUCTED

To conduct the investigation, we took the following actions:


- Obtained images of [REDACTED] website and Instagram profile
- Obtained [REDACTED] business and transaction records
- Viewed [REDACTED] YouTube video and other social media sources
- Reviewed [REDACTED] FMLA leave records
- Interviewed [REDACTED]
- Interviewed [REDACTED]
- Interviewed [REDACTED]



Via Electronic Mail

Memorandum

To: Gerhard Williams
EVP/Service Delivery and Operations

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: August 15, 2022

Subject: Investigative Report: *Violation of Company Policy by* [REDACTED]
[REDACTED]
(OIG-I-2022-529)

This report presents the results of our investigation into whether [REDACTED], based in [REDACTED], violated Amtrak (the company) policies by posting images and material characterized as offensive and inappropriate on a publicly available social media site. We are providing this report to you for whatever administrative action you deem appropriate.

Why We Conducted the Investigation

On February 13 and February 24, 2022, our office received information stating that [REDACTED] had her employment information on her Facebook account listed as “madame for railroad brothel that whores out the male conductors and engineers.” The information also stated that [REDACTED] Facebook account contained images of [REDACTED] in her company uniform.

Based on this information, we performed a social media search on [REDACTED] and found a publicly available Facebook account for [REDACTED] that included images identifying her as an Amtrak employee, as well as her employment information listed as “madame” at “railroad brothel” with the caption, “I whore out the male conductors and engineers.” We also found that on August 6, 2021, [REDACTED] posted an image of perfume boxes with the caption, “When passengers give me \$300 worth of perfume.” In addition, we found several offensive images as detailed below.

After assessing █████ public social media use and relevant company policies, we opened an investigation to determine whether █████ violated any criminal statutes or company policies. Appendix A provides additional information about the activities we conducted.

The Results of the Investigation

We found that █████ violated company policies by posting inappropriate and offensive language and images on her Facebook account—including listing her employment information as “madame” at “railroad brothel”—that also publicly identifies her as an Amtrak employee, in violation of company policies.¹ █████ admitted to posting the language and images, which she acknowledged could be deemed as offensive and inappropriate by customers and other employees.² █████ also admitted to accepting a gift from a customer that █████ valued at \$300.³ Finally, we found no evidence that █████ was involved in any criminal activity related to the information she posted under her Facebook employment information.

█████ **social media use.** Our review of █████ public Facebook account uncovered the following:

- Employment information listed as “madame” at “railroad brothel” with the caption, “I whore out the male conductors and engineers.” The employment location was listed as “Uranus.”
- On August 6, 2021, █████ posted an image of perfume boxes with the caption, “When passengers give me \$300 worth of perfume.”

¹ The company’s Social Media Policy 10.14.0 states, in part, that “...all employees and contractors are responsible for protecting Amtrak’s public reputation and adhering to all of Amtrak’s legal and ethical standards.” In addition, the policy provides that “Employees and contractors must ensure their use of Social Media does not violate Amtrak policies, in particular, the Standards of Excellence, Code of Ethics and Business Conduct, Conflict of Interest policy P/I 1.3.7, Confidentiality policy P/I 9.1.1, Acceptable Use policy P/I 13.1, and the Anti-Discrimination and Anti-Harassment policy, P/I 7.49.5.”

² The company’s Employee Code of Ethics and Standards for Behavior provides, “When your communications involve Amtrak business or employees or are viewable by Amtrak employees, you have an obligation to use these channels in a way that is consistent with our values and policies. You may not use social media to intimidate, harass or discriminate against co-workers or in a way that violates Amtrak’s values, harms our brand image, or creates a loss of goodwill.”

³ We did not independently verify or determine the value of the perfume gift that █████ received from a customer. However, █████ valued it at \$300 based on internet searches and described it as such on her social media post. In addition, the company’s Service Standards Manual, Chapter 6, Section A, para. 4(n)-(o) provides the rules and reporting requirements of On-Board Service employees and the acceptance of tips and gratuities.

- On September 1, 2021, [REDACTED] posted the caption “railroad employees” followed by a laughing emoji. Below the caption was an image depicting a character from Star Wars with the words, “When the slightest thing goes wrong at work... That’s it I’m getting drunk today!”
- On September 4, 2021, [REDACTED] posted the caption, “I’m not white but same.” Below the caption was an image depicting pumpkin spice as an illicit drug with the words, “One leaf falls on the ground... white girls.”
- On September 5, 2021, [REDACTED] posted the caption “Military men, this you??” followed by a laughing emoji. Below the caption was an image depicting Kermit the Frog firing a rifle, passing out from intoxication, sitting in the shower, and engaging in a sexual act with Miss Piggy with the words, “Random citizen: Thank you for your service... My service...”

Appendix B provides examples of images from [REDACTED] Facebook account.

Wood’s employment history. [REDACTED] started with the company in October 2012 as a [REDACTED]. In February 2019, [REDACTED] began working as a [REDACTED]. [REDACTED] had begun attending passenger conductor training as of June 2022.

Interview of [REDACTED] On July 20, 2022, we interviewed [REDACTED] [REDACTED] acknowledged that the Facebook account belonged to her and admitted that she posted the pictures of herself in her Amtrak uniform. [REDACTED] stated she understood the company’s policy on social media and how the images she posted could be deemed inappropriate and offensive. [REDACTED] stated the posts were a joke and that she thought her account was private.⁴ We pointed out that the posts could be seen by customers and other employees, and [REDACTED] agreed they could be deemed inappropriate and offensive.

With regard to the alleged \$300 worth of perfume from a customer, [REDACTED] stated she thought the perfume was a gift. She later stated she thought the perfume was a tip. When questioned whether [REDACTED] reported the perfume as a tip, she stated that she did not.

⁴ We performed another social media search after our interview with [REDACTED] and found that her account was no longer available. According to Facebook, when account content is no longer available, it’s usually because the owner only shared it with a small group of people, changed who can see it, or deleted the account.

The Violations

██████ actions of posting inappropriate and offensive images on her Facebook account that publicly identifies her as an Amtrak employee violated the following company policies:

- Amtrak Employee Code of Ethics and Standards for Behavior
- Amtrak Social Media Policy

For Your Information

At the request of the appropriate officials, we are available to discuss the information referenced in this report. Please advise us within 45 days of the date of this report of any action taken on this matter. If you have any questions concerning this report, please contact me at ██████ or ██████

cc: Stephen J. Gardner, Chief Executive Officer
 Roger Harris, President
 Eleanor D. Acheson, EVP/General Counsel and Corporate Secretary
 Laura Mason, EVP/Capital Delivery
 Dennis Newman, EVP/Strategy, Planning, and Accessibility
 Steven Predmore, EVP/Chief Safety Officer
 Qiana Spain, EVP/Chief Human Resource Officer
 Tracie Winbigler, EVP/Chief Financial Officer
 Christian Zacariassen, EVP/Digital Technology and Innovation
 William H. Herrmann, VP, Senior Managing Deputy General Counsel
 Bruno Maestri, VP, Government Affairs & Corporate Communications
 Keren Rabin, Deputy General Counsel
 Adria Boetig, Senior Director, Employee Relations Investigation
 Mark Richards, Senior Director, Risk Management & Control

End of Report

~~*This report contains sensitive information. It may not be released to any person or organization outside Amtrak without the express written consent of the Office of Inspector General.*~~

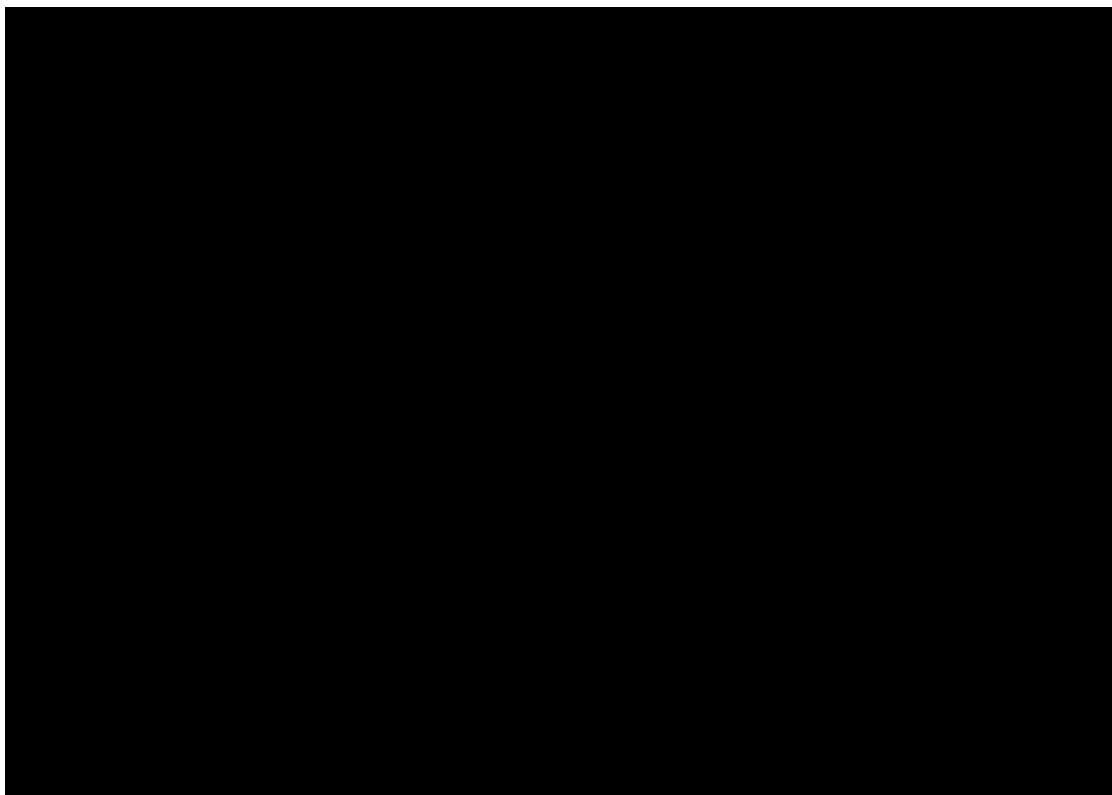
APPENDIX A

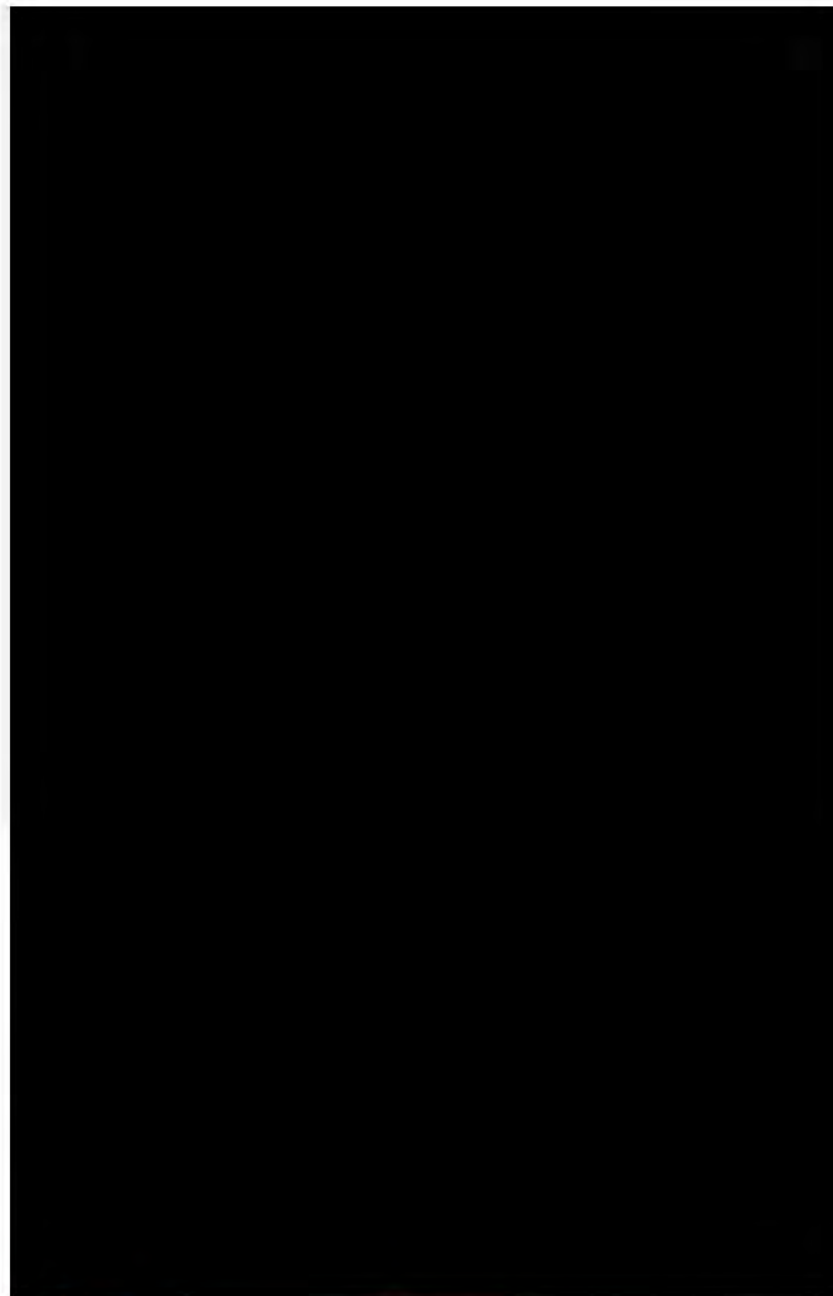
The Activities We Conducted

To conduct the investigation, we took the following actions:

- Reviewed [REDACTED] public social media accounts
- Interviewed [REDACTED]

Examples of [REDACTED] Facebook Postings





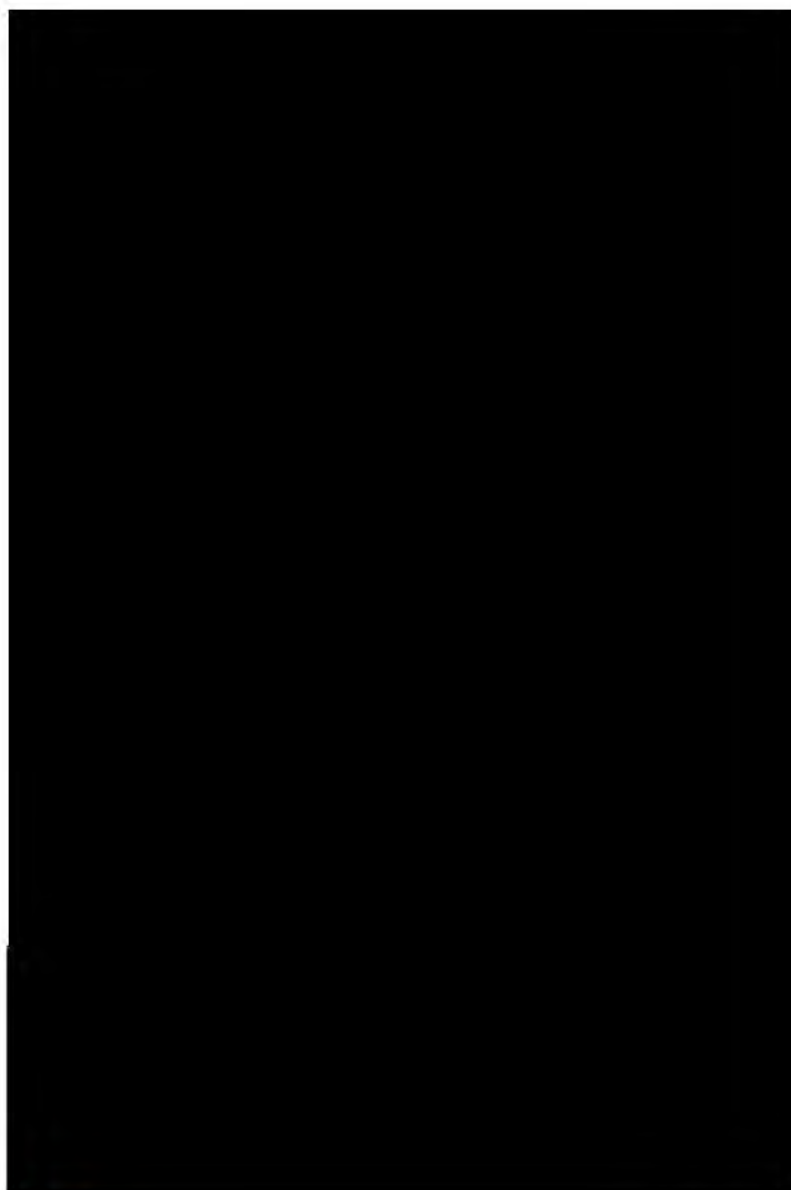
26

14 Comments

Like

Comment

Share



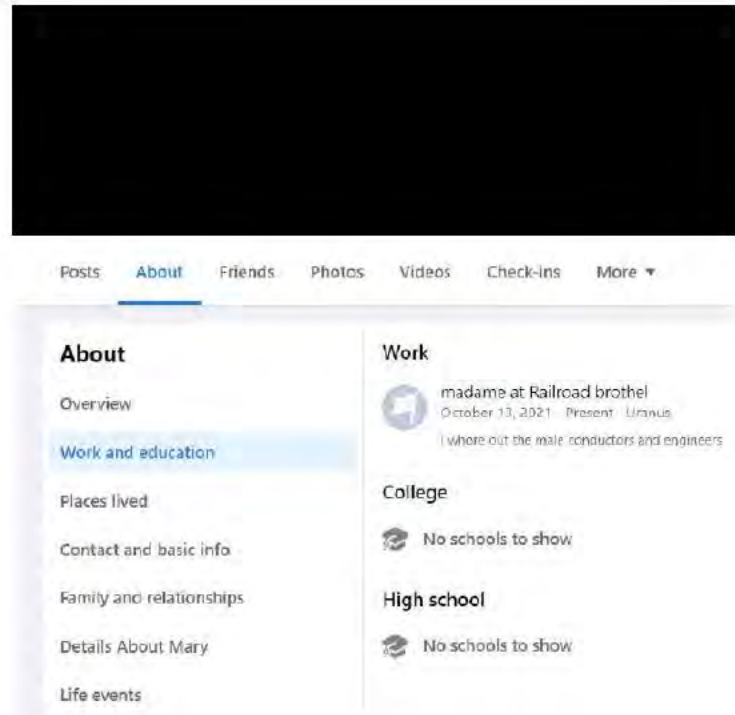
  32

16 Comments

 Like

 Comment

 Share

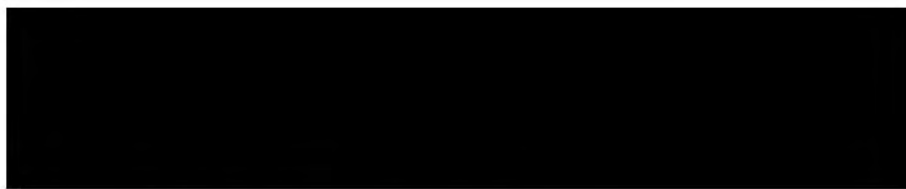




Military men, this you?? 🤔



😂 2



one leaf falls on ground

white girls:



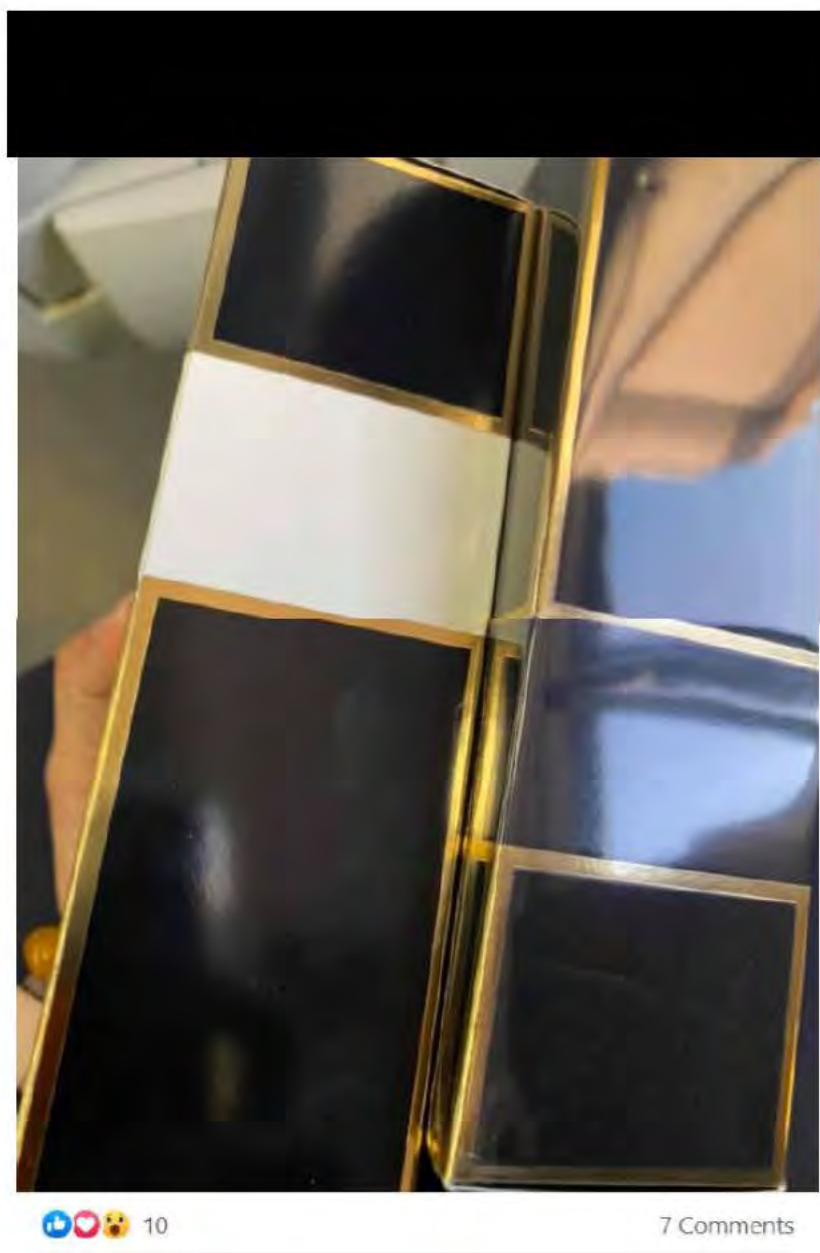
😂👍 3



When the slightest thing
goes wrong at work



👍😂 3






OFFICE of INSPECTOR GENERAL
NATIONAL RAILROAD PASSENGER CORPORATION

Via Electronic Mail

Memorandum

To: Christian Zacariassen
EVP, Chief Information Officer

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: February 18, 2021

Subject: Management Information Report: *Observations and Opportunities to Detect and Reduce Nuisance Calls at Amtrak Police Department's National Communications and Command Center* (OIG-I-2021-517)

This report presents our observations from our review into the hundreds of robocalls placed with the Amtrak Police Department (APD) National Communications and Command Center's (NCC) primary and publicly advertised telephone line, 800-331-0008, in September and October 2020.

We also identified a security vulnerability in [REDACTED] that may have contributed to the likely international "toll fraud" scheme¹ that we identified. Accordingly, the observations in this report could help the company review its deployment, controls, and oversight over all computer equipment, including particular servers and other components of the company's telephone infrastructure.

Why We Conducted the Review

On October 26, 2020, we met with APD [REDACTED]; APD [REDACTED]; NCC [REDACTED]; and others, who told us that for more than a month the NCC was receiving hundreds of calls with no one on the other line. These calls were occupying the NCC's telephone lines and making it difficult to triage emergency calls. In addition, the company's automated system directed some of these calls to the Amtrak Reservations line, disrupting operations there as well.

¹ This scheme, also known as international revenue sharing fraud, is a complicated but common practice that allows fraudsters to generate a high volume of international calls on expensive routes and take a cut of the revenue these calls generate, resulting in billions of dollars in annual losses in the telecom sector.

The Results of the Review

We determined that APD's primary telephone line was likely used in an international "toll fraud" scheme. Working with AT&T representatives, we learned that an

In addition to the safety risks inherent in making it difficult for APD to manage calls to its primary telephone line, this incident revealed broader security vulnerabilities to the

Observations

We identified vulnerabilities in the that may have contributed to the nuisance calls received by APD's NCC.

Security vulnerability in the . Working with AT&T representatives, we determined that the fraud scheme resulted from a

When an individual calls the NCC, the call connects to the company's telecommunications system, which, in turn, transfers it to the company's call-center solutions system, and is then routed to the appropriate receiver. Within the call-center solutions, another server manages incoming calls. The company had enabled "feature codes" on the server—an option that allows companies to create keyed-in shortcuts in their telephone menu options (for example, "To return to the main menu at any time, press *7."). In this case,

During our review, both the company and Solacom,² took actions to rectify this issue. After removing , the NCC's fraudulent calls were minimized and eventually ceased.

Other cybersecurity vulnerabilities in

During our review, we also learned that the IT Security Operations Center has limited

² Solacom is a 9-1-1 call center solution that supplies advanced hardware and communication to the company.

[REDACTED] In addition to the risk of schemes like toll fraud, this [REDACTED] which could compromise the security of company systems and data.

We also found that the company is using an [REDACTED]
[REDACTED]
[REDACTED]

Accordingly, the company may want to consider undertaking a comprehensive review of their [REDACTED] to prevent such security vulnerabilities from occurring again in the future. As part of this review, the company might consider the following:

- Conducting security reviews of its [REDACTED];
- Disabling any [REDACTED] on its telephone lines; and
- Working with the IT Security Operations Center to implement a [REDACTED].

For Your Information

Appendix A provides additional information about the activities we conducted in our review. At the request of the appropriate officials, we are available to discuss the information referenced in this report. Please advise us within 45 days of the date of this report of any action taken on this matter. If you have any questions concerning this report, please contact me at [REDACTED] or [REDACTED].

cc: William J. Flynn, Chief Executive Officer
 Stephen J. Gardner, President
 Eleanor D. Acheson, EVP/General Counsel and Corporate Secretary
 Roger Harris, EVP/Chief Marketing and Revenue Officer
 Scot Naparstek, EVP/Chief Operations Officer
 Dennis Newman, EVP/Planning & Strategy
 Steven Predmore, EVP/Chief Safety Officer
 Qiana Spain, EVP/Chief Human Resource Officer
 Tracie Winbigler, EVP/Chief Financial Officer
 William Herrmann, VP, Senior Managing Deputy General Counsel
 Keren Rabin, Deputy General Counsel
 Mark Richards, Senior Director, Risk Management & Controls

End of Report

~~This report contains sensitive information. It may not be released to any person or organization outside Amtrak without the express written consent of the Office of Inspector General.~~

APPENDIX A

The Activities We Conducted

To conduct this review, we took the following actions:


- Coordinated with NCC officials
- Coordinated with APD officers
- Coordinated with the company's Avaya representatives
- Coordinated with the company's Solacom representatives
- Coordinated with AT&T representatives
- Reviewed NCC call logs



Via Electronic Mail

Memorandum

To: Scot Naparstek
EVP/Chief Operations Officer

From: George L. Dorsett 
Assistant Inspector General, Investigations

Date: April 13, 2021

Subject: Management Referral: *Notification of Arrest of Christopher Ham, Yard Conductor, Washington D.C. (OIG-I-2021-521)*

We are providing you notification concerning the arrest of Christopher Ham, Yard Conductor, Washington, D.C. On April 6, 2021, Ham was arrested by Federal Bureau of Investigation (FBI) agents and officers of the Washington, D.C., Metropolitan Police Department, pursuant to a federal arrest warrant. The warrant is based on an affidavit and criminal complaint alleging that Ham committed the offenses of Travel with Intent to Engage in Illicit Sexual Conduct, and First Degree Child Sexual Abuse with Aggravating Circumstances. The case is pending in the United States District Court, District of Columbia, and Ham is currently in custody.

We have reviewed a copy of the complaint, arrest warrant, and affidavit. The complaint alleges the offenses occurred approximately between January 1, 2018 and October 14, 2019. We confirmed that the information associated with Ham, as listed in the warrant, are the same as the information listed for Ham in Amtrak SAP records. Ham has been an Amtrak employee since January 19, 2009.

An FBI agent contacted our office to report Ham's arrest on April 7, 2021, but we did not receive copies of the enclosed documents until April 12, 2021. If convicted, the penalties include imprisonment of not more than 30 years for the first offense and up to life imprisonment without possibility of release for the second offense. Our investigation is continuing to determine whether Ham used any company resources or shared information with any company employees related to the criminal charges against him.

We are providing this referral for whatever administrative action you deem appropriate.

At the request of the appropriate officials, we are available to discuss the information referenced in this referral. Please advise us within 45 days of the date of this referral of any action taken on this matter. If you have any questions about this referral, please contact me at [REDACTED] or [REDACTED].

Enclosure: Christopher Ham – Federal Complaint and Arrest Warrant

cc: William J. Flynn, Chief Executive Officer
Stephen J. Gardner, President
Eleanor D. Acheson, EVP/General Counsel & Corporate Secretary
Steven C. Predmore, EVP/Chief Safety Officer
Roger Harris, EVP/Chief Marketing and Revenue Officer
Dennis Newman, EVP/Planning & Strategy
Qiana Spain, EVP/Chief Human Resources Officer
Tracie A. Winbigler, EVP/Chief Financial Officer
Christian Zacariassen, EVP/Chief Information Officer
William Herrmann, VP, Senior Managing Deputy General Counsel
Bruno Maestri, VP, Government Affairs & Corporate Communications
Keren Rabin, Deputy General Counsel
Adria Boetig, Director HR Compliance & Risk Management
Mark Richards, Senior Director, Risk Management & Controls

End of Report

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.CHRISTOPHER HAM
DOB: [REDACTED]

Defendant(s)

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 1, 2018--October 14, 2019 in the county of _____ in the
_____ District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §2423(b); Travel with Intent to Engage in Illicit Sexual Conduct;

D.C. Code §§
22-3008, 3020(a) First Degree Child Sexual Abuse with Aggravating Circumstances
(1), 3020(a)(4)

This criminal complaint is based on these facts:

SEE ATTACHED STATEMENT OF OFFENSE

☐ Continued on the attached sheet.

Complainant's signature

Thomas Sullivan, Detective, MPD

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 30th day of March 2021.

Date: 03/30/2020

Judge's signature

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

Printed name and title

11257260

UNITED STATES DISTRICT COURT

for the
District of ColumbiaUnited States of America
v.

CHRISTOPHER HAM

Defendant

) Case: 1:21-mj-00339
) Assigned to: Judge Harvey, G. Michael
) Assign Date: 3/30/2021
) Description: COMPLAINT W/ARREST WARRANT
)
)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) CHRISTOPHER HAM,
 who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Travel with Intent to Engage in Illicit Sexual Conduct, in violation of Title 18 U.S.C. §2423(b); and First Degree Child Sexual Abuse with Aggravating Circumstances, in violation of D.C. Code §§ 22-3008, 3020(a)(1), 3020(a)(4).

Date: 03/30/2021


Digitally signed by G. Michael
 Harvey
 Date: 2021.03.30 14:00:26 -04'00'

*Issuing officer's signature*City and state: Washington, D.C.G. Michael Harvey, United States Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) 03/30/2021, and the person was arrested on (date) 04/06/2021
 at (city and state) Washington DC.

Date: 04/06/2021

Arresting officer's signature

Steven Caldwell DEO
Printed name and title