



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL**



CLOSING
REPORT OF INVESTIGATION
ED SECURITY OFFICE (EMPLOYEE)

I17MAR30695

JANUARY 7, 2019

Table of Contents

Summary	1
Violations	1
Predication	2
Background Information	2
Narrative	2
Prosecutive/Administrative Status	3
Subject of Investigation	4
Exhibits.....	4

Report by:

(b) (6), (b)
(7)(C)
Special Agent

Approved by:

Geoffrey Wood
Special Agent-in-Charge

Distribution:

HQ
File

FOR OFFICIAL USE ONLY: This report is the property of the Office of Inspector General and is loaned to your agency; it and its contents may not be reproduced without written permission. The report is FOR OFFICIAL USE ONLY and its disclosure to unauthorized persons is prohibited. Public availability to be determined by 5 U.S.C. 552.

CLOSING

REPORT OF INVESTIGATION

ED SECURITY OFFICE (EMPLOYEE)

SUMMARY

While investigating an unrelated employee matter, allegations were brought to the attention of the U.S. Department of Education's (ED) Office of Inspector General (OIG) that ED Security Office personnel were carrying firearms in ED buildings without proper authorization. After contacting the U.S. Marshal Service's (USMS) Special Deputation Unit, it was revealed that the special deputation, which authorized them to carry firearms, of Christopher Strambler, Director of Physical Security and Law Enforcement Division, and Jerry Shepherd, Regional Director of Security and Law Enforcement Division, had expired in 2015, and the deputation for (b) (6), (b) (7)(C), had expired in 2013.

Interviews conducted with ED Office of Management administrators indicated that a direct order was given to the ED Security Office to disarm and lock up their firearms in August 2016. Interviews with ED Security Office personnel revealed they were instructed by Ron Luczak, Director of Security, Facilities, and Logistic Services, to continue to carry their firearms despite the fact they admitted knowing their deputation had expired and acknowledged without it they were not legally authorized to carry firearms. An interview conducted with Luczak confirmed that an order was given to him to have the ED Security Office disarm, but he admitted that he did not give those instructions to his employees. They continued to carry firearms until October 2016, and continued to qualify with ED owned firearms up until December 2016.

Subsequent to the OIG referring the results of the investigation to ED's Office of Management, Luczak was removed from the ranks of the Senior Executive Service and from his position as Director of Security, Facilities and Logistic Service, Office of Management. The remaining employees of the ED security office, Strambler, (b) (6), (b) (7)(C), and Shepherd, each received a letter. The letter outlined alternative discipline requirements in lieu of formal discipline consisting of two training classes related to ethics and internal controls.

VIOLATIONS

The activities identified in this report are potential violations of:

- 18 USC-912 – False Personation of Officer or Employee of the United States (Shepherd, Strambler, and (b) (6), (b) (7)(C))

- 18 USC 930 (a) – Possession of Firearms and Dangerous Weapons in Federal Facilities (Shepherd, Strambler, and (b) (6), (b) (7)(C))
- DC Code 22-4405 – Carrying a Concealed Weapon (Strambler and (b) (6), (b) (7)(C))
- ED Policies and Regulations
 - Possession of a firearm while on government property, unless specifically while performing official duties (Strambler, (b) (6), (b) (7)(C), Shepherd)
 - Failure to follow instructions (Luczak)
 - Deliberate refusal to carry out a proper order (Luczak)
 - Misuse of official government credentials (Shepherd, Strambler, (b) (6), (b) (7)(C))
 - Conduct unbecoming a federal employee (Luczak, Shepherd, Strambler, (b) (6), (b) (7)(C))
 - Lack of candor (Luczak and Shepherd)

PREDICATION

Allegations arose during an unrelated employee misconduct investigation that members of the ED Security Office may be carrying firearms in violation of ED management directives and federal law. It was alleged by Office of Management officials that ED Security Office personnel lost their U.S. Marshal special deputation authority to carry firearms in August 2016. In addition, the ED Security Office employees lost the Office of Management authorization as well.

BACKGROUND INFORMATION

Title 28 U.S.C. 566(c), 561(a), 509 and 510, and 28 C.F.R. 0.111, 0.112 and 0.19(a)(3), confers the authority to the USMS to deputize select persons for the purpose of enforcing U.S.C., Title 18, Federal Crimes and Criminal Procedure. (including for the protection of those covered under federal assault statutes). The authority is limited by the special deputation solely in furtherance for the mission for whom the individual has been specifically deputized and only while the special deputation is in effect. Those authorities terminate at the expiration of the term of the special deputation, which ranges from one to three years.

NARRATIVE

ED OIG initiated an investigation into potential criminal and administrative violations committed by the U.S. Department of Education, Office of Security. A review of USMS deputation records revealed that the special deputations for ED Security Office personnel, Christopher Strambler, Director of Physical Security and Law Enforcement Division, and Jerry Shepherd, Regional Director of Security and Law Enforcement Division, had expired in 2015. The deputation for (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) had expired in 2013.

Numerous interviews were conducted during the course of this investigation. The investigation concluded that ED Security employees were carrying firearms in ED buildings without proper

authorization. Though their USMS Special Deputation had expired (Exhibit 1), these employees knowingly continued to carry their ED issued firearms without legal authority until at least October 2016. The OIG interviews of Strambler, (b) (6), (b) (7)(C), and Shepherd (Exhibits 2, 3, 4) disclosed their actions in connection with Ron Luczak, Director of Security, Facilities and Logistic Service, Office of Management (SES). Luczak was aware of the special deputation expirations and continued to allow the ED Security Office employees to carry their firearms without legal authority during this time (Exhibit 5). Luczak intentionally disregarded two direct orders in August 2016 by OM's Deputy Assistant Secretary Denise Carter to have the ED Security Office employees lock up their firearms and credentials in August 2016 (Exhibit 6).

In October 2016, Carter discovered that Shepherd, Strambler, and (b) (6), (b) (7)(C) were still carrying their firearms despite the direct orders given to Luczak. Strambler and (b) (6), (b) (7)(C) turned their firearms over to the OIG at that time (Exhibit 7).

Also, in October 2016, the OIG contacted Shepherd to arrange taking possession of his firearm, but he knowingly provided false information claiming his special deputation did not expire until February 2017. Luczak knowingly disregarded a direct order by Carter and Andrew Jackson, Assistant Secretary of Management in October 2016 to have Shepherd turn in his firearm to the OIG. Luczak also demonstrated a lack of candor when answering questions during an OIG interview about the collection of Shepherd's firearm. Shepherd's firearm was not turned into the OIG until March 2017 when Carter was informed by the OIG that Shepherd's firearm was not turned over to the OIG.

PROSECUTIVE/ADMINISTRATIVE STATUS

On July 14, 2017, the USAO for the District of Columbia declined this case for prosecution.

On October 25, 2017, the OIG referred the results of the investigation to ED's Office of Management via an Administrative Report of Investigation (Exhibit 8).

On December 14, 2017, a notice of action was received for Ron Luczak, which included a decision to remove Luczak from the ranks of the Senior Executive Service and from his position as Director of Security, Facilities and Logistic Service, Office of Management, effective January 21, 2018 (Exhibit 9).

On October 11, 2018, the OIG received a memorandum from A. Bianca Green, ED's Chief Human Capital Officer, detailing the actions taken by ED against Strambler, (b) (6), (b) (7)(C), and Shepherd (Exhibit 10). Each of them received an Alternative Discipline Letter which outlined requirements for each to complete two training classes related to ethics and internal controls, in lieu of formal discipline.

SUBJECT OF INVESTIGATION

NAME: Ronald Luczak

ADDRESS: (b) (6), (b) (7)(C)

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)

NAME: Christopher Strambler

ADDRESS: (b) (6), (b) (7)(C)

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)

NAME: (b) (6), (b) (7)(C)

ADDRESS: (b) (6), (b) (7)(C)

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)

NAME: Jerry Shepherd

ADDRESS: (b) (6), (b) (7)(C)

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)

EXHIBITS

1. USMS letter, June 16, 2015
2. Interview with (b) (6), (b) (7)(C), June 8, 2017
3. Interview with of Christopher Strambler, June 8, 2017
4. Interview of Jerry Shepherd, June 27, 2017
5. Interview of Ron Luczak, August 2, 2017.
6. Interview of Denise Carter, April 14, 2017
7. 301A- AIGI Jordan- Discussion with Denise Carter, March 21, 2017
8. Administrative referral Report of Investigation, October 16, 2017
9. Notice of Action – Luczak, December 14, 2017
10. Memorandum – Administrative Action Taken by ED, October 11, 2018