UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR - 4 2015

INSPECTOR GENERAL

MEMORANDUM

SUBJECT: Peter Jutro, Former Acting Associate Administrator, Office of Homeland Security, Office of the Administrator

FROM: Arthur A. Elkins Jr.

TO: Stan Meiburg, Deputy Administrator (Acting)

REFERENCE: OIG Case Number OI-HQ-2014-ADM-0109

RESTRICTED INFORMATION

The United States Environmental Protection Agency (EPA), Office of Inspector General (OIG), initiated an investigation on August 1, 2014, into an allegation regarding former Acting Associate Administrator Peter Jutro (Jutro), Office of Homeland Security, Office of the Administrator. Between July 16 and July 30, 2014, Jutro allegedly engaged in a series of interactions involving a 21-year old intern from the Smithsonian Institution who reported the alleged interactions to her supervisor and indicated that she was "uncomfortable and scared" by these interactions.

The OIG was presented with additional allegations regarding Jutro in the course of its investigation; specifically: (1) from 2004 through July 2014 Jutro engaged in conduct and exchanges considered to be unwelcome by sixteen additional females; (2) Jutro was not in compliance with the building entry security procedures in the William Jefferson Clinton North facility; (3) Jutro discussed classified information in violation of safeguarding and access restriction requirements either in an unsecure location or in a careless manner; and (4) a lack of due diligence by senior level officials at the EPA, in responding to earlier claims of unwelcome conduct and verbal exchanges, resulted in women being subjected to further inappropriate behavior by Jutro from January 2014 to July 30, 2014.

At the agency's request and to assist EPA management with any necessary administrative action and policy modifications, the EPA OIG will be issuing two Reports of Investigation (ROI) in the above-captioned case.

The attached is the first of two ROI's for this case. In summary, for the first ROI, the investigation substantiated that from July 16 to July 30, 2014, Jutro engaged in a series of interactions, including some of a sexual nature, involving a 21-year old female intern from the Smithsonian Institution. Additionally, the investigation substantiated that from 2004 through July 2014, Jutro engaged in conduct and exchanges, including some of a sexual nature, considered to be unwelcome by sixteen additional females. For the third allegation, the investigation substantiated that Jutro was not in compliance with security procedures, bypassing the security

checkpoint with the intern from the Smithsonian Institution and not having her sign in as a visitor. Lastly, the investigation determined that the allegation that Jutro discussed classified information, in violation of safeguarding and access restriction requirements, either in an unsecure location or in a careless manner, was unsubstantiated.

This information is submitted for your consideration and decision as to whether administrative action or policy changes are warranted. Please respond to Patrick Sullivan, Assistant Inspector General for Investigations, in writing with your decision within 30 days of receipt of this document. Should you or your staff have any questions, please contact Mr. Sullivan at (202) 566-0308 or Sullivan.Patrick@epa.gov.

Attachment:

1. Report of Investigation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF THE INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS
1301 CONSTITUTION AVE, NW
EPA WEST BUILDING
WASHINGTON, DC 20004

CLOSING REPORT OF INVESTIGATION CONCERNING

JUTRO, PETER, SES, ACTING ASSOCIATE ADMINISTRATOR, EPA OFFICE OF HOMELAND SECURITY
OI-HQ-2014-ADM-0109

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MAR - 3 2015

[redacted]

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OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CASE NO.:	OI-HQ-2014-ADM-0109	**DATE OPENED:**	08/05/2014
CASE TITLE:	JUTRO, PETER, SES, ACTING ASSOCIATE ADMINISTRATOR, EPA OFFICE OF HOMELAND SECURITY	**LAST UPDATED:**	03/02/2015
		CASE AGENT:	[redacted]
CASE CATEGORY:	EMPLOYEE INTEGRITY	**OFFICE:**	OFFICE OF INVESTIGATIONS - HEADQUARTERS
JOINT AGENCIES:	NONE		
JURISDICTION:	DISTRICT OF COLUMBIA		

SECTION A - NARRATIVE

Introduction

On August 1, 2014, the Environmental Protection Agency (EPA), Office of Inspector General (OIG) Office of Investigations (OI), received an allegation regarding Acting Associate Administrator Peter Jutro (Jutro), Office of Homeland Security (OHS) from the EPA Security Management Division (SMD), that between July 16 and July 30, 2014, Jutro engaged in a series of interactions involving a twenty-one (21) year old female intern from the Smithsonian Institution who reported the interactions to her supervisor at the Smithsonian Institution and indicated that she was "uncomfortable and scared" by their interactions.

The OIG was presented with additional allegations regarding Jutro in the course of its investigation into the initial interactions with the Smithsonian Institution intern; specifically: (1) from 2004 through July 2014, Jutro engaged in conduct and exchanges considered to be unwelcome by sixteen (16) additional females; (2) Jutro was not in compliance with building entry security procedures in the William Jefferson Clinton North (WJCN) facility; (3) Jutro discussed classified information in violation of safeguarding and access restriction requirements either in an unsecure location or in a careless manner; and (4) a lack of due diligence by senior level officials at EPA in responding to earlier claims of unwelcome conduct and verbal exchanges resulted in women being subjected to further inappropriate behavior by Jutro from January 2014 to July 30, 2014.

At the agency's request and to assist EPA management to move forward with any administrative action and policy modifications deemed appropriate, EPA OIG will be issuing two (2) Reports of Investigation (ROI) in the above-captioned case. The fourth allegation above will be the subject of the second ROI.

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EPA Form 2720-17 (Computer)

This is the first ROI for this case and it will address the investigative findings for the following allegations:

1. From July 16 to July 30, 2014, Jutro engaged in a series of interactions, including conduct and verbal exchanges of a sexual nature, involving a twenty-one (21) year old female intern from the Smithsonian Institution who reported the interactions to her supervisor at the Smithsonian Institution and indicated that she was "uncomfortable and scared" by their interactions (Victim 1).
2. In addition to actions directed at Victim 1, from 2004 through July 2014, Jutro engaged in conduct and exchanges, including some of a sexual nature, considered to be unwelcome by sixteen (16) additional females.
3. Jutro was not in compliance with building entry security procedures.
4. Jutro discussed classified information in violation of safeguarding and access restriction requirements either in an unsecure location or in a careless manner

Synopsis

The investigation substantiated that from July 16 to July 30, 2014, Jutro engaged in a series of interactions, including some of a sexual nature, involving a twenty-one (21) year old female intern (Victim 1) from the Smithsonian Institution who reported the interactions to her supervisor at the Smithsonian Institution and indicated that she was "uncomfortable and scared" by their interactions. Additionally, the investigation substantiated that from 2004 through July 2014, Jutro engaged in conduct and exchanges, including some of a sexual nature, considered to be unwelcome by sixteen (16) additional females. Of the sixteen (16) additional females, thirteen (13) reported the matter(s) to their management. In addition, two (2) more females were subject to similar conduct and/or exchanges, but did not consider it objectionable. For the third allegation, the investigation substantiated that Jutro was not in compliance with building entry security procedures by bypassing the security checkpoint with Victim 1 and not having her sign in as a visitor. Lastly, the investigation determined that the allegation that Jutro discussed classified information in violation of federal requirements for safeguarding and restricting access to classified information was unsubstantiated.

Background

On August 1, 2014, EPA, OIG, OI, received the initial complaint regarding Jutro's behavior toward Victim 1. Subsequently, OI's investigation determined that Jutro had engaged in potentially inappropriate behavior toward at least one (1) other female.

EPA management was immediately advised of the initial uncovered information regarding Jutro's behavior toward the intern and the one (1) additional female and on August 4, 2014, Jutro was placed on paid administrative leave pending the results of the OIG investigation. (Exhibit 1)

Sixteen (16) female "victims"[1] and the Smithsonian intern, described examples of Jutro's conduct toward them as unwelcome, including the following behavior: touching, hugging, kissing, photographing, and making double entendre comments with sexual connotations. OIG's investigation ceased after the interviews of 17 victims and therefore not all identified victims were interviewed. Specifically, three (3) women identified were not interviewed by OIG.

[1] OIG is using the term victim as a descriptor for those women that OIG identified as having potentially concerning or inappropriate interactions or contact with Jutro.

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To protect the identity of the victims identified in this investigation, the names have been replaced with the following identifying numbers.

Potential Victim	Grade/Agency	Status of Contact	Management Notified	How Behavior was Received
1	Intern/SI	Statement	Yes	Unwelcomed
2	[redacted]/EPA	Interviewed	Yes	Unwelcomed
3	[redacted]/EPA	Interviewed	Yes	Unwelcomed
4	[redacted]/EPA	Interviewed	NA	No Objection
5	[redacted]/EPA	Interviewed	Yes	Unwelcomed
6	[redacted]/EPA	Interviewed	Yes	Unwelcomed
7	[redacted]/EPA	Interviewed	Yes	Unwelcomed
8	[redacted]/EPA	Interviewed	Yes	Unwelcomed
9	Unknown/EPA	Interviewed	Yes	Unwelcomed
10	[redacted]/EPA	Interviewed	No	Unwelcomed
11	[redacted]/EPA	Interviewed	Yes	Unwelcomed
12	[redacted]/EPA	Interviewed	Yes	Unwelcomed
13	[redacted]/EPA	Interviewed	Yes	Unwelcomed
14	[redacted]/EPA	Interviewed	Yes	Unwelcomed
15	[redacted]/EPA	Interviewed	Yes	Unwelcomed
16	[redacted]/EPA	Not Interviewed	Unknown	Not Known
17	[redacted]/EPA	Not Interviewed	Unknown	Not Known
18	[redacted]/EPA	Interviewed	NA	No Objection
19	[redacted]/EPA	Not Interviewed	Unknown	Not Known
20	[redacted]/EPA	Interviewed	No	Unwelcomed
21	[redacted]/EPA	Interviewed	Yes	Unwelcomed
22	[redacted]	Interviewed	No	Unwelcomed

Following a request by OIG to speak with Jutro on January 12, 2015 regarding additional allegations related to his conduct, Jutro retired from federal service before the OIG could interview him about the additional allegations, and otherwise declined to cooperate with the OIG investigation. At the time, Jutro had been on paid administrative leave for five (5) months. He had previously been interviewed by EPA OIG regarding the initial allegation concerning his interaction with Victim 1 on August 4, 2014. During that interview, Jutro was provided an Advisement of Rights: Garrity Warning, agreed to be interviewed and provided a sworn statement regarding his interaction with Victim 1. (Exhibit 2)

Details

Issue 1: From July 16 to July 30, 2014, Jutro engaged in a series of interactions, including conduct and verbal exchanges of a sexual nature, involving Victim 1 who reported the interactions to her

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supervisor at the Smithsonian Institution and indicated that she was "uncomfortable and scared" by their interactions.

Possible Violation(s):

1. EPA ORDER 3120.1; Conduct & Discipline Manual, Appendix – Table of Penalties #7: Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful.

Issue 1 Findings: Supported. The investigation established that Jutro engaged in a series of interactions with Victim 1 between July 16, 2014 and July 30, 2014 in which he engaged in conduct and verbal exchanges of a sexual nature with Victim 1 that were unwelcome.

Issue 1 Investigative Results:

Victim 1's Statement:

On July 31, 2014 Victim 1, Intern at the Smithsonian Institution, provided her Smithsonian supervisor and EPA Human Resource Specialist, [redacted], a written statement and email exchanges about her interaction with Jutro from July 16 to July 30, 2014. Jutro's actions, according to Victim 1, include, but are not limited to the following:

On July 16, 2014, Jutro joined Victim 1 who was eating lunch outside of the Woodrow Wilson Center. [redacted] After some general discussion about career opportunities at EPA, Jutro gave Victim 1 his business card as they ended the discussion and asked her to follow up with him if she wanted more information on what he did at EPA.

From July 17, 2014 to July 28, 2014 several emails were exchanged between Jutro and Victim 1. In an email dated July 21, 2014, Jutro responded to Victim 1's email by saying "I had great fun talking to you as well; I think of it as my all too brief chat with Miss [redacted] :-)." (Exhibit 3)

On July 28, 2014 Jutro sent Victim 1 another email, asking if she was available to meet and requested a number in which Jutro could contact Victim 1. During a phone conversation on July 28, 2014, Jutro invited Victim 1 to dinner. Jutro asked where she lived and told her he would pick her up.

[redacted] agreed to meet Jutro for lunch at Federal Triangle on July 30, 2014.

On July 30, 2014, according to Victim 1, when she met Jutro, she extended her hand to shake Jutro's, but he insisted on hugging her and kissing her on the cheek [redacted] At one point, Jutro reached over to Victim 1 and wiped her cheek with his napkin. Following lunch, Jutro invited Victim 1 back to his office at EPA. As Victim 1 and Jutro walked back to the EPA building, he put his arm around her and she pulled away, but continued to follow Jutro to his office.

After entering the building without Victim 1 going through a proper security check and by-passing security (discussed in allegation 3), Victim 1 and Jutro arrived at his office where Jutro closed the door

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after they both entered. As Jutro walked to his desk, he knocked over a framed photograph, laughed at himself for being clumsy, and then covered the fallen photograph with a large folder. He insisted that Victim 1 sit down. While sitting on the couch in his office, they discussed career-related issues, but Jutro periodically would make comments that made Victim 1 very uncomfortable. For example, at one point Jutro was asking Victim 1 what she wanted to do, what really interested her, and ended by saying "what turns you on?" Victim 1 stated she felt very uncomfortable and did not answer the question.

During the conversation in the office, Jutro called an EPA employee (later identified as [redacted] of the EPA's Office of [redacted]) who he wanted Victim 1 to meet as she was looking for a job in the same field. After arranging to have Victim 1 meet [redacted], Jutro hung up the phone and went back to where he and Victim 1 were sitting. Jutro pulled out his iPhone, leaned over the table toward Victim 1 and said "I just have to," and took a picture of Victim 1's toes. (Exhibit 4) As Jutro leaned back in his chair, he tilted the camera up and took a picture of Victim 1. (Exhibit 5)

As Victim 1 and Jutro got up to leave the office to meet [redacted], Jutro got to the door in his office and turned around and said to Victim 1 [redacted]

As they were waiting for the elevator, Jutro linked Victim 1's arm. Jutro said "I'm going to tell them we're old friends, because no one would get this." [redacted] Jutro continued to rub Victim 1's arms and brush up against her as they walked down the halls and even as they were in the office with his co-worker.

After they met with [redacted], Jutro walked Victim 1 out of the building [redacted] (Exhibit 6)

Jutro's Interview, August 4, 2014:

Jutro stated his initial contact with Victim 1 was approximately July 16, 2014, when he noticed Victim 1 [redacted] Jutro could not recall where this initial interaction with Victim 1 occurred. Jutro confirmed that he gave Victim 1 his business card so that Victim 1 could contact him with career questions. Victim 1 contacted Jutro the following day via email. Jutro admitted to requesting Victim 1 meet him for drinks or dinner, but Victim 1 was unable to do so.

Jutro stated that, after several failed attempts to meet, Victim 1 and Jutro met for lunch outside of Aria on July 30, 2014. Jutro stated that he invited Victim 1 up to his office so they could talk where it was less noisy. Although Jutro stipulated that he only invited Victim 1 into his office to talk about her career opportunities, Jutro confirmed knocking over [redacted]'s picture and stacking papers on it as he entered his office with Victim 1. Jutro confirmed he asked Victim 1 what turned her on and what excited her, but Jutro explained that he asked these questions from a career standpoint. Jutro stated that although it never occurred to him that those questions were inappropriate, he would put them on the list of things to be careful about.

Jutro said he took a headshot photograph of Victim 1 (Exhibit 5) and then took a photograph of Victim 1's toes. (Exhibit 4) Jutro said he takes lots of pictures of people and stores them to help him remember who people are. Jutro said he assured Victim 1 that he did not have a foot fetish. Jutro was

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asked if saying he didn't have a foot fetish seemed inappropriate, Jutro replied not in context. Although Jutro reiterated that he was meeting with Victim 1 regarding career advice, Jutro conceded that photos of toenail color had nothing to do with career advice.

Jutro explained that he had been surprised in the past when people misinterpreted what he said. Jutro related a story in which he stated to [redacted] who he had just met that "I hope to see more of you." Jutro explained he was warned not to use that expression.

Jutro denied brushing up against or grabbing Victim 1's buttocks, but conceded that he might have put his hand on the small of her back as they walked through security. Jutro admitted to wiping something off of Victim 1's face during lunch, but did not feel it was inappropriate.

Jutro denied attempting to kiss Victim 1 on her face as they left his office to take Victim 1 to meet one of his contacts. However, Jutro admitted to hugging Victim 1 as they departed his office and might have kissed her on the head.

Jutro stated that approximately five (5) years ago, while in [redacted], [redacted] [redacted], [redacted], [redacted], [redacted] told him not to hug people when he met them. At approximately the same time, [redacted], [redacted] [redacted], OHS, asked Jutro if [redacted] minded Jutro hugging everybody. Jutro felt that [redacted] was joking.

Although [redacted] and [redacted] had spoken to Jutro about his interaction with women, Jutro stated that before the interview regarding Victim 1, he did not find his behavior to be inappropriate toward women and he never meant it in an inappropriate way. Jutro stated he did not think that OIG would find anyone else who may have felt that Jutro acted inappropriately toward them. (Exhibit 2)

Issue 2: In addition to actions directed at Victim 1, from 2004 through July 2014, Jutro engaged in conduct and exchanges, including some of a sexual nature, considered to be unwelcome by sixteen (16) additional females.

Possible Violation(s):

1. EPA ORDER 3120.1; Conduct & Discipline Manual, Appendix – Table of Penalties #7: Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful.
2. EPA ORDER 3120.1; Conduct & Discipline Manual, Appendix – Table of Penalties #32: Sexual harassment of EPA employees.

Issue 2 Findings: Supported.

From 2004 through July 2014, Jutro engaged in conduct and exchanges, including some of a sexual nature, considered to be unwelcome by sixteen (16) females. Of the sixteen (16) females, thirteen (13) reported the matter(s) to their management. Of the three (3) victims who did not report the matter(s) to their management, two (2) were senior executives in EPA and the third did not report the matter to her management for fear of retaliation. In addition, two (2) more females were subject to similar conduct and/or exchanges, but did not consider it unwelcome

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Issue 2 Investigative Results:

Sixteen (16) Victims

Reported Matter to Management/Management Was Aware

Victim 2

1st Incident with Victim 2 on [redacted]

Interview of Victim 2: On [redacted] Victim 2 met with [redacted] and [redacted], [redacted], [redacted] to discuss EPA business [redacted], Jutro and other EPA employees were expected to join them [redacted] As Jutro slid by Victim 2, he rubbed her back in a way that Victim 2 felt was inappropriate for a colleague.

Victim 2 immediately notified her supervisor, [redacted], [redacted], [redacted], EPA, who suggested Victim 2 speak with [redacted] about the incident. Victim 2 spoke with [redacted], but it was unclear if [redacted] understood [redacted] comment completely. [redacted] indicated to Victim 2 that Jutro had already been talked to about his behavior toward women. (Exhibit 7)

Interview of [redacted]: In an August 4, 2014 interview, [redacted] stated approximately [redacted] ago Victim 2, [redacted], told [redacted] that Jutro had made inappropriate comments to her, as well as physically touched her. According to [redacted], this incident occurred [redacted] recounted the story above where Jutro stated, [redacted]

[redacted] stated that [redacted] spoke with [redacted] and [redacted] subsequently spoke to [redacted] about this incident. [redacted] indicated that [redacted] not have to interact with Jutro anymore. (Exhibit 8)

Interview of [redacted]: [redacted] indicated that Victim 2 and [redacted] spoke to [redacted] about the behavior of Jutro toward Victim 2 while [redacted] could not recall the exact comments that Jutro made to Victim 2, but [redacted] talked to Jutro's [redacted]. [redacted] stated that [redacted] orally counseled Jutro on his comments made to Victim 2, but [redacted] did not believe anything was documented in writing. (Exhibit 9)

Interview of [redacted]: [redacted] stated that although [redacted] was present at the function [redacted] referenced above, [redacted] did not observe any interaction between Jutro and Victim 2, but conceded

[2] [redacted]

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that they both were present at the event. Following the event at [redacted] discussed with him the concerns that were raised by Victim 2. [redacted] stated that based upon the information received by [redacted] orally counseled Jutro on his behavior toward females, specifically touching and inappropriate comments. [redacted] stated that Jutro was surprised that concerns were raised through [redacted] did not document [redacted] oral counseling of Jutro in a written format. (Exhibit 10)

2nd Incident with Victim 2 on [redacted]

Interview of Victim 2: Following the incident on [redacted] Victim 2 indicated that she had very little interaction with Jutro until [redacted] (Exhibit 7)

Interview of [redacted]: [redacted] stated that Victim 2 emailed her about the comment by Jutro as [redacted] (Exhibit 8)

Email Exchange between [redacted] and Victim 2: In an email dated [redacted] Victim 2 and [redacted] discussed the incident that occurred [redacted]:

[redacted]

[redacted]

[redacted]
(Exhibit 11)

[3] Twat is defined as vulva or the parts of the female sexual organs that are on the outside of the body. http://www.merriam-webster.com/dictionary/twat

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Photos from Jutro's EPA Issued iPhone: As part of the interview on August 4, 2014, Jutro gave consent to search his EPA issued iPhone. The analysis of the iPhone revealed photos of a presentation titled [redacted]. (Exhibit 12)

[redacted] Interview: [redacted] stated that around [redacted] was notified that Jutro had another inappropriate interaction with Victim 2, but that it was going to be handled more formally since there were additional allegations regarding Jutro's interaction with a Smithsonian Institution intern. (Exhibit 10)

Victim 3: Victim 3 stated that Jutro initially hugged and kissed her beginning in 20[redacted] and it made her feel uncomfortable. Victim 3 stated that in 20[redacted] she mentioned Jutro's 20[redacted] conduct and the fact that it made her uncomfortable to her supervisor, [redacted], when she learned in approximately 20[redacted] that other women in her office felt uncomfortable with Jutro hugging and kissing them. (Exhibit 19)

Victim 5: Victim 5 stated that she has had interactions with Jutro since 20[redacted]. Since 20[redacted], Jutro would kiss her on the forehead and hug her. Victim 5 stated that Jutro's actions made her feel uncomfortable and she felt that his actions were inappropriate for the work environment. [redacted] Victim 5 stated that her supervisor, [redacted], witnessed some of Jutro's conduct toward her and indicated [redacted] would to talk to Jutro about his behavior toward women. (Exhibit 13)

Victim 6: Victim 6 stated that she has had interactions with Jutro since approximately 20[redacted]. Victim 6 stated that well over [redacted] years ago, she saw Jutro at a [redacted] meeting where Jutro kissed Victim 6 on the top of her head and embraced her when he greeted her. [redacted] Since the incident [redacted] Victim 6 attempted to avoid getting into situations where Jutro might get close to her. Victim 6 always felt uncomfortable with Jutro after the incident [redacted], but stated that was how Jutro interacted with women. Victim 6 reported her concerns to her supervisor and notified a senior executive at EPA prior to Jutro's appointment to Acting Associate Administrator. (Exhibit 14)

Victim 7: Victim 7 stated that on several occasions since 20[redacted] when she [redacted] Jutro made inappropriate comments, kissed her on the cheek, hugged her and touched her shoulders or necklace making Victim 7 feel uncomfortable. Victim 7 felt that Jutro's behavior toward her and other women was inappropriate [redacted] several females in her work location who indicated that they were uncomfortable with Jutro's behavior. Victim 7 stated that she brought these concerns up to her supervisor, [redacted], who indicated that Jutro's [redacted], would speak to Jutro about his behavior toward women. (Exhibit 15)

Victim 8: Victim 8 stated that she first came in contact with Jutro in 20[redacted] and often attended meetings with Jutro. [redacted] Victim 8 stated that Jutro made several "passes" at her that made her feel uncomfortable around him and therefore she now avoids any contact with Jutro.

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Victim 8 explained that since meeting Jutro in 20[redacted], Jutro has attempted to hug and kiss her several times and that she had two (2) other more concerning interactions with Jutro that she found very inappropriate.

1. [redacted]. Victim 8 stated that she reported this incident to her supervisor at the time, [redacted], ([redacted]

2. [redacted]. Victim 8 stated that she was very uncomfortable with Jutro's comments and she reported this incident to her supervisor, [redacted]. (Exhibit 16)

Victim 9: It was discovered during the investigation that a group of women in the EPA brought their concerns about Jutro's conduct toward women to [redacted] In an interview with [redacted] stated that [redacted] did not know the exact numbers or names of the females who felt uncomfortable around Jutro because of his behavior toward them[4]. However, [redacted] brought this information to [redacted] supervisor, [redacted], who indicated that [redacted] orally counseled Jutro on his behavior toward women because this incident was brought to [redacted] attention. (Exhibit 9 & 10)

Victim 11: Victim 11 had one (1) interaction with Jutro in the summer of 20[redacted] that made her feel uncomfortable. [redacted]. Victim 11 brought this incident up to [redacted], [redacted] EPA. (Exhibit 17)

Victim 12: In the summer 20[redacted], Victim 12 and Jutro [redacted] At the end of the conversation, Jutro gave her his card. When Jutro gave Victim 12 his card he held her hand and lingered for a moment before letting it go. Victim 12 thought it was weird and it made her feel uncomfortable, [redacted] Victim 12 reported this incident to [redacted], [redacted] EPA who she believed reported it to [redacted] (Exhibit 18)

Victim 13: Victim 13 stated that she has only had interactions with Jutro since her arrival at EPA around 20[redacted]. Victim 13 stated that during this time, summer 20[redacted], she had one interaction with Jutro that made her feel uncomfortable and that she felt was inappropriate. While standing outside [redacted] office, Jutro came very

[4] Because [redacted] could not identify the women or how many there were, only one victim was counted toward the total of women subjected to Jutro's conduct.

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close to her and [redacted] Victim 13 mentioned this incident to [redacted] EPA), who indicated that Jutro was already being looked into for his behavior toward females. (Exhibit 19)

Victim 14: Victim 14 stated that she had several interactions with Jutro from approximately December 20[redacted] through July 20[redacted] that were odd and somewhat inappropriate. Victim 14 stated that on two separate occasions since assuming her current position in [redacted] 20[redacted], Jutro [redacted]. Additionally, Victim 14 stated that in meetings she attended with Jutro, [redacted] This behavior made Victim 14 very uncomfortable and she felt it was inappropriate. After Jutro was placed on administrative leave, Victim 14 brought her concerns up to her supervisor, [redacted]. (Exhibit 20)

Victim 15: Victim 15 stated Jutro attempted to kiss her on the cheek [redacted] Additionally, Victim 15 stated that Jutro hugged her several times which made her feel uncomfortable. Victim 15 explained that Jutro also told stories that contained sexual overtones. [redacted]." Victim 15 stated that Jutro's behavior and comments were offensive to her, but often supervisors were present and seemed to condone Jutro's comments and behavior. (Exhibit 21)

Victim 21: Victim 21 had a meeting with Jutro on [redacted] 20[redacted]. Victim 21 had never met or interacted with Jutro prior to this meeting. Victim 21 explained that meeting with Jutro was brief, however, during the conversation Jutro made comments to Victim 21 with sexual overtones. Victim 21 stated she could not recall the exact comments, but they concerned her and she felt that they were inappropriate. Victim 21 brought her concerns about Jutro's comments to [redacted]. (Exhibit 22)

Did Not Report Matter To Management/Management Was Not Aware

Victim 10: Victim 10 stated that she has known Jutro since approximately 20[redacted]. Victim 10 stated that Jutro always hugged and kissed her and she observed him kiss and hug other females as well. [redacted] Victim 10 stated that in approximately 20[redacted] she was [redacted] meeting and Jutro stated that [redacted]. Victim 10 thought it was odd and it made her feel uncomfortable, [redacted] (Exhibit 23)

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Victim 20: Victim 20 stated that, in 20[redacted] Victim 20 explained that following this incident, Jutro told her supervisor that he [redacted]. Victim 20 stated that Jutro's behavior toward women was observed by supervisors and nothing seemed to be done about it so she did not want to report it and possibly have her career impacted. (Exhibit 24)

Victim 22: Victim 22 met Jutro in 20[redacted] while working and attending meetings [redacted] Victim 22 stated that during her interaction with Jutro, he kissed her on the head or face, attempted to kiss her on the lips, hugged her and tried to hold her hand. Victim 22 stated that she felt that Jutro was inappropriate at times toward her. Victim 22 did not report Jutro's inappropriate behavior to her supervisor. Victim 22 stated that through the years she had seen Jutro hug and kiss other women, but no one complained to her about Jutro's behavior. Victim 22 stated that she [redacted]. (Exhibit 25)

Two (2) Did Not Find Conduct Objectionable[5]

Victim 4: "Victim 4" stated that she has known Jutro since 20[redacted]. "Victim 4" stated that Jutro was a person who did not respect personal space and missed social cues. [redacted]. Jutro hugged and kissed "Victim 4" when he saw her. Although she was not offended by his hugs or kisses [redacted] she conceded that his behavior was inappropriate in the workplace and [redacted] Jutro's behavior toward women. "Victim 4" was aware that other women had complained in the past about Jutro's behavior toward them including unsolicited hugs, kisses and comments. (Exhibit 26)

Victim 18: "Victim 18" stated she first met Jutro in the summer of 20[redacted]. Since meeting Jutro, "Victim 18" stated that she never felt uncomfortable with anything Jutro did to her. "Victim 18" conceded that Jutro would hug her but she did not find that inappropriate. "Victim 18" stated that Jutro would periodically show her articles that he found funny, some of which had sexual double entendre associated to it. (Exhibit 27)

Three (3) Not Identified Or Interviewed

OIG's investigation ceased after the identification of the 17 victims and therefore not all potential victims were identified or interviewed by OIG. As a result, OIG cannot confirm whether there are additional victims of Jutro's conduct. For example, although information existed that Victim 16, 17

[5] As discussed in the footnote on page 3 of this ROI, OIG is using the term victim as a descriptor for those women that OIG identified as having potentially concerning or inappropriate interactions or contact with Jutro.

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and 19 may have been subjected to Jutro's conduct, they were not identified or interviewed and no additional investigation to identify other victims was conducted.

Jutro's Refusal to Cooperate-January 12, 2015: On January 8, 2015, OIG attempted to schedule an interview with Jutro, through his attorney, [redacted]), to provide Jutro an opportunity to respond to the allegations regarding Jutro's conduct and interactions with sixteen (16) women. [redacted] stated that Jutro would be willing to meet to discuss the allegations on January 12, 2015 at 11:00 am. On January 12, 2015, [redacted] contacted an OIG investigator and told the investigator that Jutro had retired from EPA effective immediately and therefore would not be speaking to OIG regarding the allegations. EPA and OIG confirmed that Jutro, who was on Administrative Leave at the time, was still an EPA employee on January 12, 2015, and OIG informed [redacted] of such and attempted to compel Jutro's appearance for an interview. [redacted] refused to allow OIG access to Jutro. (Exhibit 28) Jutro officially submitted his paperwork for retirement from federal service on January 12, 2015. After submitting his retirement paperwork on January 12, 2015 with a retirement effective date of January 12, 2015, Jutro sent a subsequent retirement package to EPA on January 13, 2015 requesting his retirement effective date to be changed to January 9, 2015. (Exhibit 29)

Issue 3: Jutro was not in compliance with building entry security procedures in the WJCN facility.

Possible Violation(s):

1. EPA Guidelines for Visitors and Groups.

Issue 3 Findings: Supported. The investigation confirmed that Jutro was not in compliance with security procedures on July 30, 2014 when Jutro bypassed the security checkpoint with Victim 1 and did not have her sign in as a visitor.

Issue 3 Investigative Results:

EPA Guidelines for Visitors and Groups: SMD has issued guidance for admitting visitors and groups into EPA buildings. This guidance states that non-EPA federal employees require certain screening. Specifically, if security personnel were not previously notified of a non-EPA federal employee's arrival, the individual must present his/her federal identification, go through screening, sign in, and be verified/met in the lobby by an EPA employee.

Security Camera Video-July 30, 2014:

OIG investigators obtained security camera video footage from [redacted], Security Specialist, SMD, Office of Administration and Resource Management (OARM), EPA. This footage showed on July 30, 2014 at approximately 12:44PM, Jutro walked through the entrance of the WJCN Building with Victim 1; she neither signed in nor was issued a visitor pass and, although the guard appeared to look at Victim 1's identification, Jutro appeared to signal to the guards that Victim 1 was with him and she was permitted to proceed with Jutro into the building without a pass or signing in. At approximately 1:32PM on July 30, 2014, the video footage showed Jutro and Victim 1 exiting the WJCN Building. (Exhibit 30)

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Interview of Jutro-August 4, 2014:

On August 4, 2014, Jutro was interviewed by OIG investigators. During the interview Jutro confirmed he escorted Victim 1 into the WJCN building. Jutro showed his EPA identification (ID) and Victim 1 showed a Government ID. The security officer waved them through. Although Jutro denied [redacted] and saying that he got her through security because of who he was, Jutro stated he may have made some statement as to being surprised that the officer did not make Victim 1 sign in. Jutro stated he may have led Victim 1 around the waist and told the guard that Victim 1 was with him. (Exhibit 2)

Statement from Victim 1:

Victim 1 stated that on July 30, 2014, as Jutro and her entered the EPA building they "passed security." As Victim 1 and Jutro were waiting for the elevator, Victim 1 stated [redacted] 'They should not have let you through. You don't have a badge, but you're with me.' I was extremely uncomfortable." (Exhibit 6)

Issue 4: Jutro discussed classified information in violation of safeguarding and access restriction requirements either in an unsecure location or in a careless manner.

Possible Violation(s):

1. Executive Order 10450, Section 8-Security Requirements for Government Employment.
2. Executive Order 13526, Section 4.1-Classified National Security Information

Issue 4 Findings: Unsubstantiated

From approximately 2004 to July 2014, Jutro repeatedly represented that he was sharing classified information in an unclassified environment. The investigation was unable to determine if during these discussions, Jutro actually discussed classified information in an unsecure environment. However, the investigation was able to substantiate that Jutro discussed potentially classified information in either an unsecure location or in a careless manner. Furthermore, the investigation revealed information that demonstrates that Jutro is not "reliable or trustworthy", as used in Executive Order 10450, and therefore, had this information been available as part of his background investigation or any future reinvestigations of Jutro's background, it is likely he would not have been allowed to retain his clearance or the position requiring it.

Issue 4 Investigative Results:

Interview of Victim [redacted]:

During an interview of Victim [redacted] on [redacted] 2014, Victim [redacted] provided several examples where in her opinion Jutro used questionable practices regarding classified information, but Victim [redacted] did not believe Jutro actually discussed classified material in a non-secure environment.

Victim [redacted] explained that in [redacted] 20[redacted], Jutro attended an [redacted] in [redacted] facilitated by Office of Emergency Management (OEM), EPA. [redacted] Jutro discussed [redacted] using the classified term for the chemical in the discussion. Those

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present at [redacted] included: Federal Government employees, local government employees, contractors, professional environmental groups and interested members of the local community interested. Victim [redacted] believed the only people present when Jutro mentioned the classified term were EPA employees who work in [redacted] Victim [redacted] could not recall Jutro's response, but she believed he stopped using the classified term. Because Victim [redacted] was not around Jutro during the entire event, she did not know if Jutro used other classified terms outside of a secure environment.

Victim [redacted] recalled another incident that concerned her regarding Jutro's practices with classified material. She and Jutro were in a classified briefing [redacted] EPA, and Jutro was taking notes, which Victim [redacted] found odd since the briefing was classified. [redacted] told Jutro to stop taking notes and Jutro responded that none of his notes were classified [redacted] never attempted to see Jutro's notes to determine if anything that Jutro had written was classified. (Exhibits [redacted])

Interview of Victim [redacted]

Victim [redacted] explained that she had concerns with how Jutro handled classified information. Victim [redacted] stated that there were two (2) incidents that she recalled:

1. In approximately 20[redacted] in [redacted] during an [redacted], Jutro stated to [redacted] staff "let's pretend we are in a classified environment." Victim [redacted] stated that Jutro then began to discuss information that he suggested was classified. Victim [redacted] explained [redacted], she did not believe anything Jutro stated during that conversation was classified, even though he indicated the information was classified.

2. Prior to the 20[redacted] incident above, Victim [redacted] Victim [redacted] overheard a conversation [redacted] was having with [redacted] Victim [redacted] stated that she overheard [redacted] discuss with [redacted] a concern about Jutro's open conversations about potentially classified information in a non-secure environment. Victim [redacted] stated that she could not recall the specific details of the conversation. (Exhibit [redacted])

Interview of Victim [redacted]

Victim [redacted] stated that since approximately 20[redacted] Jutro did things that were concerning related to classified information. First, Victim [redacted] explained that in retrospect, Jutro [redacted] that he had a SCIF (Sensitive Compartmented Information Facility) in his office at his house was of concern. Second, Victim [redacted] stated that Jutro and [redacted] met [redacted] with some colleagues who Jutro knew regarding [redacted]. [redacted] explained that they met for [redacted].

A third incident Victim [redacted] described was when Jutro [redacted] Victim [redacted] explained that she

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reported this incident to [redacted], Security Officer in [redacted] EPA Office. Victim [redacted] was unware of any follow-up that occurred with Jutro regarding this security incident.

The last incident Victim [redacted] conveyed was that Jutro would often say things like "we are all cleared here" and start to talk about classified information. [redacted] (Exhibit [redacted])

Interview of Victim [redacted]:

Victim [redacted] had interactions with Jutro that concerned her about his handling of classified information. Victim [redacted] recalled one time [redacted] in [redacted] when Jutro was trying to discuss classified information [redacted]. Jutro quickly brought it back around though and said they needed to talk about it when they got home.

Victim [redacted] never saw Jutro with classified documents, but felt Jutro had a tendency to be "loose-lipped." Victim [redacted] believed Jutro liked the fact that he had access to classified information and he liked to let people know about that access in unclassified forums. [redacted]

Jutro told [redacted] from September 20[redacted] to September 20[redacted] that he had a SCIF in his home. Victim [redacted] never questioned it because Jutro was in an important EPA research and development position and because she knew some people in high positions that had SCIFs in their homes. (Exhibit [redacted])

Impact/Dollar Loss

Violations of agency rules and other potential legal violations diminish the public trust, the integrity of the office, and employee morale, and expose EPA to potential liability for Jutro's actions toward his victims.

Disposition

Jutro submitted retirement paperwork on January 12, 2015 after declining to present himself for an interview by OIG. (Exhibit 29)

SECTION B – PROSECUTIVE STATUS

ADMIN/CRIMINAL/CIVIL ACTION(S): PETER JUTRO

This case revealed no criminal violations and was therefore investigated as a purely administrative matter. As such, no criminal declination was sought or received from the United States Attorney's Office. Jutro retired from federal service after being asked to continue cooperation with the OIG investigation on January 12, 2015. This Report of Investigation is being issued to Stan Meiburg Acting Deputy Administrator, EPA, to assist EPA management to move forward with any administrative action and policy modifications deemed appropriate.

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EXHIBITS

DESCRIPTION	EXHIBIT
Significant Incident Report-Peter Jutro Placed on Administrative Leave	1
Memorandum of Interview- Peter Jutro, August 4, 2014	2
Email Correspondence Between Peter Jutro and Victim 1	3
Photograph of Victim 1's foot	4
Photograph of Victim 1	5
Memorandum of Activity-Victim 1's Statement	6
Memorandum of Interview-Victim 2	7
Memorandum of Interview-[redacted]	8
Memorandum of Interview- Victim 3	9
Memorandum of Interview-[redacted]	10
Email Correspondence Between [redacted] and Victim 2	11
Photograph of [redacted] Slide	12
Memorandum of Interview- Victim 5	13
Memorandum of Interview- Victim 6	14
Memorandum of Interview- Victim 7	15
Memorandum of Interview- Victim 8	16
Memorandum of Interview- Victim 11	17
Memorandum of Interview- Victim 12	18
Memorandum of Interview- Victim 13	19
Memorandum of Interview- Victim 14	20
Memorandum of Interview- Victim 15	21
Memorandum of Interview- Victim 21	22
Memorandum of Interview- Victim 10	23
Memorandum of Interview- Victim 20	24
Memorandum of Interview- Victim 22	25
Memorandum of Interview- Victim 4	26
Memorandum of Interview- Victim 18	27
Memorandum of Activity- Special Agent [redacted]'s Correspondence with [redacted], Attorney for Peter Jutro	28
Memorandum of Activity- Peter Jutro's Retirement	29
Memorandum of Activity-Security Camera Footage	30
Memorandum of Interview- Victim 6	31

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