

Pulling Punches: Trump-Appointed Watchdog Suppressed White...

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(Illustration: Renzo Velez / POGO; Photo: [USMEPCOM](https://www.usmeecom.com))

In the months leading up to the 2020 election, the Department of Homeland Security's top watchdog, appointed by then-President Donald Trump, quashed a pair of investigations involving the Secret Service that had been recommended by the agency's career staff, according to multiple federal sources and records reviewed by the Project On Government Oversight (POGO).

One of the inquiries would have scrutinized the Secret Service's controversial use of force in and around Washington, D.C.'s Lafayette Square last June against people protesting the killing of George Floyd. The aggressive removal of demonstrators by the Secret Service and other law enforcement agencies led to injuries, which immediately preceded Trump's photo op at a church across the square where he brandished a Bible upside down.

A second proposed inquiry would have examined Secret Service policies for handling the threat of COVID-19 to agents protecting high-level officials including the president.

Alerts & Updates

As a result of Inspector General Joseph Cuffari's decision not to probe the chaotic Lafayette Square episode, a variety of unanswered questions remain surrounding the Secret Service's adherence to its own use-of-force and related policies. Because Cuffari blocked the proposed review, it's unclear if a full picture will ever emerge of who was in charge or what happened inside the Secret Service's Joint Operation Center, which normally plays a [key coordination role](#) when protestors are cleared from Lafayette Square and its environs.

While not the aim of the probe, an investigation could have shed light on a central point that remains in dispute: Trump administration officials have contended that clearing protestors just coincidentally happened right before the photo op. Many critics find that implausible.

Yet the Secret Service was deeply involved in both events. Moreover, the White House staffer who organized Trump's photo op was top Secret Service official Anthony Ornato who, in a reportedly [unprecedented](#) arrangement, was on leave at the time to serve as White House deputy chief of staff for operations. It remains unclear whether Ornato's role in the events of Lafayette Square ever came under scrutiny. (Ornato has since returned to the Secret Service, where he now [directs the agency's training efforts](#).)

Ornato also coordinated campaign logistics for Trump, then-Vice President Mike Pence, and others at political events, some of which became COVID-19 super-spreaders, [infecting agents](#) and others. Cuffari's sidelining of his agency's proposed review of Secret Service COVID-19 policies avoided any potential examination of his role and why so many agents,

not to mention Trump, contracted the illness. At one point, more than 130 agents, or about 10% of the agency's core security personnel, were [ordered to isolate or quarantine](#) after testing positive for COVID-19, according to the *Washington Post*, which first reported the extent of the spread.

A Secret Service spokesperson would not comment to POGO, other than to say that the agency has been following all Centers for Disease Control and other appropriate protocols.

An investigation would also likely have examined Secret Service protocols last October when Trump, presumably still contagious with COVID-19, ignored medical advice and rode around waving to supporters from a presidential SUV as Secret Service agents were sealed inside with him.

"Any potential criticism of the administration or the White House likely was a factor in Cuffari's decisions and helped determine what work the agency would and would not be permitted to take on," said a federal official in the government oversight community familiar with the matter who requested anonymity because they are not authorized to speak to the press.

"When there are hot-button, politically sensitive matters, those are precisely the kind of issues an inspector general should take on."

Former inspector general

Indeed, Cuffari's decision to avoid delving into such sensitive issues in the run-up to a presidential election inevitably raises questions about his role as an independent and non-partisan watchdog overseeing one of the largest and most consequential Cabinet departments. That concern is compounded because he did so by overruling the previously unreported recommendations of his own staff.

Unlike most other Trump appointees, but typical for inspectors general, Cuffari remains in his role during the Biden administration.

"When there are hot-button, politically sensitive matters, those are precisely the kind of issues an inspector general should take on," a former inspector general, who requested anonymity because he routinely interacts with watchdog offices, told POGO.

"Our office does not have the resources to approve every oversight proposal," a spokesperson for Cuffari's office told POGO. "We have to make tough strategic decisions about how to best use our resources for greatest impact across the Department. In both of

these cases, we determined that resources would have a higher impact elsewhere.”

“That a matter is politically sensitive is not a reason in itself to review the issue, nor is it a reason to decline to take it up,” the spokesperson emailed. The spokesperson also pointed to a number of reviews that they said show a willingness to handle politically sensitive probes. The first review the spokesperson referred to is of Secret Service expenditures at [Trump’s golf course](#) in Scotland, which was published in March 2020, but that investigation was launched [many months](#) before Cuffari became the inspector general.

The spokesperson cited Cuffari’s history as a mid-level civil servant across a variety of Republican and Democratic administrations as evidence that he is not partisan. The spokesperson left unmentioned Cuffari’s preceding [six years](#) as an [advisor to Republican Governors](#) Jan Brewer and Doug Ducey in Arizona.

Cuffari’s deputy and chief of staff, Kristen Fredricks, also emailed POGO that “you may be interested in related information” and provided a link to a December report commissioned by Cuffari’s office with a private law firm that investigated his subordinates for “[undermining](#)” him. That [\\$1.4 million](#) examination of Cuffari’s employees included investigating them for their complaints about Cuffari to [Congress and a council of inspectors general](#)—communications that are [constitutionally](#) and [legally protected regardless of motive](#).

The revelations regarding the scuttled probes come as the Government Accountability Office is poised to release a review of Cuffari’s office, which will be the focus of an April 21 [House Homeland Security Committee hearing](#).

Congress has also [raised questions](#) about the office and Cuffari’s leadership. In a [March 2020 letter](#) to Cuffari, Representative Bennie Thompson (D-MS), chair of the House Homeland Security Committee, wrote that he had concerns about “the willingness of the office to conduct in-depth examinations of sensitive topics.”

“You can’t legislate a spine”



The Lafayette Square protests began on May 29, 2020, as those assembling joined a wave of nationwide activism sparked by video of Minneapolis police officer Derek Chauvin kneeling on George Floyd's neck for [over nine minutes](#) even after Floyd, a Black man, pleaded, "I can't breathe" and didn't have a pulse.

On June 1, federal forces used [chemical](#) agents and [pepper balls](#) to expel demonstrators from Lafayette Square. Soon after, Trump, several high-level officials, and Secret Service agents walked from the White House across the square to St. John's Episcopal Church, where the president held up a Bible in a staged photo op.

The hurried and unexpected use of force contrasted with long-standard methods for clearing demonstrators from Lafayette Square. Directly across from the White House, the square is a common venue for protests. The Secret Service manages to clear it—often [dozens of times](#) in a year—without resorting to smoke canisters or other dangerous methods.

Firsthand [accounts](#) from the demonstrations describe, and [video shows](#), [Secret Service officers charging](#) at the largely peaceful protestors, followed by barely audible warnings from the Park Police telling protestors to clear the square and surrounding streets. The use of force injured protestors and journalists.

“Should you use tear gas to clear a path so the president can go have a photo-op? The answer is no.”

Senator Tim Scott (R-SC)

The episode drew [rebukes from a number of Republicans](#). “Should you use tear gas to clear a path so the president can go have a photo-op? The answer is no,” said Senator Tim Scott (SC), the only Black Republican in the Senate.

Chairman of the Joint Chiefs of Staff General Mark Milley, who participated in the photo op, [later apologized](#). Some ex-Secret Service employees were also [reportedly disturbed](#) by the deployment of their former agency in the incident.

On June 2, the day after the use of force and photo op, congressional leaders [sought answers](#) from the Secret Service and [other agencies](#).

On June 10, career staff at the Department of Homeland Security’s Office of Inspector General proposed a probe of the Secret Service’s use of force in Lafayette Square, according to internal records reviewed by POGO.

A few days later, the Secret Service [admitted it had used pepper spray](#) in Lafayette Square after [having first denied doing so](#).

On June 18, Cuffari rejected his career staff’s proposal to examine the Lafayette Square incident, according to the records.

He apparently made informal comments saying he preferred data-driven investigations and that it was more appropriate for the Secret Service to conduct a review of its own actions, according to several federal sources who requested anonymity due to fear of retaliation and because they are not authorized to speak to the press.

The former inspector general POGO spoke with voiced concerns about Cuffari’s alleged rationale for quashing the investigation. “This is the whole point of an inspector general” because “agencies ultimately answer to the administration and the White House,” the former inspector general said. “An agency cannot credibly investigate themselves, especially when the matters are high-profile and controversial.”

While Trump had purged the leadership of [several watchdog offices](#) involved in politically sensitive probes in spring of 2020, some inspectors general continued to take on high-profile investigations. In contrast to Cuffari, inspectors general at the [Justice Department](#) and

[Interior Department](#) (the latter is also [a Trump appointee](#)) launched [coordinated reviews](#) of their agencies' participation in clearing out protestors at Lafayette Square. Reports of those investigations have not been released.

But because these watchdogs do not have jurisdiction over the Secret Service, it's not clear that the public will get a full picture of what happened at Lafayette Square given the agency's command-and-coordination role in clearing protestors from the square and in protecting the president. "Without Secret Service, you don't have the complete story of that day," said a federal official not authorized to speak to the press.

"Cuffari had enough sense to know [a review of Lafayette Square] would anger the White House and he didn't want to do that," said the former inspector general, who believes Congress should strengthen protections for watchdog officials. "The problem is you can't legislate a spine, but you can encourage it."

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Cuffari's refusal to investigate was closely held within his office, even as [other groups](#) and members of Congress pressed for him to launch a probe.

On July 19, [chairs of three House committees](#) asked Cuffari to investigate Homeland Security actions both at Lafayette Square and in Portland, Oregon, where a [Border Patrol tactical unit](#) was deployed and federal officers were snatching protestors and shunting them around [in unmarked vans](#).

"The Department of Justice (DOJ) and the Department of Homeland Security (DHS) appear to have increasingly abused emergency authorities to justify the use of force against Americans exercising their right to peaceful assembly," [wrote Representatives Jerrold Nadler \(NY\), Carolyn Maloney \(NY\), and Thompson](#).

In a written response, Cuffari stated that he would probe his department's actions in Portland. His letter was [silent regarding Lafayette Square](#).

A spokesperson for the Department of Homeland Security's (DHS) Office of Inspector General (OIG) told POGO in an email that "with respect to the review of the June 1, 2020 events in Lafayette Square, DHS OIG closely coordinated with Justice and Interior OIGs,

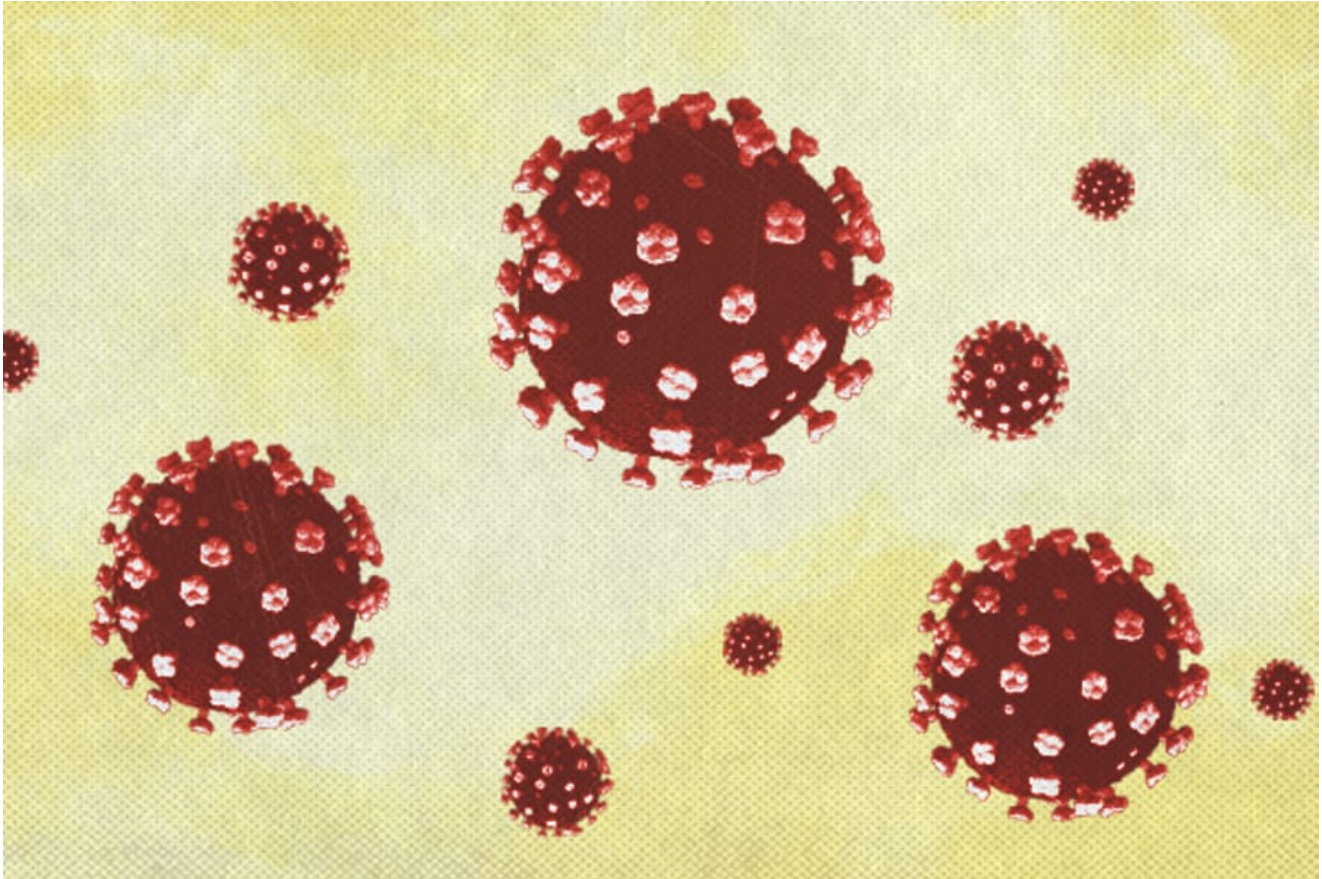
who were each planning reviews given the greater presence and participation of their agencies on that day.”

The spokesperson added that “DHS OIG facilitated Interior OIG’s access to Secret Service documents and interviews with employees.” The spokesperson did not explain why Cuffari’s letter to Congress was silent regarding Lafayette Square and the behind-the-scenes hand-off to other watchdogs lacking expertise or jurisdiction over the Secret Service. The spokesperson also did not respond to the claim that Cuffari said he believed the Secret Service should investigate itself in the matter.

Officials such as [then-Attorney General William Barr](#) and [then-acting Park Police Chief Gregory Monahan](#) have claimed that the effort to clear those assembling in Lafayette Square was solely part of an effort to erect fencing and expand the security perimeter due to growing protests. In other words, they claim the timing of Trump’s photo op was a coincidence, and unrelated to the decision to violently disperse demonstrators.

Whatever the motivation, a prominent legal expert who has accepted at face value many of the Trump administration’s statements about the episode, has questioned the use of force at Lafayette Square. “Many peaceful protesters and journalists were placed in an extremely dangerous situation by the use of smoke canisters and pepper balls to disperse a crowd that already appeared to be moving back,” Jonathan Turley, a George Washington University law professor, [told Congress](#). “Few courts would look kindly on such rapid escalation of force by law enforcement in the middle of a protest over police abuse.”

“This is a 10 out of 10”



In July and August, [dozens of Secret Service agents](#) protecting Trump and Pence contracted COVID-19 after accompanying them to campaign events. On August 10, career watchdog staff working under Cuffari formally proposed examining actions taken to protect Secret Service personnel from the virus and to minimize the impact of the pandemic on the agency's mission. (POGO later [revealed that at least 11 Secret Service personnel](#) at a Maryland training facility also came down with COVID-19 that month.)

On August 13, officials close to Cuffari put a hold on the proposed investigation so they could narrow its scope, according to an internal agency document.

In spite of the Secret Service's widely reported problems in dealing with the spread of COVID-19 and the disease's impact on the agency's mission and individual agents, the inspector general never initiated a review, narrowed or otherwise, sources told POGO. According to the inspector general's website, the watchdog has [no ongoing projects involving the Secret Service](#).

A spokesperson for Cuffari pointed to a number of reviews of how other Homeland Security components have handled COVID-19, which have led to [national news coverage](#). But the spokesperson did not explain why the spread of COVID-19 within the Secret Service was not seen as a high-enough risk to warrant review given the importance of the Secret Service's mission and those it protects, namely the president and vice president.

On October 1, Trump [tested positive](#) for COVID-19 and was hospitalized the next day. While still contagious, and over the [objections of medical personnel](#), he went on a ride days later in a presidential SUV with Secret Service agents [to drive past and wave to supporters](#).

The presidential SUV is “hermetically sealed against chemical attack,” [tweeted Dr. James Phillips](#), a Walter Reed physician and George Washington University’s chief of disaster medicine, meaning “the risk of COVID-19 transmission inside is as high as it gets outside of medical procedures.”

“The irresponsibility is astounding. My thoughts are with the Secret Service forced to play,” he wrote on Twitter.

Soon after Election Day, well over 100 Secret Service staffers [were reportedly](#) infected with COVID-19 or quarantining. Given the limited personnel that make up the presidential protective detail, the drop in staffing posed “serious ramifications given the zero-fail mission of the Secret Service,” a federal official not authorized to speak to the press told POGO.

“The Secret Service has continued throughout the pandemic to methodically assess the unique requirements necessary to complete our essential mission in the ongoing pandemic environment,” the agency said in an emailed statement to POGO. “The agency takes all appropriate precautions to protect our workforce, our protectees, and the public from exposure to COVID-19.”

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A federal official not authorized to speak to the press

Among the ongoing projects Cuffari’s spokesperson pointed to as evidence of Cuffari’s willingness to tackle politically sensitive reviews is a review of the federal preparation and reaction to the violent assault by Trump supporters on Congress on January 6 to stop the certification of Biden’s electoral victory. But unlike the two probes that were quashed months before Election Day, when Cuffari’s office announced this review along with three other inspectors general [on January 15](#), Trump was just days from leaving office.

As for Cuffari’s decisions not to review the Secret Service in the context of Lafayette Square and COVID-19, “the inspector general should have greenlighted both of these investigations,” the former inspector general said. On a scale of how bad this looks, “this is a 10 out of 10.”