

Left Navigation

OSC FILES HATCH ACT COMPLAINT AGAINST IMMIGRATION JUDGE

6/27/2018

HATCH ACT

The U.S. Office of Special Counsel (OSC) today announced that it has filed a complaint with the Merit Systems Protection Board requesting disciplinary action against Carmene “Zsa Zsa” DePaolo, an immigration judge employed by the U.S. Department of Justice. In the complaint, OSC alleges that DePaolo violated the Hatch Act when she promoted then-Presidential candidate Hillary Clinton’s plan for immigration reform during a deportation hearing over which DePaolo was presiding in March 2016.

According to the complaint, the respondent at the hearing was facing deportation and a subsequent ten-year bar on reentry into the United States, which DePaolo called “a pretty harsh thing” that Clinton intended to change, provided “the Senate becomes a Democratic body and there’s some hope that they can actually pass immigration legislation.” DePaolo said the Republicans, on the other hand, “aren’t going to do anything” about immigration “if they can help it,” other than to “try to deport everybody.” The hearing was open to the public.

“When a federal immigration judge in a public setting uses her position to advocate for partisan campaign outcomes, that’s a real problem,” said **Special Counsel Henry J. Kerner**. “Judge DePaolo appears to be in clear violation of the Hatch Act and we believe she should face significant disciplinary action.”

OSC charged DePaolo with violating the Hatch Act’s prohibitions against engaging in political activity while on duty or in the federal workplace and using her official authority or influence to interfere with or affect the result of an election. Hatch Act violations can result in a range of penalties, including demotion, suspension, removal from employment, and debarment.





U.S. OFFICE OF SPECIAL COUNSEL

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