



U.S. Department of
JUSTICE

Violence Against Women Act
Reauthorization Act of 2022 (VAWA 2022):
Section 1204(a) Report – Closing the Law
Enforcement Consent Loophole Act of 2022
For Fiscal Year 2024



March 2025

Office of Legal Policy

**Violence Against Women Act
Reauthorization Act of 2022 (VAWA 2022):
Section 1204(a) Report
Closing the Law Enforcement Consent Loophole Act of 2022
For Fiscal Year 2024**

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Overview

Congress enacted the Closing the Law Enforcement Consent Loophole Act of 2022 (Act) as Title XII of the Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022).¹ The Act created a new offense at 18 U.S.C. § 2243(c) prohibiting federal law enforcement officers, acting in their capacity as such, from knowingly engaging in a sexual act with an individual who is under arrest, under supervision, in detention, or in federal custody. A violation of 18 U.S.C. § 2243(c) carries a statutory maximum penalty of up to 15 years' imprisonment.

In addition to the creation of offenses under 18 U.S.C. § 2243(c), the Act requires the Department of Justice (Department) to report annually to Congress on the number of allegations that a federal, state, or local government actor committed any sexual misconduct offense while acting under color of law and the investigative outcomes of reported allegations and any prosecutions under 18 U.S.C. § 2243(c) (1204(a) Report). This is the 1204(a) Report for Fiscal Year (FY) 2024 (October 1, 2023, through September 30, 2024). Note that for additional information on the Act, please see the 1204(a) Reports for FY 2022² and FY 2023.³

Data regarding reports of relevant sexual misconduct made to any law enforcement agencies (Department, other federal agency, or state, local, or Tribal) and investigative outcomes for the FY 2024 1204(a) Report were provided by the Federal Bureau of Investigation (FBI), and the federal inspector general (IG) community (including the Department's Office of the Inspector General (DOJ OIG)), other non-Department agencies' IGs, and the Department of State's (State) Diplomatic Security Services' Office of Special Investigations (DSS/OSI).

- **Table 1** lists allegations of sexual misconduct by those acting under color of law received by the FBI and the investigative outcomes of those reports.⁴

¹ Violence Against Women Act Reauthorization Act of 2022, Pub. L. 117-103, 136 Stat. 49 (2022).

² The FY 2022 Report is truncated to cover only the second half of FY 2022, after VAWA 2022 was passed on March 15, 2022.

³ The VAWA 1204(a) Reports for FY 2022 and FY 2023 are located at: <https://www.justice.gov/ovw/reports-congress>, under "VAWA 2022 Reports".

⁴ The FBI has jurisdiction to investigate all allegations of misconduct committed under color of law, which includes government actors in federal, state, local, and Tribal government. IGs investigate federal government actors, including employees, contractors, and task force officers at their respective agencies. Reports of sexual misconduct by federal government actors should generally have been reported to FBI, the relevant IG, or both.

- **Table 2** lists non-Department agencies responding to the Department’s 1204(a) Report request for information through their IG or appropriate office.
- **Table 3** lists allegations of sexual misconduct of federal actors acting under color of law received by non-Department agencies and the investigative outcomes of those reports.
- **Table 4** lists allegations of sexual misconduct by a Department actor received by the DOJ OIG and the investigative outcomes of those reports.

The Department did not initiate any prosecutions under 18 U.S.C. § 2243(c) in FY 2024. For additional information regarding data collection, please see the 1204(a) Reports for FYs 2022 and 2023.

Table 1
 Allegations of Sexual Misconduct by Those Acting Under Color of Law
 Reported to the FBI from October 1, 2023, to September 30, 2024

	Allegations	Federal Actor	Non-Federal Actor
Total Allegations	60	10	50
<i>Referred to Prosecuting Entity</i>	4	0	4
<i>Closed Without Referral</i>	10	1	9
<i>Investigation Ongoing</i>	46	9	37

Table 2
List of Non-Department Agencies Responding to
the Department’s 1204(a) Report Request for Information^{5 6}

U.S. Ability One Commission	U.S. Department of Housing and Urban Development (HUD)
U.S. Agency for International Development (USAID)	U.S. Department of the Interior (DOI)
U.S. Department of Agriculture (USDA)	U.S. Department of Labor (Labor)
AmeriCorps	Library of Congress (LoC)
Amtrak/National Railroad Passenger Corporation (Amtrak)	National Aeronautics and Space Administration (NASA)
Appalachian Regional Commission (ARC)	National Credit Union Administration (NCUA)
Architect of the Capitol	National Endowment for the Arts (NEA)
United States Capitol Police	National Labor Relations Board (NLRB)
Central Intelligence Agency (CIA)	U.S. National Science Foundation (NSF)
U.S. Department of Commerce (Commerce)	National Security Agency (NSA)
Consumer Financial Protection Bureau (CFPB)	U.S. Nuclear Regulatory Commission (NRC)
Corporation for Public Broadcasting	Office of the Director of National Intelligence (ODNI)
Defense Intelligence Agency (DIA)	U.S. Office of Personnel Management (OPM)
Denali Commission	Peace Corps
U.S. Department of Education (ED)	Pension Benefit Guaranty Corporation (PBGC)
U.S. Department of Energy (DoE)	U.S. Postal Service (USPS)
U.S. Environmental Protection Agency (EPA)	U.S. Railroad Retirement Board (RRB)
U.S. Equal Employment Opportunity Commission (EEOC)	U.S. Securities and Exchange Commission (SEC)
Export-Import Bank of the United States (EXIM)	U.S. Small Business Administration (SBA)
Federal Communications Commission (FCC)	Smithsonian Institution
Federal Deposit Insurance Corporation (FDIC)	U.S. Social Security Administration (SSA)
Federal Housing Finance Agency (FHFA)	Special Inspector General for Afghanistan Reconstruction (SIGAR)
Federal Reserve Board	Special Inspector General for Pandemic Recovery (SIGPR)
Federal Trade Commission (FTC)	U.S. Department of State (State)
U.S. General Services Administration (GSA)	Tennessee Valley Authority (TVA)
U.S. Government Accountability Office (GAO)	U.S. Department of Transportation (DoT)
U.S. Government Publishing Office (GPO)	U.S. Department of the Treasury (Treasury)
U.S. Department of Health and Human Services (HHS)	U.S. Treasury Inspector General for Tax Administration (TIGTA)
U.S. Department of Homeland Security (DHS)	U.S. Department of Veterans Affairs (VA)

⁵ As noted above, the Department primarily collected information from the federal IG community for this report. One IG serves both the Federal Reserve Board and the Consumer Financial Protection Bureau. The inspector general serving the ODNI is the Office of the Inspector General of the Intelligence Community. Finally, the State Department’s DSS/OSI is their agency lead for sexual misconduct allegations, complaints, and investigations. State’s DSS/OSI provided data for this report.

⁶ The Department of Defense (DoD) was not asked to provide data for this report, because DoD IG does not collect this data for the entire DoD. Allegations of sexual misconduct regarding DoD active duty and civilian employees can be made in a variety of ways that would not be reported to the DoD OIG. Additionally, DoD reports data on sexual misconduct involving members of the armed forces in its Department of Defense Annual Report on Sexual Assault in the Military online at <https://www.sapr.mil/reports>.

Table 3

Allegations of Sexual Misconduct by Federal Actors Acting Under Color of Law
Reported to Non-Department Agencies from October 1, 2023, to September 30, 2024

Agency	Allegations/ Complaints Received	Referred for Prosecution ⁷	Referred to Internal Affairs/OPR	Closed Without Referral	Investigation Ongoing
USAID	2	1	0	1	0
USDA	7	1	3	1	2
AmeriCorps	2	0	0	0	2
Commerce	4	1	2	0	1
FDIC	1	1	0	0	0
DHS	360	1	353	4	2
HUD	1	0	1	0	0
DOI	6	0	4	2	0
Labor Dept.	3	0	0	3	0
Peace Corps	11	1	1	6	3
USPS	6	2	4	0	1
State Dept.	10	4	3	2	1
DoT	6	0	2	4	0
Treasury	4	0	1	3	0
TIGTA	26	9	12	3	2
VA	48	2	1	39	10

Sixteen agencies reported receiving 497 allegations or complaints of sexual misconduct by a federal actor (employee, contractor, or task force member) acting under color of law. Forty-one IGs serving 42 agencies reported zero allegations of sexual misconduct.⁸

⁷ The referrals of allegations to prosecutors identified in this report do not necessarily arise from the complaints received by the IGs in FY 2024 (i.e., the IG referrals to prosecutors may arise from allegations received by the IG during an earlier period).

⁸ The IGs serving the following 42 agencies reported zero complaints or allegations: U.S. Ability One Commission, Amtrak, ARC, Architect of the Capitol, United States Capitol Police, CIA, CFPB, Corporation for Public Broadcasting, DIA, Denali Commission, ED, DoE, EPA, EEOC, EXIM, FCC, FHFA, Federal Reserve Board, FTC, GSA, GAO, GPO, HHS, LoC, NASA, NCUA, NEA, NLRB, NSF, NSA, NRC, ODNI, OPM, PBGC, RRB, SEC, SBA, Smithsonian Institution, SSA, SIGAR, SIGPR, and TVA.

Table 4
 Allegations of Sexual Misconduct by Department Actors Acting Under Color of Law
 Reported to DOJ OIG from October 1, 2023, to September 30, 2024⁹

Component	Complaints Received	Investigation	Monitored Referral	Management Review	Miscellaneous
All DOJ	569	29	203	202	135
<i>ATF</i>	3	0	2	1	0
<i>BOP</i>	526	27	185	183	131
<i>DEA</i>	4	1	2	1	0
<i>FBI</i>	12	0	7	5	0
<i>USMS</i>	24	1	7	12	4

In FY 2024, DOJ OIG received 569 complaints in which one or more of the subjects was alleged to have engaged in criminal sexual misconduct.¹⁰ There were 39 DOJ OIG investigations in which the OIG referred allegations of criminal sexual misconduct to federal or state prosecutors in FY 2024. The OIG referrals of allegations to prosecutors identified in this report arise from FY 2024 and other periods. Therefore, the number of allegations referred to prosecutors may appear to not match the data in Table 4.

⁹ DOJ OIG has multiple categories of investigative outcomes that are consolidated into four areas for the purpose of the 1204(a) Report.

- **Investigation:** Complaints that are opened as DOJ OIG investigations.
- **Monitored Referral:** Complaints that are referred to a Department component’s office of professional responsibility or internal affairs office, or its equivalent, to conduct an investigation of the allegations and forward a report of its completed investigation to DOJ OIG for review. Generally, monitored referrals are used for components that have an internal affairs or professional responsibility office, or its equivalent.
- **Management Review:** Complaints that do not warrant handling as a DOJ OIG investigation or monitored referral but constitute matters that the component should either be aware of or act on.
- **Miscellaneous:** This category includes: (1) allegations that have been consolidated with another complaint that was already recorded and classified in the DOJ OIG’s case management system, because the allegation or a substantially related allegation was previously reported to the DOJ OIG through a different source; (2) allegations that lack sufficient basis or detail to warrant any follow-up by either the DOJ OIG or any Department component; and (3) complaints that had not been assigned a disposition as of the end of the reporting period (FY 2024).

¹⁰ DOJ OIG data includes all allegations of sexual misconduct reported to DOJ OIG during the covered time period. The data may involve task force officers, contractors, grantees, subcontractors, subgrantees, and other direct and indirect recipients of federal funds.