

U.S. Department of Justice
Federal Bureau of Prisons
Washington, DC

Office of Internal Affairs Report for Fiscal Year 2010



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Executive Summary of Findings

- There was a 3.4 percent increase in the number of cases opened in Fiscal Year 2010 as compared with Fiscal Year 2009. The rate of reported misconduct among BOP employees increased 3.5 percent in Fiscal Year 2010 as compared with Fiscal Year 2009.
- The largest increase occurred in cases categorized as Classification 3 offenses (allegations of misconduct which ordinarily have less impact on institutional operations)—a 5.9 percent increase over those cases opened in Fiscal Year 2009.
- The most frequently reported type of misconduct in Fiscal Year 2010 was Other On-Duty Misconduct. Unprofessional Conduct and Abuse of Inmates places second and third, respectively.
- The categories of misconduct which showed the largest increases from Fiscal Year 2009 were Sexual Abuse of Inmates, Discrimination, and Unprofessional Conduct. The most significant decreases occurred in the categories of Investigative Violations, Unauthorized Release of Information, and Breach of Security.
- During Fiscal Year 2010, 20 cases involving Patriot Act Violations were opened. As of September 30, 2010, 16 cases remained open pending investigation, and 4 cases were closed. One allegation of misconduct was sustained.
- As of September 30, 2010, a decision had been made for 29.5 percent of the 5,508 BOP employees identified as misconduct subjects in Fiscal Year 2010. Of the 29.5 percent, 20.6 percent had a sustained decision, a rate of .9 employees per 100 total BOP staff.
- The most frequently sustained category of misconduct among BOP employees with a sustained decision as of September 30, 2010, was Personnel Prohibitions, followed by Unprofessional Conduct and Other On-Duty Misconduct.
- The sustained rate of misconduct for those BOP employees for whom a decision had been made as of September 30, 2010, was the same for male and female BOP staff (.9 employees per 100 total BOP staff in that group).
- The most frequently sustained category of misconduct among male BOP employees with a sustained decision as of September 30, 2010, was Unprofessional Conduct, while the most frequently sustained category of misconduct among female BOP employees with a sustained decision as of September 30, 2010, was Personnel Prohibitions.
- For those BOP employees with a sustained decision as of September 30, 2010, the rate was highest among Computer Services staff (2.6 per 100 total Computer Services staff. Although the absolute number of sustained decisions was low (i.e., 6), the per capita rate

Executive Summary of Findings

was nonetheless the highest given the relatively small number of Computer Services staff in the agency.

- For those BOP employees with a sustained decision as of September 30, 2010, the rate was the same for non-bargaining unit and bargaining unit employees (.9 employees per 100 total BOP staff in that group).
- For those contract/halfway house employees with a sustained decision as of September 30, 2010, the most frequently sustained category of misconduct was Inappropriate Relationships with Inmates. This was also true for those staff in privatized facilities with a sustained decision as of September 30, 2010.
- As of September 30, 2010, 6 allegations of Physical Abuse reported during Fiscal Year 2010 were sustained, all resulting in minor/no injury (harassment) to the inmate. One of the sustained allegations involved a male Correctional Services employee. The remaining 5 allegations involved staff in privatized facilities. None of the subjects with sustained allegations were criminally prosecuted.
- As of September 30, 2010, 30 allegations of Introduction of Contraband reported during Fiscal Year 2010 were sustained, involving 28 individuals. Twelve involved the introduction of soft contraband, 10 involved the introduction of unauthorized electronic devices, 2 involved the introduction of weapons, and 1 each involved the introduction of drugs and alcohol. A male Correctional Services employee and a female contract employee working in a BOP facility were convicted of criminal violations.
- As of September 30, 2010, 13 allegations of Sexual Abuse of Inmates reported during Fiscal Year 2010 were sustained: 4 involved BOP employees, 1 involved a PHS employee working in a BOP facility, 5 involved staff working in contract/halfway house employees, and 3 involved staff working in privatized facilities. One of the 13 individuals involved in the sustained allegations of Sexual Abuse of Inmates was convicted of criminal violations.

Reporting Incidents of Misconduct

Staff Reporting

In accordance with the Bureau's Standards of Employee Conduct, staff who become aware of any violation or alleged violation of the Standards of Employee Conduct must report them to the Chief Executive Officer (CEO), the Office of Internal Affairs (OIA), or the Department of Justice (DOJ), Office of the Inspector General (OIG).

The OIG has established a toll-free hotline (1-800-869-4499) which is available to anyone wishing to report DOJ employees' misconduct, as well as fraud, waste, or abuse in government. All Bureau staff are encouraged to use the OIG hotline if they wish to remain anonymous or fear retaliation or reprisal.

To report violations directly to the OIA Central Office, please submit a written complaint to:

Federal Bureau of Prisons
Office of Internal Affairs
320 First Street, NW, Room 600
Washington, DC 20534

Written complaints may also be sent via fax to (202) 514-8625.

CEO Reporting

Upon becoming aware of any possible violation of the Standards of Employee Conduct (either through a report from staff or through personal knowledge, the CEO at the institution, Regional Office or Central Office Division, or his or her designee, is to report the violation to the OIA in accordance with the following time frames.

Classification 1 cases are defined as allegations which, if substantiated, would constitute a prosecutable offense (other than offenses such as misdemeanor arrests). Classification 2 cases are defined as allegations which involve violations of rules, regulations, or law that, if substantiated, would not likely result in criminal prosecution, but constitute serious misconduct. **Classification 1 and 2 cases must be reported telephonically to the OIA immediately.**

Written notification to the OIA will be made **within 24 hours** (not to include weekends and holidays) of the time management learns of the matter. Include:

- The identity of the complainant(s), subject(s), witness(es), and victim(s);
- The details of the allegation(s); and
- Any corroborating evidence.

