

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

Office of Internal Affairs Report for Fiscal Year 2011



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Executive Summary of Findings

- There was a 4.6 percent increase in the number of cases opened in Fiscal Year 2011 as compared with Fiscal Year 2010. The rate of reported misconduct among BOP employees stayed the same, however.
- Cases classified as Classification 3 offenses showed a 13.5 percent increase over those cases opened in Fiscal Year 2010, while Classification 1 and 2 offenses showed a decrease (3.4 percent and 2.2 percent, respectively).
- The most frequently reported type of misconduct in Fiscal Year 2011 was Unprofessional Conduct. Other On-Duty Misconduct and Abuse of Inmates placed second and third, respectively.
- The only categories of misconduct which showed an increase from Fiscal Year 2010 were Discrimination, Failure to Follow Policy, Personnel Prohibitions, and Breach of Security. The most significant decreases occurred in the categories of Bribery, Inattention to Duty, and Off-Duty Misconduct.
- During Fiscal Year 2011, 33 cases involving Patriot Act Violations were opened. As of September 30, 2011, 19 cases remained open pending investigation, and 14 cases were closed. No allegations of misconduct were sustained.
- As of September 30, 2011, a decision had been made for 28.2 percent of the 5,570 BOP employees identified as misconduct subjects in Fiscal Year 2011. Of the 28.2 percent, 18.9 percent had a sustained decision, a rate of .8 employees were 100 total BOP staff).
- The most frequently sustained category of misconduct among BOP employees with a sustained decision as of September 30, 2011, was Personnel Prohibitions, followed by Unprofessional Conduct and Off-Duty Misconduct.
- The sustained rate of misconduct for male BOP employees for whom a decision had been made as of September 30, 2011, was .9 employees per 100 total male BOP staff, while the sustained rate of misconduct for female BOP employees for whom a decision had been made as of September 30, 2011, was .7 employees per 100 total female BOP staff.
- The most frequently sustained category of misconduct among male BOP employees with a sustained decision as of September 30, 2011, was Personnel Prohibitions, while the most frequently sustained category of misconduct among female BOP employees with a sustained decision as of September 30, 2011, was Inappropriate Relationship with Inmates.
- For those BOP employees with a sustained decision as of September 30, 2011, the rate was highest among Religious Services staff (1.5 per 100 total Religious Services staff. Although the absolute number of sustained decisions was low (i.e., 5), the per capita rate

Executive Summary of Findings

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

- For those BOP employees with a sustained decision as of September 30, 2011, the rate was slightly higher for bargaining unit employees than for non-bargaining unit employees (.8 employees per 100 total bargaining unit staff vs. .7 employees per 100 total non-bargaining unit staff).
- For those contract/halfway house employees with a sustained decision as of September 30, 2011, the most frequently sustained category of misconduct was Inappropriate Relationship with Inmates. This was also true for those staff in privatized facilities with a sustained decision as of September 30, 2011.
- As of September 30, 2011, two allegations of Physical Abuse reported during Fiscal year 2011 were sustained, both resulting in minor/no injury (harassment) to the inmate. One of the sustained allegations involved a male Correctional Services employee, and one involved a staff member working in a privatized facility. Neither of the subjects with a sustained allegation was criminally prosecuted.
- As of September 30, 2011, 26 allegations of Introduction of Contraband reported during Fiscal Year 2011 were sustained, involving 24 individuals. Eleven involved the introduction of soft contraband, 10 involved the introduction of unauthorized electronic devices, 3 involved the introduction of weapons, and 1 each involved the introduction of marijuana and creatine/weightlifting supplements. A male employee at a privatized facility was arrested by local authorities. The individual's employment was terminated before the case could be adjudicated.
- As of September 30, 2011, 9 allegations of Sexual Abuse reported during Fiscal Year 2011 were sustained: 1 involved a BOP employee, 4 involved staff working in contract/halfway house facilities, and 4 involved staff working in privatized facilities. None of these individuals were 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. When it is suspected that criminal conduct has occurred, the CEO may refer the matter **simultaneously** to the OIA and the Local OIG or Federal Bureau of Investigation (FBI) office.

Unless the CEO and the Chief of the OIA agree to a different method, ordinarily, investigations involving Classification 3 cases are to be conducted using local resources. Classification 3 cases are defined as allegations of misconduct which ordinarily have less impact on institutional operations. Ordinarily, CEOs can proceed with local investigations on Classification 3

