

From: [REDACTED]

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Request for Info (re: COs [REDACTED])

Date: Fri, 02 Apr 2021 15:34:33 +0000

Hi [REDACTED]
Thank you very much for this information. We will review it and get back to you with any additional questions.

Be well,
[REDACTED]

From: [REDACTED]
Sent: Friday, April 2, 2021 11:04 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Request for Info (re: COs [REDACTED])

Per our discussion, below is the information we discussed in our conference call. As stated, the OIG supports the decision of the USAO but is requesting that if a deferred prosecution is granted, we be able to obtain a statement of facts (or something similar) related to [REDACTED] falsification of the logs and any other information they may have regarding direction they received from superiors reference cellmate assignments, cameras, etc.

The OIG has multiple cases open regarding falsification of logs at various institutions across the country but I wanted to highlight the below four:

1. 2019-010548 - Inmate suicide at Butner- logs falsified - guilty plea to false statement, 1 year probation, 5:20-CR-73-1-M Eastern District of North Carolina
2. 2019-011019 - Inmate on inmate homicide at Butner (2 Subjects)-logs falsified -guilty plea to false statement, 6 mos probation/\$1k fine, 5:20-CR-114-1D and 2D Eastern District of North Carolina)
3. 2020-000471 - Inmate death natural causes at Leavenworth-logs falsified; Subject gave voluntary statement, case declined, administrative charges sustained and pending disciplinary action
4. 2020-000406 - Inmate suicide at Petersburg-logs falsified; declined; Subject gave voluntary statement, case declined, administrative charges sustained, employee proposed for removal (I believe may still be pending)

The inmate deaths listed below do not reveal any employee administrative investigations in the OIG's database specifically associated to the death. Subsequent to an inmate death, the BOP may have reviewed events, and employees were ultimately disciplined. However, the BOP system cannot reliably reflect the association of the inmate death with the employee discipline if there was any.

As for inmate deaths over the last ten years at New York and Brooklyn, here's what the BOP has:

RegisterNum	NameLast	NameFirst	DOD	InstID	DeathLocationName	DeathCategory
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Housing Unit	Cardiac
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Special Housing Unit	Hanging
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Community Hospital	Drug Overdose
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Community Hospital	Hanging
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Community Hospital	Hanging
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Mental Health/MRC	Hanging

Please note that the BOP is still pending a coroner's report on [REDACTED] so that one is included out of an abundance of caution.

In BOP cases that resulted in sustained charges of falsification with regard to log entries closed since January 1, 2019, the following disciplinary actions were taken:

- Letter of Reprimand - 2
- Suspension - 50
- Demotion - 1
- Termination - 3
- Resignation/Retirement Prior to Discipline - 6

In relation to my discussion on investigations being retained in an employee's permanent personnel file, please refer to 5 USC §3322

<https://www.law.cornell.edu/uscode/text/5/3322#:~:text=5%20U.S.%20Code%20%C2%A7%203322%20-,Voluntary%20separati on%20before%20resolution%20of%20personnel%20investigation.>

Hope this is helpful in your office making a decision on the best way to proceed. Let me know if you have any questions or would like to discuss further.

[REDACTED]
[REDACTED]
Deputy Assistant Inspector General for Investigations
Office of the Inspector General
Department of Justice
Desk: [REDACTED]
Cell: [REDACTED]

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