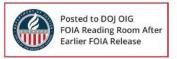


DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

REPORT OF INVESTIGATION

					J.	
SUBJECT					CASE NUMBER	
(b)(6); (b)(7)(C)					2022-008988	
Warden						
(b)(6): (b)(7)(C)						
	NDUCTING INVE	STIGATION		DOJ COMPONENT		
Chicago	Field Office			Federal Bureau of Pr	isons	
DISTRIBUT	TION		STATUS			
⊠	Field Office	CFO	□ OPEN	☐ OPEN PENDING F	ROSECUTION	
	AIGINV		PREVIO	US REPORT SUBMITTED:	□ YES	⊠ NO
\boxtimes	Component	ВОР		Date of Previous Report:		
	USA					
	Other					
				/NODCIC		
			31	YNOPSIS		
The De	nartment of li	istice (DOI) Of	fice of the Inspecto	or General (OIG) initiate	ed this investigation	on upon the receipt of
informa	ation from the	Federal Bure	au of Prisons (BOP)) Office of Internal Affa	airs alleging that o	on (a)(5), (b)(7)(C) Warden
(b)(6); (b)(7)(C)	opera	ated his perso	nal utility terrain ve	ehicle (UTV) (alternativ	ely referred to as	an all-terrain vehicle
(A⊤V)) c	on institution g				OP sponsored so	
occurre	ed (6)(6); (b)(7)(C)				•	The
	ation also sug	gested that	may have en	idangered the safety o	f staff through car	relessness while
operati	ing his ATV.					
Refore	the investigat	ion started th	a OIG received two	anonymous complair	ats alloging that	operated his
	institution gro		le Old received two			ppropriate comments
	ous employees					pp op into
During	the course of	the investigat	ion, the OIG found	indications that (b)(6) (b)(7)	may have mad	le false statements and
lacked	candor during	an interview	with the OIG.			
The OI	Ginvestigation	substantiate	d the allegations th	nat (6)(6): (6)(7)(C) operated h	is ATV on instituti	ion grounds:
						ents to employees; and
197		*				
DATE C	October 26, 2023			b)(5) (b)(7)(C)		
(b)(6); (b)(7)(C)			SIGNATUI	RE		
PREPARED	BY SPECIAL AGEN	IT				
DATE O	ctober 26, 2023			9	/ WILI	LIAM HANNAH
William Ha	annah	NT IN CHARGE	SIGNATUI	RE William 74	202	3.10.26 15:07:53 -05'00

OIG Form III-210/1 (Superseding OIG Form III-207/4) (04/23/2007)

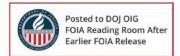


made false statements and lacked candor during his OIG interview, in violation of DOJ and BOP policy.
b)(6); (b)(7)(C)
Five staff members told the OIG that they witnessed operate his personal ATV on institution grounds. Two staff members told the OIG that operated the ATV in a reckless manner, nearly tipping the vehicle over.
Seven staff members relayed to the OIG that they witnessed make
inappropriate sexual and disrespectful comments on various days since becoming the Warden
Θ(δ), (δ)(7)(C)
The OIG reviewed a memorandum to file from which stated that made inappropriate sexual remarks and that masturbation, in a joking manner, with his staff.
In a voluntary interview with the OIG, admitted to operating his ATV on institution grounds and confirmed that a BOP employee rode with him as a passenger; however, stated he was not aware that his use of a personal ATV on institution grounds violated BOP policy until after the date of the incident.
D)(6); (Φ)(T)(C)
was not driving like a "maniac," but admitted that while turning the ATV "kind of…tilted off the ground or whatever, and then came back down." Finally, denied making any inappropriate sexual or disrespectful comments to staff.
The U.S. Attorney's Office description of declined prosecution of
The OIG has completed its investigation and is providing this report to the BOP for appropriate action.
Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct. The Merit Systems Protection Board applies this same standard when reviewing a federal agency's decision to take adverse action against an employee based on such misconduct. See 5

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U.S.C. § 7701(c)(1)(B); 5 C.F.R. § 1201.56(b)(1)(ii).

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DETAILS OF INVESTIGATION

Predication

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the Federal Bureau of Prisons (BOP) Office of Internal Affairs alleging that on operated his personal utility terrain vehicle (UTV) (alternatively referred to as an all-terrain vehicle ATV)) on institution grounds objective during a BOP sponsored social event that occurred objective may also have endangered the safety of staff through carelessness while operating his ATV.
Refore the investigation started, the OIG received two anonymous complaints alleging that operated his alleging that on institution grounds and that he had made several inappropriate comments to various employees
During the course of the investigation, the OIG found indications that may have also made false statements and lacked candor during an interview with the OIG.
nvestigative Process
The OIG's investigative efforts consisted of the following:
nterviews of the following BOP personnel:
Review of the following:
(b)(6), (b)(7)(C)
Request for Training Center Use Form NOS: (0)(7)(C)
Daily Logs and Other Records for Memorandum for File Memorandum for File
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Unauthorized Operation of His Personal ATV on BOP Grounds, Endangerment of Others,
The information provided to the OIG alleged that during a BOP social event on personal ATV on institution grounds and may also have endangered the safety of staff through his carelessness while operating his ATV.
φ)(6); (b)(7);C)
BOP Institution Supplement SST-4400.05I, Section 13(F)(3), dated September 10, 2020, states: "ATVs, Go-Karts, Snowmobiles, Minibikes. These vehicles may be possessed by housing residents but may not be used on institution grounds."
BOP Standards of Employee Conduct, Program Statement 3420.11, Attachment-A - Standard Schedule of Disciplinary Offenses and Penalties, lists under "Nature of Offense," Para. 15, "Endangering the safety of staff, inmates, or others through carelessness or failure to follow instructions."
explained to the OIG that on offered to give her a ride in his ATV on BOP on BOP property. Discretely offered to give her aride in his ATV, but confirmed it was after 3:30 pm. Solid that while returning offered to give her aride in his ATV, but confirmed it was after 3:30 pm. Solid that while returning offered to give her aride in his ATV on BOP property. Discretely on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV on BOP on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was going too fast, and the ATV "kind of" tipped when rounding a corner. Discretely offered to give her aride in his ATV was after 3:30 pm. Solid on BOP was after 3:30 p
further told the OIG that she did not know if the ATV almost tipped over because
was going too fast (MIC) was going too fast (MIC) (MIC
told the OIG that on he witnessed he witnessed operate his personal ATV on institution grounds with sideways." as a passenger around 5:00 p.m. According to he witnessed the ATV went and the ATV slid sideways. He stated that it definitely went on two wheels, but it did not completely flip over.
told the OIG that during duty hours, she witnessed to the country of the country
driving his personal ATV with two on institution grounds a "day or two" before the event at issue.
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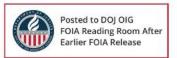
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(b)(6); (b)(7)(C)	
During a voluntary interview with the OIG, ONT DO DO	dmitted that during the BOP sponsored social event (10)(10)(10)(10)
b)(6) he rode his personal ATV (b)(7)(C)	to the institution's (%)(6)(6)(7)(C) with
3(4) (4) (3)	
(b)(6); (b)(7)(C)	further admitted that while driving the
vehicle (b)(6), (b)(7)(C)	the vehicle "tilted off the ground or whatever and then came
	ic," but suggested that the ATV tipped while starting from a
	f the tire hits a rock or something. (SACK) acknowledged to
the OIG that he is now aware that operating an ATV of	on institution grounds is prohibited, but he said he was
unaware of the policy at the time of the event.	
and the point, at the time of the creat	
TI 116 1 1 666 F-1-1-1	b)(6); (b)(7)(C)
The U.S. Attorney's Office (b)(6)(6)(7)(G)	declined prosecution of
¥6-	76 at at
116.6	DAGE .
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OIG's Conclusion

The OIG investigation concluded that improperly drove his personal ATV on BOP grounds and endangered the safety of other staff through his carelessness while operating that motor vehicle as alleged, and his actions violated BOP policies, specifically BOP Institution Supplement SST-4400.05I, Section 13(F)(3) and BOP Program Statement 3420.11, Attachment A, Part 15.
The OIG determined that endangered the safety of employee was a passenger, employee employee was a passenger, employee employee was a passenger, employee employee employee was employee employe
(b)(6): (b)(7)(C)
Sexual, Racist, and Obscene Comments Toward BOP Staff
Before the investigation began, the OIG received an anonymous complaint that alleged that inappropriate comments to various employees (S)(5)(5)(7)(2)

BOP Standards of Employee Conduct (Program Statement 3420.11), Attachment A – Standard Schedule of Disciplinary Offenses and Penalties lists under "Nature of Offense," Para. 10, "[D]isrespectful conduct, use of insulting, abusive, or obscene language to or about others."

The DOJ, Office of the Attorney General, Prevention of Harassment in the Workplace, Policy Memorandum No. 2015-04, dated October 9, 2015, states in part:

The Department of Justice will maintain a zero tolerance work environment that is free from harassment (including sexual harassment) based on sex, race, color, religion, national origin, gender identity, age, disability (physical or mental), genetic information, status as a parent, sexual orientation, marital status, political affiliations, or any other impermissible factor... Harassing conduct is defined as any unwelcome verbal or physical conduct that is based on any of the above-referenced characteristics when this conduct explicitly or implicitly affects an individual's employment; unreasonably interferes with an individual's work performance; or creates an intimidating, hostile, or offensive work environment. To enforce this zero tolerance policy, the Department will treat harassing conduct as misconduct, even if it does not rise to the level of harassment actionable under Title VII of the Civil Rights Act of 1964, as amended... Even where a single utterance of an ethnic, sexual, racial, or other offensive epithet may not be severe enough to constitute unlawful harassment in violation of Title VII, it is the Department's view that such conduct

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must be prevented whenever possible through awareness, robust policies and effective and appropriate follow-up, investigation, and enforcement of the zero tolerance policy.

told the OIG that she witnessed pull up his pant leg to show her his leg. said that said that proceeded to tell her that "he shaves everything because his wife likes it." proceeded to tell her that "he shaves everything because his wife likes it." told the OIG that the comment made her feel uncomfortable, and she thought it was very odd.
told the OIG that made a racial comment to her at work by saying, "I know that if it's too crazy in there with the union, I know that you'll go black on them." said she was initially surprised by the comment, but she became increasingly angry the more she thought about it.
told the OIG that he was present when was upset. According to in a separate conversation while at work, also said that he was really smooth because he shaves his entire body.
told the OIG that said to him while at work, "The difference between you and me is I spit, and you swallow," believed to be a reference to oral sex. said that the comment did not hurt his feelings, but he thought it was odd and inappropriate. statement, and he just left the conversation afterwards.
stated in substance that he slept so well that he woke up with extra time to "jack off."
told the OIG that during a conversation with her and said that he had not had sex with his wife in over a year, and he has to masturbate a lot. (aid not recall (bigs (bif))(c)) specifically saying that he same conversation, (bigs (bif))(c) said that he does not like body hair, and he shaves. (bigs (bif))(c) also recalled (bigs (bif))(c) saying, "I used to think that women don't belong in prisons." (bigs (bif))(c) speculated that (bigs (bif))(c) was referring to women being in positions of authority at the prison.
told the OIG that, while at work and around other BOP staff, he comments. On second day as the warden, recalled recalled saying while in the front lobby, "Well, I got up early, I rubbed one out, and I was still able to get here on time." Society also recalled hearing say, "Just because I'm in the front lobby getting my dick sucked, doesn't mean you're going to get a promotion."
The OIG reviewed that met with with the week of the week of met with the
During a voluntary interview with the OIG, denied making any sexual or inappropriate comments to staff, including comments that were sexist, racist, or otherwise inappropriate. specifically denied saying that he "woke up early, I rubbed one out, and still got to work on time." He also denied saying when "I spit you swallow" and saying that he is "the world's best masturbator," calling the later allegation "ridiculous." Finally, he denied saying

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that he is really smooth because he shaves his entire body. However, he said that if someone asked him, he would say that he shaves his arms, head, and legs.

OIG's Conclusion

The OIG investigation concluded	that (())(7)(C) made several in	nappropriate comments to staff as alleged and his
actions violated DOJ and BOP po	olicy, specifically the Departme	ent's zero tolerance policy on harassment and BOP
Standards of Employee Conduct	t, Program Statement 3420.11	, Attachment A, Part 10. While (a) denied to OIG
that he made the alleged inappr	ropriate comments to (6)(6)(6)(7)(6)	staff, seven employees told the OIG that they
personally witnessed (ID)(ID) m	The state of the s	xual, racist, and otherwise inappropriate. In addition,
as memorialized in [6/(6): (6)(7)(0)		s confronted about and admitted to having made a
statement about masturbation i	n front of BOP staff. The witn	ness statements were consistent, and the OIG found
these witnesses more credible the	han the denials by (***********************************	ho had admitted making such a statement to
and generally app	eared to lack candor.	

False Statements and Lack of Candor to the OIG

During the course of the investigation, the OIG found indications that made false statements and lacked candor during his OIG interview.

Title 18 U.S.C. § 1001 states:

- (a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—
 - (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; [or]
 - (2) makes any materially false, fictitious, or fraudulent statement or representation;....

The BOP Standards of Employee Conduct (Program Statement 3420.11) Attachment A – Standard Schedule of Disciplinary Offenses and Penalties, lists under "Nature of Offense", Para. 34, "[F]alsification, misstatement, exaggeration, or concealment of material fact in connection with employment... any record, investigation, or other proper proceeding."

Justice Manual 1-4.200 states that "Department employees have a duty to, and shall, cooperate fully with the Office of the Inspector General." "Lack of candor" is not specifically defined in DOJ policy, but the Merit Systems Protection Board (MSPB), in comparing "lack of candor" to the separate and distinct charge of "falsification," has defined lack of candor as follows:

Falsification involves an affirmative misrepresentation, and requires intent to deceive. *Naekel v. Dep't of Transp.*, 782 F.2d 975, 977 (Fed. Cir. 1986). Lack of candor, however, is a broader and more flexible concept whose contours and elements depend upon the particular context and conduct involved. It may involve a failure to disclose something that, in the circumstances, should have been disclosed in order to make the given statement accurate and complete. It would be comparable to the distinction in the Federal securities

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laws governing securities registration statements between 'an untrue statement of a material fact' and the failure 'to state a material fact...necessary to make the statements therein not misleading.

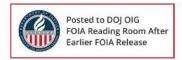
Ludlum v. Dep't of Justice, 278 F.3d 1280, 1284 (Fed.Cir.2002).

The OIG reviewed (D)(D)(C)(D)(T)(C)	Memorandum for File, dated	which
documented that ((()()()()()()()()()()()()()()()()()()	and confronted and	(6): (b)(7)(C) about
allegations that he made inappropriate sexual remarks about	masturbation to staff. According to th	ne
memorandum, "(")(5), (5)(7)(G) stated he did not recall his exact wor		
masturbating, in a joking manner, to his staff."		
his leg. said that proceeded to tell her that "he told the OIG that she his leg. bif) said that proceeded to tell her that "he told the OIG that the comment made her feel uncomfortable,	shaves everything because his wife li	
hy6): hy(7)(C)	OIG that (a)(6): (b)(7)(C) made a racial comm	nent to her at
work by saying, "I know that if it's too crazy in there with the u said she was initially surprised by the comment, but she becar	nion, I know that you'll go black on the	em." (b)(6); (b)(7)(C)
told the OIG that he was prese	nt when (6): (6):(7)(C) made the racial com	ment to
about going "black on them," and he recalled that conversation while at work, also said that he was real	was upset. According to (6)(6)(6)(7)(5)	, in a separate
6)(6):(6)(7)(C)	said to him while at work, "The diffe	oronce between
	comment did not hurt his feelings, but	
	크림사업에 있다면 있다면 하면 100mm에 가는 100mm에 가장하면 하면 100mm에 되었다면 100mm에 가장하면 100mm에 되었다면 100mm에 되었다면 100mm에 100mm에 100mm에	ent, and he just
left the conversation afterwards.	recall the context of statem	ent, and he just
left the conversation afterwards.		
told the OIG that on one occasion when mentioned something about how he slept so well that he wok	e up with extra time to "jack off."	generally
b)(6): (6)(7)(C) told the OIG that on one occasion when (6)(6): (6)(7)(C)	said that he had not had not had not recall saying specifically saying scuss masturbation during the conver	ad sex with his that he sation. During
mentioned something about how he slept so well that he wok wife in over a year, and he has to masturbate a lot. [6](5)(6)(7)(5) did the same conversation, 6(6)(7)(5) said that he does not like bod saying, "I used to think that women don't belong in prisons." 6(6)(7)(5) told the OIG that while at work and around other BOP comments. 6(6)(7)(5) recalled being in the front lobby on 6(6)(7)(5) say, "Well, I got up early, I rubbed one out, and I was still able to the say was still able to the say."	said that he had not had not recall some specifically saying specifically specifically saying specifically	ad sex with his that he sation. During alled (1995) (1997)
mentioned something about how he slept so well that he wok wife in over a year, and he has to masturbate a lot. [10] is "the world's best masturbator," but [10] did did the same conversation, [10] said that he does not like bod saying, "I used to think that women don't belong in prisons." [10] women being in positions of authority at the prison. [10] told the OIG that while at work and around other BOP comments. [10] Precalled being in the front lobby on [10] say, "Well, I got up early, I rubbed one out, and I was still able to say, "Just because I'm in the front lobby getting my did."	said that he had not had not recall saying specifically specifically saying specifical	ad sex with his that he sation. During alled (1000 (1000)) as referring to e sexual aring (1000 (1000)) alled hearing to get a
mentioned something about how he slept so well that he wok wife in over a year, and he has to masturbate a lot. (a) (a) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	said that he had not had not recall solution specifically saying s	ad sex with his that he sation. During alled (SIGN)
mentioned something about how he slept so well that he wok wife in over a year, and he has to masturbate a lot. (a) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	said that he had not had not recall saying specifically saying specifically saying scuss masturbation during the converty hair, and he shaves. Specifically saying also recall specifically saying specifically saying specifically saying specifically specifically saying also recall specifically saying also recall specifically saying also recall specifically saying sp	ad sex with his that he sation. During alled (100) (10



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referencing masturbation in a jovial manner to staff. (6)(6)(6)(7)(G) denied to the OIG that he made any statements about masturbation. declined prosecution of The U.S. Attorney's Office OIG's Conclusion The OIG investigation concluded that made false statements and demonstrated a lack of candor during his OIG interview, in violation of 18 U.S.C. § 1001, Justice Manual 1-4.200, and BOP Program Statement 3420.11, Attachment A, Para. 34. OIG concluded (10/6): (10/7)(C) made false statements because, despite denying that he made inappropriate comments to staff members, seven (6)(6)(6)(7)(5) staff members told the OIG that they witnessed (10)(5): (10)(7)(C) disrespectful, inappropriate, or obscene comments to staff. In addition, statement to the OIG conflicted with the admissions he previously made to which were memorialized in a memorandum, stating stated he did not recall his exact words but did admit to saying something about masturbating, in a joking manner, to his staff." b)(6); (b)(7)(0 In addition to these specific false statements, the OIG found lacked candor during his interview with the OIG. Approximately two months before he denied making inappropriate comments to the OIG on admitted to making similar comments to the action in the last to t during an Institution Character Profile conducted by the Office (O)(7)(0) As the OIG did not know about this during the week of (b)(6): (b)(7)(C) interview, chose not to disclose information that was clearly relevant to admission at the time of U.S. Department of Justice PAGE: 10 Office of the Inspector General CASE NUMBER: 2022-008988



the OIG investigation. We do not find it credible that could have forgotten his admission in the time between the interview with the oig.

For both matters, the OIG found the witnesses' accounts consistent and credible. The OIG did not find statements to be credible as numerous other witnesses provided contradicting accounts and the Memorandum contradicted testimony to the OIG.

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