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DOJ OIG Releases Report on the Federal Bureau of Prisons' Efforts to Address Sexual Harassment and Sexual Assault Committed by Inmates Toward Staff

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release of a report on sexual harassment and sexual assault committed by inmates toward staff at the Federal Bureau of Prisons (BOP). This evaluation did not cover sexual harassment or sexual assault perpetrated by staff toward inmates. For purposes of this evaluation, the OIG uses the term "sexual harassment" to encompass all forms of sexual harassment and sexual misconduct, including assault.

Sexual harassment can significantly affect individual victims, the safety and security of staff, and staff morale. Further, sexual harassment can lead to increased staff turnover and loss of institutional knowledge and has the potential for financial and legal consequences. In fact, between 2016 and 2020, the BOP settled multiple civil lawsuits related to inmate-on-staff sexual harassment, costing the BOP \$31,700,000.

The DOJ Office of the Inspector General (OIG) initiated this evaluation in 2019 after receiving multiple congressional inquiries regarding concerns about the BOP's efforts to keep its staff safe. We found that, while the BOP has taken some actions to respond to allegations and mitigate the risk of inmate-on-staff sexual harassment, it can do more to assess the full scope of the issue and increase the effectiveness of its mitigation efforts. The OIG's findings included the following:

- **Inmate-on-Staff Sexual Harassment Is Widespread Within the BOP.** The OIG examined all sanctioned inmate sexual incidents between fiscal years 2015 and 2021 and we surveyed, interviewed, and held focus groups of BOP staff. We found that inmate-on-staff sexual harassment is widespread. Specifically, 40 percent of survey respondents stated that they had been sexually harassed by an inmate and 69 percent of respondents who stated that they had been sexually harassed by an inmate were female. The survey also indicated that the most frequent types of inmate-on-staff sexual harassment committed by inmates toward staff include whistling or catcalling, exposing genitalia, and masturbation in front of BOP staff.
 - **The BOP Does Not Collect Adequate Data on Inmate-on-Staff Sexual Harassment and Has Been Unable to Identify the Prevalence and Scope of Inmate-On-Staff Sexual Harassment.** The BOP's tracking system for inmate misconduct did not adequately capture the prevalence, type, or severity of inmate-on-staff sexual harassment. Because of the BOP's inadequate data, it has not been able to identify the full scope of the problem.
 - **The BOP Cannot Evaluate the Effectiveness of Its Mitigation Strategies.** The BOP has not been able to fully measure the effectiveness of its mitigation strategies because it did not fully identify the prevalence and scope of inmate-on-staff sexual harassment. Further, we found that the BOP missed
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opportunities to evaluate whether certain corrective actions taken at some institutions could address inmate-on-staff sexual harassment at other BOP institutions.

- **Staff Training Needs Further Updating, and BOP Staff Are Divided on Its Effectiveness.** While the BOP includes some information related to inmate-on-staff sexual harassment in staff training, BOP staff were divided about whether the training was useful in preventing and responding to this issue. Although the BOP made updates to its training in 2022, we believe that the BOP could do more to educate its staff on inmate-on-staff sexual harassment and its training could emphasize resources to assist staff who witness or experience such harassment.

The OIG made nine recommendations to the BOP; these relate to assessing the full scope of inmate-on-staff sexual harassment across the BOP and increasing the effectiveness of the BOP's mitigation efforts.

Report: Today's report is available on the OIG's website at the following link:

<https://oig.justice.gov/reports/evaluation-federal-bureau-prisons-efforts-address-sexual-harassment-and-sexual-assault>