

## REPORT OF INVESTIGATION

SUBJECT [REDACTED]		CASE NUMBER [REDACTED]	
OFFICE CONDUCTING INVESTIGATION Chicago Field Office		DOJ COMPONENT Federal Bureau of Prisons	
DISTRIBUTION		STATUS	
<input checked="" type="checkbox"/> Field Office	CFO	<input type="checkbox"/> OPEN	<input type="checkbox"/> OPEN PENDING PROSECUTION
<input checked="" type="checkbox"/> AIGINV			<input checked="" type="checkbox"/> CLOSED
<input checked="" type="checkbox"/> Component	BOP	PREVIOUS REPORT SUBMITTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<input type="checkbox"/> USA		Date of Previous Report:	
<input type="checkbox"/> Other			

### SYNOPSIS

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated this investigation upon the receipt of information from the OIG hotline alleging that beginning in approximately [REDACTED], Federal Bureau of Prisons [REDACTED] then Warden of the United States Penitentiary in [REDACTED] engaged in a series of job performance failures. [REDACTED]

During the course of the investigation, the OIG developed information that [REDACTED] lacked candor during [REDACTED] OIG interview.

The OIG investigation substantiated that [REDACTED] lacked candor during [REDACTED] OIG interview but did not substantiate the other allegations.

DATE	December 23, 2020	SIGNATURE	[REDACTED]
PREPARED BY SPECIAL AGENT	[REDACTED]		
DATE	December 23, 2020	SIGNATURE	Digitally signed by WILLIAM HANNAH Date: 2020.12.23 11:29:16 -06'00'
APPROVED BY SPECIAL AGENT IN CHARGE	William J. Hannah		

[REDACTED] However, [REDACTED] and [REDACTED] told the OIG about instances when [REDACTED] had either operated or been a passenger in [REDACTED]

[REDACTED]

The OIG conducted second interviews of [REDACTED] and [REDACTED] regarding [REDACTED] adamant denials of ever having been in [REDACTED] personal [REDACTED] [REDACTED] and [REDACTED] maintained that their earlier statements of witnessing [REDACTED] as either the driver or a passenger in the vehicle were truthful, and that [REDACTED] denials were inaccurate. [REDACTED]

In [REDACTED] voluntary interviews with the OIG, [REDACTED] and told the OIG [REDACTED] had never been in [REDACTED]

[REDACTED] The OIG interviewed [REDACTED] a second time concerning the contradictory statements over [REDACTED] having previously driven and been a passenger in [REDACTED] [REDACTED] adamantly maintained [REDACTED] had never been in [REDACTED], either as the driver or a passenger, and maintained [REDACTED] position despite being confronted with the information provided by [REDACTED] and [REDACTED] [REDACTED] declined to submit to a voluntary OIG polygraph examination.

The U.S. Attorney's Office for the [REDACTED] declined criminal prosecution of [REDACTED].

The OIG has completed its investigation and is providing this report to the BOP for its review and action it deems appropriate.

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

## 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 OIG hotline alleging that beginning in approximately [REDACTED] Federal Bureau of Prisons (BOP) [REDACTED], then Warden of the United States Penitentiary in [REDACTED] [REDACTED] engaged in a series of job performance failures. [REDACTED]

During the course of the investigation, the OIG developed information that [REDACTED] lacked candor during [REDACTED] OIG interview.

### Investigative Process

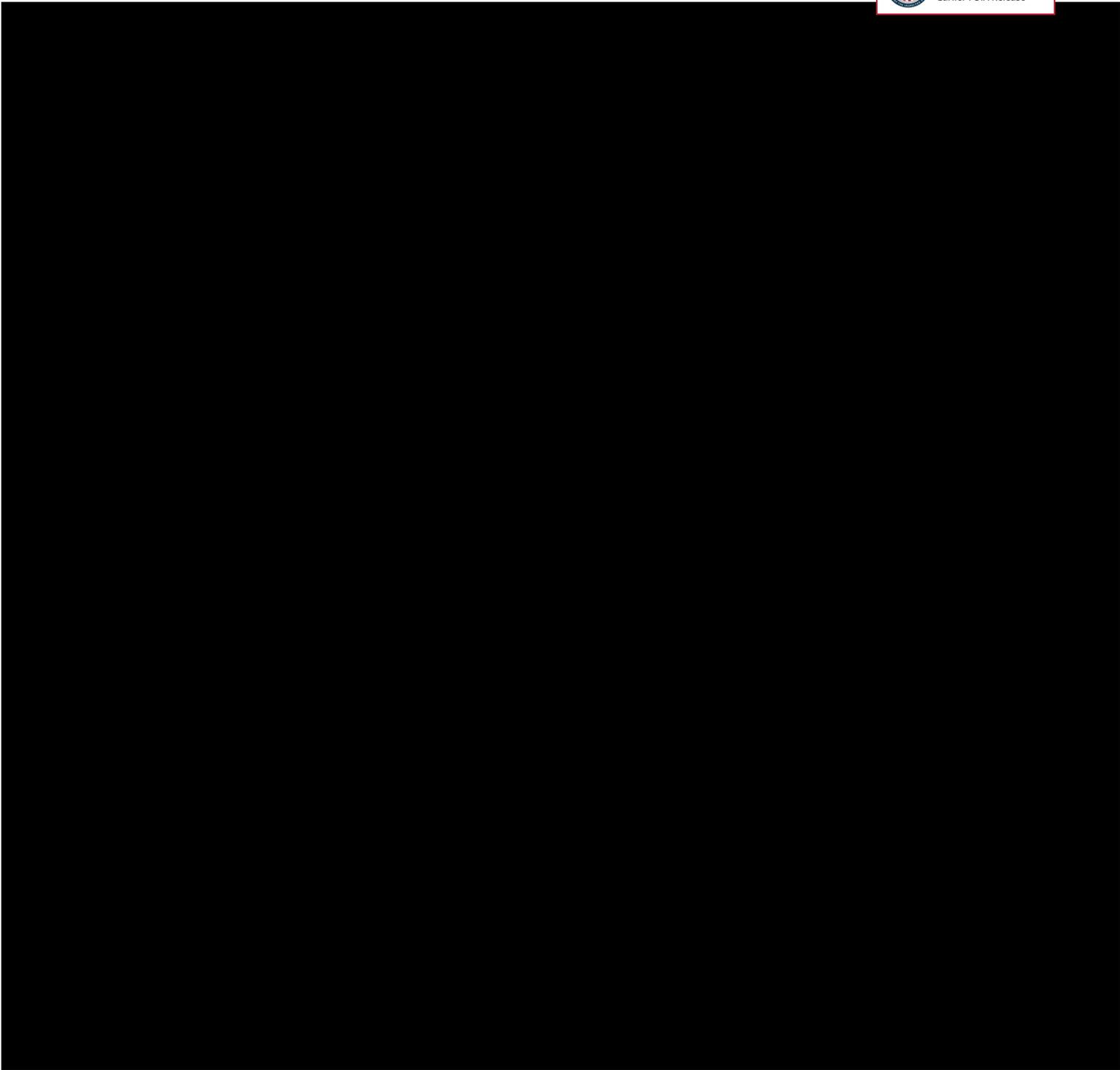
The OIG's investigative efforts consisted of the following:

Interviews of the following BOP personnel:

- [REDACTED] (former Warden)
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Review of the following:

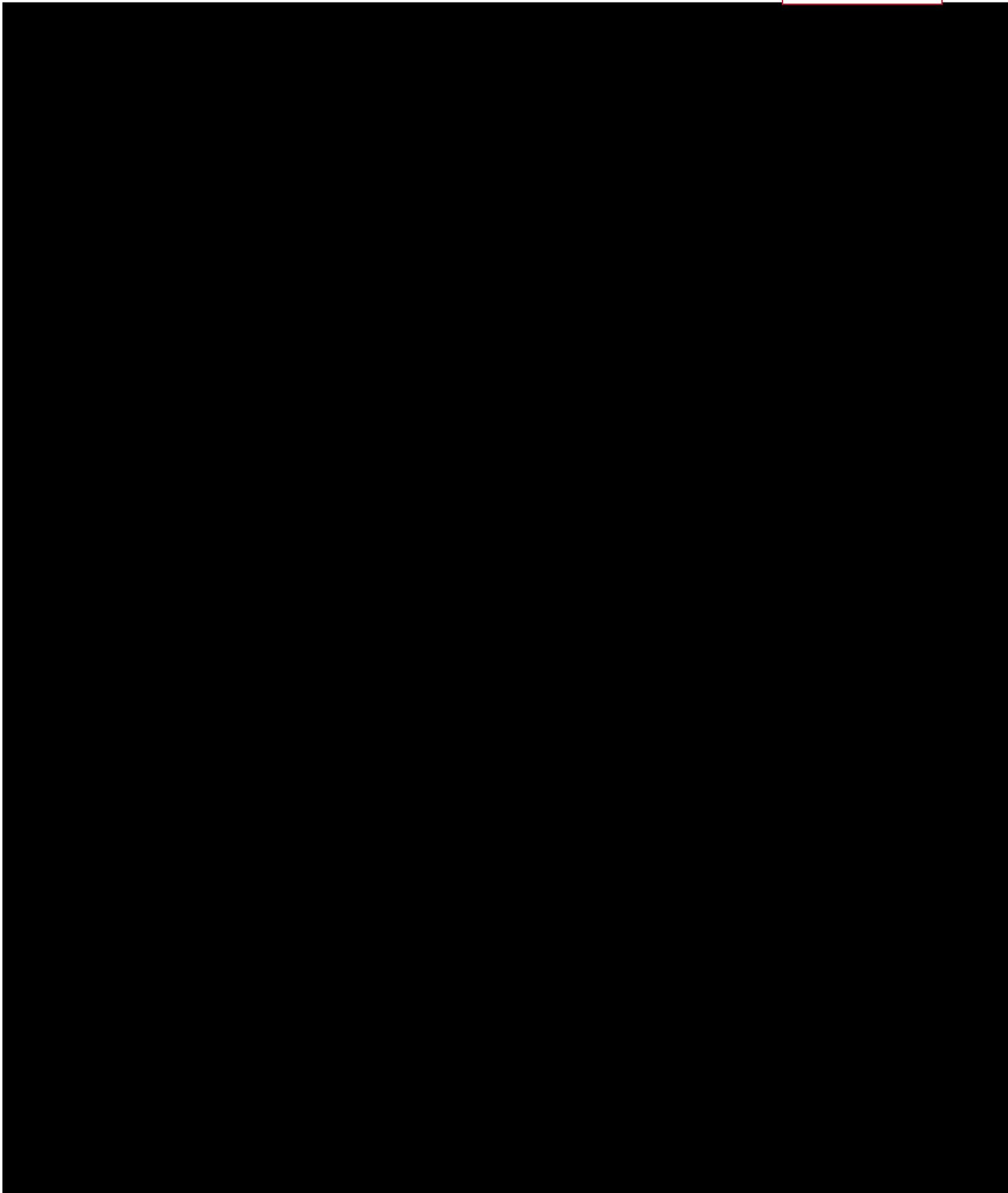
- [REDACTED] Police Department reports
- [REDACTED] Human Resources records

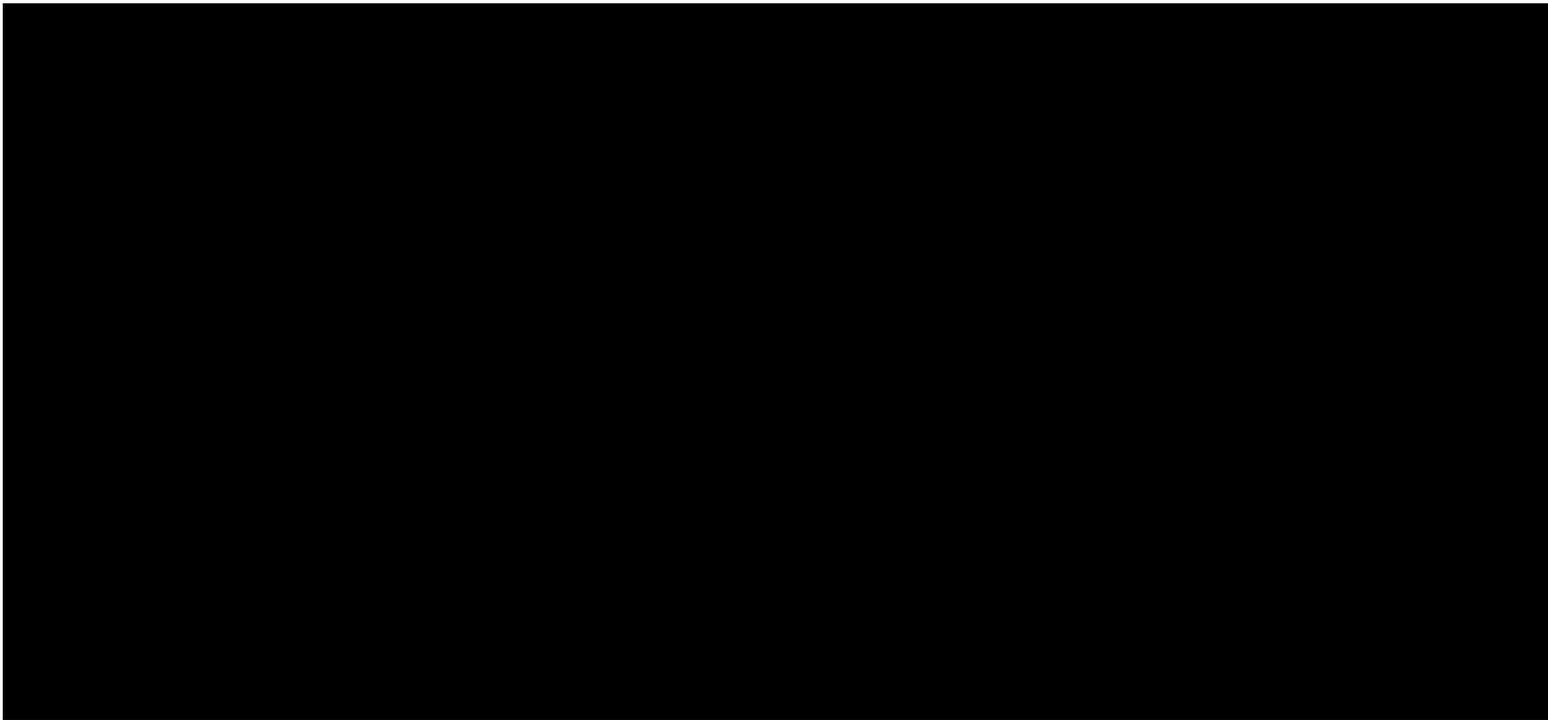


[REDACTED]

[REDACTED] told the OIG of one incident where [REDACTED] did drive [REDACTED] following a staff party, and the vehicle stalled out as [REDACTED] drove it up an unpaved hill on the prison grounds, [REDACTED] and [REDACTED] told the OIG of another incident where [REDACTED] had been in the passenger seat of [REDACTED] and caused the vehicle to roll forward with no one in the driver's seat until [REDACTED] took control and brought the vehicle to a halt. [REDACTED]







### ██████ Lack of Candor

During the course of the OIG investigation, the OIG developed information that ██████ lacked candor in ██████ statements to the OIG, in that ██████ adamantly maintained ██████ had never been the driver or a passenger in ██████ despite contradictory statements from ██████ and ██████

The BOP Standards of Employee Conduct (Program Statement 3420.11) Attachment A, Part 34 prohibits falsification, misstatement, exaggeration, or concealment of material fact in connection with an official proceeding.

As discussed previously, in ██████ OIG interview, ██████ told the OIG of an incident where ██████ rode with ██████ as ██████ drove ██████ up an unpaved hill on prison property and the vehicle stalled. Further, ██████ and ██████ told the OIG of witnessing an incident where ██████ was a passenger in ██████ and the vehicle briefly rolled forward with no one behind the wheel until ██████ brought the vehicle to a stop. Even after being advised that ██████ had been adamant about never having been in ██████ at any time, ██████ and ██████ maintained their statements were true and correct, and that ██████ denial was inaccurate. ██████

In ██████ OIG second interview, ██████ maintained ██████ had never been in ██████ at any time, even after being informed that ██████ and ██████ had separately relayed instances where they had observed ██████ in the vehicle. ██████ declined to submit to a voluntary OIG polygraph examination.

The U.S. Attorney's Office for the ██████ declined criminal prosecution of ██████

### *OIG's Conclusion*

The OIG investigation concluded that ██████ lacked candor when ██████ adamantly maintained in two OIG interviews that ██████ had never been the driver or a passenger in ██████ despite contradictory statements from ██████ and ██████ that ██████ had been on two occasions.

While ██████ declined ever driving or being a passenger in ██████, the OIG gave greater weight to the matching statements of the two subordinates, both of which conflicted with ██████ statement. Neither ██████ nor ██████ had a motive to misrepresent the facts as they recounted them. Neither demonstrated any hostility toward ██████ in their interviews; instead both described positive relationships with ██████ and ██████ both offered clear recollections and did so with convincing demeanors. Alternatively, ██████ demeanor was angry and defensive when confronted with the evidence that contradicted ██████ past statements. Further, ██████ failed to answer OIG's direct questions clearly, instead dismissing ██████ and ██████ actions as having taken place outside ██████ presence. Overall, the OIG evaluates that ██████ and ██████ presented an account of past events that was significantly more credible than that presented by ██████