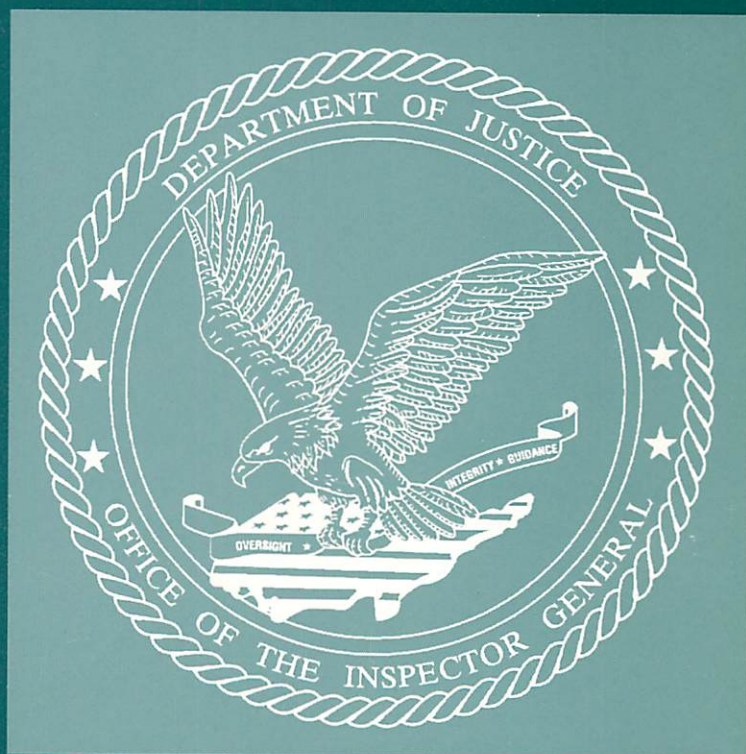


# Office of the Inspector General

## Semiannual Report to Congress

April 1, 1994 - September 30, 1994



Established April 14, 1989



## Special Tributes

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The Office of the Inspector General relies upon the assistance of other Department of Justice components and employees for its successes. We are using the inside front cover and the inside back cover to recognize the contributions of the INS Forensic Document Laboratory, INS Chief Forensic Document Analyst Gideon Epstein and Assistant United States Attorney Nelson Boxer.

### *INS Forensic Document Laboratory, McLean, Virginia & INS Chief Document Analyst Gideon Epstein*



The Immigration and Naturalization Service (INS) Forensic Document Laboratory in McLean, Virginia, and INS Chief Forensic Document Analyst Gideon Epstein, have provided invaluable assistance to the Office of the Inspector General (OIG) during numerous criminal investigations. The laboratory is known for its responsiveness, timeliness and customer focus.

Mr. Epstein has assisted OIG offices in reviewing evidence and selecting items for analysis and preparation for trial, and he has provided expert testimony in important prosecutions. One case involved a Bureau of Prisons (BOP) correctional officer who assisted and harbored an inmate after his escape from a Federal prison. The evidence included several seemingly unrelated pieces of information, many of which required the identification of the author of questioned/falsified documents. Through his testimony, Mr. Epstein demonstrated to the jury that the BOP correctional officer had signed the questioned documents. The officer was convicted and sentenced to 8 months incarceration and 36 months probation.



U.S. Department of Justice

Office of the Inspector General

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Washington, D.C. 20530

October 31, 1994

The Honorable Janet Reno  
Attorney General  
Washington, D.C. 20530

Dear Madam Attorney General:

I am pleased to submit the accompanying Semiannual Report to Congress on the activities of the Office of the Inspector General (OIG). It reflects the work of a talented and diverse staff and describes significant OIG accomplishments during the 6-month period ending September 30, 1994. Because this is the first OIG semiannual report since I became Inspector General on June 9, 1994, I want to take this opportunity to describe some of the initiatives I have undertaken and to sketch the directions in which we are moving.

I share your conviction that many of the best ideas for good government come from within: employees often know best what works and what does not. Accordingly, I have visited the OIG's Audit and Investigations Division field offices throughout the country and met with virtually every OIG employee based in the Washington, D.C. area. I have solicited employees' views in writing and in person and sought to make use of their valuable insights.

I have been extremely impressed with the responsiveness of OIG employees and managers to various internal initiatives. We have implemented one of the most utilized alternative work schedule programs in the Federal Government, and we have established a network of contact persons to address complaints of sexual harassment that may arise within our organization. The OIG has taken the lead in building IGSNet, a computer network that links all the Inspectors General in the executive branch and promotes communication and information-sharing across departments.

The OIG also has begun initiatives that will redefine its relationships with other Department of Justice components. I have established a Special Investigations and Review Unit, reporting directly to me, that conducts special investigations and undertakes other assignments requested by senior Department of Justice managers. We also actively solicited suggestions from top Department managers and all component heads for audits and inspections and, on the basis of that input, worked hard to select projects for the next 12 months that will address the most

The Honorable Janet Reno  
October 31, 1994  
page 2

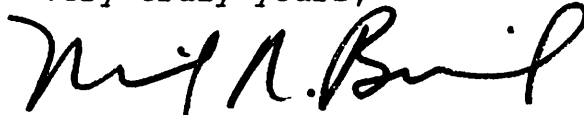
important issues that face the Department. In response to the National Performance Review and the dictates of good sense, we also are providing more immediate guidance and feedback to program managers during our work so that, with our assistance, they can correct problems immediately rather than waiting for a formal audit or inspection report to be issued. The early responses to such changes in our methods have been extremely positive.

I am grateful for, and I share, your commitment to making the OIG an important player in the life of this Department. Because of the unique combination of resources at our disposal in our Audit, Inspections and Investigations Divisions, we have the ability to deal not only with specific instances of employee misconduct, waste, fraud and abuse, but also to look at the structures and functions of different programs and components in the Department and to try to make them operate more efficiently, effectively and economically. I am determined to break down the barriers that in the past have separated the OIG from other parts of the Department and have kept us from making all the contributions of which we are capable. I am delighted to report great strides in the direction of providing assistance to top managers of this Department.

It is, to be sure, in the nature of some of the audits, inspections and investigations we perform that we must deliver some news that will not be welcome. We will not flinch from providing bad news when that is what we find. But we also consider it crucial that we assist you and other senior managers to operate this Department as efficiently and economically as possible, and that we work to maintain and promote the highest possible standards of integrity.

The OIG is committed to doing all that it can to promote those goals. On behalf of all OIG employees, I look forward to working with you in the months and years ahead.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael R. Bromwich". The signature is fluid and cursive, with the first name "Michael" and last name "Bromwich" clearly distinguishable.

Michael R. Bromwich  
Inspector General

# *In Memoriam*

*We lost two very important friends recently. Allen J. Vander-Staay, our Assistant Inspector General for Management & Planning, died this spring after retiring for health reasons in January. In September, W. Edward Lee, our Deputy Assistant Inspector General for Management & Planning, suddenly passed away. These losses hit our small family hard, for each was a senior advisor and manager; each had a wealth of experience in, and devotion to, the Department of Justice; and each had been instrumental in the establishment of our office at the beginning, just 5 years ago. Each was our friend.*



***Allen J. (Van) Vander-Staay***

***9/11/29 - 4/4/94***

Van worked in the Federal government for 27 years, serving the Office of Education and then the Department of Justice Office of Justice Programs and its predecessor organization, the Law Enforcement Assistance Administration. His management skills and the breadth of his knowledge of the Department proved key during the formative years of the OIG. He gathered around him an outstanding group of men and women to conduct the administrative responsibilities of this new office, and imbued in them his personal sense of diligence, energy, curiosity, and devotion to public service.

***W. Edward (Eddie) Lee***

***1/15/47 - 9/9/94***

Eddie worked in the Federal government for 24 years, including 21 years at the Department of Justice. He was a man who looked toward the future, our resident visionary. He enjoyed the challenges of the unknown and approached his work with an irreverent sense of humor and an attitude that challenged the "impossible." His creativity manifested itself in his enthusiasm and zest for action, be it a new process, system or design to implement the goals of the OIG or a creative twist to a simple birthday message. We're all less without him and we're all more for having known him.



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The Office of the Inspector General (OIG) provides leadership and assists management in promoting economy, efficiency, and effectiveness within the Department of Justice (DOJ). The OIG enforces Federal bribery, fraud, waste, abuse and integrity laws and regulations within the Department and investigates individuals and organizations allegedly involved in financial, contractual, or criminal misconduct relating to DOJ programs and operations.

The OIG carries out this mission through four components. The Investigations Division has its headquarters in Washington, D.C. and field offices in Atlanta, Chicago, El Paso, Los Angeles, McAllen, Miami, New York, San Diego, San Francisco, Seattle, Tucson, and Washington, D.C. The Audit Division, located in Washington, D.C., has field offices in Atlanta, Chicago, Dallas, Denver, Philadelphia, San Francisco, and Washington, D.C. The Inspections Division and the Management and Planning Division are located in Washington, D.C. The Inspector General's Immediate Office includes an Office of General Counsel and the Special Investigations and Review Unit.

## Staffing and Budget

## Executive Direction

The OIG's FY 1995 appropriation provides 331 permanent positions, 328 workyears and \$30,484,000. Estimated reimbursable resources total \$8,995,000 and an additional 80 workyears, and include \$1,995,000 in contract costs for the conduct of financial statement audits.

## OIG Initiatives

### Reinventing Government

The OIG continued several initiatives that support the National Performance Review (NPR) and related legislation that seeks to improve and streamline government.

**Customer Service:** In response to the NPR's emphasis on customer service, President Clinton issued Executive Order 12862, "Setting Customer Service Standards," which requires that the Federal Government be "customer driven" and that "customer service equal to the best in the business" be the standard for services provided to the public.

**DOJ Customer Service Initiative:** During the development of the DOJ Customer Service Initiative, several OIG employees participated in teams that crossed organizational and institutional lines, including the Law Enforcement Client Service Team and the Customer Service Strategy Team. These teams assisted Department components in identifying and surveying customers, developing standards and drafting customer service brochures.



## Initiatives

OIG Customer Service Initiatives: The OIG is focusing on the following initiatives to improve customer satisfaction:

- To serve better the needs of senior Department officials for prompt, credible investigations and analyses of personnel and organizational problems that confront them, the Inspector General last summer reconstituted existing components within the OIG as the Special Investigations and Review Unit (SIRU). The SIRU, which followed on the success of the Special Inquiry Section pilot project in the Inspections Division, performs studies for Department components on sensitive topics and investigates selected allegations of DOJ employee misconduct, including matters that may not rise to the level of criminality. It reports directly to the Inspector General and Department managers who request its assistance.
- The OIG has developed its customer service plan for fiscal year 1995, focusing on OIG employees, DOJ components, and senior DOJ management. Priority areas addressed in the customer service plan include communicating with customers; developing more useful, timely and meaningful work products; and enhancing the awareness of OIG services in the Department.
- An Inspections Division Task Force is examining ways in which the Division can better align itself with DOJ organizations, missions, and functions to provide more effective and timely information to senior decision-makers. In addition, the Task Force will look at how the Division can expand its product and service line to better meet the real-time information needs of Department senior managers and other customers.
- To make recommendations more meaningful, constructive and attainable, the Audit Division recently has experimented with different methods of issuing draft reports. One method is to attempt to reach agreement with the Department component on corrective actions needed to resolve or close a finding before the final report is issued.
- At the request of the United States Marshals Service (USMS), the OIG will perform audits of the USMS Jail Agreements on a pilot basis. These agreements are not normally covered within the Single Audit Act audits. The audit guide has been developed by the Audit Division working with the USMS to assure that the resulting product meets its needs.
- The Investigations Division, at the request of the Immigration and Naturalization Service (INS), provided approximately 4,000 copies of the OIG's Spanish mail-in complaint form for distribution to all INS offices. An additional 4,000 English mail-in forms were requested for similar distribution and will be provided to the INS in fiscal year 1995.

**IGNet:** The OIG is coordinating the implementation of IGNet, an electronic communications network dedicated to creating excellence in the Inspector General community. The IGNet core team is comprised of representatives from 44 Inspector General offices. IGNet, which was developed and brought on-line during this reporting period, is designed to support Inspector Generals' investigations, inspections, audits and management activities by collecting and sharing information of interest to the Inspector General community within Federal, State, local and foreign governments, and to make Inspectors' General studies and evaluations more easily accessible to the public. For more information on IGNet contact <bullock@justice.usdoj.gov>.

**Office Consolidation:** The Audit Division streamlined its operations by consolidating two regional audit offices to form the Washington Regional Audit Office.

### **Violent Crime Control and Law Enforcement Act of 1994**

The recently enacted Crime Bill will increase massively the number and dollar amounts of Department law enforcement grants to communities across the country. The OIG has committed its resources, personnel and diverse capabilities to identifying and assisting sound management practices that will contribute to the new law's success.

During this reporting period, which largely predated the statute's enactment, the OIG undertook specific initiatives to assist the Department in meeting the Act's enormous challenges.

- The Inspector General sent OIG inspectors on site visits to survey community law enforcement personnel regarding their experiences with the Police Hiring Supplement (PHS) program, a prototype for the Crime Bill's larger community-oriented policing grant program. Feedback from these law enforcement professionals was highly instructive. OIG staff briefed Department executives on their observations and offered suggestions on how to improve the grant application process.
- OIG personnel also consulted and collaborated with the Office of Justice Programs (OJP) and other components involved in planning for the enormous new workload and funding activities that would follow almost immediately upon enactment of the law.
- Two OIG inspectors were detailed to OJP for 5 weeks, where they assisted OJP in the financial reviews and application screening that preceded the first awards of community policing grants under the new Act.

### **Initiatives**

**The OIG has committed itself to identifying and assisting sound management practices that will contribute to the Crime Bill's success.**

## Initiatives

- The OIG also investigated specific allegations of misconduct by applicants who received PHS grants. These investigations of possible misconduct have been cited to underscore the Department's commitment to honesty and accuracy in grant applications under the new Act.

### Integrity Awareness

To educate DOJ employees on ethics and the consequences of misconduct and on the preservation of the public trust, OIG agents and employees across the country gave 23 Integrity Awareness briefings to almost 700 Department employees.

### President's Council on Integrity and Efficiency Activities

The Inspector General is a member of the President's Council on Integrity and Efficiency (PCIE). Senior members of the OIG participate in PCIE activities--such as the Inspections Roundtable, an annual investigations conference and meetings of the Chief Financial Officers Group--that relate to their respective duties. The Inspector General also is a member of the Investigative Standards and Training Subcommittee.

This year, the OIG has undertaken a significant role in an Inspector General community joint venture that involves a government-wide audit of Federal civilian aircraft usage and operations. The OIG is also working on an OMB-requested PCIE project, the "Review of Federal Credit Programs and Non-Tax Receivables." In addition, the OIG Audit Division is participating in a PCIE-led peer review, which is intended to assure the Department that the Audit Division's work meets professional and Government auditing standards.

### Professional Responsibility Advisory Board

During the reporting period, the Attorney General created a permanent Professional Responsibility Advisory Board to provide centralized training and advice to Assistant United States Attorneys and Department attorneys and to ensure consistency and coordination in the Department's approach to professional responsibility issues. The Board's members include the Inspector General and other senior Department officials.

## Review of Legislation and Regulations

The Inspector General Act directs the Inspector General to review proposed legislation and regulations relating to the programs and operations of the Department of Justice. Although other Department components generally take the lead in reviewing legislative proposals that could affect the Department, the OIG independently reviews proposed legislation regarding the OIG itself or fraud, waste or abuse in the Department programs or operations. During the past 6 months, the OIG reviewed and submitted written comments to other Department components regarding H.R. 2721, the Federal Employee Fairness Act, and H.R. 4679, the Inspector General Reform Act of 1994.

## High Risk Areas

The Department and the Office of Management and Budget have identified nine specific DOJ activities that have a "high risk" for fraud, waste, and abuse. During this reporting period, the OIG issued audit and inspection reports that involved the following high risk areas:

High Risk Area	Audit/Inspection
INS	Accounts Receivable of the INS Fee Accounts Fee Related Contract Activities INS Collection of Carrier Fees Case Hearing Process in the EOIR
Asset Seizure/Forfeiture	Asset Forfeiture Program Management Letter Report FY 1993
Monitoring Private Trustees	Chapter 7 Audit Reports Chapter 12 Audit Reports
Automated Data Processing Security	Computer Security Controls at USMS JMD Oversight of Risk Analyses Security Software at DOJ Data Centers



## **The Investigations Division**



*The Investigations Division investigates alleged violations of bribery, fraud, abuse and integrity laws that govern the Department of Justice and the operations it finances.*



The Investigations Division investigates alleged violations of bribery, fraud, abuse and integrity laws that affect the Department of Justice (DOJ) and the operations it finances. The Division also develops cases for criminal prosecution, civil and/or administrative action. In some instances, the Office of the Inspector General (OIG) refers allegations to components within DOJ and requests notification of their findings and of any disciplinary action taken.

## Bribery

## Significant Investigations

■ A joint investigation between the OIG and the Special Investigations Unit of the Westchester County, New York, Department of Corrections (DOC) resulted in the arrest of 10 corrections officers for bribery and other violations. A DOC county jail had a contract to house Federal prisoners for the United States Marshals Service (USMS). A cooperating inmate disclosed to representatives of the United States Attorney's Office for the Southern District of New York that staff members of the jail were providing narcotics to Federal prisoners. The officers received bribes in exchange for delivering contraband to inmates, including alcohol, cash, food, and what was believed to be cocaine. The bribes ranged from up to \$1,000 in cash to free meals at local restaurants and, in one instance, an all-expense paid trip to Trop World Casino in Atlantic City. Five officers pled guilty.

**The investigation led to the arrest of 10 corrections officers for accepting bribes in exchange for delivering contraband to inmates.**

■ An Immigration Naturalization Service (INS) deputy assistant district director for examinations pled guilty to conspiracy to commit bribery and obstruction of justice. Since the early 1980's, the deputy accepted thousands of dollars from a middleman in return for providing illegally obtained green cards and for entering fraudulent data in INS' alien data base. He also attempted to persuade an OIG witness to make himself unavailable to provide information in an official proceeding. The deputy, a 22-year veteran of INS, resigned and is awaiting sentencing. Judicial action is pending against the middleman who cooperated with the government.

■ An INS supervisory applications clerk and a Border Patrol detention enforcement officer pled guilty to conspiracy to accept bribes. An Italian National had purchased a green card from two INS employees for \$5,000. Information also was received from an attorney whose clients claimed to have purchased green cards from two INS employees. OIG undercover work identified the clerk and the detention enforcement officer who had instructed the aliens on how to complete and falsify INS forms to ensure that the applications would be approved. The officer usually acted as the "middleman" and the clerk prepared the bogus INS documents and charged approximately \$2,000 to process each application. Sentencing is pending.

## Significant Investigations

■ A former Yugoslavian National who had entered the U.S. asking for political asylum was arrested and charged with conspiracy and bribery of a government official. The Yugoslav had offered a bribe to an INS district director, who reported the offer to the OIG. During a series of meetings with an undercover OIG agent, the Yugoslav paid the agent \$10,000 to illegally purchase green cards for himself, his wife and several other Yugoslavs. He was released on a \$50,000 bond.

### Illegal Drugs

■ A joint OIG and Drug Enforcement Administration (DEA) investigation led to the arrest of an INS Border Patrol agent, a detention enforcement officer and four co-conspirators on charges of bribery, conspiracy, possession with intent to distribute a controlled substance and engaging in a continuing criminal enterprise. The agent admitted to allowing 5,714 lbs. of marijuana to pass through a Border Patrol checkpoint into the U.S. in return for \$40,000. The detention officer admitted to working with the agent and to allowing an additional 400 lbs. of marijuana to pass through the same checkpoint. One of the co-conspirators headed a well-known narcotics trafficking organization in the local area. Both INS employees resigned during the early stages of the investigation, admitted their guilt, and cooperated with the government. One civilian pled guilty and a trial date for the remaining co-conspirators is pending.

**An INS Border Patrol agent admitted to allowing 5,714 lbs of marijuana to pass through a border patrol checkpoint into the U.S. in return for \$40,000.**

### Fraud

■ A former deputy U.S. marshal was arrested for defrauding the government by collecting over \$300,000 in benefits under the Federal Employee Compensation Act (FECA) while he operated a travel business to the Upper Amazon in Peru. The former deputy marshal retired from the USMS in 1981 because of a work-related injury. He applied for disability compensation and was awarded a 75 percent tax free benefit of approximately \$1,888 a month. Since his retirement he claimed to be totally disabled and never claimed to be employed. The OIG investigation disclosed that he operated a travel business for approximately the past 12 years. Trial is scheduled for this winter.

■ An architect, contracted by the Civil Division as an expert consultant, was indicted by a Federal Grand Jury for submitting false claims to the DOJ and for causing false claims to be presented for payment to the Architect of the United States Capitol. The OIG investigation and audit of documents and computer records seized at the architect's firm revealed that the

**Significant  
Investigations**

DOJ had been overbilled for services provided over a 3-month period in 1993. The FBI joined the investigation when it was learned that additional false claims may have been submitted on other government contracts. For a 15-month period during 1991-92, the architect's firm increased the number of hours its employees actually spent on government projects. A civil lawsuit also has been filed against the firm, seeking approximately \$330,000 in damages.

■ An INS Examinations Branch student trainee and two brokers (both naturalized U.S. citizens) were involved in the fraudulent production of INS documents and the fraudulent naturalization of ineligible aliens. INS airport employees intercepted aliens carrying fraudulent Temporary Resident cards and notified the OIG. The investigation revealed that brokers contacted aliens interested in naturalization or gaining entry into the U.S. and the aliens provided the brokers with relevant information, photographs and fingerprint cards. The brokers then contacted the student trainee, who issued the cards in the names of the aliens or arranged for expedited naturalization. The aliens paid between several hundred and several thousand dollars for the cards. One broker cooperated in the investigation and is negotiating a plea agreement. The other broker and the student were arrested on charges of bribery, and the broker has pled guilty. The student trainee is awaiting trial.

■ Continental Airlines reported irregularities in the Frequent Flyer (FF) Account of a chief deputy U.S. marshal who had accrued in excess of 1,100,000 in FF miles. The investigation revealed that the chief deputy converted for his own use airline tickets purchased for official travel, used over \$30,000 of government frequent flyer credits for personal travel, and filed a false travel voucher totaling \$2,695 in connection with home leave. He pled guilty to theft of government property and filing false statements. The chief deputy agreed to cooperate in the investigation, to repay \$13,015 to the U.S. Marshals Service, and to release all remaining frequent flyer credits to Continental Airlines. He was sentenced to 6 months home confinement; 3 years probation; and ordered to pay a \$5,000 fine and \$100 in court costs.

■ Two separate time and attendance investigations resulted in employees admitting to manipulating the DOJ electronic payroll system in excess of \$33,000 and \$23,000 respectively. Each employee resigned during the course of the investigations. One employee, an INS secretary, paid herself for unauthorized and unworked overtime. She was arrested and pled guilty to theft of government property. Sentencing is scheduled for December 1994. Judicial action is pending on the other employee, a secretary in the Office of Justice Programs. The OIG Investigations Division has an ongoing initiative to use computer technology to detect this type of fraud.



## Significant Investigations

### Contraband Smuggling

**Undercover agents posing as corrupt INS inspectors were offered millions of dollars a year in bribe money to assist with smuggling operations.**

- Operation Card Party, a 2½-year joint investigation by the OIG and the U.S. Customs Service Office of Internal Affairs identified Turkish and Chinese alien smuggling rings and a Chinese textile smuggling operation and prevented the importation of contaminated food into the U.S. from China. The investigation was initiated when a ringleader, who believed a U.S. Customs Service Internal Affairs agent was corrupt, offered to pay an INS inspector monies to allow people to leave and re-enter the United States. Undercover agents posing as corrupt INS inspectors were offered millions of dollars a year in bribe money to assist with the smuggling operations. During the investigation, they received over \$150,000 in cash. The operation resulted in the arrest of 30 people, including the ringleaders, when they arrived at an airport hotel to receive green cards that they had bribed undercover agents to obtain. Nineteen pled guilty and four have been deported.

### False Statements

- A chief of police submitted a grant application that contained false information, resulting in his midwestern city being awarded a \$225,000 grant by the DOJ. A city alderman reported to the DOJ's Police Hiring Task Force that the city's application for the Federal grant contained false statements. After the investigation confirmed the allegation, the grant was rescinded.

### Assault

- The OIG investigated an INS Border Patrol agent, who had a prior history of alleged civil rights violations, for reportedly firing shots when the Mexican Nationals he was attempting to arrest fled instead of surrendering. The inquiry was complicated by the fact that other agents present also had fired, in violation of INS policy, and attempted to conceal the fact of the shooting. OIG efforts in conjunction with Mexican officials led to the identification of an alien who had actually been struck by one of the bullets. OIG agents also located a dozen witnesses from throughout Mexico, and obtained medical and photographic evidence to support both Federal and state criminal charges.

The Border Patrol agent resigned during the investigation, pled guilty to a state felony endangerment charge, and was sentenced to 16 months incarceration. In addition, administrative action is pending against several Border Patrol agents for returning the aliens to Mexico without reporting the incident or providing appropriate medical aid.

### Statistical Highlights

**Highest Number of Arrests in History of the OIG:** The OIG effected 140 arrests in fiscal year 1994. Arrests increased by 54 percent: 56 arrests were made the second half of fiscal year 1993, compared to 86 made during the second half of fiscal year 1994.

**Indictments/Informations Increased by 126 Percent:** OIG investigations returned 77 indictments during the second half of fiscal year 1994, compared to 34 returned during the second half of fiscal year 1993.

**Convictions/Pleas increased by 110 Percent:** OIG investigations resulted in 65 convictions/pleas during the second half of fiscal year 1994, compared to 31 during the second half of fiscal year 1993.

### Investigations Statistics

#### Hotline and Complaint Statistics

Source of Allegations Received	Number
---Hotline (Telephone and Mail)	623
---Other Method	1,985
<b>TOTAL Allegations Received</b>	<b>2,608</b>
Disposition of Total Allegations Received	
---Preliminary investigations in progress 9/30/94	106
---Investigations initiated this period	144
---Referrals within DOJ	234
---Management Issues within DOJ and outside DOJ	1,596
---No action required	450
---Pending classification	31
---Consolidated with another allegation in a category above	47
<b>TOTAL</b>	<b>2,608</b>

## Investigations Statistics

Preliminary Investigative Caseload *	
Preliminary Investigations carried forward as of 3/31/94	133
Net Adjustments	2
Preliminary Investigations opened this period	328
Preliminary Investigations closed this period	357
---Reclassified to Full Investigation	129
---Closed Consolidated	4
---Closed to Information	144
---Closed to Management Issues	60
---Closed to Referrals	20
<b>TOTAL preliminary investigations in progress as of 09/30/94</b>	<b>106</b>

*\* These investigations involve allegations that appear to have limited information upon which to proceed. A preliminary investigation is a precursory examination of the information provided to determine the best course of action.*

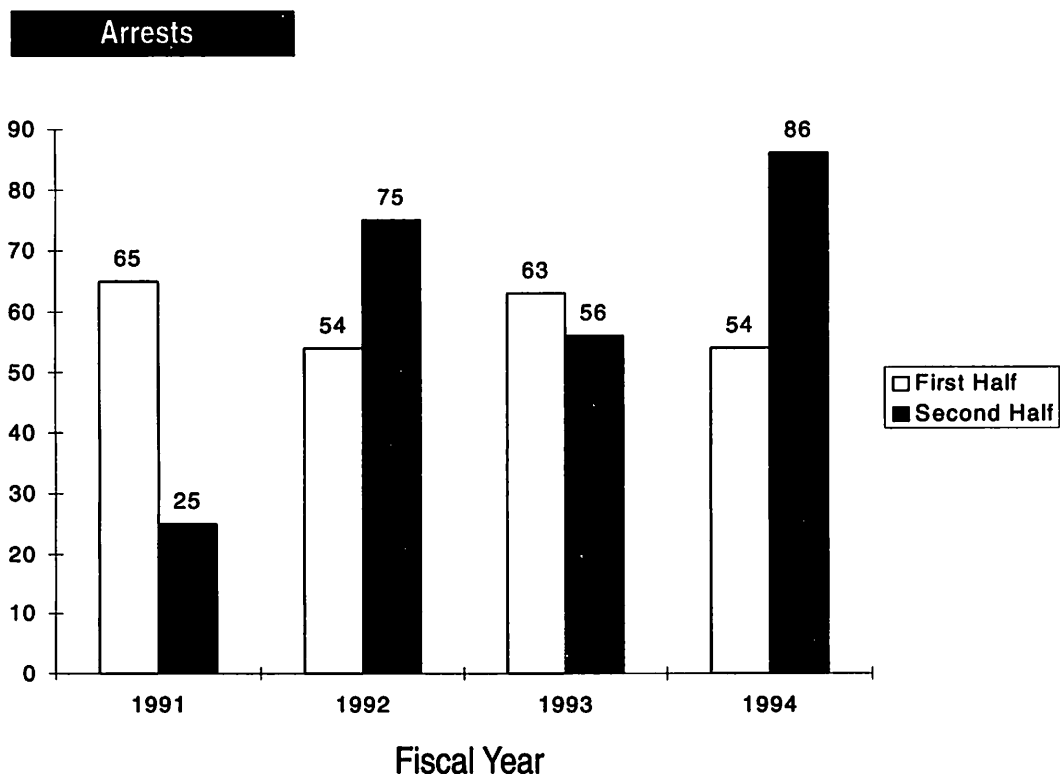
Investigative Caseload	
Investigations carried forward as of 3/31/94	383
-Adjustments	1
-Investigations opened this period **	221
- Investigations closed this period	254
<b>Total Investigations in progress as of 09/30/94</b>	<b>351</b>

*\*\* This count includes preliminaries reclassified to investigations.*

Investigations  
Statistics

Prosecutive Actions	
Investigations referred for prosecution this period	133
--- Investigations accepted	88
--- Prosecutions declined	62
--- Pending acceptance for prosecution*	33
Criminal Indictments/Informations	77
Number of Arrests	86
Convictions/Pleas	65

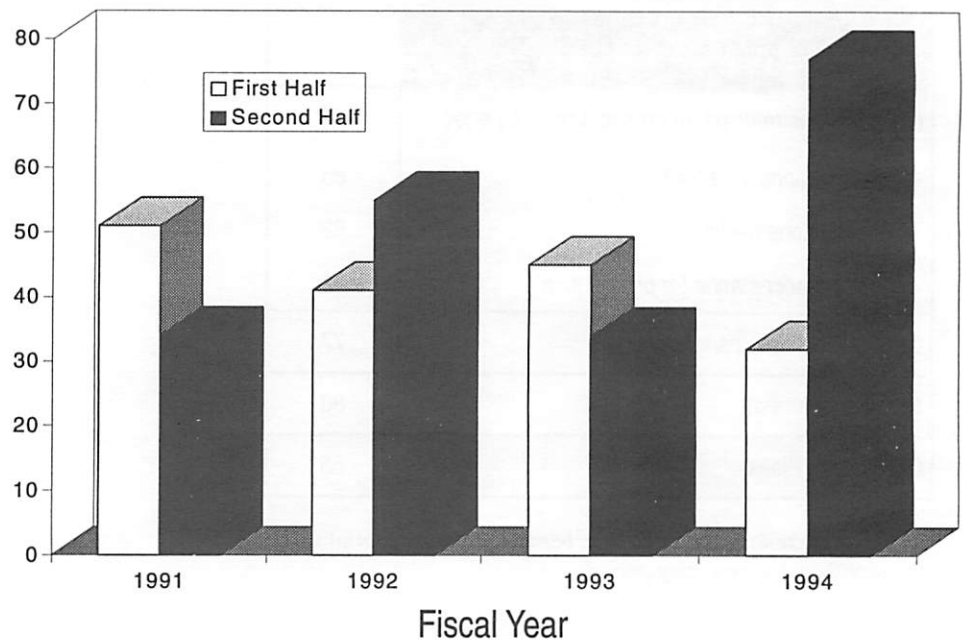
\* Many of these investigations have been in the prosecutorial arena for more than one reporting period.



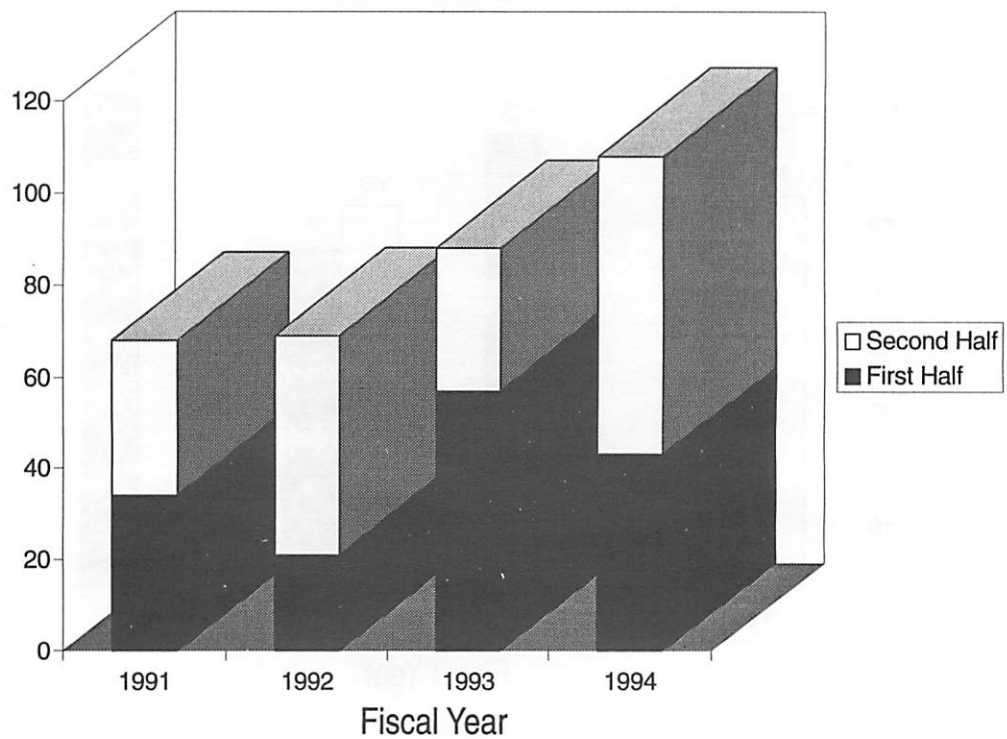


Investigations  
Statistics

## Indictments/Informations



## Convictions/Pleas



Investigations  
Statistics

OIG Referrals	
Cases carried forward as of 3/31/94	1,062
---Cases opened this period	326
---Cases closed or reclassified/consolidated	786
<b>TOTAL referrals in progress as of 9/30/94</b>	<b>602</b>

## Monetary Results

Fines/Restitutions/Recoveries	\$95,327
Seizures	\$73,400

## Hotline and AG On-Line

The Attorney General established the AG On-Line program for DOJ employees to submit suggestions on how to improve the Department. To assist the Department's reinvention efforts, the program was managed on an experimental basis during the reporting period by the Investigations Division. Specially trained operators received and processed suggestions and opinions from citizens throughout the country.

Suggestions Received		Opinions Received	
IG Hotline	34	IG Hotline	607
AG On-Line	177	AG On-Line	5,858
<b>TOTAL</b>	<b>211</b>		<b>6,465</b>
Other Calls *	13,233		

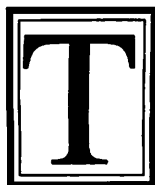
OIG Hotline and AG  
On-Line operators  
received and  
processed 19,909  
calls in this effort.

*\* These calls include information requests, calls referred to other Departments, additional information provided to existing complaints, wrong numbers, etc.*

## **The Audit Division**



*The Audit Division is responsible for conducting independent reviews of Department of Justice organizations, programs, functions, automated data processing systems, and overseeing financial statement audits.*



The Audit Division is responsible for conducting independent reviews of Department of Justice (DOJ) organizations, programs, functions and automated data processing systems, and it oversees financial statement audits. The Audit Division also conducts or reviews the conduct of external audits of expenditures made under Department contracts, grants, and other agreements. All audits are conducted in accordance with the Comptroller General's *Government Auditing Standards*.

Audits are performed in three general categories: Internal, Trustee, and External. Internal audits address the programs and activities of the Department. Trustee audits, performed under a reimbursable agreement with the Executive Office for U.S. Trustees, examine the internal controls and cash management practices of Panel and Standing Trustees nationwide. External audit work includes the review and coordination of audits of State and local governments and nonprofit organizations for which the Department is responsible under the provisions of the Single Audit Act of 1984 and OMB Circulars A-128 and A-133. The Audit Division also performs audits of grants and contracts. In addition, the Audit Division assists the Investigations Division in complex fraud cases.

## INS Enroute Inspections

## Significant Audits

To accommodate the requests of cruise lines, a special procedure called an enroute inspection is sometimes conducted by the INS on cruise ships while the ships are enroute to the United States from a foreign port. This procedure substitutes for a dockside inspection and is paid for by the cruise lines. INS Headquarters reported that the total number of enroute inspections conducted during a 1-year period was 1,615. Following are some of the report's major findings:

- Family members and friends of the inspectors were occasionally traveling with inspectors on enroute inspection assignments and were traveling either for free or on discounted fares.
- Inspectors were traveling to foreign ports to conduct inspections on cruise ships, but their expenses were paid directly by the cruise lines. This creates at least the appearance of a conflict of interest.
- Enroute inspections were being conducted when dockside inspections would be more efficient.
- Inspectors routinely used inefficient means of transportation when traveling to foreign ports to inspect the cruise ships.
- Some inspections were conducted in foreign ports prior to ship departures, which increases the risk of inadmissible aliens entering the United States.
- INS may be able to receive reimbursements from cruise lines for all enroute inspection costs, and has the potential to recoup an additional \$218,000 annually.



## Significant Audits

### Computer Security Controls at the USMS

To carry out both its mission and administrative functions, the United States Marshals Service (USMS) relies heavily on computer systems at Headquarters and the district offices to collect, process, store and transmit a variety of sensitive information. Therefore, it is important for the USMS to implement the proper safeguards to protect the data processed on its computer systems as well as its fiscal year 1993 investment of over \$44 million in information technology.

Prior to the preparation of our report, we consulted with USMS personnel to review our findings and jointly develop appropriate recommendations. The report discusses conditions found, recommendations developed jointly by USMS management and Audit Division staff, and actions completed by USMS management to date.

### FBI Forensic Services

The Laboratory Division and Information Resources Division of the Federal Bureau of Investigation (FBI) perform laboratory examinations of specimens submitted by FBI field offices, other Federal agencies, State and local law enforcement agencies, and foreign Governments. Customers worldwide reported that FBI forensic services aided significantly in the success of their criminal investigations.

We found that the FBI could provide faster service to customers, strengthen accountability of requests and specimens, enhance quality assurance practices, and provide safer conditions for its employees. The FBI provides forensic services free of charge to non-Federal agencies. This has resulted in curtailment of some service and reduced timeliness in processing requests. The FBI should determine its costs for providing services to non-Federal agencies and consider establishing appropriate fees.

### Accounts Receivable of the INS Fee Accounts

The accounts receivable consist of outstanding bills for 1931 Act Overtime, fines for violations of Sections 271 and 273 of the Immigration and Naturalization Act, bad checks, amounts due from vendors, and an estimate of the Inspection User Fee amount owed to the Immigration and Naturalization Service (INS) by carriers. Net accounts receivable of about \$46 million were reported in the Fee Accounts Annual Financial Statement for the year ending September 30, 1992.

Our audit report summarizes conditions primarily related to record keeping activities, correction of which should improve the accuracy and completeness of INS accounting records, and consequently, the auditability of the Fee Accounts financial statements.

## Significant Audits

### DEA and OJP State and Local Task Force Efforts

The DOJ expended over \$50.6 million in fiscal year 1992 for a network of approximately 92 Drug Enforcement Administration (DEA)-led State and local drug enforcement task forces. In addition, DOJ granted over \$146 million for more than 800 independent multijurisdictional State and local drug enforcement task forces through the Office of Justice Program's Bureau of Justice Assistance.

The audit disclosed that the majority of the DEA State and local task forces exist in geographical areas that have several multijurisdictional task forces. Although the goals and directions of these task force groups are similar, they have no requirement to correlate investigative targeting, share intelligence information, or coordinate investigations. The two programs are administered and controlled within DOJ by separate agencies with no formal program connection. This has resulted in the two task force groups pursuing independent approaches to a national problem.

**The audit revealed that a lack of coordination between State and local drug enforcement task forces has resulted in the two groups pursuing independent approaches to a national problem.**

DEA Headquarters' on-site monitoring of its State and Local Task Force Program has been limited. In our view, the lack of ongoing management analysis of task force operations has allowed some problems and disagreements to escalate to a point where task force effectiveness has been adversely affected.

### INS Collection of Carrier Fees

Beginning December 1986, legislation permitted the Attorney General to collect \$5 per individual traveling into the United States. The fee is collected by carriers for inspection services performed at ports-of-entry and for preinspection services performed outside the United States.

The audit disclosed that the INS staff have not administered the fee collection process in a fiscally responsible manner to maximize revenues for inspection services. We identified 22 airlines for which INS showed no collections for our 2-year review period. Uncollected fees for these 22 airlines could total about \$16 million. In addition, total under-payments could be considerably higher than \$16 million because airlines that did remit fees did not always do so accurately. Overall, an estimated \$46 million could be owed to the INS.

**Uncollected carrier fees could total over \$16 million.**

## Significant Audits

The INS staff had not formalized collection and tracking methods since the fee program began in 1986. Further, INS did not assess each carrier's liability for fees, resolve discrepancies in fees remitted and owed, accurately track remittances for individual carriers, adequately establish and track payment plans, or require carriers to submit sufficient information to verify the accuracy of fee remittances. Finally, INS staff duties were not sufficiently prescribed, resulting in staff being inadequately trained in their fee duties.

### INS Fee-related Contract Activities

This audit assessed INS efficiency and effectiveness in the planning, award, and administration of user fee-related contracts. We found no material deficiencies in planning and management controls over contract and contractor performance during this audit. However, we did note the following:

- Total cost of several procurements were allocated to the Basic Appropriation Account. A portion of the cost should have been allocated to one of the user fee accounts. This condition results in an understatement of the total expenses associated with the user fee accounts.
- In most cases, documentation was not maintained to substantiate the reasonableness of the allocation method and allocability of the costs to be charged.
- In most cases, allocation methods used were inconsistent and unreasonable. This results in potential under- or over-statements of expenses associated with either the appropriate Fees or Basic Appropriation Accounts.
- Payments of claims submitted by contractors were not always properly matched with the appropriate fund source obligation. This condition results in the potential understatement of the total expenses associated with the user fee accounts.

## Chief Financial Officers Act of 1990

Financial statement audits are performed at the Department by independent public accountants, with oversight by the Audit Division. The second financial statement audit of the Community Relations Service (CRS) was completed and issued during this period. The auditors issued an unqualified opinion on the CRS Statement of Financial Position and related Statement of Operations and Changes in Net Position, Statement of Cash Flows and Statement of Budgetary Resources and Actual Expenses for the year ended September 30, 1993. Audits of the INS Fee Accounts and Breached Bond Detention Fund were completed, issued in draft and are awaiting responses from the INS. The first financial statement audit of the Radiation Compensation Exposure Trust Fund also was completed and will be issued in the next semiannual period.

### **Trustee Audits**

The Audit Division has performed financial audits of trustees under a reimbursable agreement with the Executive Office for United States Trustees. During the reporting period, 177 trustee reports were issued.

Financial and compliance audits are performed of Chapter 12 family farmer trustees to evaluate the adequacy of the trustees' accounting systems and related internal controls, compliance with major statutes that could have a material effect upon the financial information provided to the U.S. Trustees and the Courts, and the fairness of the trustees' financial representations. In addition, audits are performed of Chapter 7 panel trustees to provide the U.S. Trustees with an assessment of the quality of the panel trustees' accounting for bankruptcy estate assets, cash management practices, and other administrative procedures.

### **External Audits**

The Single Audit Act of 1984 and OMB Circulars A-128 and A-133 require recipients of Federal funds to arrange for an audit of their activities. During this period, 100 reports were reviewed and transmitted by the Audit Division encompassing 497 Department contracts, grants and other agreements totaling \$218,235,391. These audits report on financial activities, compliance with applicable laws, and in many cases the adequacy of recipients' internal controls over Federal expenditures. Reports on organizations over which the Department is cognizant or which have a preponderance of Departmental funds are reviewed to ensure they comply with generally accepted Government auditing standards. In certain circumstances, the Audit Division performs audits of State and local Governments, nonprofit organizations, and Departmental contracts.

### **Audit Follow-Up Activities**

OMB Circular A-50, "Audit Followup," requires audit reports to be resolved within 6 months of the audit report issuance date. The status of open audit reports are continuously monitored to track the audit resolution and closure process. As of September 30, 1994, the OIG closed 302 audit reports and was monitoring the resolution process of 133 open audit reports. Of this latter number, one audit report was over 6 months old and in disagreement as discussed on the following page.

**Information  
Systems and  
Network  
Corporation**

### Audit in Disagreement

The audit of the Information Systems and Network Corporation (ISN) was conducted by the Defense Contract Audit Agency (DCAA) which found that ISN had paid excessive and unreasonable compensation to two top executives. The audit remains unresolved and was reported as such in previous Semiannual Reports to the Congress. The audit report is subject to the Department of Defense (DOD) resolution process. The DOD is considering litigation to recover funds from the contractor. The DOD will advise all Federal entities involved as soon as a determination is made on whether to litigate. At that time, DOJ officials can take appropriate action to resolve the report.

**Western  
Identification  
Network, Inc.**

### Update on Prior Reporting Period

An audit of an INS contract, Western Identification Network, Inc. (WIN), concluded that INS should not have reimbursed the contractor for certain costs. The results of the audit were forwarded to INS, and after negotiations, INS proposed that WIN repay \$162,039. It was further agreed that in lieu of a refund of the overpayments to the Government, the recoupment of funds would be accomplished by an abatement of amounts invoiced during the remaining life of the contract. For the months of February through May 1994, WIN submitted invoices totalling \$162,039 with a zero balance due. With receipt of the invoice for the May billing period, INS reports that the entire amount due the Government has now been recovered.

**Audit  
Statistics**

#### Funds Recommended to be Put to Better Use

Audit Reports	Number of Audit Reports	Funds Recommended to be Put to Better Use
No management decision was made by beginning of period	1	\$22,995
Issued during period	4	\$19,225,892
Needing management decision during period	5	\$19,248,887
Management decisions made during period:		
Amounts management agreed to put to better use	4	\$19,224,379
No management decision at end of period	1	\$24,508

## Audits With Questioned Costs

Audit  
Statistics

Audit Reports	Number of Audit Reports	Total Questioned Costs (Including unsupported costs)	Unsupported Costs
No management decision was made by beginning of period	12	\$2,223,995	\$628,447
Issued during period	22	\$2,777,888	\$343,191
Needing management decision during period	34	\$5,001,883	\$971,638
Management decisions made during period:			
Amounts management agreed to recover (disallowed)	15 *	\$3,056,367	\$839,770
No management decision at end of period	20	\$1,945,516	\$131,868

\* The number of reports is higher because management has taken different types of action on a single report.

## Audits Involving Recommendations for Management Improvements

Audit Reports	Number of Audit Reports	Total Number of Management Improvements Recommended
No management decision was made by beginning of period	33	133
Issued during period	69	355
Needing management decision during period	102	488
Management decisions made during period:		
Number management agreed to implement	60 *	289
Number not agreed to implement	0	0
No management decision at end of period	44	199

\* The number of reports is higher because management has taken different types of action on a single report.

## **The Inspections Division**



*Inspections are timely reviews that employ flexible methodologies and multidisciplinary approaches.*





The Inspections Division, which has traditionally conducted proactive inspections of Department of Justice (DOJ) programs and activities, is broadening its focus to program evaluations. The Division has a diversified staff that can quickly review and analyze specific problems that may interfere with effective and efficient management.

Our reviews employ flexible methodologies and multidisciplinary approaches. Our inspection results describe existing conditions and include, as appropriate, recommendations that allow program managers to identify specific solutions. Our products provide information and comprehensive analysis to the Attorney General, senior Department managers, and Congress about DOJ programs.

## Case Hearing Process in the Executive Office for Immigration Review

## Significant Inspection

The Executive Office for Immigration Review (EOIR) conducts administrative hearings and resolves appeals to determine whether aliens should be deported or excluded from the United States. EOIR's jurisdiction of alien cases begins when the Immigration and Naturalization Service (INS) files a charging document with them.

The EOIR strives to balance resources with a largely uncontrollable workload. EOIR has shifted resources and workloads to meet the demands on a limited staff. Overall averages show that EOIR meets established goals of completing priority cases (detained aliens and criminal alien hearings) in 90 days, and nearly meets the goal of completing appeal decisions on priority cases in 30 days.

However, EOIR has not established goals for timely completion of nondetained alien cases at the hearings and appellate levels. The average case processing time for nondetained alien cases was 340 days. Nondetained alien cases awaiting appeal decisions averaged 492 days. For 33 percent of the nondetained cases we reviewed at the hearings level, cases were continued at least once to secure free or low cost legal representation for aliens.

Because EOIR and INS operations interact to such a large extent, we recommended administrative and regulatory changes that would contribute to better use of resources at one or both offices and to improve the effectiveness and timeliness of case processing. EOIR agreed with our recommendations to assess the workload and assignment of judges; issue policy on the number of continuances granted at the hearings level; resolve policy issues such as asylum claims based on Coercive Family Planning and complaints against private attorneys; and switch responsibility for developing and maintaining lists of free or low cost legal service for aliens from INS to EOIR.

## Significant Inspection Activities

The Inspections Division has focused on working collaboratively with the Attorney General and Department managers to improve program management and operations. We are committed to developing partnerships with Department managers to enhance the quality and usefulness of our products. To broaden our role as consultants, we continue to work with the Department managers to streamline operations, reduce unnecessary regulations, improve customer service, and minimize costly, duplicative and inefficient procedures. We also are asked by Department managers for advice and technical assistance to help implement recommendations made in our reviews.

## Inspections Statistics

### Inspections Statistics

Inspections Workload Accomplishments	
	Number of Inspections
Inspections active at beginning of period	11
Inspections Initiated	3
Final Reports Issued	2
Inspections active at end of reporting period	12

**INSPECTION REPORTS**  
**April 1, 1994 - September 30, 1994**

**Case Hearing Process in the Executive Office for Immigration Review**

**Department of Justice Automated Legal Research Services**

## Appendix 2

### AUDIT REPORTS April 1, 1994 - September 30, 1994

#### INTERNAL AND EXTERNAL AUDIT REPORTS

United International Investigative Services 1/

Immigration and Naturalization Service Collection of Carrier Fees 2/

Federal Bureau of Investigation Forensic Services

CRSS Constructors International, Inc.

Asset Forfeiture Program Management Letter Report for Fiscal Year 1993

International Self-Help Services, Inc. 3/

Immigration and Naturalization Service Enroute Inspections

Weed and Seed Demonstration Project, City of San Antonio, Texas 4/

Accounts Receivable of the Immigration and Naturalization Service Fee Accounts

Federal Prison Industries, Inc., Management Letter Report for Fiscal Year 1993

Working Capital Fund Management Letter Report for Fiscal Year 1993

Weed and Seed Demonstration Project, City of San Diego, California

Community Relations Service Management Letter Report for Fiscal Year 1992

Federal Prison Industries, Inc., Dublin, California 5/

Justice Management Division's Oversight of Risk Analyses and Contingency Plans for Sensitive Computer Systems

Computer Security Controls at the United States Marshals Service

Weed and Seed Demonstration Project, City of Atlanta, Georgia 6/

Sensci Corporation

1/ Total Questioned Costs - \$64,476

4/ Total Questioned Costs - \$2,619

2/ Funds Put to Better Use - \$16,587,538

5/ Funds Put to Better Use - \$5,278

3/ Total Questioned Costs - \$113,700  
Unsupported Costs - \$1,404

6/ Total Questioned Costs - \$1,736  
Unsupported Costs - \$1,736

Superfund Activities in the Environment and Natural Resources Division for FY 1993

Missouri River Adolescent Development Center 7/

Bureau of Prisons Commissary Trust Fund Management Letter Report for Fiscal Year 1993

City of Lakewood, Colorado Seizure Fund

Drug Enforcement Administration's Contract with Corporate Jets, Inc. 8/

Security Software at the Justice Data Centers

Cash Management and Reporting Weakness at the Federal Prison Industries, Inc.

Applied Technology Associates

Weed and Seed Demonstration Project, City of Trenton, New Jersey 9/

Effectiveness of the Drug Control and System Improvement Grant Program 10/

Weed and Seed Program Within the Chicago Housing Authority

Community Relations Service Annual Financial Statement for Fiscal Year 1993

Community Relations Service Management Letter Report for Fiscal Year 1993

Alzheimer's Association Safe Return Program 11/

Drug Enforcement Administration's and Bureau of Justice Assistance's State and Local Task Force Efforts

Federal Prison Industries, Inc., Oxford, Wisconsin

Antidiscrimination Outreach Education Program Administered by Casa Aztlán 12/

Fee Related Contract Activities in the Immigration and Naturalization Service

Weed and Seed Demonstration Project, City of Philadelphia, Pennsylvania 13/

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7/ Total Questioned Costs - \$548,713  
    Unsupported Costs - \$211,323

10/ Total Questioned Costs - \$1,088,101  
    Funds Put to Better Use - \$2,608,568

8/ Total Questioned Costs - \$120,819  
    Funds Put to Better Use - \$24,508

11/ Total Questioned Costs - \$205,553  
    Unsupported Costs - \$18,193

9/ Total Questioned Costs - \$173,205  
    Unsupported Costs - \$13,471

12/ Total Questioned Costs - \$9,963

13/ Total Questioned Costs - \$254,073

## TRUSTEE REPORTS

Performed under a reimbursable agreement with the  
Executive Office for U.S. Trustees

Chapter 7 Audit of Panel Trustee Robert J. Brown	MR-40-94-031	Chapter 7 Audit of Panel Trustee Sharon T. Sperling	MR-40-94-053
Chapter 7 Audit of Panel Trustee Russ L. Wilkey	MR-40-94-034	Chapter 7 Audit of Panel Trustee Kyle A. Cooper	MR-40-94-054
Chapter 7 Audit of Panel Trustee Traci K. Strickland	MR-40-94-035	Chapter 7 Audit of Panel Trustee James S. Feltman	MR-40-94-055
Chapter 7 Audit of Panel Trustee Antonio O'Neill, Jr.	MR-40-94-037	Chapter 7 Audit of Panel Trustee Daniel L. Bakst	MR-40-94-056
Chapter 7 Audit of Panel Trustee William M. Foster	MR-40-94-038	Chapter 7 Audit of Panel Trustee J. James Rogan	MR-40-94-057
Chapter 7 Audit of Panel Trustee Richard T. Doughtie, III	MR-40-94-039	Chapter 7 Audit of Panel Trustee Lucinda M. Hall	MR-40-94-058
Chapter 7 Audit of Panel Trustee Diego Andrea Ferrer	MR-40-94-040	Chapter 7 Audit of Panel Trustee Lynnea S. Concannon	MR-40-94-059
Chapter 7 Audit of Panel Trustee Roberto Velez Colon	MR-40-94-041	Chapter 7 Audit of Panel Trustee Gordon P. Jones	MR-40-94-060
Chapter 7 Audit of Panel Trustee John C. McLemore	MR-40-94-042	Chapter 7 Audit of Panel Trustee Leigh R. Meiningner	MR-40-94-061
Chapter 7 Audit of Panel Trustee John R. Wilson	MR-40-94-043	Chapter 7 Audit of Panel Trustee Laurie Weatherford	MR-40-94-062
Chapter 7 Audit of Panel Trustee Michael L. Baker	MR-40-94-044	Chapter 7 Audit of Panel Trustee Kerry L. Ezrol	MR-40-94-063
Chapter 7 Audit of Panel Trustee Donald L. Frailie	MR-40-94-045	Chapter 7 Audit of Panel Trustee Jeanette Tavormina	MR-40-94-064
Chapter 7 Audit of Panel Trustee John J. Goger	MR-40-94-046	Chapter 7 Audit of Panel Trustee Richard Ellenberg	MR-40-94-065
Chapter 7 Audit of Panel Trustee Thomas L. Edmondson	MR-40-94-047	Chapter 7 Audit of Panel Trustee Philip F. Boberschmidt	MR-50-94-070
Chapter 7 Audit of Panel Trustee Bruce A. Levy	MR-40-94-048	Chapter 7 Audit of Panel Trustee Peter F. Herrell	MR-50-94-071
Chapter 7 Audit of Panel Trustee James C. Perry	MR-40-94-049	Chapter 7 Audit of Panel Trustee Ronald J. Dusenbury	MR-50-94-072
Chapter 7 Audit of Panel Trustee Samuel K. Crocker	MR-40-94-050	Chapter 7 Audit of Panel Trustee Stephen Clark	MR-50-94-073
Chapter 7 Audit of Panel Trustee Richard A. Lee	MR-40-94-051	Chapter 7 Audit of Panel Trustee Todd C. Esser	MR-50-94-074
Chapter 7 Audit of Panel Trustee Carlos J. Lastra	MR-40-94-052	Chapter 7 Audit of Panel Trustee Robert Safos	MR-50-94-075

Chapter 7 Audit of Panel Trustee Faith L. Anderson	MR-50-94-076	Chapter 12 Audit of Standing Trustee Thomas King	GR-50-94-002
Chapter 7 Audit of Panel Trustee Christopher J. Redmond	MR-50-94-077	Chapter 12 Audit of Standing Trustee William H. Frye	GR-50-94-003
Chapter 7 Audit of Panel Trustee Joel Schechter	MR-50-94-078	Chapter 12 Audit of Standing Trustee Raymond B. Johnson	GR-50-94-004
Chapter 7 Audit of Panel Trustee Michael V. Demezyk	MR-50-94-079	Chapter 12 Audit of Standing Trustee Brett N. Rodgers	GR-50-94-005
Chapter 7 Audit of Panel Trustee Steven Mottaz	MR-50-94-080	Chapter 12 Audit of Standing Trustee Fredrich J. Cruse	GR-50-94-006
Chapter 7 Audit of Panel Trustee Ray Rodriguez	MR-50-94-081	Chapter 12 Audit of Standing Trustee Michael J. Farrell	GR-50-94-007
Chapter 7 Audit of Panel Trustee Arthur J. Schuh	MR-50-94-082	Chapter 12 Audit of Standing Trustee Steven R. Fansler	GR-50-94-008
Chapter 7 Audit of Panel Trustee Richard Boston	MR-50-94-083	Chapter 12 Audit of Standing Trustee Mark C. Halverson	GR-50-94-009
Chapter 7 Audit of Panel Trustee Joseph Baldi	MR-50-94-084	Chapter 12 Audit of Standing Trustee Daniel R. Freund	GR-50-94-010
Chapter 7 Audit of Panel Trustee Charles J. Taunt	MR-50-94-085	Chapter 12 Audit of Standing Trustee Joseph M. Black, Jr.	GR-50-94-011
Chapter 7 Audit of Panel Trustee Ronald R. Peterson	MR-50-94-086	Chapter 12 Audit of Standing Trustee Michael D. Clark	GR-50-94-012
Chapter 7 Audit of Panel Trustee Richard Barber	MR-50-94-087	Chapter 12 Audit of Standing Trustee Paul R. Chael	GR-50-94-014
Chapter 7 Audit of Panel Trustee Alexander S. Knopfler	MR-50-94-088	Chapter 12 Audit of Standing Trustee Suzanne C. Mandross	GR-50-94-015
Chapter 7 Audit of Panel Trustee Scott F. Shadel	MR-50-94-089	Chapter 12 Audit of Standing Trustee James E. Kohlhorst	GR-50-94-016
Chapter 7 Audit of Panel Trustee Alex D Moglia	MR-50-94-090	Chapter 7 Audit of Panel Trustee Thomas H. Connolly	MR-80-94-045
Chapter 7 Audit of Panel Trustee Pamela S. Hollis	MR-50-94-091	Chapter 7 Audit of Panel Trustee Rudolph O. Young	MR-80-94-046
Chapter 7 Audit of Panel Trustee Andrew Maxwell	MR-50-94-092	Chapter 7 Audit of Panel Trustee Gene Timmermans	MR-80-94-047
Chapter 7 Audit of Panel Trustee Emanuel Katten	MR-50-94-093	Chapter 7 Audit of Panel Trustee Jim Echols	MR-80-94-048
Chapter 7 Audit of Panel Trustee William H. Grabscheid	MR-50-94-094	Chapter 7 Audit of Panel Trustee Derren S. Johnson	MR-80-94-049
Chapter 7 Audit of Panel Trustee Merrill Moores	MR-50-94-095	Chapter 7 Audit of Panel Trustee Reedy M. Spigner	MR-80-94-050
Chapter 7 Audit of Panel Trustee Frank O. McLane	MR-50-94-096	Chapter 7 Audit of Panel Trustee W. Simmons Sandoz	MR-80-94-051
Chapter 7 Audit of Panel Trustee William Ransier	MR-50-94-097	Chapter 7 Audit of Panel Trustee Robert N. Hilgendorf	MR-80-94-052



Chapter 7 Audit of Panel Trustee M. Randy Rice	MR-80-94-053	Chapter 7 Audit of Panel Trustee Stanley W. Wright	MR-80-94-075
Chapter 7 Audit of Panel Trustee Mark K. Sutton	MR-80-94-054	Chapter 7 Audit of Panel Trustee Walter Kellogg	MR-80-94-076
Chapter 7 Audit of Panel Trustee Daniel C. Stewart	MR-80-94-055	Chapter 7 Audit of Panel Trustee Randy W. Williams	MR-80-94-077
Chapter 7 Audit of Panel Trustee Elizabeth G. Andrus	MR-80-94-056	Chapter 12 Audit of Standing Trustee Dennis C. Hoeger	GR-80-94-003
Chapter 7 Audit of Panel Trustee Carl A. Dengel	MR-80-94-057	Chapter 12 Audit of Standing Trustee Wayne Drewes	GR-80-94-004
Chapter 7 Audit of Panel Trustee Martin A. Schott	MR-80-94-058	Chapter 12 Audit of Standing Trustee John S. Lovald	GR-80-94-005
Chapter 7 Audit of Panel Trustee James F. Dowden	MR-80-94-059	Chapter 12 Audit of Standing Trustee Tim Truman	GR-80-94-007
Chapter 7 Audit of Panel Trustee Randall B. Boughton	MR-80-94-060	Chapter 12 Audit of Standing Trustee Jack M. Cornelius	GR-80-94-009
Chapter 7 Audit of Panel Trustee John T. Lee	MR-80-94-061	Chapter 12 Audit of Standing Trustee Merle H. McGinnes, Jr.	GR-80-94-010
Chapter 7 Audit of Panel Trustee William M. Bonney	MR-80-94-062	Chapter 12 Audit of Standing Trustee Paul J. Toscano	GR-80-94-013
Chapter 7 Audit of Panel Trustee A. Jan Thomas, Jr.	MR-80-94-063	Chapter 12 Audit of Standing Trustee Carl A. Dengel	GR-80-94-014
Chapter 7 Audit of Panel Trustee Jason R. Searcy	MR-80-94-064	Chapter 7 Audit of Panel Trustee Neal Ossen	MR-20-94-062
Chapter 7 Audit of Panel Trustee Robert L. Finch	MR-80-94-065	Chapter 7 Audit of Panel Trustee Donald J. Crecca	MR-20-94-063
Chapter 7 Audit of Panel Trustee Carey D. Ebert	MR-80-94-066	Chapter 7 Audit of Panel Trustee Timothy O'Neill	MR-20-94-064
Chapter 7 Audit of Panel Trustee Ronald M. Mapel	MR-80-94-067	Chapter 7 Audit of Panel Trustee Marc A. Pergament	MR-20-94-065
Chapter 7 Audit of Panel Trustee John C. Conine	MR-80-94-068	Chapter 7 Audit of Panel Trustee Mary E. Leonard	MR-20-94-066
Chapter 7 Audit of Panel Trustee John T. Pender	MR-80-94-069	Chapter 7 Audit of Panel Trustee Robert S. Cooper	MR-20-94-067
Chapter 7 Audit of Panel Trustee Jill R. Jacoway	MR-80-94-070	Chapter 7 Audit of Panel Trustee John J. O'Neil, Jr.	MR-20-94-068
Chapter 7 Audit of Panel Trustee Donald S. Leslie	MR-80-94-071	Chapter 7 Audit of Panel Trustee Joseph I. Schindler	MR-20-94-069
Chapter 7 Audit of Panel Trustee David V. Adler	MR-80-94-072	Chapter 7 Audit of Panel Trustee Benjamin Tessler	MR-20-94-070
Chapter 7 Audit of Panel Trustee Rodney D. Tow	MR-80-94-073	Chapter 7 Audit of Panel Trustee John Boyajian	MR-20-94-071
Chapter 7 Audit of Panel Trustee Charles D. Davidson	MR-80-94-074	Chapter 7 Audit of Panel Trustee David Kittay	MR-20-94-072

Chapter 7 Audit of Panel Trustee John Henry Ring, III	MR-20-94-073	Chapter 7 Audit of Panel Trustee Richard Diamond	MR-90-94-046
Chapter 7 Audit of Panel Trustee Bunce D. Atkinson	MR-20-94-074	Chapter 7 Audit of Panel Trustee Stanley Fogler	MR-90-94-047
Chapter 7 Audit of Panel Trustee John S. Pereira	MR-20-94-075	Chapter 7 Audit of Panel Trustee D. Christopher Ward	MR-90-94-048
Chapter 7 Audit of Panel Trustee Daniel E. Brick	MR-20-94-076	Chapter 7 Audit of Panel Trustee Walter T. Thompson	MR-90-94-049
Chapter 7 Audit of Panel Trustee Allen H. Roffman	MR-20-94-077	Chapter 7 Audit of Panel Trustee Jim Smith	MR-90-94-050
Chapter 7 Audit of Panel Trustee Oliver Lee Twombly	MR-20-94-078	Chapter 7 Audit of Panel Trustee Absalom Valenzuela	MR-90-94-051
Chapter 7 Audit of Panel Trustee John J. Martin	MR-20-94-079	Chapter 7 Audit of Panel Trustee James D. Fox	MR-90-94-052
Chapter 7 Audit of Panel Trustee Nancy Hershey Lord	MR-20-94-080	Chapter 7 Audit of Panel Trustee John Barkley	MR-90-94-053
Chapter 7 Audit of Panel Trustee Roy Babitt	MR-20-94-081	Chapter 7 Audit of Panel Trustee Donald Hartvig	MR-90-94-054
Chapter 7 Audit of Panel Trustee Gary M. Growe	MR-20-94-082	Chapter 7 Audit of Panel Trustee James Rigby	MR-90-94-055
Chapter 7 Audit of Panel Trustee John F. Bracaglia	MR-20-94-083	Chapter 7 Audit of Panel Trustee Paul B. Snyder	MR-90-94-056
Chapter 7 Audit of Panel Trustee Mark S. Tulis	MR-20-94-084	Chapter 7 Audit of Panel Trustee Mark D. Waldron	MR-90-94-057
Chapter 7 Audit of Panel Trustee Richard L. Stern	MR-20-94-085	Chapter 7 Audit of Panel Trustee Roger W. Brown	MR-90-94-058
Chapter 7 Audit of Panel Trustee Yann Geron	MR-20-94-086	Chapter 7 Audit of Panel Trustee Aaron Lee	MR-90-94-059
Chapter 7 Audit of Panel Trustee Marc S. Goldberg	MR-20-94-087	Chapter 7 Audit of Panel Trustee Duke Salisbury	MR-90-94-060
Chapter 7 Audit of Thompson Bakery Supplies	MR-20-94-088	Chapter 7 Audit of Panel Trustee Ford Elsaesser	MR-90-94-061
Chapter 7 Audit of Panel Trustee Richard M. Coan	MR-20-94-089	Chapter 7 Audit of Panel Trustee Robert Vucurevich	MR-90-94-062
Chapter 7 Audit of Panel Trustee Peter Stern	MR-20-94-090	Chapter 7 Audit of Panel Trustee Robert Steinberg	MR-90-94-063
Chapter 12 Audit of Standing Trustee Robert E. Littlefield, Jr.	GR-20-94-005	Chapter 7 Audit of Panel Trustee Robert K. Morrow	MR-90-94-064
Chapter 12 Audit of Standing Trustee George M. Reiber 1/	GR-20-94-006	Chapter 7 Audit of Panel Trustee Joseph Esposito	MR-90-94-065
Chapter 12 Audit of Standing Trustee Morris L. Horwitz	GR-20-94-009	Chapter 7 Audit of Panel Trustee L.D. Fitzgerald	MR-90-94-066
----- 1/ Total Questioned Costs - \$163		Chapter 7 Audit of Panel Trustee Edward C. Hostmann	MR-90-94-067

Chapter 7 Audit of Panel Trustee William Beecher	MR-90-94-068	Chapter 7 Audit of Panel Trustee William Barstow	MR-90-94-072
Chapter 7 Audit of Panel Trustee Ronald R. Sticka	MR-90-94-069	Chapter 7 Audit of Panel Trustee Ken Battley	MR-90-94-073
Chapter 7 Audit of Panel Trustee Bruce Kreigman	MR-90-94-070	Chapter 12 Audit of Standing Trustee M. Nelson Enmark	GR-90-94-001
Chapter 7 Audit of Panel Trustee David A. Gill	MR-90-94-071	Chapter 12 Audit of Standing Trustee Forrest Hymas	GR-90-94-002

## AUDIT REPORTS OF DEPARTMENT OF JUSTICE ACTIVITIES COMPLETED BY OTHERS

Audit of the Alabama Center for Law and Civic Education, Inc.	TJF-40-94-001	Audit of the City of Atlanta, Georgia	TOP-40-94-019
Audit of the Boys and Girls Clubs of Greater Mobile, Inc.	TJF-40-94-002	Audit of the State of Tennessee	TOP-40-94-020
Audit of the Georgia Baptist Children's Homes and Family Ministries, Inc.	TJF-40-94-003	Audit of the State of Mississippi	TOP-40-94-021
Audit of Catholic Community Services, Inc.	TJF-40-94-004	Audit of the State of North Carolina	TOP-40-94-022
Audit of the Institute for Intergovernmental Research	TJF-40-94-005	Audit of the City of Miami Beach, Florida	TOP-40-94-023
Audit of the Georgia Advocates for Battered Women and Children	TJF-40-94-006	Audit of the City of Fort Lauderdale, Florida	TOP-40-94-024
Audit of the Council of State Governments <u>1/</u>	TJF-40-94-007	Audit of the Commonwealth of Puerto Rico, Office of Youth Affairs <u>4/</u>	TOP-40-94-025
Audit of Youth Service USA	TJF-40-94-008	Audit of the Commonwealth of Puerto Rico, Office of Youth Affairs <u>5/</u>	TOP-40-94-026
Audit of the National Juvenile Detention Association	TJF-40-94-009	Audit of the Regional Organized Crime Information Center	TRIG-40-94-001
Audit of the Selby County, Alabama Board of Education	TJP-40-94-001	Audit of Legal Aid of Western Missouri	TJF-50-94-003
Audit of the Commonwealth of Puerto Rico, Department of Justice	TJP-40-94-002	Audit of the Ohio Restaurant Association	TJP-50-94-004
Audit of the City of Homestead, Florida	TJP-40-94-003	Audit of Hastings, Nebraska	TJP-50-94-006
Audit of Vanderbilt University	TOF-40-94-005	Audit of the Kansas City, Missouri Police Department	TJP-50-94-007
Audit of the University of Mississippi	TOF-40-94-006	Audit of REJIS Commission	TJP-50-94-008
Audit of the Research Triangle Institute	TOF-40-94-007	Audit of the Westside Preparatory School	TJP-50-94-009
Audit of Metropolitan Dade County, Florida	TOP-40-94-013	Audit of the Westside Preparatory School	TJP-50-94-010
Audit of the State of South Carolina <u>2/</u>	TOP-40-94-014	Audit of the Indiana State Police	TJP-50-94-011
Audit of the City of Louisville, Kentucky	TOP-40-94-015	Audit of the Indiana Criminal Justice Institute <u>6/</u>	TJP-50-94-012
Audit of the Mississippi Band of Choctaw Indians	TOP-40-94-016	Audit of the Hudson Institute, Inc.	TOF-50-94-004
Audit of Orange County, Florida	TOP-40-94-017	Audit of the State of Wisconsin <u>7/</u>	TOP-50-94-006
Audit of the City of Key West, Florida <u>3/</u>	TOP-40-94-018	Audit of the State of Missouri	TOP-50-94-007
<hr/>		<hr/>	
<u>1/</u> Total Questioned Costs - \$1,159		<u>4/</u> Total Questioned Costs - \$48,956 Unsupported Costs - \$48,956	
<u>2/</u> Total Questioned Costs - \$8,731 Unsupported Costs - \$8,731		<u>5/</u> Total Questioned Costs - \$39,377 Unsupported Costs - \$39,377	
<u>3/</u> Total Questioned Costs - \$1,480		<u>6/</u> Total Questioned Costs - \$84,241	
		<u>7/</u> Total Questioned Costs - \$382	

Audit of the City of Detroit, Michigan	TOP-50-94-008	Audit of the National Consortium of TASC Programs	TJF-20-94-027
Audit of the State of Iowa	TOP-50-94-009		
Audit of the State of Nebraska <u>1/</u>	TOP-50-94-010	Audit of the National Consortium of TASC Programs	TJF-20-94-028
Audit of the Mid-States Organized Crime Information Center	TRIG-50-94-002	Audit of the Cities in Schools, Inc.	TJF-20-94-029
Audit of Nuestro Centro	TJF-80-94-004	Audit of the National Sheriffs' Association	TJF-20-94-030
Audit of the Criminal District Court for the Parish of Orleans, Louisiana	TJP-80-94-006	Audit of the Brookings Institution	TOF-20-94-007
Audit of the Attorney General, State of Wyoming	TJP-80-94-007	Audit of the National White Collar Crime Center	TRIG-20-94-003
Audit of the New Mexico Department of Public Safety	TJP-80-94-008	Audit of the National Council on Crime and Delinquency	TJF-90-94-006
Audit of the County of El Paso, Texas	TJP-80-94-009	Audit of the Nellie Thomas Institute of Learning, Inc.	TJF-90-94-007
Audit of the Social Science Education Consortium, Colorado	TOF-80-94-007	Audit of the National Council of Juvenile and Family Court Judges	TJF-90-94-008
Audit of Dallas County, Texas	TOP-80-94-019	Audit of the National Council of Juvenile and Family Court Judges	TJF-90-94-009
Audit of the State of Colorado	TOP-80-94-020	Audit of the National Judicial College	TJF-90-94-010
Audit of the City of New Orleans, Louisiana	TOP-80-94-021	Audit of the National CASA Association	TJF-90-94-011
Audit of the City of New Orleans, Louisiana	TOP-80-94-023	Audit of the Constitutional Rights Association	TJF-90-94-012
Audit of Santa Fe County, New Mexico	TOP-80-94-024	Audit of the San Diego Association of Governments	TOP-90-94-028
Audit of El Paso County, Colorado	TOP-80-94-025	Audit of the County of Glen, California	TOP-90-94-029
Audit of the City of Austin, Texas	TOP-80-94-026	Audit of the State of Arizona <u>3/</u>	TOP-90-94-030
Audit of Dallas County, Texas	TOP-80-94-027	Audit of the County of El Dorado, California	TOP-90-94-031
Audit of the Oglala Sioux Tribe	TOP-80-94-028	Audit of the City of Riverside, California	TOP-90-94-032
Audit of the State of South Dakota	TOP-80-94-030	Audit of Lane County, Oregon	TOP-90-94-033
Audit of the City of Perry, Oklahoma	TOP-80-94-031	Audit of the University of California	TOP-90-94-034
Audit of the Blackfeet Tribal Corporation	TOP-80-94-033	Audit of the County of Contra Costa, California	TOP-90-94-035
Audit of the Pueblo of Jemez	TOP-80-94-034	Audit of the City and County of San Francisco, California	TOP-90-94-036
Audit of the Jicarilla Apache Tribe <u>2/</u>	TOP-80-94-035	Audit of the Bristol Bay Native Association	TOP-90-94-037
Audit of the Taos Pueblo	TOP-80-94-036	Audit of the County of Orange, California	TOP-90-94-038
Audit of the City of Aurora, Colorado	TOP-80-94-037	Audit of Clark County, Nevada	TOP-90-94-039
Audit of the National Crime Prevention Council	TJF-20-94-026		
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<u>1/</u> Total Questioned Costs - \$5,000			
<u>2/</u> Total Questioned Costs - \$843		<u>3/</u> Total Questioned Costs - \$4,598	

<b>Audit of the City of San Diego, California</b>	<b>TOP-90-94-040</b>	<b>Audit of the Commonwealth of Northern Mariana Islands</b>	<b>TOP-90-94-043</b>
<b>Audit of the State of California</b>	<b>TOP-90-94-041</b>	<b>Audit of the State of Alaska</b>	<b>TOP-90-94-044</b>
<b>Audit of the Commonwealth of Northern Mariana Islands</b>	<b>TOP-90-94-042</b>	<b>Audit of the County of Humboldt, California</b>	<b>TOP-90-94-045</b>

## Appendix 3

### GLOSSARY OF TERMS

The following are definitions of specific terms as they are used in the report.

<b>Disallowed Cost:</b>	A questioned cost that management, has sustained or agreed should not be charged to the Government.
<b>Final Action:</b>	(a) The completion of all actions that the management of an establishment has concluded are necessary with respect to the findings and recommendations included in an audit; and (b) in the event that the management of an establishment concludes no action is necessary, final action occurs when a management decision has been made.
<b>Green Card:</b>	INS Alien Registration Receipt Card (Form I-151 or Form I-551).
<b>OIG Referrals:</b>	Matters referred to components within the Department of Justice for investigation or other action when criminal prosecution of the alleged misconduct is not foreseeable, and when the matter raises administrative issues involving lower-ranking employees. When a matter is referred, the component is to provide the OIG with the results of the referral, which may include investigative findings and administrative action taken by the component.
<b>Information:</b>	Formal accusation of a crime made by a prosecuting attorney as distinguished from an indictment presented by a grand jury.
<b>Questioned Cost:</b>	Cost that is questioned by the Office because of (a) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds; (b) a finding that, at the time of the audit, such cost is not supported by adequate documentation; or (c) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.
<b>Recommendation that Funds be Put to Better Use:</b>	Recommendation by the Office that funds could be used more efficiently if management of an establishment took actions to implement and complete the recommendation, including (a) reductions in outlays; (b) de-obligation of funds from programs or operations; (c) withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds; (d) costs incurred by implementing recommended improvements related to the operations of the establishment, a contractor or grantee; (e) avoidance of unnecessary expenditures noted in pre-award reviews of contract or grant agreements; or (f) any other savings which are specifically identified.



- Recovered Funds:** Funds returned to the Department or the U.S. Treasury as the result of an investigation.
- Restitution Funds:** Reimbursements ordered by courts as part of a criminal sentence or civil or administrative penalty.
- Seizures:** Property, including cash, real estate, vehicles, etc., used or acquired through illegal activities, that is taken by law enforcement officials. A decision is made by a court or civil authority regarding what will be done with the seizure.
- Unsupported Cost:** Cost that is questioned by the Office because the Office found that, at the time of the audit, such cost is not supported by adequate documentation.

## Appendix 4

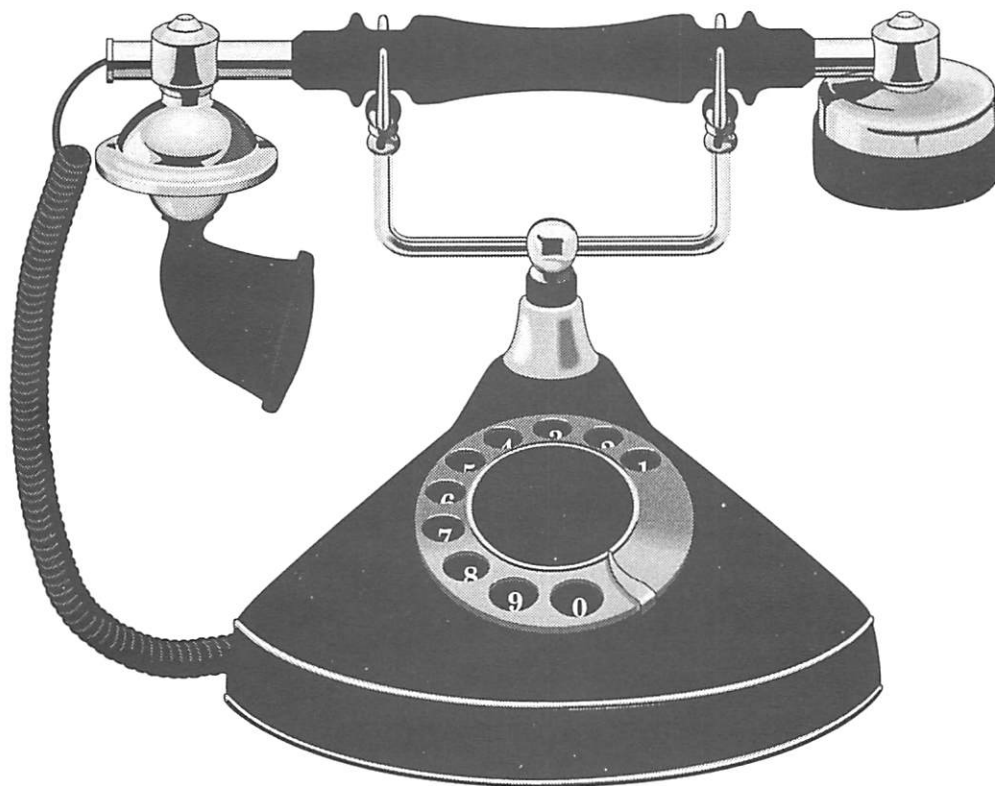
*The Inspector General Act of 1978, as amended (1988), specifies reporting requirements for semiannual reports. The requirements are listed below and indexed to the applicable pages.*

<b>IG Act References</b>	<b>Reporting Requirement</b>	<b>Page</b>
Section 4(a)(2)	Review of Legislation and Regulations	5
Section 5(a)(1)	Significant Problems, Abuses and Deficiencies	7 - 26
Section 5(a)(2)	Significant Recommendations for Corrective Action	17 - 26
Section 5(a)(3)	Prior Significant Recommendations Unimplemented	None
Section 5(a)(4)	Matters Referred to Prosecutive Authorities	7 - 15
Section 5(a)(5)	Information Refused	None
Section 5(a)(6)	Listing of Audit Reports	A - 2 - A - 11
Section 5(a)(7)	Summary of Significant Reports	17 - 26
Section 5(a)(8)	Audit Reports--Questioned Costs	23
Section 5(a)(9)	Audit Reports--Funds To Be Put To Better Use	22
Section 5(a)(10)	Prior Audit Reports Unresolved	22
Section 5(a)(11)	Significant Revised Management Decisions	None
Section 5(a)(12)	Significant Management Decisions with which OIG Disagreed	None

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*Assistant United States Attorney  
Nelson Boxer*



Assistant United States Attorney (AUSA) Nelson Boxer, Southern District of New York, Organized Crime Section, has demonstrated his dedication, talent and thoroughness in successfully prosecuting two complex OIG investigations involving corrections officers. One corruption case resulted in the conviction of a correctional officer employed by the Bureau of Prisons at the Federal Correctional Institution at Otisville, New York, and five other individuals. The officer accepted bribes in exchange for introducing barbiturates and other contraband to inmates. He was sentenced to 18 months incarceration and 24 months probation. Other defendants were convicted of bribery and mail fraud.

AUSA Boxer, along with AUSA Carol Sipperly, prosecuted 10 corrections officers employed by the Westchester County Jail, which has a contract with the United States Marshals Service to house Federal inmates. The investigation disclosed that these corrections officers accepted bribes from Federal inmates in exchange for introducing cocaine and other contraband into the facility. One officer also assisted an inmate in an escape attempt. To date, 5 of the corrections officers have been convicted.



