Office of the Inspector General
U.S. Department of Justice

Review of the Federal Bureau of Prisons' Contraband Interdiction Efforts

Evaluation and Inspections Division 16-05 June 2016

EXECUTIVE SUMMARY*

Introduction

The Federal Bureau of Prisons (BOP) faces the persistent problem of contraband smuggling. The introduction of contraband can pose grave dangers to BOP staff and the approximately 200,000 federal inmates in BOP custody, as well as to visitors and the public. The Office of the Inspector General (OIG) conducted this review to examine the BOP's security procedures to interdict contraband. We also interviewed representatives from selected state prison systems regarding their contraband interdiction strategies and staff search policies and procedures.

Contraband is defined in 28 C.F.R. § 500.1(h) as prohibited materials "which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution." Such items include weapons, drugs, currency, tobacco, telephones, and electronic devices. According to BOP data, cell phones were the most common type of contraband recovered from fiscal years (FY) 2012 through 2014. An inmate with a cell phone, particularly a smartphone, can carry out criminal activities undetected, including threatening and intimidating witnesses, victims, and public officials, and coordinate escape attempts. The BOP reports that over 8,700 cell phones were recovered during this period, 2,012 more than the next most common contraband type, weapons. The data shows that while cell phone recoveries decreased slightly during this period, recoveries of other contraband, such as weapons, narcotics, and tobacco, increased significantly. However, as described below, we have concerns about the completeness of the BOP's data.

Results in Brief

The BOP Does Not Have a Comprehensive Contraband Tracking Capability

We found that the BOP lacks a comprehensive contraband tracking system, and current data collection methods impede its ability to effectively track contraband recoveries and analyze contraband trends. The BOP has taken steps to automate data collection on contraband recoveries, such as by implementing TRUINTEL, a database for entering information associated with inmate investigations, including contraband recoveries. However, BOP staff told us TRUINTEL was not designed to be a comprehensive contraband tracking system. We found that TRUINTEL does not provide a complete picture of contraband recoveries because certain contraband may not be entered and multiple contraband items may be entered as only one item. We also found that automated log books used to document contraband recovered during unit searches are not linked to

* The full version of this report contains information that the Federal Bureau of Prisons considered to be law enforcement sensitive, and therefore could not be publicly released. To create this public version of the report, the Office of the Inspector General redacted (blacked out) portions of the full report.

TRUINTEL. With regard to cell phones, TRUINTEL does not capture all data available through the other methods the BOP uses to track recovered cell phones, including both the BOP's unit log books and its "Cell Phones Recovered" reports. Unlike TRUINTEL, the "Cell Phones Recovered" reports include all phones confiscated, regardless of whether the phones are attributed to an inmate; however, these reports lack details that make duplicative entries in TRUINTEL unidentifiable.

The BOP Did Not Effectively Implement Its 2013 Staff Search Policy to Deter Staff Introduction of Contraband

In a January 2003 report, the OIG recommended that the BOP revise its staff search policy to require searches of staff and their property when entering institutions. After more than 10 years of negotiation with its union, the BOP implemented a new staff search policy in 2013. However, in June 2015, just prior to the completion of our fieldwork for this review, the Federal Labor Relations Authority ordered the BOP to cease and desist using the 2013 staff search policy following a union challenge to it.[1] The BOP then reinstated the policy on March 28, 2016 with minor changes not relevant to this review. As a result, more than 13 years after our 2003 report, the BOP still has no comprehensive and effective staff search policy.

We found significant deficiencies with the 2013 policy and its implementation. The policy provided that all staff and their belongings could be searched randomly or based on reasonable suspicion when entering, reentering, or inside an institution or on its grounds.[2] However, the policy did not prescribe any required frequency for conducting random pat searches, resulting in what we found to be infrequent staff pat searches of varying duration. It also allowed staff to possess and use within institutions items, such as tobacco, that are prohibited for inmates. Additionally, despite the BOP concurring in 2003 with the OIG's recommendation that it restrict the size and content of personal property that staff may bring into institutions, the 2013 policy contained no such restrictions. The policy further permitted staff to return to their vehicles to store contraband that had been identified during front lobby screening procedures, unless doing so would jeopardize the safety, security, or good order of the institution, or public safety. Finally, the policy did not ensure that only trained and supervised staff was assigned to front lobby positions, and we found that at some institutions entry-level Information Receptionists were assigned to these positions. Our research also indicated that the staff search policies governing state prison systems are often more strict in many of these areas. The safety and security of staff and inmates will continue to

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[1] The results of this review are based on our analysis of activities and events prior to the BOP's June 30, 2015, cease and desist order affecting the 2013 staff search policy.

[2] As part of the BOP's staff entrance procedures, all staff must undergo daily electronic searches of their person (via walk-through or handheld metal detector) and their belongings (via x-ray screening).

be at risk until the BOP develops and implements a comprehensive and effective staff search policy.

The BOP Has Deployed New Technologies to Detect Contraband, but More Operational Guidance and Training Are Needed to Maximize Security

The BOP has installed and is piloting several new contraband interdiction devices throughout its institutions, including new walk-through metal detectors. However, we found that the BOP should improve the guidance it provides staff to ensure consistent operations of these devices. For example, the BOP is installing whole-body scanners, known as SecurPASS, which can detect objects concealed in anterior and posterior body cavities. However, we found that some institution staff are unclear about BOP policies on the use of SecurPASS's [redacted]. Incorrect implementation of the [redacted] when the officer and inmate are of different genders is particularly problematic because it can affect the BOP's compliance with the *Prison Rape Elimination Act of 2003.* Further, we found that some operators of SecurPASS were unaware of the prohibition on inmates viewing their images, which can compromise security operations. We also found discrepancies in training materials provided to staff operating new contraband interdiction devices that could lead to procedural errors, such as improper scanning procedures.

Deficiencies with the BOP's Cellular Telephone Laboratory Reports May Adversely Affect the Timeliness of Administrative Proceedings against Inmates

The BOP's Cellular Telephone Laboratory (Lab) assists institution investigators in identifying inmates involved with contraband by conducting forensic examinations of recovered cell phones. We found that the BOP has taken steps to clarify the Lab's mission and improve its operations. However, we also found that the utility of the Lab's reports was often hampered by repetition — for some reports, repetitive entries made up as much as 40 percent of the report — and extensive technical jargon. Further, neither BOP managers nor Lab analysts knew how investigators use the Lab reports to further an investigation.

Deficiencies within the BOP's Security Camera System Adversely Affect Administrative and Criminal Proceedings against Staff and Inmates

We found deficiencies with the BOP's security video camera system, including [redacted] blind spots known to inmates and staff. These deficiencies significantly limit the effectiveness of the system and adversely affect the safety and security of staff and inmates, as evidenced by [redacted] or complaints in 2013 and 2014 that the OIG was unable to pursue solely due to the absence [redacted]. These deficiencies also affect the BOP's ability to take administrative action against staff and inmates involved in contraband introduction, and further reduce the BOP's ability to deter contraband introductions.

Recommendations

In this report, we make 11 recommendations to the BOP to improve its ability to interdict contraband introductions and to ensure the safety and security of staff, visitors, and inmates.

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INTRODUCTION

Background

The Federal Bureau of Prisons (BOP), like most prison systems, faces the persistent problem of contraband smuggling into its institutions.[3] There are countless ways in which contraband items are smuggled into prisons, and strategies and methods are ever changing, with inmates seeking security vulnerabilities and adapting their criminal activities to exploit weaknesses. For example, a 2014 Office of the Inspector General (OIG) report on the BOP's use of x-ray machines described an incident involving an inmate warehouse worker who attempted to introduce contraband concealed in cereal boxes into a high security institution.[4] In addition, recent media reports involving state and federal prison systems have cited inmate workers, "throw-overs" (contraband items thrown over a prison fence), staff walking through an institution's front lobby with contraband hidden in or on their person or in a container, and even flying drones carrying contraband over prisons.[5] The introduction of contraband into BOP institutions hinders the BOP's mission of providing a safe, secure environment and poses grave dangers to the approximately 200,000 federal inmates in BOP custody, as well as staff, visitors, and the public.

We analyzed BOP contraband recoveries from fiscal years (FY) 2011 through 2014, although as described below, in many instances we were able to obtain reliable data only for FYs 2012 through 2014; and we assessed BOP policies, procedures, and technologies for screening staff, visitors, and inmates for contraband at BOP-managed institutions. In the following sections, we describe contraband as defined in federal statute and BOP policy; discuss the particular threat of cell phones as dangerous contraband; describe previous OIG work related to contraband in BOP institutions; and explain BOP staff, visitor, and inmate search policies.

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[3] "Institution" is defined in 28 CFR § 500.1(d) as a U.S. Penitentiary, Federal Correctional Institution, Federal Prison Camp, Federal Detention Center, Metropolitan Correctional Center, Metropolitan Detention Center, U.S. Medical Center for Federal Prisoners, Federal Medical Center, or Federal Transportation Center.

[4] U.S. Department of Justice (DOJ) OIG, *Audit of the Federal Bureau of Prisons' September 2011 Procurement of X-ray Equipment under Contract GS-07F-0182T,* Audit Report 14-27, Redacted for Public Release (June 2014).

[5] Examples: U.S. Attorney's Office, Southern District of Illinois, "Federal Inmate Pleads Guilty to Bribing Prison Guard," FBI Press Release, October 07, 2011; Harrison Cahill, "Drone Smuggling Prompts Thermal Surveillance Cameras at Columbia, S.C. Prison," *Government Technology,* December 12, 2014, http://www.govtech.com/public-safety/Drone-Smuggling-Prompts-Thermal-Surveillance-Cameras-at-Columbia-SC-.html (accessed November 25, 2015).

Defining Contraband

Federal statute and regulations define contraband as "material prohibited by law, or by regulation, or material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution."[6] "Prohibited objects" include weapons, explosives, drugs, intoxicants, currency, cameras, recording equipment, telephones, radios, pagers, electronic devices, and any other objects that violate criminal laws or are prohibited by federal regulations or BOP policies.[7]

Federal regulations and BOP policies further define different contraband types as "hard" or "dangerous" and "nuisance" or "soft." Hard contraband is "any item which poses a serious threat to the security of an institution and which ordinarily is not approved for possession by an inmate or for admission into the institution"; this includes weapons, intoxicants, and currency.[8] The BOP specifically defines tobacco products and paraphernalia as both "dangerous contraband" and "prohibited objects" due to their potential value to inmates who are prohibited from using them in BOP institutions.[9] Nuisance contraband is "any item other than hard contraband ... whose possession is prohibited when it presents a threat to security or its condition or excessive quantities of it present a health, fire, or housekeeping hazard."[10] Nuisance contraband includes inmate personal property that is not permitted into an institution or sold in the commissary, or has been altered. BOP policy describes permissible and non-permissible inmate personal property items and delegates to Wardens the authority to further define inmate personal property.[11]

Federal statutes prescribe criminal penalties for providing or possessing contraband in prison.[12] Federal statutes authorize BOP officers or staff to arrest an individual who provides, or attempts to provide, contraband to an inmate or who introduces contraband into an institution. However, BOP policy states that in

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[6] 28 C.F.R. § 500.1(h).

[7] Prohibited objects are defined in 28 C.F.R. § 511.12(a) and 18 U.S.C. § 1791(d)(1). "Prohibited activities," addressed in 28 C.F.R. § 511.11, include any activities that could jeopardize the BOP's ability to ensure the safety, security, and orderly operation of BOP facilities and to protect the public, whether or not such activities are criminal in nature. Prohibited activities include introducing, or attempting to introduce, prohibited objects.

[8] 28 C.F.R. § 553.12(b)(1).

[9] BOP Program Statement 5510.15, Searching, Detaining, or Arresting Visitors to Bureau Grounds and Facilities (July 17, 2013), 5, and BOP Program Statement 3740.01, Staff Entrance and Search Procedures (July 17, 2013), 5.

[10] 28 C.F.R. § 553.12(b)(2).

[11] BOP Program Statement 5580.08, Inmate Personal Property (August 22, 2011).

[12] 18 U.S.C. § 1791 (contraband), 18 U.S.C. § 930 (firearms and dangerous weapons in federal facilities).

practice, such arrests occur only when dangerous contraband is involved and there must be a "deliberate attempt" to introduce contraband with the intent to provide it to an inmate.[13]

BOP Data on Contraband

According to BOP data, cell phones were the most common hard contraband items recovered in BOP institutions from FY 2012 through FY 2014 (8,728 according to the BOP's "Cell Phones Recovered" report, 5,734 according to the BOP's TRUINTEL database).[14] Also, weapons (6,716); narcotics, including marijuana, heroin, and cocaine (3,713); and tobacco (1,797) were among the hard contraband items most commonly recovered within BOP institutions.[15] BOP data also shows that weapons, narcotics, and tobacco recoveries have increased in recent years, while cell phone recoveries appear to have dropped. See Figure 1.

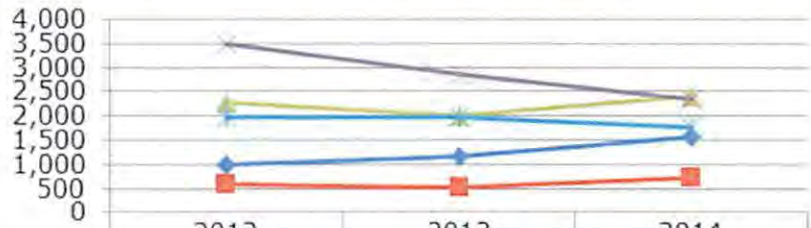
[13] BOP Program Statement 3740.01 (July 17, 2013), 23, reinstated with minor changes effective March 28, 2016. We discuss the reinstated policy in the "BOP Policy on Searching Staff for Contraband" section below.

[14] The BOP uses two methods to track cell phones: "Cell Phones Recovered" reports and its TRUINTEL database. The Cell Phones Recovered reports include all cell phones recovered on, in, or around secure and non-secure institutions. The BOP's TRUINTEL database includes those cell phones attributed to inmate investigations. The total number of cell phones recovered during this period is not cumulative; both methods represent separate cell phone recovered counts. We utilized both data sources because the BOP does not have a consolidated tracking system for all contraband recovered in its institutions. We discuss the BOP's tracking of contraband later in this report.

[15] TRUINTEL reflects both institutions and camps. On average, camps account for 24 percent of the top four contraband finds, according to BOP TRUINTEL data.

Figure 1

Hard Contraband Recoveries, FY 2012 to FY 2014



	2012	2013	2014
Narcotics	993	1,154	1,566
Tobacco	575	509	713
Weapons	2,289	2,017	2,410
Cell Phones (Recovered Report)	3,506	2,860	2,362
Cell Phones (TRUINTEL)	1,970	1,981	1,783

Notes: The OIG did not attempt to verify the BOP's data in this figure. Additionally, we were unable to present FY 2011 data in this report because the numbers that the BOP provided to us did not reflect a complete year of BOP-wide data collection and were therefore artificially low. These low numbers of recovered contraband in FY 2011 were likely attributable to the BOP's beginning to replace its Automated Intelligence Management System with TRUINTEL in 2010 and the fact that not all institutions were utilizing TRUINTEL until FY 2011 or later. We discuss contraband recoveries from FY 2012 through FY 2014 later in this report.

Sources: TRUINTEL data (cell phones, weapons, narcotics, tobacco) and Cell Phones Recovered reports (cell phone data only) from FY 2012 through FY 2014.

According to BOP data as shown in Figure 1, recoveries of weapons increased by 121 since FY 2012, a 5.3 percent increase. Also, aggregate narcotic recoveries increased 57.7 percent, from a low of 993 in FY 2012 to a high of 1,566 in FY 2014. In addition, despite the BOP's policy prohibiting inmate possession of tobacco in any form, tobacco and related product recoveries have also increased since FY 2012. Tobacco recoveries increased 24 percent, from a low of 575 in FY 2012 to a high of 713 in FY 2014 — a total of 1,797 recorded tobacco products recovered during that 3-year period. However, as we discuss later in this report, the BOP data reflecting lower numbers of recovered contraband types may under-represent the true amount recovered, due in part to BOP policies and practices of inputting data into TRUINTEL.

Contraband Cell Phones Present a Significant Threat inside and beyond BOP Institutions

While the BOP's Cell Phones Recovered reports indicate a decrease in the number of cell phone recoveries from FYs 2011 through 2014 (discussed below), cell phones have remained, since FY 2012, one of the most prevalent dangerous contraband items the BOP recovers. An inmate's use of a contraband cell phone

can create security and safety concerns both within and beyond the institution's secure perimeter. An inmate with a cell phone, particularly a smartphone, can carry out criminal activities undetected, including threatening and intimidating witnesses, victims, and public officials and coordinating contraband smuggling and escape attempts. In February 2013, a BOP Correctional Officer at the Metropolitan Detention Center in Guaynabo, Puerto Rico, was shot and killed while driving home from the facility in what authorities believe was inmate-involved retaliation related to his investigations into cell phone smuggling.[16] Similar incidents have occurred in state prisons in recent years.

The U.S. Government Accountability Office (GAO) reported that in the 3 years prior to FY 2011, cell phones recovered in BOP institutions increased, from 1,774 in FY 2008 to 3,684 in FY 2010.[17] BOP officials cited in the GAO's report attributed the increase in recovered contraband cell phones during that period to greater access to small, cheap phones; more stringent search procedures by staff; and better awareness and intelligence collection by staff. The GAO found that the BOP and selected states had taken actions to address contraband cell phone use in their facilities, but recommended that the BOP evaluate existing cell phone detection and disabling technologies.[18] The BOP's Cell Phones Recovered reports — the same source used by the GAO — show that recovered cell phones at both secure institutions and camps declined in the 3 fiscal years following the GAO's report, from a high of 3,506 in 2012, to 2,362 in 2014 (see Figure 2).[19] As further illustrated in Figure 2, on average, cell phone recoveries from camps are nearly two times more likely than recoveries from higher security institutions.

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[16] On January 28, 2015, a federal grand jury in the District of Puerto Rico returned a six-count indictment against nine individuals for the murder of Correctional Officer (Lieutenant) Osvaldo Albarati-Casanas. *United States* v. *Magaly Gonzalez-Montijo,* Case No. 3:13-CR-166-01 (JAG) (D.P.R.); see also Federal Bureau of Investigation, San Juan Division, "Nine Individuals Indicted for the Murder of an Officer and Employee of the United States," Press Release, January 30, 2015, http://www.fbi.gov/sanjuan/press-releases/2015/nine-individuals-indicted-for-the-murder-of-an-officer-and-employee-of-the-united-states (accessed December 10, 2015).

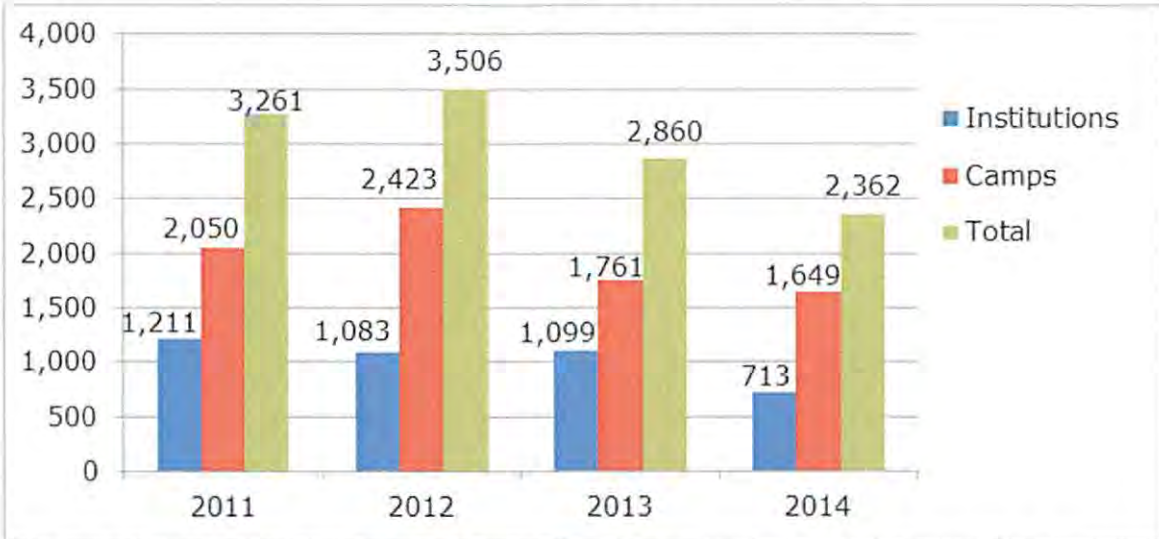
[17] The *Cell Phone Contraband Act of 2010* criminalized providing or possessing cell phones in prison, punishable by fine and up to 1-year imprisonment, and mandated that the GAO study related issues.

[18] GAO, *Improved Evaluations and Increased Coordination Could Improve Cell Phone Detection,* GAO 11-893 (September 2011). For the public version of this report, see GAO, Reports and Testimonies, http://www.gao.gov/docsearch/repandtest.html (accessed December 10, 2015).

[19] According to the BOP, minimum security institutions, also known as camps, are work and program oriented, have a low staff-to-inmate ratio, and limited or no perimeter fencing. When compared to higher security institutions, camps have more open access to third parties.

Figure 2

Cell Phones Recovered in BOP Institutions and Camps FYs 2011 to 2014



Note: Institutions include those at the administrative, high, medium, and low security level institutions. Camps include federal prison camps (FPC) and satellite camps, which are minimum security institutions. The BOP has seven FPCs throughout the United States.

Source: BOP Cell Phones Recovered reports for FYs 2011–2014. The figure does not include cell phone data from TRUINTEL as it is not as comprehensive as the Cell Phones Recovered reports. We discuss tracking cell phone data later in this report.

Despite the recent decline, cell phones have remained, since FY 2012, one of the most prevalent dangerous contraband items the BOP recovers, according to BOP data. With 214,149 federal prisoners in FY 2014, this data shows that the BOP is recovering contraband cell phones equal to 1.1 percent of the total inmate population each year. We note that TRUINTEL and Cell Phones Recovered reports represent only contraband items that BOP staff has *recovered* within BOP institutions and recorded in one of the two databases. In fact, the actual number of overall contraband items, including cell phones in BOP institutions nationwide, is a larger, unknown number. BOP officials acknowledge that the BOP does not have a comprehensive contraband tracking system to effectively assess detection programs and interdiction methods, as we discuss further below.

States Are Addressing Cell Phones as a Contraband Threat

State prisons have begun addressing contraband cell phones through a variety of means, including cell phone detection canines; cell phone detection devices and metal detectors; increased searches of inmates, visitors, and staff; heavy-duty fence netting; thermal sensor cameras; and legislative solutions to invoke greater penalties for contraband cell phones. Additionally, some states have installed Managed Access Systems (MAS), which detect unauthorized cell phone

signals and prevent those phones from sending and receiving calls, data, and text messages. In 2010, Mississippi became the first prison to install a MAS, followed in subsequent years by South Carolina. California, Texas, and Maryland have also tested a MAS solution. The California Department of Corrections and Rehabilitation reported that an 11-day test of its MAS in 2011 detected 2,593 unique wireless devices and blocked over 25,000 unauthorized communication attempts (calls, texts, emails, Internet connections), or on average 2,500 per day. The California Council on Science and Technology (Council), however, questioned the efficacy of the testing and MAS solution.[20] The Council cautioned that MAS technology testing has been limited in scope and scale that has not taken into account the complexities of interference from the prison environment or its surrounding locale. The Council recommended that alternative technical and non-technical options for mitigating contraband cell phones be considered.

Prior OIG Report on BOP Contraband

In January 2003, we issued a report detailing what the BOP could do better to stem the flow of illegal drugs into its institutions.[21] While the focus of that report was on interdicting drugs, many of those findings applied to the BOP's interdiction of all contraband types. For example, we found that the BOP had not taken adequate measures to prevent drug smuggling by its staff and had not used interdiction measures, such as searching staff and limiting the personal property staff may bring into the institution, a finding that would apply similarly to a wide range of contraband that could be smuggled into institutions. We made 15 recommendations to improve the BOP's drug interdiction efforts. We continued to monitor the BOP's actions and eventually closed all the recommendations from our 2003 report except one concerning the searching of staff and their property.[22]

Also, in June 2014, the OIG issued an audit of the BOP's procurement of x-ray equipment to assess the effectiveness and use of the x-ray machines.[23] We identified a number of concerns, including the ability of pallet x-ray machines to assist with scanning for and detecting contraband items prior to moving goods from the warehouse into secure areas of BOP institutions. In addition, while inmates are required to work if they are medically able, in doing so they can create areas of risk in the BOP's overall security process. For example, we found that inmate laborers

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[20] The California Council on Science and Technology, *The Efficacy of Managed Access Systems to Intercept Calls from Contraband Cell Phones in California Prisons* (May 2012), 2.

[21] DOJ OIG, *The Federal Bureau of Prisons' Drug Interdiction Activities*, Evaluation and Inspections Report I-2003-002 (January 2003).

[22] DOJ OIG, *Drug Interdiction Activities,* p. 27, Recommendation 6 states: "The Director, BOP, should implement a policy requiring searches of staff and their property when entering institutions. In addition to manual searches, the BOP should consider using ion spectrometry and all other available technology when searching staff."

[23] DOJ OIG, *Audit of the Federal Bureau of Prisons' September 2011 Procurement of X-ray Equipment under Contract GS-07F*-0182T, Audit Report 14-27 (June 2014).

could view the x-ray pallet monitors, thereby increasing the potential that they may identify and exploit scanning process weaknesses. We found similar deficiencies with BOP screening personnel actively showing inmates their scanned images, an issue we discuss in more detail later in this report. We made seven recommendations in that audit report to the BOP, including a recommendation related to the placement of detection technology monitors out of the view of inmates. In November 2013, before the audit report was published and prior to our initiation of this review, the BOP issued a memorandum mandating that units (x-ray machines) be positioned so that inmates cannot view keyboards, monitors, and the operator's station while the actual screening is taking place.[24]

BOP Policy on Searching Staff for Contraband

In the 13 years since we issued our January 2003 report, the BOP has implemented a number of changes to its security protocols, policies, and contraband detection mechanisms. In November 2007, the BOP and its union agreed to begin requiring staff to successfully clear a metal detector device before entering a BOP institution.[25] Nearly 6 years later, in July 2013, the BOP issued a new staff search policy.[26] The policy provided that all staff and their belongings (including bags, boxes, vehicles, containers in vehicles, jackets or coats, etc.) could be searched before entering, reentering, and while inside BOP institutions or grounds. Such searches could occur randomly (i.e., not based on any particular suspicion that a staff member is attempting to bring a prohibited object into a BOP institution), or based on reasonable suspicion. The policy provided for electronic, pat, and visual searches as well as drug testing. Search procedures under the 2013 policy differed by institution security level.[27] The BOP also installed new contraband

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[24] Judi Simon Garrett, Assistant Director, Information, Policy, and Public Affairs Division; Frank Strada, Assistant Director, Correctional Programs Division (CPD); Newton Kendig, Assistant Director, Health Services Division; W.F. Dalius, Jr., Assistant Director, Administration Division, Memorandum for All Wardens, Guidance Regarding Use of Warehouse Pallet Scanners, November 8, 2013.

[25] See Appendix 2 for more information on the 2007 agreement and associated guidance memoranda.

[26] BOP Program Statement 3740.01, Staff Entrance and Search Procedures (July 17, 2013). This policy is based on 28 C.F.R. Part 511, Subpart B, Searching and Detaining or Arresting Non-Inmates. "Non-inmates" are defined in Part 511 as all individuals who wish to enter, or are present inside a BOP facility or grounds, other than inmates in BOP custody. However, the BOP tailored its staff search policy to apply only to BOP employees and Public Health Service officers assigned to the BOP ("staff"). The BOP addresses search procedures for all other "non-inmates" in a separate visitor search policy, Program Statement 5510.15, Searching, Detaining, or Arresting Visitors to Bureau Grounds and Facilities (July 17, 2013). The issuance of the 2013 staff search policy effectively rescinded the 2007 agreement and associated 2008 memoranda.

[27] At low security and higher (including administrative) institutions, all staff and their belongings were required to clear the entrance procedures described below before entering. At minimum security institutions and non-secure confines of low security and higher institutions (e.g., buildings outside the secure confines), random entrance searches could be conducted as deemed necessary by the Warden or Camp Administrator.

detection devices such as enhanced walk-through metal detectors (WTMD) and SecurPASS and Millimeter Wave Scanner (MWS) whole body imaging devices (discussed later in this report).

At the conclusion of our fieldwork for this review, we met with three BOP Assistant Directors to discuss our preliminary findings. During this meeting, the Assistant Directors informed us that in June 2014, the Council of Prison Locals had challenged five proposals within the BOP's 2013 staff search policy, including the use of staff random pat searches, as not having been "fully negotiated" prior to implementation.[28] In April 2015, the Federal Labor Relations Authority upheld the union's challenge to the staff search policy and required the BOP to: (1) meet and bargain with the union over the policy; (2) cease and desist from enforcing or implementing the policy until negotiations are completed; (3) hold in abeyance any investigation or disciplinary actions until negotiations are complete; and (4) adjust certain language referencing the Code of Federal Regulations to more accurately reflect the scope of its negotiations with the union.

In the wake of this ruling, on June 30, 2015, the BOP rescinded the 2013 staff search policy and reinstated the 2007 agreement between the BOP and union, and three associated guidance memoranda while the policy was renegotiated. Then, in response to a working draft of this report, the BOP notified the OIG that re-negotiation of the policy was completed on February 12, 2016. On March 28, 2016, the BOP reinstated the staff search policy with three minor changes not relevant to this review.[29]

The 2013 staff search policy addressed various search methods for staff and their belongings. Below we discuss each of the search types covered in the 2013 policy.

Electronic Searches

The 2013 policy required that all staff members be electronically searched using a walk-through or handheld metal detector, and that their belongings pass through an x-ray screening device.

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[28] In addition to random pat searches, the other four issues that were challenged and ultimately determined not to have been fully negotiated were those dealing with reasonable suspicion searches, ion spectrometry searches of staff using assistance devices, random vehicle searches, and radiation exposure badge issuance.

[29] BOP Program Statement 3740.02, Staff Entrance and Search Procedures (March 28, 2016). The three changes to the reinstated staff search policy were: (1) the word "non-inmate" was changed to "Bureau staff and/or Public Health Officer"; (2) standard language was added regarding institution supplements being appropriate only if local changes are made to implement the policy; and (3) language was added to clarify that radiation exposure badges should be used in accordance with national BOP policy.

The policy also required BOP screening staff to apply the "reasonable assurance" standard (see text box). Non-supervising screening staff may initially determine whether reasonable assurance exists in each situation; if so, entry is permitted without delay. Screening staff are to consult their supervisor only if they cannot discern, with reasonable assurance, the origin of the item causing a metal detector alert. Failure to clear the handheld metal detector could qualify as reasonable suspicion, warranting a "limited" pat or visual search (described below).

"Reasonable Assurance" Required

"In every search situation, BOP screening staff must be *reasonably assured* that persons entering secure confines do not possess prohibited objects. 'Reasonably assured' does not mean 'absolutely certain.' Rather, it is a decision-making standard that realistically balances the need to preserve institution safety and security with the need to allow persons to enter secure confines as quickly as possible to perform their duties."

Source: BOP Program Statement 3740.01

Pat Searches

The 2013 staff search policy provided that staff and their belongings could be pat searched either randomly or upon reasonable suspicion, but did not prescribe "any required frequency for conducting authorized random pat searches." Screening staff may determine that reasonable suspicion exists if, for example, a screened employee is unable to clear the metal detector. In such cases, a "limited" pat search of the alerting area may be conducted with the Warden's authorization.[30] Pat searches of a staff member's person or belongings are defined in the 2013 policy as a BOP screening person pressing his or her hands on the outer clothing or outer surface of belongings to determine whether prohibited objects are present. Pat searches of a staff member's person are to be conducted out of the view of others using privacy screens, and performed by same-gender screening staff whenever possible.

Visual Searches

Under the BOP's 2013 staff search policy, visual searches of staff members' persons were permitted if based on reasonable suspicion and authorized by the Warden or a designee. Under the policy, visual searches of a staff member's person must always be based on reasonable suspicion, authorized by the Warden or a designee, and conducted in a private screening area by a same-gender staff member. Visual searches of a staff member's person involve removing all articles of clothing, including religious headwear, to allow a visual (non-tactile) inspection of the person's body surfaces and cavities. With regard to staff members' belongings, under the BOP's 2013 staff search policy, visual searches could be conducted either randomly or with reasonable suspicion. A visual search of a person's belongings involves opening and exposing all contents for visual and manual inspection.

[30] Pat searches can be "limited," meaning that the pat search is limited to the alerting area as a result of failing to clear a metal detector or other concern raised by the screening staff officer.

We discuss the electronic, pat, and visual searches, as well as a BOP training video on how to conduct pat searches, in more detail later in this report. See Appendix 2 for more information about BOP policies and procedures for visitor, inmate, and staff searches to prevent contraband from entering BOP institutions.

Scope and Methodology of the OIG Review

This review examined the BOP's historical, existing, and planned policies, procedures, and devices for screening staff, visitors, and inmates for contraband at BOP-managed institutions.[31] Our fieldwork occurred from October 2014 through June 2015 and consisted of document reviews, data analysis, interviews, site visits, and observations.[32] We analyzed BOP contraband recoveries from fiscal years (FY) 2011 through 2014 and how the BOP collects and analyzes contraband data. We analyzed BOP-reported data on random pat searches conducted since implementation of the July 2013 policy. We also evaluated the BOP's use of contraband detection devices and focused on those devices installed in institutions' front lobby and receiving and discharge areas. We interviewed BOP officials in the Central Office, institution staff, and the BOP's Council of Prison Locals (the union); OIG Special Agents; and representatives from seven state prison systems about their contraband interdiction strategies, including staff searches, tobacco policies, and size and type restrictions of staff personal property. See Appendix 1 for more information about the OIG's methodology.

The results of this review are based on our analysis of activities and events prior to the BOP's June 30, 2015, cease and desist order affecting the 2013 staff search policy and subsequent reinstatement of the policy on March 28, 2016.

[31] We did not evaluate policies and procedures for screening staff, visitors, and inmates for contraband at privately owned contract prisons or non-secure BOP institutions (i.e., prison camps), although our data analysis includes cell phones found at prison camps. Additional information about BOP policies on visitor and inmate searches is contained in Appendix 2.

[32] As part of our continued monitoring of the actions the BOP took in response to the recommendations in our 2003 report, we conducted research into the staff search policies of selected state prisons as well.

RESULTS OF THE REVIEW

The BOP Does Not Have a Comprehensive Contraband Tracking Capability

Despite the BOP's use of TRUINTEL starting in FY 2010 and other BOP efforts involving tracking contraband recoveries, we found that the BOP does not have a comprehensive data collection capability that reliably accounts for all contraband recovered. To the contrary, we found that the BOP does not accurately track recovered contraband items within its institutions for several reasons. Below we present the contraband data the BOP was able to provide from FYs 2012 to 2014, followed by a discussion of some of the shortcomings in the BOP's practices for tracking contraband recoveries that led us to question the reliability of this data.

BOP Contraband Recovery Data

BOP contraband data provided to us focused on nine types of hard, or dangerous, contraband items recovered in BOP institutions between FYs 2012 and 2014.[33] According to the BOP's TRUINTEL data, these nine contraband types accounted for over 21,000 items recovered in BOP institutions during that time (see Table 1). Recorded recoveries of these nine contraband types from FY 2012 to FY 2014 increased nearly 9 percent, for an annual average of 7,009 items.

Table 1

Contraband Recovered in BOP Institutions As Reflected in Its TRUINTEL Database, FY 2012 to FY 2014

Types	FY 2012	FY 2013	FY 2014	Totals
Electronic Devices (includes cell phones)	2,381	2,340	2,181	**6,902**
Weapons	2,289	2,017	2,410	**6,716**
Narcotics	993	1,154	1,566	**3,713**
Tobacco	575	509	713	**1,797**
Alcohol	436	325	391	**1,152**
Tools	216	171	220	**607**
Currency	35	37	32	**104**
Ammunition	8	9	11	**28**
Firearms	1	3	3	**7**
Total	**6,934**	**6,565**	**7,527**	**21,026**

Note: The OIG did not attempt to verify the BOP's data in this table.

Source: The BOP's TRUINTEL database

[33] The BOP classifies contraband into multiple types and related sub-types for tracking purposes. We focused our analysis on these nine types of contraband due to their dangerous nature.

BOP officials told us that the increase in the numbers of contraband recovered within BOP institutions could be attributed to a number of factors. For example, the Assistant Director for the Program Review Division (PRD) said that in FY 2010, the BOP began replacing its Automated Intelligence Management System with TRUINTEL — a database available to all BOP institutions into which staff enters recovered contraband items associated with inmates for use in furthering investigative actions — and staff members are entering more contraband recoveries.[34] Additionally, two BOP Assistant Directors attributed the increase to sound correctional techniques, such as consistent inmate cell and unit searches, and also cited new and improved detection technologies such as SecurPASS.

BOP officials told us that TRUINTEL was not designed to be a comprehensive contraband tracking system, though they stated that it enables institution staff to see related incidents, including contraband-related incidents, at BOP institutions. TRUINTEL also has a feature called [redacted].[35]

The BOP Does Not Accurately Track Recovered Contraband

Variations in the BOP's data collection methods impede its ability to effectively track contraband. For example, neither federal regulations nor BOP policies differentiate contraband categories based on an institution's security level or where in the institution the item was recovered, yet we found considerable variation in policy and practice on how such recoveries were entered into TRUINTEL. [redacted] TRUINTEL.[36] [redacted] TRUINTEL. BOP Intelligence management officials told us that institution SIS officers have discretion over how to classify contraband items based on where they were found, and whether to enter certain contraband items into TRUINTEL. For example, when items are recovered in [redacted] there is no established and consistently followed policy on how SIS officers are to enter the contraband into the

[34] Although the BOP initiated TRUINTEL in FY 2010, BOP officials told us that not all institutions were utilizing TRUINTEL until FY 2011 or later. Our review did not assess TRUINTEL prior to FY 2011, and we did not assess procedures associated with the BOP's Automated Intelligence Management System. Accordingly, we did not present FY 2011 data in this report.

[35] [redacted]

[36] [redacted]

TRUINTEL database.[37] Although one Central Office official told us that the BOP considers cell phones to be hard contraband, he also stated that [redacted] might be categorized instead as nuisance contraband.[38] In practice, the official stated, cell phones discovered in [redacted] would most likely be classified as hard contraband, but some cell phones recovered in [redacted] could be considered nuisance contraband and therefore may not be recorded in TRUINTEL. This discrepancy would result in an underreporting of recovered contraband in TRUINTEL.

Staff also told us that [redacted]. Of the seven institutions in our sample, staff at only four told us they enter both hard and nuisance contraband recoveries into the TRUINTEL database regardless of whether the contraband is attributed to an inmate or recovered [redacted].

During our review of the TRUINTEL database, we found contraband incorrectly tracked under other sub-type item listings.[39] For example, we found cell phones entered under the sub-type "[redacted]" and not the specific applicable sub-type item "[redacted]" within the "[redacted]" item type. Additionally, BOP Intelligence staff told us that when multiple items are recovered together, they would enter all items into a single category under one TRUINTEL line item. For example, an officer who finds a cell phone charger, subscriber identity module (SIM) card, sharp metal stake, and tobacco product at the same location may combine them as one entry into any one of the several item types and sub-types. Therefore, in this example, the BOP would not have an accurate accounting of all contraband recovered by type.

We also found confusing and incomplete data entries in TRUINTEL with inconsistent references to where and by whom contraband was recovered. Some entries do not identify where in the institution the item was recovered, but rather the location from which the item was subsequently retrieved for further processing. Other entries also did not accurately list the "[redacted]" or "[redacted]" source, or sometimes these data fields were left blank. For example, in one entry, the "[redacted]" data field was blank; however, when we reviewed the "[redacted]" data field, it listed the inmate's name, Federal Register Number, and noted that the contraband item was hidden in an inmate's locker. Adding to the

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[37] [redacted]

[38] In response to a working draft of this report, the BOP stated that this statement does not reflect the position of the agency and that they will issue guidance to staff regarding data collection for all contraband at all security levels, [redacted].

[39] The BOP defines contraband into 20 main "types," such as Electronic Device, Weapons, and Narcotics. [redacted]

confusion, this entry further stated that the contraband was recovered from the Lieutenant's office.

To track contraband cell phone recoveries, the BOP uses two methods: TRUINTEL and Cell Phones Recovered reports (see Appendix 4 for examples). While both TRUINTEL and the reports track cell phone recoveries, only TRUINTEL lists the additional details surrounding each recovery, such as where and who recovered a cell phone within the institution. While this may help institutions to target their detection efforts, the Cell Phones Recovered reports provide a more complete count of the number of contraband cell phones because they [redacted]. However, the reports lack details about the recoveries that make duplicative entries in TRUINTEL unidentifiable. When comparing cell phone data contained in each source, TRUINTEL identified 5,734 cell phones recovered from FY 2012 through FY 2014. However, the Cell Phones Recovered reports over the same 3-year period revealed 8,728 cell phones recovered within BOP institutions — a difference of more than 41 percent over the data reported in TRUINTEL.

Tracking Contraband Cell Phones

The BOP uses two methods to track cell phones: Cell Phones Recovered reports and its TRUINTEL database. The Cell Phones Recovered reports include all [redacted]. The BOP's TRUINTEL database includes only those cell phones attributed to inmate investigations. The total number of cell phones recovered during this period is not cumulative; both methods represent separate cell phone recovered counts. We utilized both data sources because the BOP does not have a consolidated tracking system for all contraband recovered in its institutions.

Source: OIG analysis

In September 2014, the BOP automated its [redacted] but did not link the automated [redacted] TRUINTEL. [redacted] The Assistant Director for the Correctional Programs Division (CPD) confirmed that [redacted] will use [redacted] to document contraband recoveries. However, intelligence management officials stated that the BOP did not link [redacted] to TRUINTEL because its contractor warned that doing so could compromise the data. So long as [redacted] remain unlinked to TRUINTEL, the risk exists that contraband [redacted] will not subsequently be entered into TRUINTEL, resulting in undercounting of contraband recoveries.

Finally and more broadly, TRUINTEL and Cell Phones Recovered reports represent only contraband items that BOP staff has *recovered* within BOP institutions. In fact, the actual number of overall contraband items, including cell phones in BOP institutions nationwide, is a larger, unknown number. For example, the BOP Cellular Telephone Laboratory's (Lab) analyses of recovered cell phones show that inmates, each using their own SIM card, regularly share cell phones.

[redacted]

BOP officials acknowledge that the BOP does not have a comprehensive contraband tracking system to effectively assess detection programs and interdiction methods. Managers told us that although they are using TRUINTEL to collect and track contraband recoveries, it was not designed to be a comprehensive contraband tracking system. Without a reliable method to ascertain the full amount of contraband and the efficacy of its detection and interdiction efforts, the BOP cannot fully address threats to safety and security in its institutions. We therefore believe the BOP should either develop TRUINTEL for this purpose or devise another data collection capability that consistently tracks all contraband recovered, regardless of where it was discovered or the institution's security level. To ensure uniformity and completeness of contraband data, the BOP should provide guidelines and requirements for comprehensively identifying and inputting data on recovered contraband into TRUINTEL or an alternative database.

The BOP Did Not Effectively Implement Its 2013 Staff Search Policy to Deter Staff Introduction of Contraband

In this review, we evaluated the BOP's efforts to implement the 2013 staff search policy, and the effects thereof, prior to the Federal Labor Relations Authority's decision and the BOP's subsequent rescission of that policy on June 30, 2015, and the BOP's subsequent reinstatement of the policy on March 28, 2016.

As described below, we found that the 2013 policy resulted in infrequent pat search events of varying durations and contained inconsistent and ambiguous language that limited its effectiveness in reducing contraband introduced into BOP institutions. Specifically, the policy permitted staff to possess and use "prohibited objects," such as tobacco, within institutions. In addition, the policy permitted the use of large containers and unrestricted personal property, which facilitates the introduction of contraband and requires more time-consuming inspections that slow the clearing of staff through security procedures. Furthermore, the policy permitted potentially corrupt staff who intended to introduce contraband into institutions to avoid more severe disciplinary action by returning identified contraband to their vehicles. While we found institutions we visited staffed front lobby officer positions in accordance with the policy, some institutions selected inexperienced and junior personnel for these important positions. We also found that training for front lobby officers was inadequate and oversight of institutions' front lobbies was poor when officers were not present.

In response to preliminary findings from this report, BOP officials agreed with several OIG concerns related to staff and property searches, and generally that random pat search events implemented under the 2013 policy were not conducted with enough frequency to be an aggressive and effective deterrent for staff introduction of contraband. However, despite these preliminary acknowledgments,

the BOP is limited in executing corrective actions, since any new policy or changes to existing policies would require additional union negotiations. Below, we discuss in more detail our relevant findings related to the BOP's implementation of the 2013 staff search policy from October 2014 through June 2015.

Random Staff Pat Search Events Conducted under the 2013 Policy Occurred Infrequently and with Varying Durations

In response to the OIG's 2003 report recommendation that the BOP implement a policy requiring searches of staff and their property when entering institutions, the BOP issued a memorandum to the OIG on May 8, 2006, stating that "on at least a monthly basis, at all facilities, staff entering on each shift will be randomly selected to be searched. We anticipate searching 5 percent of the staff on each shift."[40] Despite BOP management's willingness to implement a policy with a specified staff search frequency, the policy was never implemented following union negotiations and acceptance of the 2007 agreement or the 2013 staff search policy. The BOP's 2013 policy stated that BOP staff and their belongings may be searched randomly or based on reasonable suspicion before entering and while inside BOP institutions, but did not prescribe any required frequency or duration of random pat search events.[41]

In lieu of a required frequency for conducting random pat search events, the 2013 staff search policy allowed each Warden to predetermine a timeframe for conducting random searches. We found a range of search protocols across the institutions under the 2013 policy. For example, one Warden told us that he would designate random pat search events twice a week during peak hours, whereas an Associate Warden from another institution told us that his institution conducted only a 30-minute random pat search event once a month.[42]

To assess how the BOP was utilizing random pat searches of staff, we first analyzed data on the number of random pat search events conducted by BOP institutions in the 9 months following the July 2013 staff search policy implementation. Table 2 shows the number of random pat search events conducted, by security level, from January through September 2014.

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[40] Michael W. Garrett, Senior Deputy Assistant Director, Program Review Division, BOP, memorandum to Paul A. Price, Assistant Inspector General for Evaluation and Inspections, OIG, Update Regarding Recommendation 6 in OIG's Final Report: The Federal Bureau of Prison's Drug Interdiction Activities, May 8, 2006.

[41] For purposes of this report, random pat search "events" constitute a window of time during which pat searches may have been conducted during the 9-month span from January through September 2014. A random pat search is the actual one-on-one officer to employee search.

[42] Peak hours for the front lobby are high-traffic periods characterized by staff either entering or leaving the institution at the start of or end of their respective shifts. There is no standard time for this since Wardens are given discretion to designate peak periods in their institution.

Table 2

Random Pat Search Events Conducted by Security Level, January – September 2014

Institution Security Level	Number of Random Pat Search Events	Number of Institutions	Average Number of Random Pat Search Events per Institution
Administrative	68	19	3.6
Low	126	27	4.7
Medium	186	47	4.0
High	54	16	3.4
Total	**434**	**109**	**4.0**

Note: Table 2 is based on BOP data from 109 institutions and does not include minimum security prison camps, which reported that they did not conduct random pat searches.

Source: OIG analysis of the BOP's random pat search data

As shown in Table 2, our analysis of the BOP data in our sample indicates that 109 institutions conducted a total of 434 random pat search events from January through September 2014. Collectively, each institution, on average, conducted only four random pat search events during this 9-month period, or one random pat search event every 2 months. Low security institutions averaged 4.7 random pat search events each, the most over this period of time. Conversely, high security institutions averaged the least amount, at 3.4 search events each, or 1 search event every 3 months. We also found that at three high security institutions there was only one random pat search event conducted from January to September 2014.

We also analyzed BOP data on the duration of 408 random pat search events conducted by all institutions from January to September 2014.[43] To better understand how long a typical pat search should last, we reviewed a national training video that the BOP developed and disseminated to institution staff after implementing the 2013 staff search policy.[44] The video featured both slow-motion and real-time demonstrations of the pat search procedure for both male and female employees. Although the actual length of any pat search may depend on a number of factors, the BOP training video demonstrated that real-time pat searches conducted on both male and female officers last approximately 2 minutes per person.[45] Our subsequent analysis of BOP data, as shown in Table 3 below,

[43] Of the 434 random pat search events conducted from January through September 2014, the BOP data for 26 search events did not include a duration. Therefore, our analysis of durations is based on the remaining 408 random pat search events.

[44] The BOP did not provide us with data on the number of staff searched during each institution's random pat search event, or how long it took for each staff member to be searched.

[45] The 2-minute pat search procedure demonstrated in the video commenced with a searched officer stating that his pockets were empty and concluded when the searching officer notified him that the search had ended.

indicates that the average duration of a random pat search event for BOP institutions at all security levels ranged from 34 to 40 minutes.

Table 3

Average Durations of Random Pat Search Events by Security Level January – September 2014

Security Level	Minutes Spent on Random Pat Search Events	Number of Random Pat Search Events	Average Duration of Random Pat Search Event (in Minutes)
Administrative	2,514	67	37
Low	3,927	115	34
Medium	7,420	185	40
High	1,460	41	36
Total	**15,321**	**408**	**38***

Note: This is the average, not total, duration of random pat search events (in minutes) for all security levels.

* The number "38" is the total Average Duration of Random Pat Search Events (in Minutes) for all security level total Minutes Spent on Random Pat Search Events (15,321) divided by the total Number of Random Pat Search Events (408).

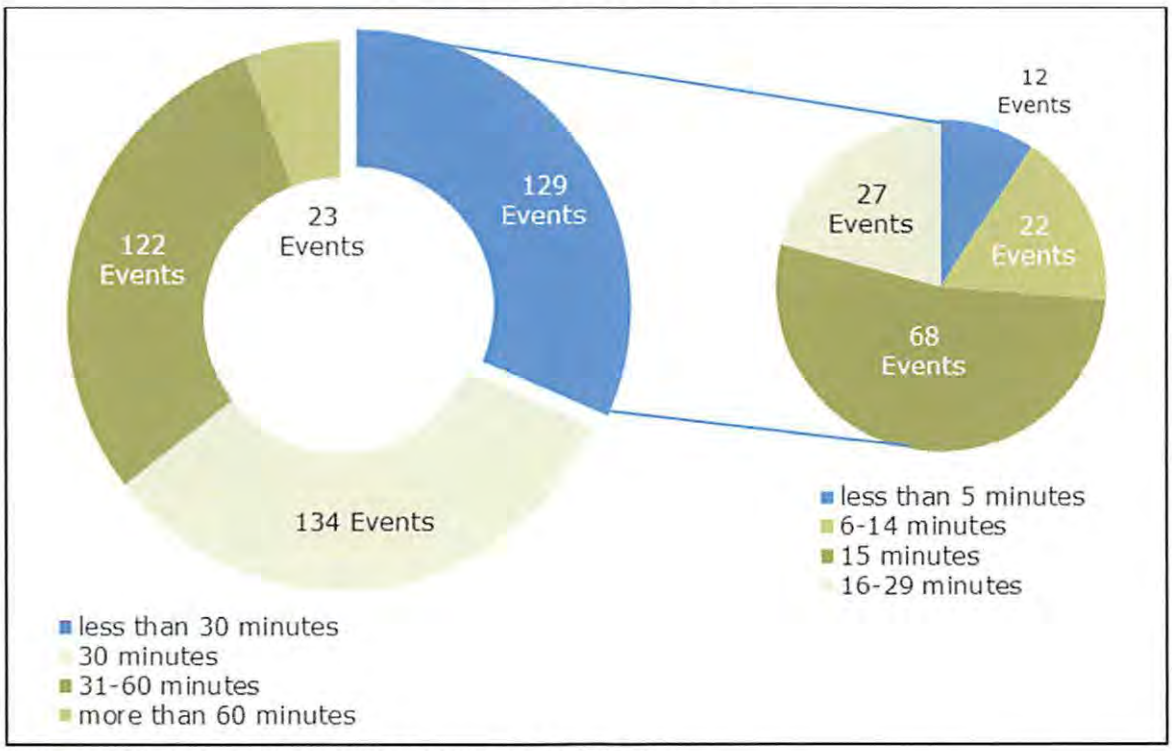
Source: OIG analysis of the BOP's random pat search data

Our analysis also found that the durations of random pat search events varied among institutions, ranging from 1 minute to 4 hours.[46] As Figure 3 shows, of 408 events, 129 (32 percent) lasted less than 30 minutes, 134 (33 percent) lasted 30 minutes, 122 (30 percent) lasted between 31 and 60 minutes, and only 23 (6 percent) went beyond 1 hour. Moreover, of the 129 random pat search events that were less than 30 minutes, 102 (79 percent) lasted just 15 minutes or less, including 12 that lasted no more than 5 minutes. Furthermore, we found that 8 of the 16 high security institutions in our sample conducted random pat search events lasting only 15 minutes.

[46] We note that a random pat search event lasting 1 minute does not afford enough time to conduct even one pat search in accordance with the 2-minute pat search model procedure that the BOP demonstrated in its national training video.

Figure 3

Range of Durations for 408 Random Pat Search Events January – September 2014



Source: OIG analysis of the BOP's random pat search data

Because the BOP's 2013 policy did not prescribe any required frequency or duration for conducting either random pat search events or the searches themselves, each institution devised its own search protocols. Our analysis of random pat search events conducted in the 9 months following the BOP's implementation of its 2013 policy found that search events occurred infrequently and with varying search durations. As Table 4 shows, we also found that the percentage of shifts during which the search events occurred was less than 1 percent at institutions of all security levels.[47] This fell well below the searching threshold of 5 percent of staff entering on each shift at least monthly that the BOP described in its May 2006 memorandum to the OIG. Furthermore, even if, for example, the 434 random pat search events had been concentrated only during morning shifts, these search events would have covered only 1.5 percent of the total morning shifts from January through September 2014.

[47] For the purposes of this analysis, we designated the morning shift as 8:15 a.m. to 4:00 p.m., the evening shift as 4:15 p.m. to 12:00 a.m., and the late-night shift as 12:15 a.m. to 8:00 a.m. We explain this further in the Methodology in Appendix 1.

Table 4

Shifts during Which Random Pat Search Events Occurred January – September 2014

Security Level	Number of Institutions	Estimated Total Number of Shifts	Number of Random Pat Search Events	Percentage of Shifts During Which Random Pat Search Events Occurred
Administrative	19	15,561	68	0.44%
Low	27	22,113	126	0.57%
Medium	47	38,493	186	0.48%
High	16	13,104	54	0.41%
Total	**109**	**89,271**	**434**	**0.49%**

Note: We calculated the estimated total number of shifts by multiplying the number of institutions (109) by 3, which corresponds to the general 8-hour morning, evening, and late night shifts of a BOP institution workday (exact times vary by institution). We then multiplied the resulting product (327) by 273, which is the number of days from January to September 2014. We then used the BOP institutions' reported random pat search event start times to calculate the percentage of shifts during which random pat search events occurred.

Source: OIG analysis of the BOP's random pat search data

As indicated in Table 4, there were an estimated 89,271 total shifts at 109 BOP institutions from January to September 2014. Using the reported random pat search event start times for 408 search events, we determined that, at best, the BOP conducted search events during 434 shifts, or 0.49 percent of the 89,271 total shifts.[48] Conversely, in 99.5 percent (88,837 shifts) of the shifts from January through September 2014, no reported random pat searches occurred. Of the 408 shifts where institutions provided search event times, 275 (67.4 percent) occurred during the morning shift, 100 (24.5 percent) occurred during the late night shift, and 33 (8.1 percent) occurred during the evening shift. In light of the overall infrequency of random pat search events discussed above, we believe these figures represent a particular vulnerability in the evening shift, which could be exploited by potential contraband smugglers.

We asked BOP executive staff whether they thought random pat search events were being conducted with enough frequency and duration to deter the introduction of contraband. The Assistant Director for the CPD told us that he believed that imposing a minimum frequency for conducting random pat search events would reduce the randomness of the searches. However, he agreed that

[48] Of the 434 random pat search events conducted from January to September 2014, 26 did not report duration. Therefore, only 408 (95 percent) search events were timed. However, for the purpose of this analysis, the OIG assumed that each of the 26 events with no reported duration occurred during its own shift, which would be consistent with the pattern of the other 95 percent of random pat search events we assessed.

conducting the equivalent of one random staff pat search event every 3 months, as our analysis found was the case at high security institutions, was low and ineffective. Both Assistant Directors for the CPD and PRD acknowledged the BOP's need to develop a more effective policy, although they emphasized that, like all policy changes, it would require negotiations with the union.

To enhance the effectiveness of random pat searches as a tool for deterring the introduction of contraband by staff, we believe that the BOP's staff search policy should establish a minimum frequency and duration for search events across all institutions. Establishing such minimum thresholds will ensure that each institution conducts enough searches of staff on each shift, with sufficient duration, to deter staff from attempting to introduce contraband. The BOP could implement this change even if it retains Wardens' discretion to establish the predetermined timeframes for conducting random searches as the 2013 staff search policy stated.

BOP Institution Management and Staff Believe that Random Pat Searches Are an Effective Deterrent

Quantifying the effectiveness of the BOP's staff search policy was not possible because the BOP did not maintain a consolidated record of contraband recovered from staff prior to the 2013 policy and institution management told us they had not recovered any contraband items solely attributed to random pat searches of staff.[49] We therefore solicited the views of BOP management and staff on the deterrent effect of random pat searches. We found that both management and staff viewed random pat searches as an effective deterrent to contraband introduction and that it had been a generally accepted practice within the institutions. We also note that random pat searches are more likely to detect non-metallic and organic contraband, such as tobacco and narcotics, which cannot be detected by metal detectors.

Officials from five of seven institutions in our sample reported that they believe that random pat searches were a deterrent and served as another aspect of the BOP's layered approach for interdicting contraband. In addition, officials from five institutions that we visited told us that, after the issuance and implementation of the 2013 staff search policy, staff began to understand the importance of random pat searches, and have since become more accustomed to and accepting of them. Union officials, however, told us that only a small percentage of staff engages in illegal activities and emphasized that random pat searches subject the rest of the rule-abiding staff to harassment, intimidation, and coercion by institution management.[50] Union officials stated that they would support random staff pat

[49] We note, however, that in light of the BOP's infrequent application of random pat search events and other related issues described in this report, the absence of contraband recoveries may not constitute an accurate performance measure.

[50] For purposes of this review, union officials include the union President and a Regional Vice President. The BOP's Office of Internal Affairs acknowledged that staff misconduct with a contraband nexus is a low-frequency behavior that generally comprises 4 to 5 percent of their caseload. The *(Cont'd.)*

searches conducted upon reasonable suspicion of wrongdoing, including possession of prohibited objects.

State Prisons That Conduct Random Pat Searches on Staff Report that the Practice Effectively Deters Contraband Introduction

We interviewed correctional officials and staff from California, Florida, Georgia, New York, and Texas prisons to better understand random pat search practices in their facilities.[51] Specifically, we discussed whether the searches were conducted, what personnel were present, and what deterrent effect they had.[52] We found that Florida, Georgia, New York, and Texas use random pat searches as part of their general security procedures.[53] Florida was the only state that prescribed a minimum frequency for such searches — prison officials there told us that their policy requires that random pat searches be conducted on at least 25 percent of its correctional staff and that the monthly minimum is usually exceeded because prisons also initiate random pat search events every 24 hours and search staff based on their order of entry into the institution. Also, representatives from each of the four states that conduct staff pat searches told us that they are a useful deterrent to the introduction of contraband into their prisons. For example, an official from one state said random pat searches make staff think twice before attempting to introduce contraband into their prisons. A second official from another state said that any type of search, including random pat searches, will have a deterrent effect.

BOP Policy Does Not Regulate Staff Possession and Use of Tobacco, a Prohibited Object for Inmates within BOP Institutions

Prior to April 15, 2006, BOP commissaries sold tobacco products and both staff and inmates were permitted to use lighted tobacco products within BOP institutions. On August 8, 2005, the BOP published a memorandum discontinuing the sale of tobacco products within the BOP's commissaries effective April 15, 2006.[54] Additionally, by April 15, 2006, all institutions had implemented a provision

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OIG's Investigations Data Management System indicated that a total of 134 BOP staff (less than 1 percent of the approximately 40,000 BOP employees) were implicated in 99 substantiated contraband-related investigations over a 2-year period (July 17, 2012, to July 17, 2014).

[51] We selected these states because they are among the largest in prison population and, with the exception of Texas, have some degree of involvement from their local union. See Appendix 1 for more information.

[52] This review did not consider states' security procedures, technology, and staffing ratios to further clarify their use of random searches.

[53] Of those five state prison systems, only California has no current policy on random pat searches. However, representatives from California told us that random visual inspections occur as a compromise negotiated with the state's union.

[54] BOP Smoke-Free Policy and Inventory Trust Fund Message: 57-05, August 8, 2005; the BOP discontinued sale of all tobacco products in commissaries on or before April 15, 2006.

in the 2004 smoking program statement eliminating smoking areas for general inmate use at institutions.[55] On May 12, 2006, the BOP published in the Federal Register a proposed rule that prohibited inmate possession of smoking apparatus and tobacco in any form.[56] However, the proposed and final rule did not affect BOP staff, who may possess and use tobacco products inside BOP institutions: staff are authorized to bring tobacco into BOP institutions "in reasonable quantities for personal use during work hours."[57] According to the BOP's 2013 staff search policy, tobacco products and related paraphernalia are considered prohibited objects in quantities beyond "reasonable quantities" that staff would personally use during work hours due to their potential value to inmates, though the BOP does not further define what it considers a "reasonable quantity."[58]

We discussed defining "reasonable quantities" for staff possession of tobacco with BOP executive staff. BOP officials could not specify what a reasonable quantity would be and added that any policy changes or amendments would require union negotiations. The officials told us that the BOP allows staff to bring in amounts they consider enough for their daily personal use and that the front lobby officer should exercise proper judgment in deciding appropriate quantities of tobacco for daily use. One official told us that imposing a tobacco ban on staff could be possible. However, several officials told us that they do not believe that a tobacco ban on staff would prevail in front of the union, citing the union's stance on staff morale. Additionally, the BOP officials said that reversing the smoking prohibitions for inmates would not be feasible or fiscally responsible due to health ramifications and attendant healthcare costs. The BOP union President told us that he does not suggest a tobacco ban that includes the staff; however, he told us that the union would entertain further tobacco reduction policy discussions with the BOP if they were to permit nicotine patch use by staff.

By contrast, during our interviews with state prison officials, we found that five of the seven (71 percent) sampled state prison institutions banned tobacco use

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[55] BOP Program Statement 1640.04, Smoking/No Smoking Areas, March 15, 2004, stated that all indoor smoking was prohibited, with limited exceptions pertaining to staff-occupied areas. It further stated that Wardens may designate outdoor areas for general inmate use (not part of an authorized religious activity). By not designating or removing previously designated outdoor smoking areas for inmates, Wardens, through the authority of the program statement, essentially prohibited inmates from using smoking products for general uses within the institutions.

[56] Smoking/No Smoking Areas, 71 Fed. Reg. 92, 27652 (May 12, 2006). The BOP told us that it enforced the proposed rule discontinuing inmate use of tobacco as of 2006, though the rule was not finalized until 2014. See 79 Fed. Reg. 235, 72545 (December 8, 2014).

[57] A Federal Service Impasses Panel order states: "Indoor smoking shall be permitted only in perimeter towers and perimeter patrol vehicles when occupied by one person." Additionally, the panel directed that "the employer shall designate outdoor smoking areas which (a) are reasonably accessible to employees and (b) provide a measure of protection from the elements. The designated outdoor smoking areas shall only be used by employees." Federal Service Impasses Panel, case No. 01 FSIP 184, November 8, 2001.

[58] BOP Program Statement 3740.01, 4.

and possession within their prison systems.[59] Additionally, during our reviews of publicly available state prison policies, we found an additional 22 states (27 states in total (54 percent)) with policies declaring a "tobacco free" prison system. Only nine states in total (16 percent), including two from our sample, had no policies banning tobacco use or possession within their prison system.[60]

Unrestricted tobacco possession by BOP staff, and the perception among some that penalties for providing tobacco to inmates are not a deterrent, could be contributing to the continued contraband tobacco recoveries in BOP institutions and tobacco-related cases against BOP staff. According to BOP data, the BOP experienced a 24 percent increase in tobacco recoveries from inmates during FYs 2012 through 2014. In the 2-year period from July 2012 to July 2014, institution staff recovered 1,062 tobacco products from inmates or common areas.[61] During this 24-month period, the BOP's Office of Internal Affairs sustained 44 cases involving staff introductions of cigarettes and tobacco. Additionally, OIG Special Agents substantiated 38 cases against BOP staff members that involved tobacco, according to the OIG's Investigation Division databases. BOP officials and institution staff, as well as state prison officials, told us those staff willing to introduce tobacco products into an institution do so because they consider it low risk. A Captain at one BOP institution, as well as a state official, said that staff members know that it is unlikely they will face prosecution from tobacco introduction and they can make just as much money selling tobacco to inmates as they can selling them drugs. A BOP intelligence management official stated that there is insufficient deterrent for staff giving tobacco to inmates because they typically are not prosecuted and can resign before being terminated.

BOP Policy Does Not Address the Possession and Use of Electronic Cigarettes

At the time of our fieldwork, we found that the BOP did not have a uniform policy addressing staff and inmate possession or use of electronic cigarettes.[62] We found that local policies and practices regarding the possession and use of electronic cigarettes varied among the institutions we visited. At one institution, the Warden specifically prohibited all electronic cigarettes and related paraphernalia. However, at another BOP institution, there were no prohibitions regarding their possession and use. A front lobby officer at that institution told us

[59] States that declared "banned tobacco use or possession" or "tobacco free" policies within their prison systems apply the prohibition equally to staff, inmates, and visitors.

[60] Of the remaining 14 states, policies were either not posted to the state's website or policy was not clear to us in defining whether tobacco was or was not permitted within their prison system.

[61] To compare the BOP's Office of Internal Affairs and the OIG's investigative data to recovered tobacco contraband, we used a 24-month sample (July 17, 2012, to July 17, 2014) from the BOP's TRUINTEL database on recovered tobacco contraband.

[62] An electronic cigarette (e-cig or "vape") is a battery-powered vaporizer that does not produce smoke but rather an aerosol mist known as vapor. The heating element vaporizes a liquid solution of several chemicals and, if desired, flavoring.

that officers use electronic cigarettes during slow periods while assigned to the front lobby post. In response to a working draft of this report, the BOP reported that on October 14, 2015, the BOP published an operational memorandum focused on the use of electronic cigarettes.[63]

During our interviews with state prison officials, we found that the possession and use of electronic cigarettes has emerged as a trend in several state prison systems. Specifically, three of the seven state officials (43 percent) we interviewed stated they have a prohibition on the use and possession of electronic cigarettes and related paraphernalia within their prisons. Of the four states that have not prohibited the use and possession of electronic cigarettes, only one affirmatively permits the use of electronic cigarettes in its prisons; the remaining three are reviewing policies. Several state officials cited reasons for prohibiting electronic cigarettes related to inmates infusing drugs into the apparatus's liquid solution and manipulating the heating element.

Staff Possession of Large Containers and Unrestricted Personal Property Enable Contraband Introduction and Increase Staff Entrance Processing Time

In our 2003 BOP drug interdiction report, we found that BOP staff was permitted to bring into institutions items in any size container, including duffle bags, briefcases, and large and small coolers. According to interviews during that review, BOP staff said that restrictions on the type and amount of personal property staff may bring into an institution would help deter smuggling. Senior national and local union representatives interviewed for that review told us they were not opposed to placing limited restrictions on staff personal property. Accordingly, we recommended in our 2003 report that the BOP implement a policy restricting the size and content of property staff members bring into its institutions. In September 2004, the BOP notified the OIG that the BOP Director signed a revised Standards of Employee Conduct policy that restricted the size of all personal containers brought into institutions.[64] However, in April 2015, we learned that because the revised policy was not a final, union-cleared policy, the language regarding the size restriction of personal containers was not added to the final Standards of Employee Conduct policy issued to BOP institutions in December 2013.

In response to our 2003 report, the BOP told us that it was considering restrictions for visitors on the nature and size of personal containers similar to those in place at some state prisons.[65] In 2006, the BOP amended its Visiting

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[63] BOP Operational Memorandum 006-2015: Electronic Cigarettes (October 14, 2015).

[64] The proposed revised BOP Standards of Employee Conduct (circa September 2004) included language that restricted the size of all personal bags to no larger than 18 x 10 x 10 inches. However, this proposed revised draft was never cleared by the union or finalized and the BOP never enforced the personal container size restriction. Personal container restrictions were never part of the 2007 staff search agreement or the 2013 staff search policy.

[65] BOP, Response to OIG Reference Recommendation #6, December 28, 2005.

Regulations program statement to require that all authorized items entering the visiting room to be carried in a clear plastic container or bag, and it allows individual institutions to determine the size and quantity of the container or bag.[66]

Prior to the rescission of the 2013 staff search policy, some BOP officials told us that the size of personal property and containers was not a concern because all staff personal items were automatically subject to electronic search by the x-ray machine. [redacted][67] Further, even in the event that bags are electronically searched with an x-ray machine, [redacted] and must also depend on front officer training, as well as the attentiveness and alertness of front lobby officers. [redacted] Of course, as the Assistant Director for the CPD noted, should the BOP choose to develop policy that limits the use of such containers, it would require negotiations with the union as do all other similar policy changes.

In comparison, we found that at least seven state prison systems recognize that excessive personal property and large containers represent a threat to safety and security and have implemented varying forms of restrictions. Some of these restrictions include requiring that personal items be placed in clear containers. Others limit the size of containers that staff may bring into a secure facility. For example, Alaska, Florida, Georgia, Mississippi, North Carolina, and Texas require staff to place food and other personal items into a clear bag or clear plastic container. Additionally, North Carolina and Minnesota require food purchased outside of a prison and brought inside to be in the original wrapping. The food items are subject to being opened and searched upon presentation to the screening staff. In addition, at least four states also specify the size of a container either by capacity, such as a backpack or a 10-quart cooler, or by dimension, such as a 12 x 18-inch container.

The BOP Does Not Track Repeated Incidents of Staff Who Fail to Identify Unauthorized Items during Entry Screening Procedures

We found that the BOP's policy does not track repeated incidents of staff who continuously fail to remove items that are not able to clear front lobby screening

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[66] BOP Program Statement 5267.08, Visiting Regulations (May 11, 2006).

[67] A signed November 2007 agreement between the BOP and its union, The Electronic Searches of Bureau Prison Staff, replaced the 2013 staff search policy in June 2015. The agreement states, "It is the responsibility of the employee to clear the metal detector by either passing all items through the metal detector or by placing all items on an available x-ray machine for screening."

devices. Furthermore, policy permits staff to return certain detected unauthorized items to their vehicles without being documented. The 2013 staff search policy required staff and their belongings to be searched electronically and to clear front lobby detection technologies before gaining access to the secure confines of an institution. The policy also stated that, "Persons are allowed to take any item not able to clear the metal detector or x-ray machine to their vehicle, unless doing so would jeopardize the safety, security, or good order of the institution, or protection of the public."[68]

Five of the seven BOP institutions in our sample allowed staff to return items to their vehicles per the 2013 policy. A Captain from one of these five institutions told us that staff are permitted to return to their vehicles because nothing in the BOP's policy denies employees that opportunity. However, a Captain from another one of these institutions said this practice takes away the policy's "teeth" and undermines the deterrent effect. One of the seven institutions in our sample did prohibit staff from returning to their vehicles after contraband was discovered during an entry screen.[69] The Warden from this institution told us that once the detection device in the front lobby — in this case a body scanner — registers a positive detection, the subject is prohibited from leaving and will be searched immediately.

We also found that management expectations regarding staff not being permitted to return contraband items to their vehicles are not always met by front lobby officers, which results in inconsistent application of the practice. For example, a Warden told us that all contraband detected electronically — even "accidental" items — would result in an investigation. However, a front lobby officer at this Warden's institution told us that he allows staff three opportunities to clear the detection devices after contraband is detected. That officer stated his primary job was to process staff through the search point as quickly and efficiently as possible. He went on to state that he would allow staff who have contraband items not able to clear the metal detector, including accidental items such as a cell phone or excessive amounts of tobacco, to return those items to their vehicles.

In contrast to the BOP, we found that some state prison systems employ more stringent measures to deter the introduction of contraband. With varying levels of discretion, officials from all seven state prisons with whom we spoke told us that they generally prohibit staff from returning to their vehicle once a banned item is discovered during entry screening. One official added that contraband, regardless of type, will be confiscated and the employee will be reported to the

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[68] The November 2007 agreement between the BOP and its union that was reinstated in 2015 contains essentially the same provision allowing staff to return items to their vehicles.

[69] We did not query one of the seven institutions in our sample about whether staff are permitted to return detected contraband items to their vehicles because it was not a focus of our review at that time. This issue was not brought to our attention until our later interviews at BOP institutions.

Warden. We also found that some state prison front lobby searches employ a "point-of-no-return" concept at which staff entering a prison have an opportunity to declare contraband before entering the screening process. Once a staff member declares that he or she has no prohibited items and the screening process begins, if an item is detected, the staff member is prohibited from taking the item back to his or her vehicle. We were told that in these circumstances, unlike the BOP, all contraband discovered, regardless of type or the nature of its concealment, is tracked and documented. Some state prison systems recognize repeated failures by staff to remove contraband items in their possession prior to screening, even if accidentally, as potential smuggling attempts. When this occurs, they apply corrective actions ranging from counseling to termination.

The BOP's Assistant Directors for the CPD and the PRD told us that documenting routinely "forgotten" items would be burdensome to the front lobby officers. The Assistant Director for the CPD added that incidents will vary and that Wardens need to be able to exercise discretion when determining whether to take administrative action. Also, the Assistant Director for the PRD told us that, in order for the BOP to develop a concept for declaring contraband, it would need to define more specifically where the secure confines of an institution begin.[70] She stated that some institutions consider the front lobby screening area as starting point of the secure perimeter whereas others consider it to be the sally port.[71] We believe that the BOP must establish procedures whereby all post-declaration items discovered during staff screening procedures are documented, along with the identity of the staff member involved, and that the BOP must develop more explicit guidelines for when the items should be confiscated and when such instances or a series of them should be referred for investigation and corrective action.

Inconsistent Procedures and Guidelines for Selecting, Training, and Overseeing Front Lobby Officers Hamper the BOP's Contraband Interdiction Capabilities

Front lobby officers are tasked with multiple assignments, including operating detection equipment, instructing people on proper entry procedures, identifying contraband, and making on-the-spot determinations of whether a person is clear to enter the secure perimeter. According to a union Regional Vice President, front lobby positions require experienced and trained staff because they serve in high profile posts that ensure the safety and security of an institution. The 2013 staff search policy requires that a second screening staff member be available to expedite the front lobby screening process during peak periods. At each institution we visited, the BOP supplemented the front lobby officer with additional personnel, such as Security Supervisors and Lieutenants, during shift changes and high traffic periods.

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[70] "Secure confines" means a secured inner perimeter." BOP Program Statement 3740.01, Staff Entrance and Search Procedures, July 17, 2013, 5.

[71] A sally port is a secure, controlled entryway to an institution. The institution's control center monitors and operates the entrance and exit process.

However, we found that some institutions select inexperienced and junior personnel as front lobby officers. Among the seven BOP institutions we visited, six selected their front lobby officers through a rotating bid assignment based on seniority of bargaining unit employees.[72] Yet, one institution hired an entry-level GL-04 Information Receptionist to staff the front lobby position, and a second institution also staffed this position in the same way before later changing the requirements for the position as described below. Moreover, the job announcement for the Information Receptionist position at the first facility did not require a prior background in corrections but rather successful completion of 2 years of education beyond high school. The Warden of the institution with the current position stated that the practice allows incumbents to gain experience for promotions by providing an incentive to conduct thorough entry screenings. However, both BOP and union officials we interviewed expressed concerns over such practices. The Assistant Director for the CPD told us that expecting Information Receptionists to oversee front lobbies is not a sound practice since they are not trained to operate contraband detection devices. The Warden who abolished the Information Receptionist position did so following an incident in which a probationary Information Receptionist accepted a prohibited outside food item from an inmate's visitor. The Warden told us that he decided it would be better to have a more experienced staff member assigned to the front lobby, so he established a GL-05/06/07 CO position and added the front lobby post to the Correctional Services biddable roster. Union officials we interviewed told us that receptionists lack the proper training to respond to an emergency and, therefore, should perform only clerical duties.

We also found that inadequate physical controls over unmanned front lobby areas can contribute to poor screening practices and provide a potential avenue for the introduction of contraband. [redacted]

We recognize that staffing the front lobby of every BOP institution with a CO during non-business hours may not be feasible. However, we believe that the BOP should evaluate and standardize the selection method for front lobby officers across BOP institutions to ensure qualified and appropriately trained officers serve in these critical positions. We also believe that improvements in the BOP's security camera system, [redacted], would reduce the risk of contraband introduction through unmanned front lobby areas.

[72] Normal rotations are 90 days, and the incumbent can bid for additional terms.

We discuss deficiencies we found in the BOP's security camera system later in this report.

The BOP Has Deployed New Technologies to Detect Contraband, but More Operational Guidance and Training Are Needed to Enhance Security

The BOP employs several contraband detection technologies, such as x-ray machines for personal and pallet-size items, walk-through and handheld metal detectors, and ion spectrometry devices. In an effort to combat the ever-evolving methods of contraband introduction, the BOP continues to research, test, and install new contraband detection technologies at its institutions to enhance its layered physical and technical security posture. The BOP has recently installed several new detection devices, and installation of additional devices continued through 2015. Also, the BOP is piloting new detection technologies at selected institutions. Below we describe the contraband interdiction technologies we observed, reviewed, or discussed with BOP officials during this review. See Appendix 3 for more information on these and other contraband interdiction devices.

- **Walk-through Metal Detector (WTMD).** For inmate screening, the BOP has purchased and installed [redacted] WTMDs, [redacted]

- **SecurPASS Whole-Body Scanner.** Also for inmate screening, the BOP has purchased and installed [redacted] SecurPASS Scanners, which can detect objects concealed in anterior and posterior body cavities.

- **Millimeter Wave Scanner (MWS).** In September 2014, the BOP began a 1-year pilot project at six institutions to install an MWS in the front lobby for mandatory use by all staff and visitors (no longer used for staff per the BOP's June 30, 2015, memorandum). An MWS is a whole-body imaging device that detects objects concealed underneath a person's clothing. [redacted]

- **Thermal Fencing.** In the summer of 2012, the BOP began piloting thermal fencing at one institution [redacted]. Thermal fencing provides surveillance and alarm

capabilities [redacted].[73]

- **Managed Access System (MAS).** In 2014, the BOP conducted a 60-day MAS pilot evaluation to determine MAS efficacy in a typical medium security BOP institution. [redacted] The MAS network transmits a signal that causes all cell phones within the covered area to connect to the MAS rather the carrier's network first. The MAS prevents unauthorized cell phones from sending and receiving calls, text messages, and data.[74]

Staff told us that these technologies add an extra layer of security, enhance the BOP's ability to detect contraband items, and deter attempted contraband introductions. However, as described below, we identified certain weaknesses in BOP guidance, training, and operation procedures for these technologies — particularly [redacted] — that limited their efficacy in detecting contraband. While institution staff told us about an increase in contraband recovered in various areas of institutions using [redacted], we found that the BOP must provide clear guidance for [redacted] operations. We determined that [redacted] operators may not be aware of the BOP's requirements for using the [redacted], or the prohibition against showing inmates their scanned images. Regarding the [redacted] technology, we found that training for those staff who operate the scanners is needed to enhance institution security. Staff in [redacted] institutions we visited misunderstood [redacted] capabilities, expressed mixed reviews on the [redacted] capability [redacted]

Unclear SecurPASS System Guidance Potentially Affects the BOP's Compliance with Prison Rape Elimination Act *Cross-gender Viewing and Compromises Security Operations*

Institution Wardens and executive staff we interviewed described the SecurPASS as a "milestone in the facility," "money well spent," "worth its weight in gold," and "a good enhancement for security." Since the initial installation of the

[73] In 2015, the BOP reported to Congress that its pilot was successful, with 26 civilian arrests for attempted introduction of contraband and trespassing, and 60 contraband cell phone interdictions. As a result, the BOP expanded the pilot to two additional institutions, one in December 2012 and the other in FY 2014. We did not observe or review the BOP's thermal fencing technology.

[74] In 2015, the BOP reported to Congress that the MAS could assist in limiting cell phone use but is expensive to install (about $1 million for installation at one institution), could not block all calls, and was not fully effective in remaining within the identified coverage zones. We did not directly observe or evaluate MAS technologies during this review. While we recognize that the MAS will continue to evolve in capability and cost, we encourage the BOP to continue working with industry experts to develop an effective and affordable MAS solution for future BOP applications.

system in October 2013, three institutions from our sample have documented or observed successful inmate contraband detections or deterrent effects. Staff from two of the three institutions reported that their SecurPASS system had detected [redacted]. Staff at the third institution told us that they have noticed an increase in recoveries of contraband, [redacted] as inmates discarded contraband prior to being screened by the SecurPASS system. Despite the successes BOP staff reported regarding the SecurPASS, we found that the staff who operate these technologies need clear guidance for SecurPASS operations to enhance institution security, as discussed below.

[redacted] and Cross-gender Viewing

Based on our observation of a SecurPASS system in operation and interviews with institution staff, we found confusion among some staff regarding policies on using the [redacted] for cross-gender viewing. In October 2014, the BOP modified its [redacted] memorandum to require use of [redacted] for the stated purpose of ensuring compliance with the *Prison Rape Elimination Act of 2003*. According to the BOP's Office of Security Technology (OST), the [redacted]. Although the [redacted] software was added as an enhancement to the SecurPASS system, during interviews we found that staff at four of five institutions in our sample with SecurPASS systems (80 percent) were unaware of the existence or proper use of the [redacted] despite it being listed in an updated memorandum. [redacted] Staff at two other institutions had no understanding of what the [redacted] was or how to use it. Staff at only one institution understood the appropriate use of the [redacted] and correctly cited the BOP's SecurPASS memorandum and the *Prison Rape Elimination Act* concerns it addressed.

In addition to staff confusion related to the [redacted], we also found contradictory language within the BOP's initial SecurPASS governing documents relating to cross-gender viewing. As described in the Background section of this report, with limited exceptions, BOP staff may not perform visual searches on inmates of the opposite sex.[75] According to OST staff, the BOP views the SecurPASS device as a visual search method. [redacted]

[75] Exceptions to this policy include circumstances in which a "delay would mean the likely loss of contraband"; in addition, all cross-gender searches must be documented.

[76] This same language was included in the October 2014 memorandum, when the BOP added the requirement to use the . The same held true when the BOP again revised its SecurPASS , after the OIG noted policy discrepancies to security personnel during a follow-up interview. Although the revised now states that cross-gender viewing is permitted only when the is installed, it still maintains language that could be understood to allow cross-gender viewing when using low-dose transmission technologies. It is therefore unclear whether the cross-gender viewing prohibition, as described in the BOP's inmate search policies, applies when using the or a low-dose transmission system, both of which inhibit distinguishing between male and female anatomies and may make the concerns about cross-gender viewing that underlie the prohibition irrelevant.

Inmate Viewing of Images

SecurPASS produces a detailed image that clearly demonstrates the system's imaging capability. Accordingly, the 2015 SecurPASS [77] According to OST staff, permitting unauthorized personnel, specifically inmates, to view a SecurPASS image would provide valuable information for developing ways to introduce contraband without detection. During our site visits, we found that some operators did not understand the prohibition against showing inmates their scanned images and, in fact, did show images to inmates on occasion. One operator cited "inmate curiosity" as a reason why they show inmates the images. scanning personnel told us that they interpreted the prohibition as applying only to "cross-gender viewing." We believe this is because of the location where the language appears rather than in its own section, clearly citing the prohibition and addressing security concerns.

We also observed that the SecurPASS workstation (keyboard, monitor, operating system) was not blocked or restricted from viewing by inmates or other unauthorized personnel. The R&D intake area we observed had multiple stations

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[76] The SecurPASS operates at less than 0.25 microsieverts (uSv) per scan. The average exposure from all (natural) radiation sources for a member of the public is approximately 0.26 uSv per hour. One chest x-ray is equivalent to 400 SecurPASS scans. Digital X-ray Specialists, Frequently Asked Questions, http://www.dxsinc.com/security/securpass-faq (accessed December 16, 2015); Radiation for Beginners, http://www.benlovejoy.com/journeys/chernobyl/radiation (accessed December 16, 2015).

[77]

that included the SecurPASS screening area, [redacted], and holding cells, all of which were within a confined space. A lack of adequate barriers around the SecurPASS workstation allows inmate viewing and observation of screening operations that can create risks in the BOP's overall security process.[78]

A Lack of Comprehensive Training Impeded the Effectiveness of MWS Screening

In September 2014, the BOP began a 1-year pilot project at six institutions to install MWS in the front lobby for mandatory use for all staff and visitors entering the institutions.[79] During site visits and interviews with management and staff at the six MWS institutions, we learned of [redacted]. BOP officials attributed these examples to technical issues or procedural errors. Below, we discuss the effects of training inadequacies and discrepancies [redacted].

[redacted]

[redacted]

[78] The DOJ OIG Audit Report 14-27, *Procurement of X-ray Equipment,* also identified security concerns about inmate laborers working within close and continued proximity to screens/monitors of detection technologies. Over time, inmates could develop methods to conceal contraband. The BOP concurred with the recommendation and issued a memorandum to all Wardens requiring the unit to be positioned so that inmates cannot view monitors or the operator's station during screening operations.

[79] Because we made these observations during the first 4 months of the BOP's 12-month MWS Pilot Program, we recognize that staff at the institutions were learning to integrate the MWS into their security operations and were newly trained on the devices and their new protocols. Therefore, our recommendations reflect the observations and findings from early in the pilot program and are meant to guide the BOP's evaluation and decision-making process about how to use the MWS moving forward. [redacted]

[80] [81]

In addition, as part of its assessment role in the MWS Pilot Program, the OST told us that it is planning to try to replicate the problems to help determine their causes.

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[80] Increased processing times raises concerns under the *Portal-to-Portal Act of 1947,* some BOP institution staff we interviewed told us. The *Portal-to-Portal Act of 1947,* an amendment to the *Fair Labor Standards Act of 1938* (29 U.S.C. §§ 251–262), clarifies that certain activities are generally not compensable working time under the *Fair Labor Standards Act.* In particular, the *Portal-to-Portal Act* excludes from mandatory compensation the time an employee spends traveling to or from the place of principal activities and time spent on incidental activities before or after the employee's principal activities.

[81]

Lack of Comprehensive Training on Operation of the MWS Device

Based on our interviews with institution management, front lobby officers, and OST personnel, as well as our review of MWS training materials, we believe that some of the procedural operator errors as described to us are likely a result of inadequate initial and subsequent training. In accordance with the [redacted] the MWS manufacturer and BOP Central Office personnel initially provided MWS training to all staff involved in entrance screening at each institution prior to system installation and operation.[82] Selected staff instructors at each institution received "Training for Trainers" so they could train the remainder of the institution's staff. According to staff we interviewed, training consisted of on-site classroom and hands-on application sessions. OST staff told us that training materials provided to each instructor included an operations document and a PowerPoint presentation for MWS operators and supervisors. Although staff at each institution commented on a positive or adequate training experience, we found sharp contrasts between the OST staff's descriptions to us of proper MWS procedures and those provided by the MWS institution staff. Specifically, during our interview with OST staff personnel, they described, in detail, [redacted]. However, during our site visits, [redacted]. Rather, institution staff described the ease of operating the MWS as a push-button operation. Staff from one institution stated that the [redacted]. Similarly, at the institutions where staff experienced [redacted].

In our review of the MWS training materials, we also found a significantly less prescriptive scanning process than the detailed process OST staff had described. [redacted][83]

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82 [redacted]

83 [redacted]

Finally, we found that at least one institution developed its own MWS operators' manual for use in training new front lobby screening staff. The manual was based on one front lobby officer's experience using the MWS. However, we found that the officer was misinformed as to the system's capabilities and limitations, incorrectly believing — and teaching other operators — . This officer, who started in the assignment after the system's installation, told us she had never received formal training on how to operate the detection devices in the front lobby, including the MWS; she described her MWS knowledge as "self-driven."

Lack of an Effective Evaluation Process Affects the BOP's Ability to Assess the Operational Capability of the MWS

According to the BOP's Also, assessing safety and security when comparing the MWS to existing staff search procedures, including the contraband detection technologies described above, is difficult given the different capabilities and purposes of each technology.

Staff at three of the six institutions told us the MWS was a deterrent. However, staff at two of these three institutions also stated it was the machine's physical presence that constituted the deterrence factor, not the actual detection of contraband. Although Wardens and staff observed visitors returning to their vehicles upon noticing the MWS, they also told us that the MWS's physical presence alone will not stop contraband from entering BOP institutions.

[84]

[84]

(Cont'd.)

While OST staff told us they considered the institutions' initial reported [redacted] too early to assess given the ongoing pilot, we found an immediate concern about these institutions' safety and security. [redacted]

MWS Impact on Staff Morale

The BOP indicated that one measure for evaluating the MWS would focus on "employee morale when compared to other search procedures." Despite early complaints and concerns, BOP management at pilot sites told us during our fieldwork that staff had accepted the MWS as a routine part of their daily process. However, we found that the MWS also had negative effects on staff morale, especially with the added clearing process time and associated requirements. Staff complaints regarding the use of the MWS included:

- Removal of shoes, [redacted].
- Cold and wet weather: staff walked shoeless through wet spots and cold areas. [redacted]

Source: OIG interviews with BOP institution staff

Deficiencies with the BOP's Cellular Telephone Laboratory Reports May Adversely Affect Timeliness of Administrative Proceedings against Inmates

The BOP created the Cellular Telephone Laboratory (Lab) in December 2010 to assist institution investigators by conducting forensic examinations of confiscated cell phones to identify inmates who used the phones and hold them accountable

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[redacted]

85 [redacted]

through the BOP's inmate misconduct processes.[86] [redacted] The Lab's workload increased significantly since its inception, and a backlog has accrued of cell phones awaiting examination. Although the BOP has taken steps to clarify the Lab's mission and improve its operations, we found that neither BOP managers nor Lab analysts knew how institution investigators use Lab reports to further an investigation. We also found the reports were difficult to read, lacked relevance to institution investigators, and contained substantial repetitive entries, all of which could adversely affect the timeliness of administrative actions against inmates using contraband cell phones, and potentially even investigations into related criminal activity.

Increasing Numbers of Cell Phones Recovered and Operational Issues Created Backlogs at the Lab

We found that the Lab's overall workload and the number of cell phones awaiting examination (backlog) have significantly increased since its inception in 2010. The cell phone workload — based on the Lab's separate database of phones recovered by institutions and sent to the Lab — increased by 486 percent, from 318 examinations in calendar year (CY) 2009 to 1,864 in CY 2013. The cell phone backlog has also increased over 4,275 percent, from 16 phones in CY 2011 to an estimated 700 at the end of CY 2014, according to Lab staff. Lab staff attributed the backlog to staff shortages and the October 2013 government furlough. BOP management attributed the Lab's backlog to staff shortages, the furlough, and examiners spending too much time using multiple analytical tools on one phone and performing administrative duties. BOP management also told us that the cell phone backlog and delays in publishing reports resulted in a general loss of faith among institution investigators about the Lab's capabilities.

Because of the growing backlog and investigator concerns, BOP management took a number of steps to improve the Lab's operations and to clarify its mission. First, the BOP increased the Lab's staff. Until December 2014, the Lab operated with two forensic analysts who were responsible for conducting forensic exams of all cell phones, as well as the administrative functions of the Lab. In December 2014, the BOP added a forensic technician to the Lab's staff.[87] With the new hire,

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[86] The BOP initiated a Pilot Cell Phone Program in 2008. In December 2010, the pilot was made permanent when the Lab was established under the Intelligence Section of the Correctional Services Branch, CPD. Whereas the BOP investigates allegations of inmate misconduct at each institution, its Office of Internal Affairs investigates allegations of contraband-related and other misconduct involving BOP staff.

[87] According to BOP management, the technician is primarily responsible for administrative functions, which enables Lab analysts to concentrate on phone analysis, thereby reducing the Lab's backlog. The new hire is also part of the Lab's long-term succession plan and eventually may become a forensics analyst through on-the-job and formal training.

the Lab also instituted a new forensics database to better track incoming and outgoing cell phones and to identify the forensics tools used on each phone to expedite future examinations of similar devices. Second, in February 2015, the BOP developed Operating Procedures to help expedite the receipt and analysis of recovered phones by Lab personnel and to document the Lab's internal process.[88] These procedures also streamlined operations by directing the use of one tool for initial analysis, developing priorities based on immediate needs to further assist the Lab's focus and work schedule, and directing the Lab to issue analytical reports within 48 hours of creation. According to BOP management, the Operating Procedures were to assist in reducing the Lab's cell phone backlog. Finally, the BOP purchased an additional forensic tool to allow for more simultaneous examinations of recovered cell phones. And, as of April 2015, the BOP has identified a location for a planned expansion of the Lab's physical space. BOP management told us that they believe these improvements will reduce the cell phone backlog and help restore investigators' faith in the Lab.

Lab Reports Are Difficult to Read and Lack Relevance to Institution Investigators

Although BOP management told us that all new institution investigators receive training on how to interpret Lab reports — [redacted] — lab analysts were unsure to what extent investigators have been trained [redacted]. Lab analysts also told us that it is difficult for investigators to interpret the analysis to correctly pinpoint the criminal activity reflected in the reports. We also found neither the Lab managers nor analysts knew how the investigators actually use the Lab reports to further their investigations. Analysts stated that the only feedback they receive from investigators are questions about how to interpret the reports' analyses.

[88] Also in February 2015, the BOP issued Contraband Cellular Telephone Procedures for Institution Investigators, which provided guidance to institution investigators on properly submitting recovered cell phones to the Lab. Specifically, the Telephone Procedures provided directions on proper labeling and shipping of cell phones designated for either destruction or investigation.

Notwithstanding the Lab's need to understand how investigators use the reports and whether targeted training is needed — particularly for those investigators who did not receive the new employee training — we found the reports difficult to read and lacking relevance to investigators. In reviewing a sample of Lab reports, we found them to be in excess of hundreds, and sometimes thousands, of pages that contain technical language and substantial duplication. We did find information, such as [redacted], which may help investigators [redacted]. However, this information was intermixed with technical language that made searching for and deciphering the relevant data more difficult and time-consuming (see text box). According to Lab analysts, the report formats are developed by the forensics software developer and any changes would require extensive reformatting and additional time to produce a tailored report. Despite the BOP's efforts to streamline the Lab's mission, we believe the existing lengthy, unfocused reports do not provide institution investigators with the relevant and clear information they need to conduct a timely, targeted investigation.

OIG Analysis of a 931-page Lab Report

In one Lab Extraction Report containing the contents of a contraband cell phone, we found 701 pages (75 percent) that contained information an investigator could use to further an investigation; [redacted]. However, within these 701 pages, we found that 529 pages (76 percent) of the useful information contained technical language or included photos and images — such as commercial pornographic material — that would not assist in an investigation. Additionally, within these 701 pages, we found 164 pages (23 percent) that essentially duplicated previously presented data.

Source: OIG analysis

Deficiencies within the BOP's Security Camera System Adversely Affect Administrative and Criminal Proceedings against Staff and Inmates

The BOP employs an extensive security camera system as part of its contraband detection efforts. However, BOP staff expressed to us concerns with the BOP's security camera system. These concerns include [redacted], blind spots known to inmates and staff, [redacted]. We discuss these deficiencies further below. Also, deficiencies within the BOP's security camera system have affected the OIG's ability to secure prosecutions of staff and inmates in BOP contraband introduction cases, and these same problems adversely impact the availability of critical evidence to support administrative or disciplinary action against staff and inmates.

- [redacted] BOP staff with whom we consulted had mixed views on the [redacted] BOP's camera system. Staff from several institutions described the quality of

their camera system as adequate, with some noting that the quality has improved in the past 10–15 years. Other BOP staff, including the Warden of one institution, told us the camera system is in need of upgrading.

- **Known Blind Spots.** BOP staff from several institutions told us about cameras with blind spots, including those located within [redacted].

- [redacted] BOP staff raised concerns about an [redacted]. BOP staff told us that there are [redacted]. Staff at one institution said that because unit conference rooms have [redacted]. These same staff members also told us they wanted additional cameras installed at [redacted]. Some BOP institutions also lacked security cameras [redacted].

- [redacted] BOP staff and union representatives expressed concerns about the lack of cameras with a [redacted]. BOP staff from several institutions told us that [redacted], their institutions utilize [redacted]. Other BOP staff also stated that [redacted]. BOP union representatives also told us that reviewing video footage of incidents involving staff and inmates [redacted].

- [redacted]

To further illustrate concerns with the BOP's security camera systems and the ability to investigate and prosecute BOP staff misconduct, we determined that the OIG was unable to pursue [redacted] that were investigated in 2013 and 2014, covering incidents that occurred from October 1, 2011, through January 23, 2015, solely due to lack of — or poor quality — video footage. [redacted]

[89] [90] Our survey did not include the staff cases investigated by the BOP, or the other kinds of cases investigated by the BOP and other investigative agencies, [91].

We found that BOP Central Office staff and union representatives agree that the BOP's security camera system is in need of upgrades. staff said security cameras should also be integrated into the BOP's Central Office, allowing the BOP to view institution footage as needed.[92] When we asked whether the OST had considered researching or testing new camera technology, we were told of one institution's pilot project involving a sophisticated high-definition audiovisual system used by . staff also said that body cameras may have possible applications at high security institutions. Although OST staff mentioned that they have several body camera devices available for testing, they have not received approval to conduct a pilot project. Also, union representatives told us that the BOP's camera system needs enhanced They added that BOP video surveillance should serve the same purpose as body cameras — to protect staff and the public when an allegation is made, not to catch staff doing something wrong.

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[90]

[91] The BOP also reported that a Department-wide workgroup on video management is to review and potentially develop standards for video surveillance, distribution, and storage.

[92] The BOP's Office of Information Systems is the approval authority for installing systems, including security cameras, on the BOP's network.

CONCLUSION AND RECOMMENDATIONS

Conclusion

During our review, from October 2014 through June 2015, the BOP took steps to improve its contraband detection and interdiction efforts, including automating contraband data collection and deploying new technologies. A 2013 staff search policy, recently reinstated in all respects relevant to this review, also established new search requirements for staff; but the policy lacked effective deterrence against staff introducing contraband. In this report, we concluded that the BOP must make additional improvements to further deter contraband introduction and make its institutions safer for inmates, staff, and the public. We identified several areas affecting the BOP's ability to effectively deter contraband introductions.

Despite the BOP's use of TRUINTEL starting in FY 2010 and its efforts to automate its contraband tracking, the BOP lacks a comprehensive data collection capability that reliably accounts for all contraband recovered within its institutions. TRUINTEL, a database for entering initial inmate-related evidence, contains confusing and incomplete data and allows staff discretion over how to classify and enter contraband, resulting in incomplete data on contraband recoveries. The BOP also uses multiple systems for reporting recovered cell phones. The BOP's current data collection methods, coupled with the lack of established policies and guidance to accurately and consistently document recovered contraband, impede its ability to effectively track contraband recoveries and analyze contraband trends.

We believe that the BOP must continue to engage with its union to seriously consider the deficiencies of the reinstated 2013 policy discussed in this report, as well as the policies and practices employed by state corrections systems. Careful consideration of both areas can help the BOP craft a policy that will more effectively deter the introduction of contraband by staff and ensure the safety of BOP institutions for staff, visitors, and inmates. Specifically, we found that institutions randomly pat searched very few staff and did so infrequently. The 2013 policy also allowed staff to possess and use tobacco, which the BOP considers both dangerous contraband and a prohibited object for inmates, in undefined "reasonable quantities for personal use during work hours." Further, despite our recommendation a dozen years ago, the BOP still does not restrict the size or content of staff personal property entering its institutions. We reported in 2003 that unrestricted property and large personal containers are among the significant methods for introducing contraband. In light of the fact that it took over 10 years after the OIG recommended that the BOP implement a staff and property search policy for the BOP to issue a revised policy in July 2013, we believe the BOP must make this issue a priority with the goal of much more timely corrective action to improve the safety of BOP institutions.

We also found varied hiring practices for front lobby officers and vulnerabilities related to institution front entrances, including one institution that utilized an Information Receptionist with no experience in corrections as its front lobby officer.

In contrast to the BOP, we found that state prison systems employ more stringent measures to deter contraband introductions. For example, some of the largest state prisons systems, including California, Florida, Georgia, New York, and Texas, utilize random staff pat searches as part of general security procedures. Representatives from each state characterized staff pat searches as a useful deterrent that prevents the introduction of contraband inside their prisons. Also, several states have imposed restrictions on the size of personal containers allowed into prisons and have prohibited tobacco and tobacco-related products. In addition, unlike BOP staff, state prison staff generally may not return to their vehicles once a banned item is discovered during an entry screening procedure.

The BOP employs several contraband detection technologies to combat the ever-changing methods of contraband introduction, and it continues to research, test, and install new technologies. However, technology is ineffectual without clear guidance and staff trained to properly operate these technologies. We found several areas in which the BOP should improve guidance to staff to ensure consistent operations of select BOP contraband interdiction technologies. Improved guidance is needed regarding use of the SecurPASS [redacted], cross-gender viewing, and preventing inmates from viewing their scanned images. In addition, we determined that the [redacted].

Although BOP management took steps to improve the Cellular Telephone Laboratory's (Lab) mission and operations, and to address its growing backlog, we found some of the Lab reports to be in excess of hundreds, and sometimes thousands, of pages that contain technical language and duplication. Neither BOP managers nor Lab analysts knew how investigators use the Lab reports to further an investigation. We believe that the Lab should provide a report that is more focused on helping investigators quickly highlight and interpret the most relevant information from each phone.

Although the BOP employs a security camera system, BOP staff told us about concerns, including [redacted], blind spots, and an [redacted]. We also found that the [redacted], and other technical issues have [redacted] and pursue appropriate actions. For example, we identified [redacted] conducted in 2013 and 2014 that were impaired by lack of or poor quality of video footage.

Recommendations

To ensure that the BOP can accurately record and track contraband recovered within its institutions, we recommend that the BOP:

1. Develop TRUINTEL [redacted] as a comprehensive data collection capability that consistently accounts for all contraband recovered, regardless of where it was discovered or the institution's security level.

2. Provide institution staff, both corrections and Special Investigative Supervisors, with data collection guidelines and requirements for comprehensively identifying and inputting recovered contraband into TRUINTEL [redacted].

We recommend that the BOP develop and propose implementation of policies that effectively deter the introduction of contraband by staff into BOP institutions, including that it:

3. Develop uniform guidelines and criteria for conducting random staff pat searches across all institutions that require a minimum frequency and duration for search events to ensure that appropriate numbers of staff on each shift are searched with appropriate frequency.

4. Define what quantities, if any, of tobacco and related tobacco products should be authorized for staff to bring into institutions for personal use.

5. Restrict the size and content of personal property that staff may bring into BOP institutions.

6. Establish procedures whereby all post-declaration items discovered during staff screening procedures are documented, along with the identity of the staff member involved, as well as more explicit guidelines for when the items should be confiscated and when such instances or a series of them should be referred for investigation and corrective action.

7. Evaluate and standardize the selection method for front lobby officers across BOP institutions to ensure that qualified and appropriately trained officers serve in these critical positions.

To ensure the effective and efficient operation of new contraband detection technologies, we recommend that the BOP:

8. Review all SecurPASS guidance to ensure that requirements for cross-gender viewing of scanned images are clear and consistent and that inmates are prohibited from viewing scanned images, and revise the instructions for staff to clarify that the latter prohibition is not limited to cross-gender screening.

9. Revise existing Millimeter Wave Scanner training materials to ensure that they address [redacted].

To ensure that the Cellular Telephone Laboratory reports and the BOP's security camera system effectively assist in the investigation of inmates and staff who introduce and/or possess contraband, we recommend that the BOP:

10. Assess the needs and requirements for Cellular Telephone Laboratory reports and implement changes to ensure their usefulness in contraband investigations.

11. Evaluate the existing security camera system to identify needed upgrades, including to ensure [redacted].

APPENDIX 1

METHODOLOGY OF THE OIG REVIEW

This review examined the BOP's historical, existing, and planned policies, procedures, and devices for screening staff, visitors, and inmates for contraband at BOP-managed institutions. We also reviewed contraband detection procedures employed by selected state prisons and interviewed representatives from seven state prison systems about their contraband interdiction strategies, including staff searches, tobacco policies, and size and type restrictions of staff personal property. Our fieldwork for this review, which we conducted from October 2014 through April 2015, included document reviews, data analysis, interviews, site visits, and observations. The following provides additional information related to our review methodology.

Full evaluations of the efficacy of each BOP contraband detection device were not possible as installation of newer devices was ongoing during our review. Rather, we utilized observations; site visits; interviews with BOP Central Office staff, as well as institution staff operating the devices; and reviews of operating instructions, training materials, policies, and institution guidance in making our findings and forming our resulting recommendations regarding the evolving types and use of the technologies at issue.

Document Review

We reviewed documents from the BOP, selected state prisons, and open sources. From the BOP, we reviewed search-related program statements, policies, memoranda, forms, and manuals. For existing and pilot program evaluations, we reviewed cost estimates, budget justifications, purchase orders, and operating manuals relating to BOP's contraband interdiction technologies. We also reviewed selected BOP position descriptions and performance work plans and BOP Cellular Telephone Laboratory procedures, output reports, and guidance to institutions. From the selected state prisons, we reviewed staff search procedures, tobacco policies, and restrictions on the size and type of personal property that staff may bring into a prison. We also reviewed state Managed Access System (MAS) contracts. From open sources, we reviewed articles and information on MAS and other contraband detection technologies and relevant federal and state legislation.

Data Analysis

BOP Data

To understand trends in the amount and types of contraband recovered from BOP institutions, we requested data covering FY 2011 through FY 2014. We analyzed data covering that time period from two BOP sources — one for contraband associated with inmate investigations (TRUINTEL) and one specifically

for contraband cell phones reported by institutions ("Cell Phones Recovered" reports). We utilized both data sources because the BOP does not have a consolidated tracking system for all contraband recovered in its institutions. (See the BOP's contraband tracking section on page 12 of this report for discussion of the BOP's contraband tracking capabilities.)

TRUINTEL contains recoverable contraband, including cell phones, associated with inmate investigations [redacted] potentially related to an inmate investigation.[93] To develop trends and assess tracking methods, we specifically reviewed TRUINTEL data entries from 9 of the 20 "hard" contraband item types as listed in TRUINTEL.[94] However, after reviewing the TRUINTEL data and learning from BOP officials that not all institutions were utilizing TRUINTEL until FY 2011 or later, and because the numbers of recovered contraband in FY 2011 were artificially low due to the incomplete data, we did not include any TRUINTEL data pertaining to FY 2011.

The Cell Phones Recovered reports contain all cell phones recovered [redacted]. For this reason, the reports reflect more accurate, complete numbers of recovered cell phones than does TRUINTEL, according to BOP Central Office staff. The reports are based on regional offices' compilations of institutions' monthly reporting of cell phones found. However, the reports do not contain the same details about recovered cell phones, [redacted], as TRUINTEL does. In this report, we present the BOP's Cell Phones Recovered report data for FYs 2011 through 2014.

We also analyzed BOP data on 434 random pat searches conducted since the July 2013 policy, as reported by 109 BOP institutions. Our analysis was based on random pat search events conducted from January through September 2014 (the BOP did not provide search statistics from the remainder of calendar year 2014).[95]

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[93] The TRUINTEL database contains [redacted]. However, for reasons we discuss in the report, BOP institution staff do not populate these fields consistently. As a result, TRUINTEL does not contain complete counts of *all* contraband found in BOP institutions. BOP Central Office staff also stated that not [redacted] into TRUINTEL. [redacted] TRUINTEL also does not [redacted].

[94] Selected contraband types: Alcohol, Ammunition, Currency, Electronic Devices, Firearms, Narcotics, Tobacco, Tools, and Weapons. The remaining 11 types include Crime Scene; Communications; Escape; Explosives and Chemicals; Gambling; and property including Personal-Inmate, Institution; Institution-Issued; Outside-Person; and Staff.

[95] We requested data for a 15-month period; specifically, on October 23, 2014, we requested data from July 17, 2013 (issuance of Program Statement 3740.01) through October 17, 2014. However, the BOP provided data for only the 9-month period from January through September 2014, after, we understand, the 2013 policy was fully implemented at all BOP institutions.

Specifically, we analyzed the parameters of the searches, including the duration of each search event; the dates and times of the search events; search events conducted by institution security level (administrative, low, medium, and high); and the specific shifts wherein a random pat search event occurred.[96] To analyze the shifts during which a random pat search event occurred, we grouped the reported search times into three 8-hour shifts for staff (specific times of each 8-hour shift vary by institution). We used 15-minute increments to avoid double counting search events that began and ended at the same time:

1. 8:15 a.m. to 4:00 p.m. for the morning shift,
2. 4:15 p.m. to 12:00 a.m. for the evening shift, and
3. 12:15 a.m. to 8:00 a.m. for the late night shift.

We then cross-referenced the random pat search data against the BOP's Cell Phones Recovered reports and TRUINTEL data to determine whether there were any correlations between random pat search frequency and institutions with high contraband finds.

Additionally, we analyzed 329 contraband-related misconduct cases against BOP staff based on data provided by the BOP's Office of Internal Affairs from FYs 2011 through 2014. Specifically, we analyzed the allegations and sub-allegations of the cases, the disciplinary actions for each allegation type, the investigating agency, and the employee type involved in each case.

OIG Data

We reviewed OIG and BOP data on BOP contraband-related complaints, as well as substantiated cases against BOP staff, and their outcomes.[97] We utilized OIG case management data to determine the nature of the charges involved in BOP cases investigated by the OIG. We focused on contraband-related employee offense codes of OIG investigations of BOP staff from July 17, 2012, through July 17, 2014.[98] Over the 2-year period, the OIG's Investigations Division conducted 99 investigations wherein at least 1 employee's contraband-related misconduct allegation was substantiated.[99]

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[96] Of the 434 random pat search events that BOP institutions reported conducting from January through September 2014, data for 26 of those events did not include a duration. Therefore, our analysis of pat search durations is based on the remaining 408 random pat search events.

[97] Substantiated cases are allegations of BOP staff misconduct for which the OIG opened an investigation and found the material facts supported, without regard to whether criminal charges were prosecuted or the BOP took disciplinary action.

[98] This 2-year period encapsulates the 1-year period before and after implementation of the BOP's 2013 staff search policy.

[99] From July 17, 2012, through July 17, 2014, the OIG opened a total of 444 investigations alleging BOP staff misconduct. Of the 444, 194 were substantiated. Of the 194 substantiated investigations, we determined that 99 were contraband related. These 99 substantiated investigations that suggested a contraband nexus are the 2-year sample of OIG case data that we analyzed.

To further assess the effect of the lack of — or poor quality — video footage, we gathered information about OIG investigations involving such issues for the period of October 1, 2011, through January 23, 2015.

Interviews

At the BOP's Central Office, we interviewed officials from the Information, Policy, and Public Affairs Division's Offices of Security Technology and Research and Evaluation; the Correctional Programs Division's Intelligence Section and Cellular Telephone Laboratory; and the BOP's Office of Internal Affairs. At the conclusion of our fieldwork, we interviewed the BOP's Assistant Directors for Information, Policy, and Public Affairs; the Correctional Programs Division; and the Program Review Division for additional information and clarification pertaining to the BOP's search policies. We also provided the selected BOP executives with preliminary findings to solicit their feedback.

In BOP institutions, we interviewed staff from the six sites undergoing the Millimeter Wave Scanner (MWS) pilot. We conducted video teleconference interviews with the Warden and select staff [redacted] we conducted individual and group in-person interviews, which included the Warden and Associate Wardens and Captains, Special Investigative Supervisors and Lieutenants, front lobby officers, Unit Managers, Counselors, Case Management Coordinators, and Case Managers. We also observed existing and new contraband interdiction technologies at these two institutions.

Outside of the BOP, we interviewed corrections officials from California, Texas, Florida, Georgia, New York, Mississippi, and Maryland state prisons. The purpose of these interviews was to understand the history as to why the state implemented a policy and to identify any impacts associated with the policy implementation. Our overall goal was to compare and assess potential application of state policies with the BOP. We also interviewed selected vendors of MAS equipment. We spoke with officials from the Federal Bureau of Investigation's Corruption Unit and the OIG's Investigations Division and Cyber Investigations Office. We interviewed OIG Special Agents to discuss the impact of problems with video camera systems on OIG investigations. Finally, we interviewed representatives from the BOP's union, the American Federation of Government Employees, Council of Prison Locals 33.

Site Visits and Demonstrations

We conducted in-person site visits at [redacted], where we observed several existing and piloted contraband interdiction technologies. We also observed a demonstration by the Office of Security Technology of some of this equipment at the BOP.

APPENDIX 2

BOP POLICIES GOVERNING SEARCHES OF VISITORS, INMATES, AND STAFF

This appendix contains a brief description of the legal requirements, implemented through the BOP's policies for visitor, inmate, and staff searches, to prevent the introduction of contraband into BOP institutions. Regarding staff search policies, we describe those policies that the BOP reinstated following the Federal Labor Relations Authority's cease and desist order and the BOP's June 30, 2015, rescission of its 2013 staff search policy, which it reinstated on March 28, 2016.

Visitor Searches

BOP Program Statement 5510.15, Searching, Detaining, or Arresting Visitors to Bureau Grounds and Facilities (Visitor Search Policy, July 17, 2013)

This policy provides staff procedures and guidance for searching inmate visitors, official visitors, contractors, and volunteers entering BOP grounds and facilities, to maintain the safety, security, and orderly operation of those facilities and to protect the public. It also provides staff procedures and guidance for detaining and arresting visitors pursuant to BOP statutory arrest authority, 18 U.S.C. § 3050, and involving local and federal law enforcement agencies in detention and arrest situations. The policy requires that the BOP post easily readable signs at all institution entrances stating that everyone is subject to a search of their person and belongings and that entering or attempting to enter BOP grounds implies consent to being searched. The signs must define prohibited activities and objects and state that violators may be detained or arrested. The BOP posts its visitor search policy on its website, along with inmate visiting information, which includes its required dress code and rules on visit duration, general behavior, and physical contact. The BOP preapproves all inmate visitors using a screening process; inmates are required to place all visitors on their visiting list, subject to BOP approval, prior to their visit to an institution.

Visitor searches may occur randomly or based on reasonable suspicion. Whereas random staff searches include searching all staff during a predetermined timeframe established by the Warden, random visitor searches include either searching all visitors entering at a given time or searching visitors according to a predetermined selection method that is established and documented daily. Different random selection methods may be used for different visitor types, but visitors may not be searched out of the predetermined random selection order without reasonable suspicion. The policy provides examples of possible situations involving reasonable suspicion of visitors.

The visitor search policy requires the same general types of authorized search methods as those for staff (electronic, pat, visual, and drug screening), with

some variations by institution security level. At minimum security institutions, random electronic searches and random searches of belongings may be conducted at the Camp Administrator's or Warden's discretion. Conversely, at institutions of all other security levels, all visitors must clear a metal detector and all their belongings are visually searched before they enter. We describe each visitor search type below.

Electronic Searches

All visitors are searched electronically, either by walk-through or handheld metal detector, and their belongings are screened by x-ray. At the six pilot institutions where Millimeter Wave Scanners are installed, visitors are still required to pass through the scanners before entering BOP institutions.[100] The visitor search policy allows randomly searching visitors using ion spectrometry.[101] X-ray screening devices may be used routinely, or in addition to, visual searching of personal containers and belongings. Visitors failing to clear a walk-through metal detector (WTMD) are searched using a handheld metal detector. Failure to clear the handheld metal detector may qualify as reasonable suspicion to perform a further pat or visual search.

Pat Searches

All visitors are randomly pat searched according to the day's random method: either searching all visitors entering at a given time or searching visitors according to one of the predetermined selection methods described above. Whenever possible, visitor pat searches must be conducted by same-gender screening staff and out of the view of others.

Visual Searches

Visual searches of a visitor's belongings, which involve opening and exposing all contents for visual and manual inspection, may be conducted either as part of a random search or with reasonable suspicion and may be done with an x-ray screening device. Visual searches of a visitor's person, which involve a non-tactile inspection of the body surfaces and cavities after the visitor removes all articles of clothing, including religious headwear, may be conducted only when authorized by

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[100] [redacted]

[101] BOP Program Statement 5522.01, Ion Spectrometry Device Program (February 24, 2005).

the Warden and upon reasonable suspicion (not randomly). Random visual searches of visitors' vehicles and vehicle containers are permitted. Visitor vehicle searches must be conducted by at least two staff members, and the driver must be present, at least 20 feet away from the vehicle, under the direct supervision of one staff member; the other staff member visually searches reasonably accessible areas of the vehicle. The driver must provide keys to locked compartments or containers.

Drug Screening

The BOP's visitor search policy allows drug screening of visitors only when authorized by the Warden or a designee upon reasonable suspicion that the visitor is under the influence of an intoxicating substance.

Inmate Searches

BOP Program Statement 5521.05, Searches of Housing Units, Inmates, and Inmate Work Areas (Inmate Search Policy, June 30, 1997)

BOP institutions are authorized by federal statute and BOP policy to conduct searches of inmates and inmate housing and work areas to locate contraband and deter its introduction and movement.[102] In addition to screening all new inmates upon their arrival at an institution, the BOP conducts routine and random electronic, pat, visual, and digital or simple instrument searches of inmates as described below.

Electronic Searches

The BOP screens inmates, their clothing, and their personal effects with electronic devices such as walk-through and handheld metal detectors, whole body scanners, and ion spectrometry. Inmates are not required to remove clothing during electronic searches. When using the handheld metal detector, staff must closely check inmates' body cavity areas for contraband. In Appendix 3, we describe the capabilities of the BOP's new WTMDs and whole-body scanners for inmates.

Pat Searches

Inmate pat searches are inspections of an inmate, inmate's clothing, and inmate's personal effects using the hands. Inmates are not required to remove clothing during a pat search. A metal detector search may be done in addition to

[102] 28 C.F.R. Part 552, Subpart B, Searches of Housing Units, Inmates, and Inmate Work Areas; BOP Program Statement 5521.05, Searches of Housing Units, Inmates, and Inmate Work Areas (June 30, 1997); and BOP Program Statement 5500.11, CN-1, Correctional Services Manual (August 29, 2014).

the pat search. Wardens have discretion to determine when and where inmate pat searches are to be conducted.

Visual Searches

Visual searches of an inmate are non-tactile inspections of all body surfaces and body cavities in a manner designed to ensure as much privacy to the inmate as practicable. BOP staff must search every article of inmates' clothing and personal property, including shoes and other potential contraband hiding places. Under 28 C.F.R. Part 552, the BOP may visually search an inmate when there is "reasonable belief" that contraband may be concealed on the person or a good opportunity for concealment has occurred. The BOP further requires that inmates reentering the institution after any of these scenarios undergo both a visual search and a metal detector screening. The BOP's inmate search policy also requires that inmates undergo a visual search when leaving the institution for any reason and in other situations, such as when returning from work details. The policy exempts minimum security institutions from this requirement. Minimum security institutions must establish search procedures for inmate work details and community-based programs. Except in emergency situations, a staff member of the same gender as the inmate must conduct a visual search.

Digital or Simple Instrument Searches

Digital or simple instrument searches are inspections for contraband or any other foreign item in an inmate's body cavity by use of fingers or simple instruments, such as an otoscope, tongue blade, short nasal speculum, and simple forceps. Only designated, qualified BOP health personnel (e.g., physicians, physician's assistants, and nurses) may perform these searches, with the Warden or Acting Warden's approval and upon reasonable belief that an inmate is concealing contraband in or on his or her person. Health personnel must also thoroughly examine or x-ray any bandages or casts on an inmate. Medical staff may immediately remove any contraband or foreign item if such removal can easily be effected by use of fingers or simple instruments. Staff must document all digital and simple instrument searches and the reasons for the searches.

BOP Program Statement 5580.08, Inmate Personal Property (August 22, 2011)

The purpose of this policy is to enhance an institution's safety and security by defining property that inmates are permitted to possess throughout their incarceration. These items, subject to staff approval, are primarily pre-owned possessions that an inmate retains upon admission into an institution or purchases in the commissary. The policy defines contraband into two types: hard and nuisance. Hard contraband comprises items such as weapons and narcotics that pose a serious threat to an institution's security. Nuisance contraband comprises items that may be authorized for inmate possession but present a security threat when altered or accumulated in excessive amounts. These nuisance items include publications, food, and government-issued items. The policy also outlines

procedures for properly handling contraband confiscated from inmates. All seized contraband will be disposed of unless it is needed as evidence for disciplinary action or criminal prosecution. In such cases, it will be documented and retained until it is not needed for prosecution and will, therefore, be destroyed.

BOP Program Statement 5522.01, Ion Spectrometry Device Program (February 24, 2005)

This policy outlines procedures for using a minimally intrusive screening technology, known as ion spectrometry, to reduce the amount of illegal substances inside BOP institutions. The policy applies only to visitors and inmates, not to staff. All visitors, save for a few exceptions, are subject to ion spectrometry testing whether through random selection or due to reasonable suspicion.[103] Staff may select visitors randomly in an impartial and nondiscriminatory method — [redacted]. Once selected, participants receive an explanation of the testing process and are given an opportunity to refuse the test and exit the institution. A handheld device is then passed over the person's hands, pants pockets, waist, shoe area, and identification card. Visitors with negative results are allowed to enter the institution, while those with positive results are given a second test to confirm the presence of an illegal substance. Confirmed positive test results may warrant more intrusive searches such as pat downs and visual searches. Furthermore, the person's visitation rights may be suspended, with the incident documented by institutional staff.

Ion spectrometry may also be used to test for the presence of illegal substances on inmates, their personal belongings, housing units, and work areas. Initial positive test results cannot be the sole basis for inmate disciplinary proceedings but may be supplemented with other evidence.

Staff Searches

On June 30, 2015, in response to a Federal Labor Relations Authority cease and desist order, the BOP rescinded its 2013 policy (BOP Program Statement 3740.01) and reinstated a previously approved 2007 agreement and three associated memoranda while the policy was renegotiated.[104] On March 28, 2016, the BOP reinstated the policy (BOP Program Statement 3740.02) with minor changes not related to this review.

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[103] Visitors, including contractors and volunteers, are subject to an ion spectrometry test. However, DOJ employees, state law enforcement, Members of Congress, and members of the Judicial Branch are exempted and are not screened by the device.

[104] The 2007 agreement and three associated memoranda are rescinded with the March 28, 2016, reinstatement of the 2013 staff search policy.

Electronic Searches of Bureau of Prisons Staff, Agreement (November 8, 2007)

The agreement requires all staff to clear a metal detection device, either walk-through or a handheld, prior to gaining access to the secure confines of an institution. The agreement prohibits all random searches of staff, including random pat searches, random visual searches of staff belongings, and random searches of staff vehicles. Inmates and visitors may not be in the same area or allowed to view staff screening procedures. Staff may generally return to their vehicles any items unable to clear the metal detectors or x-ray machine. Staff members who leave the institution during their shifts are required to clear metal detection upon reentry. The agreement directs that staff operating x-ray or metal detectors will receive appropriate training prior to operating the devices. It also provides guidance for staff with medical conditions that disallow them to pass through an electronic screening device.

Clarification of New Search Procedures, Memorandum (January 11, 2008)

The memorandum provides clarification to two points of the BOP's amended search procedures. First, inmates' visitors under 18 years old should not be randomly pat searched as part of daily routine, but may be searched if reasonable suspicion indicates they are involved in prohibited activities. Second, other visitors such as law enforcement, inmate attorneys, contractors, volunteers, and other official visitors should not ordinarily be subject to routine random pat searches. However, they all must clear the same electronic search procedures as staff, including metal detection for their persons and x-ray of their belongings.

Staff Entrance Procedures – Additional Guidance, Memorandum (January 28, 2008)

The memorandum restates that it is the responsibility of the employee to clear the metal detector, either by passing all items through the metal detector or by placing all items on an available x-ray machine for screening. Staff conducting searches must be reasonably assured that staff entering the institution does not possess prohibited objects; the screening staff member is responsible for initially determining whether reasonable assurance exists. Supervisors are consulted only after the origin of the item causing an alert cannot be initially resolved with reasonable assurance by the screening officer. The memorandum describes the role of the supervising staff and provides additional guidance on determining whether reasonable suspicion exists to conduct a limited pat or visual search of the alerting area.

Confiscation and Storage of Firearms Discovered during Entrance Search Procedures (July 15, 2008)

This memorandum provides staff guidance for confiscating and storing firearms and weapons or dangerous objects other than firearms, discovered during entrance searches at all institution entry points and during authorized vehicle searches.

APPENDIX 3

BOP CONTRABAND DETECTION DEVICES

Walk-through Metal Detectors

The BOP began screening all staff, visitors, and inmates using CEIA 601 walk-through metal detectors (WTMD) in January 2008, when it determined that WTMDs are the best method to prevent weapons and other dangerous metal contraband from being introduced into or moved within an institution.[105] [redacted]

[106] [redacted]

[redacted]

[107] [redacted]

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[105] Prior to January 2008, the BOP screened visitors and inmates with older model WTMDs.

[106] The [redacted] mission includes identifying and screening new security equipment and technology with potential for BOP use and conducting operational evaluations (analyses of a specific technology or system to determine whether it should be adopted for BOP use) of potential technology solutions to BOP security issues. The [redacted] also establishes initial BOP-wide standards for use of new technology systems. BOP Program Statement 1150.06, Office of Security Technology (April 5, 2013), Section 2, Responsibilities.

[107] [redacted]

	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]

[redacted]

[redacted]

[redacted] 108 [redacted]

[redacted]

[redacted] 109 [redacted]

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108 [redacted]

109 [redacted]

[redacted]

[redacted]

[redacted] 110 [redacted]

[redacted] 111 [redacted]

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110 [redacted]

111 [redacted]

Managed Access System

Among the contraband interdiction technologies used or piloted by the BOP, the Managed Access System (MAS) — which prevents unauthorized cell phones from sending and receiving calls, data, and text messages — addresses contraband already inside institutions rather than preventing the items from entering. Despite the recent installations of the MAS by some state prison systems that we described in the Introduction section, the BOP is not planning to purchase or install current MAS technology. The BOP's decision is based on the results of a 60-day pilot evaluation it conducted in 2014 to determine the effectiveness of the MAS in a

typical BOP (medium security) environment. The pilot was limited to a subset of cell phone frequencies and involved one housing unit.[112]

In response to a congressional request for a cost estimate to implement a cell phone detection solution at a "representative BOP facility," the BOP provided various cost estimates for implementing the MAS at three types of BOP institutions: rural, light urban, and metropolitan. The BOP's report to Congress included current estimated costs in these three contexts, ranging from $1.795 million for a rural site to $3.08 million for a metropolitan site. However, the BOP emphasized that it is premature to estimate costs to implement a nationwide MAS program at all federal prisons because the technology continues to evolve and improve.

The technology works by intercepting and rerouting calls attempted from unauthorized phones while permitting approved and emergency numbers. Although signal-jamming devices are illegal under the *Communications Act of 1934,* the Federal Communications Commission considers the MAS legal because it intercepts, not jams, cell phone signals.

[112] According to various sources, including a MAS vendor we interviewed, . The BOP's 2014 MAS pilot was limited to 2G and 3G devices, according to staff.

[redacted]

[redacted]

[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

APPENDIX 4

TRUINTEL DATABASE ENTRIES AND CELL PHONES RECOVERED REPORT EXAMPLES

TRUINTEL Database Example

[redacted]

Source: BOP Hard Contraband Definitions

Cell Phones Recovered Report Example

[redacted]

Source: Cell Phones Recovered report, FY 2014

APPENDIX 5

THE BOP'S RESPONSE TO THE DRAFT REPORT

U.S. Department of Justice

Federal Bureau of Prisons

Office of the Director

Washington, D.C. 20534

April 5, 2016

MEMORANDUM FOR NINA S. PELLETIER
ASSISTANT INSPECTOR GENERAL
OFFICE OF INSPECTOR GENERAL
EVALUATION AND INSPECTIONS DIVISION

Thomas R. Kane

FROM: Thomas R. Kane, Acting Director

SUBJECT: Response to the Office of Inspector General's (OIG) DRAFT Report: OIG Review of the Federal Bureau of Prisons' Contraband Interdiction Efforts, Assignment Number A-2014-007

The Bureau of Prisons (BOP) appreciates the opportunity to respond to the open recommendations from the draft report entitled OIG Review of the Federal Bureau of Prisons' Contraband Interdiction Efforts.

Therefore, please find the BOP's responses to the recommendations below:

Recommendations

To ensure that the BOP can accurately record and track contraband recovered within its institutions, we recommend that the BOP:

Recommendation 1. Develop TRUINTEL [redacted] as a comprehensive data collection capability that consistently accounts for all contraband recovered, regardless of where it was discovered or the institution's security level.

Response: The BOP agrees with this recommendation, and will develop an alternative comprehensive data collection capability that consistently accounts for all contraband recovered.

Recommendation 2. Provide institution staff, both corrections and SIS officers, with data collection guidelines and requirements for comprehensively identifying and inputting recovered contraband into TRUINTEL [redacted].

Response: The BOP agrees with this recommendation, and will provide institution staff with data collection guidelines and requirements for comprehensively identifying and inputting recovered contraband.

We recommend that the BOP develop and propose implementation of policies that effectively deter the introduction of contraband by staff into BOP institutions, including that it:

Recommendation 3. Develop uniform guidelines and criteria for conducting random staff pat searches across all institutions that require a minimum frequency and duration for search events to ensure that appropriate numbers of staff on each shift are searched with appropriate frequency.

Response: The BOP agrees with this recommendation, and will develop and propose changes to the staff search policy that includes a minimum frequency and duration requirement for randomly pat searching staff.

Recommendation 4. Define what quantities, if any, of tobacco and related tobacco products should be authorized for staff to bring into institutions for personal use.

Response: The BOP agrees with this recommendation, and will develop and propose changes to the appropriate policy(ies) to define what quantities, if any, of tobacco and related tobacco products are authorized for staff to bring into institutions for personal use.

Recommendation 5. Restrict the size and content of personal property that staff may bring into BOP institutions.

Response: The BOP agrees with this recommendation, and will develop and propose changes to the appropriate policy(ies) to restrict the size and content of personal property that staff may bring into BOP institutions.

Recommendation 6. Establish procedures whereby all post-declaration items discovered during staff screening procedures are documented, along with the identity of the staff member involved, and guidelines for when the items should be confiscated, and when such instances or a series of them should be referred for investigation and corrective action.

Response: The BOP agrees with this recommendation, and will develop and establish procedures for documenting post-declaration items discovered during staff screening procedures, including the identity of the staff member. Additionally, BOP will develop and establish procedures for determining when items should be confiscated, and when incidents should be referred for investigation and corrective action.

Recommendation 7. Evaluate and standardize the selection method for front lobby officers across BOP institutions to ensure qualified and appropriately trained officers serve in these critical positions.

Response: BOP agrees with this recommendation, and will evaluate and standardize the selection method for ensuring qualified and appropriately trained staff serve in front lobby officer positions.

To ensure the effective and efficient operation of new contraband detection technologies, we recommend that the BOP:

Recommendation 8. Review all SecurPASS guidance to ensure that requirements for cross-gender viewing of scanned images are clear and consistent, and that inmates are prohibited from viewing scanned images, and revise the instructions for staff to clarify that the latter prohibition is not limited to cross-gender screening.

Response: BOP agrees with this recommendation, and will review all SecurPASS guidance to ensure clarity and consistency of instruction that inmates are prohibited from viewing all scanned images, including both their own, and cross-gender screening images.

Recommendation 9. Revise existing Millimeter Wave Scanner training materials to ensure that it addresses [redacted].

Response: The BOP agrees with this recommendation, and will enhance existing Millimeter Wave Scanner training materials to ensure that they identify [redacted]

[redacted].

To ensure the Cellular Telephone Laboratory reports and the BOP's security camera system effectively assist in the investigation of inmates and staff who introduce and/or possess contraband, we recommend that the BOP:

Recommendation 10. Assess the needs and requirements for Cellular Telephone Laboratory reports and implement changes to ensure their usefulness in contraband investigations.

Response: The BOP agrees with this recommendation, and will assess the needs and requirement for Cellular Telephone Laboratory reports and implement changes to ensure their usefulness in contraband investigations.

Recommendation 11. Evaluate the existing security camera system to identify needed upgrades, including to [redacted].

Response: The BOP agrees with this recommendation, and will evaluate the existing security camera system to identify needed upgrades, to include ensuring [redacted].

APPENDIX 6

OIG ANALYSIS OF THE BOP'S RESPONSE

The OIG provided a draft of this report to the BOP. The BOP's response is included in Appendix 5 above. Below, we discuss the OIG analysis of the BOP's response and actions necessary to close the recommendations.

Recommendation 1: Develop TRUINTEL [redacted] as a comprehensive data collection capability that consistently accounts for all contraband recovered, regardless of where it was discovered or the institution's security level.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will develop an alternative comprehensive data collection capability that consistently accounts for all contraband recovered.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please describe an alternative data collection capability that will consistently account for all contraband recovered, including [redacted].

Recommendation 2: Provide institution staff, both corrections and Special Investigative Supervisors, with data collection guidelines and requirements for comprehensively identifying and inputting recovered contraband into TRUINTEL [redacted].

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will provide institution staff with data collection guidelines and requirements for comprehensively identifying and inputting recovered contraband.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide a copy of guidelines and requirements for identifying and logging recovered contraband into the BOP's data collection system. Also, please describe how the BOP will rectify the tracking and accounting discrepancies identified in the OIG report.

Recommendation 3: Develop uniform guidelines and criteria for conducting random staff pat searches across all institutions that require a minimum frequency and duration for search events to ensure that appropriate numbers of staff on each shift are searched with appropriate frequency.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will develop and propose changes to the staff search policy to include a minimum frequency and duration requirement for randomly pat searching staff.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide developed or proposed changes to the BOP's staff search policy to include a minimum frequency and duration requirement for randomly pat searching staff.

Recommendation 4: Define what quantities, if any, of tobacco and related tobacco products should be authorized for staff to bring into institutions for personal use.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will develop and propose changes to the appropriate policy(ies) to define what quantities, if any, of tobacco and related tobacco products are authorized for staff to bring into institutions for personal use.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide developed or proposed policy changes to define what quantities, if any, of tobacco and related tobacco products staff is authorized to bring into institutions for personal use. Also, please describe guidance for authorized staff allowances, possession, and use of smoke and smokeless tobacco and related tobacco products.

Recommendation 5: Restrict the size and content of personal property that staff may bring into BOP institutions.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will develop and propose changes to the appropriate policy(ies) to restrict the size and content of personal property that staff may bring into BOP institutions.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide developed or proposed policy changes to restrict the size and content of personal property that staff may bring into BOP institutions. Also, please describe guidance that defines a maximum size limit of personal containers and bags and identifies personal property items that staff may bring into BOP institutions.

Recommendation 6: Establish procedures whereby all post-declaration items discovered during staff screening procedures are documented, along with the identity of the staff member involved, as well as more explicit guidelines for when

the items should be confiscated and when such instances or a series of them should be referred for investigation and corrective action.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will develop and establish procedures for documenting post-declaration items discovered during staff screening procedures, including the identity of the staff member. The BOP will also develop and establish procedures for determining when items should be confiscated and when incidents should be referred for investigation and corrective action.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide procedures for documenting post-declaration items discovered during staff screening procedures, including the identity of the staff member, as well as procedures for when items should be confiscated and when incidents should be referred for investigation and corrective action.

Recommendation 7: Evaluate and standardize the selection method for front lobby officers across BOP institutions to ensure that qualified and appropriately trained officers serve in these critical positions.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will evaluate and standardize the selection method for ensuring that qualified and appropriately trained staff serve in front lobby officer positions.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please describe how the BOP will evaluate and select front lobby officers (screening staff) and provide front lobby officer minimum qualifications and formal and on-the-job training requirements.

Recommendation 8: Review all SecurPASS guidance to ensure that requirements for cross-gender viewing of scanned images are clear and consistent and that inmates are prohibited from viewing scanned images, and revise the instructions for staff to clarify that the latter prohibition is not limited to cross-gender screening.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will review all SecurPASS guidance to ensure clarity and consistency of instruction that inmates are prohibited from viewing all scanned images, including their own and cross-gender scanned images.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide updated documentation to include, but not be

limited to, updated [redacted] that clearly and consistently articulate staff guidance on cross-gender scanning and viewing of images, as well as all detection technology manuals, memoranda, handbooks, and policies that clearly establish that inmates are not to be shown any scanned images or other output data that could be used to circumvent or defeat detection capabilities.

Recommendation 9: Revise existing Millimeter Wave Scanner training materials to ensure that they address [redacted].

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will enhance existing Millimeter Wave Scanner training materials to ensure that they identify [redacted].

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please provide copies of all updated Millimeter Wave Scanner training materials and instructional manuals [redacted]. Also, please provide the BOP's strategy for how it will train new and re-train existing screening staff personnel on the Millimeter Wave Scanner.

Recommendation 10: Assess the needs and requirements for Cellular Telephone Laboratory reports and implement changes to ensure their usefulness in contraband investigations.

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will assess the needs and requirements for Cellular Telephone Laboratory reports and implement changes to ensure their usefulness in contraband investigations.

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please describe how the BOP's plan will assess the needs and requirements for Cellular Telephone Laboratory reports and how the BOP will implement changes to make the reports more useful in contraband investigations.

Recommendation 11: Evaluate the existing security camera system to identify needed upgrades, including to ensure [redacted].

Status: Resolved.

BOP Response: The BOP concurred with the recommendation and stated that it will evaluate the existing security camera system to identify needed upgrades, to include ensuring [redacted].

OIG Analysis: The BOP's planned actions are responsive to our request. By September 30, 2016, please describe how the BOP will evaluate the current security camera system to identify needed upgrades. As part of the plan, please outline the BOP's priority status for upgrades, provide an estimated completion date for upgrades at [redacted], and describe how the BOP will ensure [redacted].

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