



**U.S. Department of Justice**

Office of the Deputy Attorney General

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*Bradley Weinsheimer*  
Associate Deputy Attorney General

*Washington, D.C. 20530*

January 13, 2025

The Honorable Hampton Dellinger  
Special Counsel  
Office of the Special Counsel  
1730 M. Street, N.W., Suite 300  
Washington, D.C. 20036-4505

Re: OSC DI-24-001399; INVESTIGATION REGARDING A WHISTLEBLOWER  
ALLEGATION OF VIOLATION OF LAW, RULE, OR REGULATION AND  
GROSS MISMANAGEMENT AT THE THREE RIVERS FEDERAL  
CORRECTIONAL INSTITUTION, THREE RIVERS, TEXAS.

Dear Mr. Dellinger:

In response to your request for investigation of whistleblower disclosure that Federal Bureau of Prisons (FBOP) officials at the Federal Correctional Institution Three Rivers, Three Rivers, Texas (FCI Three Rivers), may have engaged in conduct that constitutes a violation of law, rule, or regulation and gross mismanagement, please see attached. Specifically, a federal employee at FCI Three Rivers, Case Manager [REDACTED], alleged that FBOP employees failed to update Inmate Financial Responsibility Program Assignments, load court-ordered financial obligations into FBOP's SENTRY database, and collect these financial obligations from reincarcerated inmates. I have delegated authority to review and sign the Department's response, in accordance with 5 U.S.C. 1213(d).

As reflected in the attached report, the FBOP initiated an investigation upon receiving the referral from your office. That investigation did not substantiate that a violation of law, rule, or regulation had occurred at FCI Three Rivers. The investigation confirmed that the allegation of wrongdoing was predicated on the whistleblower's misunderstanding of the applicability of one auto-generated report from the database. I trust you will find this responsive to your concerns.

Sincerely,

*Bradley Weinsheimer*  
Bradley Weinsheimer  
Associate Deputy Attorney General

Enclosures

**United States Department of Justice  
Federal Bureau of Prisons**

**Report of Investigation**

OSC File Number DI-24-001399

**Subject:** INVESTIGATION REGARDING A WHISTLEBLOWER ALLEGATION OF VIOLATION OF LAW, RULE, OR REGULATION AND GROSS MISMANAGEMENT AT THE FEDERAL CORRECTIONAL INSTITUTION THREE RIVERS, THREE RIVERS, TEXAS.

**SYNOPSIS**

This investigation was initiated based upon a whistleblower disclosure that officials at the U.S. Department of Justice (DOJ), Federal Bureau of Prisons (FBOP), Federal Correctional Institution Three Rivers (FCI Three Rivers), Three Rivers, Texas, may have engaged in conduct that constitutes a violation of law, rule, or regulation and gross mismanagement. The Office of Special Counsel (OSC) received these allegations from Case Manager [REDACTED] at FCI Three Rivers, who consented to the release of his name.

Case Manager [REDACTED] alleged that BOP officials failed to update Inmate Financial Responsibility Program (IFRP) Assignments, load court-ordered financial obligations into BOP's SENTRY database<sup>1</sup>, and collect these financial obligations from reincarcerated inmates, in violation of BOP Program Statement P5380.08 and 28 C.F.R. § 545.11. Specifically, [REDACTED] alleged BOP is failing to reset inmates' IFRP assignments to "unassigned" when leaving BOP custody so that on the occasion when these individuals are reincarcerated, prior assignments are retained in the SENTRY database. As a result, [REDACTED] asserted, BOP Case Managers and Correctional Counselors are failing to identify new court-ordered financial obligations, input such information into the SENTRY database, establish new financial plans, or document the inmates' refusals.

The Office of Special Counsel referred the matter to Attorney General Merrick B. Garland and to the Department of Justice, Office of the Inspector General (OIG), on September 10, 2024, for review and investigation. The OIG deferred the matter to the Bureau of Prisons, Office of Internal Affairs (OIA), the same day. The investigation was assigned to a Senior Counsel in the Office of the Director, who conducted interviews and gathered and reviewed additional documentary information.

In summary, Case Manager [REDACTED] was incorrectly relying on a generated roster of "unassigned" adults in custody [AIC] to deduce which AIC needed Program Reviews. First, the applicable Program Statements require that the Case Management Coordinator, or designee, is to review all classification material pertaining to a newly arrived AIC upon the arrival of that material to verify the information on the BPG0. Second, the applicable Program Statements and FCI Three Rivers' Supplement provide that each AIC receive an initial classification or an initial Program Review, both of which include

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<sup>1</sup> SENTRY is a real-time information system consisting of various applications for processing sensitive but unclassified information concerning the AIC and for property management.

review of the judgment and any orders underlying the current incarceration, within 28 days of assignment to the institution.

## **INVESTIGATION**

### **Background**

FCI Three Rivers, Three Rivers, Texas, is a medium security federal correctional institution with an adjacent minimum security satellite camp both of which house male adults in custody. The FCI houses 1177 adults; the camp houses an additional 181 adults.

The Inmate Financial Responsibility Program is a voluntary program that the BOP has operated since 1987. The purpose of the IFRP is twofold: to encourage federal inmates in BOP facilities to pay court-ordered financial obligations and to support inmates in developing financial planning skills. Administration of the IFRP starts with the review of inmate financial obligations during the initial classification phase for an inmate. The goal during the initial classification phase is for the unit team to develop a program plan to be used by an inmate during their incarceration. This program plan may include work and other activities designed to help the inmate develop the skills needed to make a successful transition back into the community. In addition, during initial classification, BOP staff cross-reference the Judgment and Commitment order (J&C) included in an inmate's central file (maintained in hard copy format at the institution where the inmate is incarcerated) and enter any applicable court-ordered financial obligations into the BOP SENTRY data system. The unit team then develops a payment plan under the IFRP and encourages the inmate to agree to the plan as part of the inmate's overall program plan. If the inmate agrees to participate, the final agreed-upon payment schedule, along with any remaining obligation balance, is also captured in SENTRY. To monitor the inmate's progress towards fulfilling their court-ordered financial obligations, the unit team conducts subsequent program reviews that include a reassessment of the inmate's financial plan and IFRP payments every 180 days.

### **Policy and Regulatory Requirements:**

#### **I. BOP Program Statement 5100.08, Inmate Security Designation and Custody Classification, states in pertinent parts:**

##### **SECURITY DESIGNATION PROCEDURES FOR NEW COMMITMENTS**

[Following sentencing,] [t]he Designation and Sentence Computation Center will ordinarily complete the initial designation within three working days of receiving all the necessary documentation from the U.S. Marshals Service (USMS) and the U.S. Probation Officer (USPO) which includes the following: the Presentence Investigation Report (PSR), Judgment, Statement of Reasons (SOR), and Central Inmate Monitoring (CIM) documentation (in cases where a CIM assignment is necessary).

## 1. DESIGNATION PROCEDURES

k. When a designation is made, DSCC staff will forward all supporting documents to the designated institution within two working days.

l. The Case Management Coordinator (CMC) will monitor all pending arrivals at that facility. . . . Staff will monitor the Daily Log for that facility, and will print a hard copy of each designation and maintain a copy on file for 120 calendar days.

Staff will also monitor the arrival of classification material, and if such material has not arrived within 10 calendar days following the designation, the DSCC will be contacted to determine the status of that material. Upon arrival of the classification material, the CMC, or designee, will review that material and verify the scoring of the Inmate Load and Security Designation form (BP-337 or "BPG0").

## **II. BOP Program Statement 5321.09, Unit Management and Inmate Program Review, states in pertinent parts:**

### 5. INITIAL CLASSIFICATION AND PROGRAM REVIEW

During initial classification and program reviews, at a minimum, the Inmate Central File will be reviewed by the unit team to ensure the presence and accuracy of the following documents: ■ BP-A0407, Acknowledgment of Inmate, Part 1 & 2 ■ BP-A0408, Acknowledgment of Inmate, Part 3 & 4 ■ Judgment and Commitment Order ■ Presentence Investigation Report ■ Statement of Reasons, if applicable ■ Central Inmate Monitoring (CIM) documentation ■ BP-A0400, CIM Notice, if applicable.

An initial classification is conducted within 28 calendar days of an inmate's arrival to the initially designated institution, including inmates assigned to SHU.

An inmate's sentence computation must be completed prior to the initial classification. When the sentence computation is delayed, the initial classification is ordinarily completed within 14 calendar days of the completed sentence computation. The reason for the delay will be documented on the Program Review Report.

Following a transfer, an initial program review is also conducted within 28 calendar days of an inmate's arrival at the new facility.

**III. 28 C.F.R. §524.11(a)(2)** Inmates will receive a program review at least once every 180 calendar days. When an inmate is within twelve months of the projected release date, staff will conduct a program review at least once every 90 calendar days.

**IV. 28 C.F.R. §524.11(c)** *Program Review Report*: Staff must complete a Program Review Report at the inmate's initial classification. This report ordinarily includes information on the inmate's apparent needs and offers a correctional program designed to meet those needs. The Unit Manager and the inmate must sign the Program Review Report, and a

copy must be given to the inmate.

**V. BOP Program Statement 5380.08, Financial Responsibility Program, Inmate, states in pertinent parts:**

**7. INMATE FINANCIAL RESPONSIBILITY PROGRAM (IFRP) COORDINATORS.**

Each Warden will appoint an Institution IFRP Coordinator, ordinarily not below the assistant department head level, to monitor all applicable IFRP assignments for inmates in the institution and ensure that IFRP information is provided to inmates during the Admission and Orientation Program.

It is the Unit Manager's responsibility to monitor all applicable IFRP assignments and payment activity in the unit, and to ensure that accurate IFRP information is reflected in the IFRP SENTRY Module.

8. [PROCEDURES §545.11. When an inmate has a financial obligation, unit staff shall help that inmate develop a financial plan and shall monitor the inmate's progress in meeting that obligation.]

During an inmate's initial classification, the Unit Manager will ensure unit staff cross reference the Judgment and Commitment Order (J&C) with the Sentence Monitoring Computation Data SENTRY transaction. If the sentence computation is not completed prior to the initial classification, unit staff will perform the cross check as soon as practicable, normally within 45 calendar days of the inmate's arrival. In the event of an amended J&C, or an additional J&C order, unit staff will review for any changes in IFRP status. Specifically, the Court of Jurisdiction, sentencing date, docket number, and financial obligations must be reviewed to ensure accuracy. After cross checking, any discrepancies will be communicated to the ISM Department for correction.

[a. Developing a Financial Plan. At initial classification, the Unit Team shall review an inmate's financial obligations, using all available documentation, including, but not limited to, the Presentence Investigation and the Judgment and Commitment Order(s).

[c. Monitoring. Participation and/or progress in the Inmate Financial Responsibility Program will be reviewed each time staff assess an inmate's demonstrated level of responsible behavior.]

At these reviews, the IFRP payment plan status appears on the team sheet. The inmate's degree of participation will be reflected on the Program Review Report by noting the following in the "FRP Plan/Progress" section:

- ! the balance owed on the obligation(s),
- ! the current financial plan,
- ! the total amount deposited into the inmate's trust fund account for the previous six months, and
- ! whether the financial plan is being increased, decreased, or will continue at the same rate.

Each month, the IFRP Coordinator will review the IFRP SENTRY Module Transaction PIEA (Display or Print Expected Versus Actual Withdrawal Amount) transaction after the withdrawals have been completed. This transaction allows the user to display or print a list of inmates who paid less than the amount specified in the inmate's financial plan.

9. SENTRY REQUIREMENTS. Unit staff are responsible for entering data into the IFRP SENTRY module accurately pursuant to the IFRP SENTRY Technical Reference Manual. After an inmate signs a payment plan, unit staff will forward the original signed copy to the institution's [Office of Financial Management].

The Unit Team must enter an appropriate IFRP assignment into SENTRY no later than initial classification, and review that assignment at all subsequent regularly scheduled Program Reviews.

12. INSTITUTION SUPPLEMENT. Each institution will develop an Institution Supplement to:

- a. Designate an institution IFRP Coordinator;
- b. Outline UNICOR priority placement;
- c. Explain any procedures necessary to develop or monitor the institution IFRP program; and
- d. Specify the date of the month on which the IFRP Refuse roster will be accessed to ensure that non-participating inmates are not receiving performance pay above the maintenance pay level.

**VI. FCI Three Rivers has an Institution Supplement as required by BOP Program Statement 5380.08, Financial Responsibility Program, Inmate, at para 12. In relevant part, the Supplement provides:**

1. **PURPOSE AND SCOPE:** The purpose of this supplement is to establish procedures at FCI/FPC, Three Rivers, Texas, for processing and monitoring payments for Court ordered financial obligations through the Inmate Financial Responsibility Program (IFRP).
2. **DESCRIPTION OF RULES AND PROCEDURES:**
  - A. Program Monitoring: The Case Management Coordinator (CMC) is designated as the Financial Responsibility Program (FRP) Coordinator. The CMC will run quarterly IFRP rosters and notify the Unit Managers of any SENTRY discrepancies. The CMC will run a monthly IFRP Refuse Roster on the 15th of each month, or if the 15th is a weekend day, the first working day thereafter.
  - C. Unit Team Responsibilities: The Unit Manager will ensure a plan to meet the inmate's financial obligations is developed at the inmate's initial classification. The plan will be documented on the program-review report. The Unit Team is responsible for entering and updating the IFRP assignment in Sentry.
  - F. Developing a Financial Plan: The Inmate Financial Responsibility Program will be explained to the inmate during Unit Admission and Orientation Programs. The Unit Team will review the inmate's financial resources to develop a commensurate payment plan at Initial Classification and subsequent Program Reviews, if needed.

At subsequent program reviews, the Unit Team will document on the program review report the total amount of funds each inmate in participating status has received from the institution and community sources since the last program review.

Staff are encouraged to refer to the FRP Sentry Guide. October 24, 2013. The Guide provides instructions for 1) PROCESSING NEW INMATES INTO THE FRP SYSTEM, 2) PROCESSING NON-USDC OBLIGATIONS INTO THE FRP SYSTEM, 3) PROCESSING INMATES COMING IN FROM OTHER INSTITUTIONS, and 4) MONITORING INMATES ON YOUR CASELOAD with Notes/Suggestions, how to change an FRP status, correct errors, how to address overpayment issues, and other miscellaneous items.

### **Allegations:**

Case Manager [REDACTED], FCI Three Rivers, alleged that unknown BOP employees failed to update Inmate Financial Responsibility Program (IFRP) Assignments, load court-ordered financial obligations into BOP's SENTRY database, and collect these financial obligations from reincarcerated inmates, in violation of BOP Program Statement P5380.08 and 28 C.F.R. § 545.11. Specifically, [REDACTED] alleged BOP is failing to reset inmates' IFRP assignments to "unassigned" when leaving BOP custody. As a result, [REDACTED] asserted, if and when these individuals are returned to FBOP on a subsequent conviction, their records show the last FRP status and BOP Case Managers and Correctional Counselors are failing to identify new court-ordered financial obligations, input such information into the SENTRY database, establish new financial plans, and/or document the inmates' refusals to do so.

### **Investigation:**

#### *Complainant's Statements*

During interview, [REDACTED] reported that when a defendant first enters FBOP, the Designation and Sentence Computation Center (DSCC), completes the "PPG0." One field presented for completion on the form pertains to the Inmate Financial Responsibility Program. On initial entry into the FBOP, DSCC puts "unassigned" in this field. Then at the institution, a roster is routinely run to identify all AIC whose FRP status is unassigned, and the particulars of the financial portions of their judgments are then entered into Sentry for those inmates. The institution then "assigns" the AIC to the IFRP.

Case Manager [REDACTED] alleged that for AIC re-entering custody following a conviction subsequent to an earlier release from FBOP, DSCC is not changing the FRP field from the status held at the end of their previous period of incarceration back to "unassigned." Since the flag for the designated institution to put the financial obligation into SENTRY is the roster of unassigned persons and these AIC returning to custody reflect assigned to FRP when they are not, it is likely that the current financial obligation has not been entered.

Utilizing various SENTRY queries and with assistance of Excel, [REDACTED] determined that one potential way to locate AIC affected by DSCC's failure was to document which inmates have an FRP status that pre-dates their current incarceration dates. At FCI Three Rivers, 87 AIC were identified with FRP status pre-dating the date of incarceration. [REDACTED] then reviewed the files of each

FCI Three Rivers inmate identified, and of the 87, determined that 32 had financial obligations from the judgment underlying their current incarceration which were not entered into SENTRY. These 32 AIC, [REDACTED] states, have a total of \$11,910 in financial obligations that are not being repaid to courts and crime victims.

In this same way, Case Manager [REDACTED] further identified 2,517 AICs currently in custody at other institutions whose FRP assignments date pre-date their incarceration dates. [REDACTED] does not have access to the court-ordered financial obligations of AIC housed at other institutions to discern which of those 2,517 may have financial obligations from the judgment underlying their current incarceration which have not been entered into SENTRY.

Of the 87 files specifically checked by Case Manager [REDACTED], approximately 36% returned with financial obligations from the judgment underlying their current incarceration which had not been entered into SENTRY. If the rate of error seen by Case Manager [REDACTED] is similar across the entire FBOP population, the allegation that the additional 2,517 AICs currently in custody have FRP assignments which date pre-date their incarceration dates results in an estimate that less than 1% of the FBOP population of AICs in custody may have financial obligations from the judgment underlying their current incarceration which have not been entered into SENTRY.

#### *Subject Matter Expert Interviews*

EX1 and EX2, with responsibilities regarding the administration of and training of staff regarding the IFRP, were interviewed jointly. EX1 explained the IFRP status “unassigned” occurs only once – at an AIC’s first, initial entry into FBOP. SENTRY automatically completes that portion of the PPG0, and following that first computer-generated occurrence, the FRP status of an AIC never again goes back to unassigned. The DSCC is not responsible for logging or changing the IFRP status at any time. Instead, staff at the institution to which the AIC is designated or transferred has that responsibility, to be executed in the initial classification and initial/ongoing Program Reviews.

EX1 and EX2 were asked about the roster reflecting those AIC with IFRP status as “unassigned.” The roster is a management tool to aid institution staff to identify AIC who may need initial classifications. EX1 noted other rosters helpful to these required tasks – for instance, one that would assist in identifying the AIC within their 28-day arrival window, and another which could identify AIC past their program review deadline. Regardless of these tools or other rosters and discrepancy reports provided to staff as management aids, staff at each institution have the duty to undertake an initial classification of each AIC within 28 days from their entry to the institution, and this initial classification should include a review of the judgment and orders pertaining to financial obligations underlying the term of incarceration the AIC is then serving. The process depends on staff appropriately reviewing and entering all pertinent information at the initial classification and program reviews and the supervisors appropriately monitoring their staff.

EX1 explained [REDACTED]’s belief that the IFRP status should be changed back to unassigned at an AIC’s release was incorrect, as was the belief that the unassigned roster would list all who need review of their financial obligations. EX1 and EX2 explained that there was no single user report that could be run specifically to capture the AIC in the same posture as those identified by [REDACTED]. EX1 and EX2 asserted [REDACTED]’s belief that the unassigned roster was a



definitive aid can be corrected with training and discussed ways they could improve the understanding and limitation of this roster across the FBOP. However, the existence of the roster does not obviate the requirement that the Unit Team enter an appropriate IFRP assignment into SENTRY at the initial classification and review that assignment at all subsequent regularly scheduled Program Reviews.

EX3, with responsibilities concerning the coding and configuration of SENTRY, was interviewed. EX3 confirmed that within the FRP module of SENTRY, “unassigned” is used only for a new entrant into the SENTRY system.

### **Conclusions:**

Case Manager [REDACTED] alleged the DSCC was failing to change the SENTRY FRP status of returning AIC who had previously completed a term of incarceration at FBOP to unassigned. As a result, [REDACTED] asserted, FBOP Case Managers and Correctional Counselors are failing to identify new court-ordered financial obligations, input such information into the SENTRY database, establish new financial plans, and/or document the inmates’ refusals to do so. The allegation this error resulted from human failure to revert the FRP status to “unassigned” is not supported by the investigation. Rather, the allegations were predicated on a misunderstanding of the “unassigned” code and its limited use within the FRP SENTRY module. This misunderstanding can be corrected with training to improve understanding and limitation of this roster across the FBOP. Additionally, the list of 2,517 AIC identified will be provided to the Regional Directors for distribution to the respective institutions as appropriate, for review and action if needed, as well as having reminders issued to the Unit Teams to enter an appropriate IFRP assignment into SENTRY at the initial classification and review that assignment at all subsequent regularly scheduled Program Reviews.

### **Violation of Laws, Rules, or Regulations:**

[REDACTED]’ allegations revealed no violation of laws, rules, or regulation, or gross mismanagement of any program.

### **Action taken or planned as a result of the investigation**

#### **(A) Changes in agency rules, regulations, or practices.**

The investigation did not disclose need for change to any rules or regulations. In practice, however, the limitations of readily available rosters provided solely as an aid to management will be accentuated in training and it will be made clear the rosters are not intended to be the sole source in identifying AIC who need FRP reviews.

#### **(B) Restoration of any aggrieved employee.**

Not applicable.

(C) Disciplinary action against any employee.

Not applicable

(D) Referral to the Attorney General of any evidence of criminal violation.

Not applicable

(E) Other.

The allegations provided a detailed, multi-step audit of a class of AIC – those whose FRP status pre-date their date of incarceration – that is not easily replicated and which might assist prison management staff in identifying AIC in their custody who may have had errors and/or omissions in their initial classification and/or program reviews. The list of these AIC will be provided to the Regional Directors for distribution as appropriate, for review and action if needed. Additionally, reminders will be issued to the Unit Teams to enter an appropriate IFRP assignment into SENTRY at the initial classification and review that assignment at all subsequent regularly scheduled Program Reviews.

**United States Department of Justice  
Federal Bureau of Prisons**

OSC File Number DI-24-001399  
Staff Name Key

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EX1: [REDACTED], Senior Correctional Program Specialist

EX2: [REDACTED], Chief, Inmate Monitoring Section

EX3: [REDACTED], Chief, Systems Development Branch