

**Whistleblower Comments**  
**DI-13-1188**  
**Submitted July 10, 2013**

In investigating my claim of teachers not spending 50% of the workday in direct classroom contact The Bureau only interviewed teachers and the student tutors. (As stated in the report.) The only people who were interviewed were the people who had something to lose. The teachers could face sanctions and the inmate tutors would lose a desirable and, in the confines of a federal prison, good paying job. They never interviewed a single inmate student or any other staff member outside of the education department.

I e-mailed you in April and voiced my concerns about how the Bureau would conduct their investigation regarding this allegation. When I was interviewed by the investigator, Mr. Petrisko, he said that students would be interviewed. I had also sent him information concerning a phone call I monitored from an inmate who called his mother saying he had to drop his GED class because there was never a teacher in the room. I was led to believe he would be interviewed. I also said that all that the interviewer had to do to get to the bottom of the issue was to speak to any other staff member outside of education to see that policy was not being followed.

I have spoken to staff at FMC lately and they tell me that teachers are spending substantially more time in the classroom these days. When the administration got wind of my complaint everyone experienced a "come to Jesus moment" and decided to try to follow policy. I'm sure that the investigator asked each teacher "Do you spend 50% of your day in direct classroom contact." and they all answered yes. This adherence to policy will last a little while until old habits creep back under the weak management of Ms, Burt.

This investigation was a sham. The Bureau knows that there is a problem with a large number of their education departments. They are under the supervision of the Associate warden who oversees factory operations in Unicor. He does not care about education. The inmates lose in that they don't get a decent education from caring instructors and the taxpayer loses because they pay millions in salaries to employees who don't do their jobs. Education programs need to be under the supervision of the AW of Programs. There would be some oversight where there is none now. Education is a cornerstone of Director Samuels Re-entry program and nobody wants to admit that the system is broken.

The investigation of my claims against the apprenticeship program was adequately handled, but only because the Bureau knew I had mounds of evidence. I feel that Mr. Shackelford should be investigated for falsifying documents, because that is what he did on a daily basis. I also feel that the apprenticeship program in the Bureau of Prisons should be suspended until each program in every institution is completely investigated by the Department of Labor for full compliance. The prison programs should be the same as the programs accessed by the general public. There is no possible way a Federal inmate can complete an apprenticeship program in the same time frame as a public employee. The inmate can only work 2-5 hours a day in the prison environment. So it would take 2-3 times longer for completion. I again feel that this situation is not confined to FMC Lexington, but is a problem throughout the Bureau of Prisons.

If you notice the completion estimates are assuming 8 hours a day in inmate hours. Again, this can't happen. Especially in a USP. The inmates are lucky to work 3-4 hours per day. Also, the new institutions have apprenticeship programs. How can plumbing, HVAC and electrical workers work 40 hours a week in trades in a brand new facility? There is no way an apprenticeship program meeting Department of Labor guidelines can be completed in a federal prison without doubling the completion time. And who is conducting the related training? Let me know your thoughts on this. I do not see why the Department of Labor allows these programs to exist. My guess is the numbers look good on an annual report.

Each institution has their education offerings listed. Scroll through to the apprenticeship programs offered. You will see a completion time listed. These estimates are the same as required by an apprentice working in the public sector. These time tables can not be met in a prison setting. As for related training, the instructors, per DOL standards have to be teachers or expert in the trades and the content has to be approved by DOL. There is also supposed to be a transcript for each apprentice. I do not believe that any Bureau facility meets these requirements.