These reports were obtained (via FOIA) and posted by AltGov2

www.altgov2.org/watchdogs
May 21, 2018

Russ Kick
russkick@gmail.com

Subject: Freedom of Information/Privacy Act Request [18-OIG-113]

Dear Mr. Kick:

This responds to your request under the Freedom of Information Act (FOIA). Specifically, you seek documents relating to the “two most recent Qualitative Assessment Review (QAR) reports for investigations received by DOJ OIG.” The responsive documents have been reviewed. It has been determined that certain portions of such documents be excised pursuant to the Freedom of Information Act, 5 U.S.C. §552(b)(6) and (7)(C). Please note redactions to the documents were made by the Department of Defense.

"If you consider this an adverse determination, you may submit an appeal. Your appeal, if any, should be postmarked within 90 days of the date of this letter, should clearly identify the determination that is being appealed, and should reference the FOIA tracking number above. Send your appeal to DoD OIG, ATTN: FOIA Appellate Authority, Suite 10B24, 4800 Mark Center Drive, Alexandria, VA 22350-1500. We recommend that your appeal and its envelope both bear the notation “Freedom of Information Act Appeal.” For more information on appellate matters and procedures, please reference 32 C.F.R. Sec. 286.9(e) and 286.11(a)."

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Deborah Waller at (202) 616-0646 for any further assistance of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government
Sincerely,

Jeanetta M. Howard
Jeanetta M. Howard
Government Information Specialist
Office of the General Counsel

Enclosure
Report on the External Quality Assessment Review

The Honorable Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
Office of the Inspector General  
950 Pennsylvania Avenue, N.W.  
Suite 4706  
Washington, DC 20503-0001


Dear Mr. Horowitz:

The Office of Inspector General (OIG), Department of Labor, has reviewed the system of internal safeguards and management procedures for the investigative function of the U.S. Department of Justice (DOJ OIG) in effect for the period ending January 31, 2013. Our review was conducted in conformity with the Council of the Inspectors General on Integrity and Efficiency (CIGIE) Quality Standards for Investigators, the Quality Assessment Review guidelines established by the CIGIE, and the Attorney General's Guidelines for Office of Inspectors General with Statutory Enforcement Authority, as applicable.

We reviewed compliance with DOJ OIG's system of internal policies and procedures to the extent we considered appropriate. The review was conducted at the DOJ OIG Headquarters office in Washington, D.C., and at three regional offices. Additionally, we sampled 60 case files for investigations that had been closed during the previous 24 month period.

In performing our review, we have given consideration to the prerequisites of Section 6(e) of the Inspector General Act of 1978 (as amended) and Section 812 of the Homeland Security Act of 2002 (Pub.L. 107-296). Those documents authorize law enforcement powers for eligible personnel of each of the various offices of presidentially appointed Inspectors General. Those powers may be exercised only for activities authorized by the Inspector General Act of 1978, other statutes, or as expressly authorized by the Attorney General.

Working for America’s Workforce
In our opinion, the system of internal safeguards and management procedures for the investigative function of DOJ OIG in effect for the period ending January 31, 2013, is in full compliance with the quality standards established by the CIGIE and the Attorney General's guidelines. These safeguards and procedures provide reasonable assurance of conforming with professional standards in the conduct of its investigations.

Sincerely,

Daniel R. Petrole
Deputy Inspector General
REPORT ON THE QUALITY ASSESSMENT REVIEW
OF THE INVESTIGATIVE OPERATION OF THE
OFFICE OF INSPECTOR GENERAL FOR THE
UNITED STATES DEPARTMENT OF JUSTICE

Conducted at locations in Washington, D.C., Dallas, Texas, and Denver,
Colorado
by
Department of Labor
Office of Inspector General
Washington, D.C.

Daniel R. Petrole, Deputy Inspector General
Jon J. Metrey, Team Leader
March 2013
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<td>4-6</td>
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<td>8</td>
</tr>
</tbody>
</table>
Attachment A: Satellite Locations

Locations Included in the Assessment

<table>
<thead>
<tr>
<th>Satellite Locations</th>
<th>Number of Personnel Interviewed</th>
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<tr>
<td>Washington, D.C. Field Office</td>
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</tr>
<tr>
<td>Dallas, Texas Field Office</td>
<td>3</td>
</tr>
<tr>
<td>Denver, Colorado Field Office</td>
<td>3</td>
</tr>
</tbody>
</table>
Attachment B:  Review of Closed Investigative Files

A total of 60 closed investigative files were reviewed at four separate locations. The reviewers randomly selected files that aligned with the percentage of the type of cases that the DOJ-OIG investigates. The DOJ-OIG advised that: 50% of their investigations are employee integrity cases involving Bureau of Prisons (BOP) employees; 40% of their investigations are integrity cases involving non-BOP employees; and the remaining 10% are fraud cases investigated by the Fraud Detection Unit. Case files were selected in corresponding proportion. Below is a listing of the cases reviewed:

DOJ-OIG Headquarters
February 21, 2013

Fraud Detection Unit – 6 Cases

2011-001305
2011-001474
2011-006837
2011-007430
2012-000655
2012-002687

Remaining 12 Offices – 24 Cases

Atlanta – 2010-009395; 2011-007109

Boston – 2009-005090; 2010-005759

Chicago – 2011-006002; 2012-009010

Detroit – 2009-008483; 2012-006240

El Paso - 2009-009434; 2012-000045

Houston – 2011-003786; 2012-007817

Los Angeles – 2009-007987; 2011-006830

Miami – 2008-008911; 2011-004498

New Jersey – 2011-008177; 2012-003209

New York – 2012-006890; 2012-007723

San Francisco – 2010-002887; 2012-000130
Tucson – 2006-002041; 2012-009037

DOJ-OIG Washington Field Office  
February 27, 2013

10 Cases –

2009-001080  
2009-007351  
2010-003401  
2010-004918  
2011-000578  
2011-002389  
2011-003646  
2011-006352  
2011-009821  
2012-008382

DOJ-OIG Dallas Field Office  
March 6, 2013

10 Cases –

2008-008305  
2010-006394  
2010-010059  
2011-007331  
2011-007443  
2011-010314  
2012-000185  
2012-004551  
2012-006133  
2013-000365

DOJ-OIG Denver Field Office  
March 6, 2013

10 Cases –

2008-002562  
2008-005233  
2010-000310  
2010-010312
In addition to the review of the case files, during the inspections of the Washington, Denver, and Dallas Field Offices, the following items were reviewed:

- Firearms
- Technical Surveillance/Communications Equipment
- Evidence Storage
- Credentials

The evidence rooms were inspected to ensure that the evidence is being maintained in accordance with policies and procedures. At all locations, evidence logs were found to be in order and accurately recorded the chain of custody and the location of items within the evidence room. Evidence associated with grand jury cases were secured in class VI combination safes located inside the evidence rooms. The inspection teams noted that all three offices were in compliance with the evidence policies set forth in Inspector General Manual, Volume III, Chapter 234, Section 9.

The inventories of Firearms and Technical Surveillance/Communications Equipment of the Washington, Dallas, and Denver Field Offices were reviewed and found to be properly stored, maintained, and accounted for.

The inventories of the credentials were reviewed for all the personnel assigned to the Washington, Dallas, and Denver Field Offices with no discrepancies noted.
Attachment C: SCERS Review

The DOJ-OIG, Computer Forensics Program was evaluated during February-March, 2013 as part of the CIGIE peer review process. The criterion used during the process was adopted by CIGIE in November 2012. The evaluation covered policy and procedures of the DOJ-OIG program as well as the training and practice of the individual forensic examiners.

Random samples of the forensic examinations completed by the DOJ-OIG were reviewed. The examinations reviewed were all consistent with DOJ-OIG Policy, the Computer Forensics Program Standard Operating Procedures (SOP) and the Quality Assurance for Digital Forensics Manual (QAM) adopted by their agency. All the examination reports clearly identified the person requesting the analysis, the authority for the examination, list of items searched, date of receipt and of final report, description of request and examination and the results of the analysis. The examination files were neat or contained the examination request, evidence vouchers, reports with attachments and copies of the recovered items. The reports were approved and several were identified as being peer-reviewed by other DOJ-OIG forensic examiners.
Attachment D:  Best Practices

In addition to reporting a rating of compliant, the peer review team identified four “Best Practices” of the DOJ-OIG’s investigative operations. Specifically, the review team identified the following best practices that are noteworthy of praise and acknowledgement:

1. The DOJ-OIG places a high priority on the quality of their investigative reports. To meet this priority, each special agent has participated in a report writing program developed for the OIG by Dr. Wayne Knoll, Assistant Professor of English, at Georgetown University. The practice of providing this training appears to have achieved excellent results based upon the quality of writing noted in our review of randomly selected case reports. Our teams consistently found reports from various offices to be cohesive, well-documented, and very well-written.

2. The practice of providing several levels of editing and review, prior to final submission, has resulted in case files being extremely well-organized and complete with all appropriate documentation. This practice further ensures excellence in grammar and punctuation as observed by the inspection of 60 closed case files.

3. During the review, it was noted that the DOJ-OIG forensics program has adopted policies, standard procedures and a quality assurance review process based on guidelines published by the Scientific Working Group on Digital Evidence. Adopting these standards will ensure that the examinations conducted by the DOJ-OIG Computer Forensics Program will be completed in a sound manner based on accepted analysis principals.

4. It was also noted that the DOJ-OIG has assigned sufficient personnel to the Computer Forensics program and their field managers recognize the value in having a computer forensic examiner within their respective offices. Management at DOJ-OIG also provides their examiners with sufficient training, exceeding the CIGIE requirement, to ensure that their personnel maintain a competent level of skills necessary to complete their forensic examinations.
Mr. Michael Horowitz, Inspector General
Office of the Inspector General, Department of Justice
950 Pennsylvania Ave, N.W., Suite 4706
Washington, D.C. 20530-0001

Subject: Qualitative Assessment Review Notice

Dear Mr. Horowitz:

The Council of Inspectors General for Integrity and Efficiency (CIGIE) has set forth a Peer Review Schedule for Fiscal Years 2015-2019, which states that the U.S. Department of Defense, Office of Inspector General, Defense Criminal Investigative Service (DCIS) is responsible for conducting a Qualitative Assessment Review (QAR) of the Department of Justice (DoJ) Office of Inspector General's (OIG) investigative operation.

The peer review process is based on the Guide for Conducting Qualitative Assessment Reviews for Investigative Operations of Inspectors General dated December 2011. The actual process has several steps, including a pre-site review, entrance briefing, sample selection, and exit conference. The final report will be provided to you and the Chairperson of the CIGIE Investigations Committee.

The DCIS team leader for this review will be [Redacted], Western Field Office, DCIS. We have been notified that James (Chip) Warren, SAC, Investigative Support Branch, DoJ OIG, has been designated as your point of contact for this review. SAC Warren has begun discussing with SAC Warren the nature of the documents required during the pre-site review stage of the process. I anticipate that the entrance briefing and the sample selection will commence on January 30, 2017. The entire process should be concluded by February 28, 2017.

Please call me at 703-604-8300 if you wish to discuss this activity, or have your staff contact [Redacted] at [Redacted].

Glenn A. Fine
Acting Inspector General
Dermot,

It was a pleasure meeting with you and your staff this morning to discuss the draft peer review compliance letter and its accompanying observation letter.

I have reviewed the draft letters and I concur with the observations noted. With regard to your suggestion that we standardize our process for documenting case file reviews, I plan to implement a standard method for recording the case reviews conducted by our field office managers. Pertaining to our FBI notification letter documentation procedures, as you indicated in the observation letter, we implemented a remedy during the onsite portion of the review to require that copies of the notification letters be maintained in the case files. Implementation of both of these observations will improve our operations.

I appreciate the professionalism and the attention to detail that the DCIS peer review team exhibited throughout the review and I look forward to a continued exchange of best practices in the future.

Best regards,

Eric

Eric A. Johnson
Assistant Inspector General
Investigations Division
Office of the Inspector General
US Department of Justice
202-616-4753

Conducted at locations in Washington, D.C.; Arlington, VA; Los Angeles, CA; and Chicago, IL by Department of Defense Office of Inspector General, Alexandria, VA.

Glenn A. Fine, Acting Inspector General

Team Leader February 2017


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Section I
The Honorable Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
Office of the Inspector General  
950 Pennsylvania Avenue, N.W., Suite 4706  
Washington, DC 20530  

SUBJECT: Report on the Quality Assessment Review of the Investigative Operations of the  
U.S. Department of Justice Office of the Inspector General  

Dear Mr. Horowitz:  

We have reviewed the system of internal safeguards and management procedures for the  
investigative operations of the U.S. Department of Justice Office of the Inspector General (DOJ  
OIG) in effect February 1, 2013, to December 31, 2016. Our review was conducted in  
conformity with the Council of the Inspectors General on Integrity and Efficiency (CIGIE)  
Quality Standards for Investigators, the Quality Assessment Review guidelines established by  
the CIGIE, and the Attorney General’s Guidelines for the Office of Inspectors General with  
Statutory Enforcement Authority, as applicable.  

We reviewed compliance with DOJ OIG’s system of internal policies and procedures to  
the extent we considered appropriate. The review was conducted at the DOJ OIG Headquarters  
office in Washington, D.C., and at three regional offices. Additionally, we reviewed 32 case  
files for investigations that had been closed during the previous 12-month period.  

In performing our review, we have given consideration to the prerequisites of Section  
6(e) of the Inspector General Act of 1978 (as amended) and Section 812 of the Homeland  
for eligible personnel of each of the various offices of presidentially appointed Inspectors  
General. Those powers may be exercised only for activities authorized by the IG Act, other  
statutes, or as expressly authorized by the Attorney General.  

In our opinion, the system of internal safeguards and management procedures for the  
investigative function of DOJ OIG in effect February 1, 2013, to December 31, 2016, is in  
compliance with the quality standards established by the CIGIE and the Attorney General’s  
guidelines. These safeguards and procedures provide reasonable assurance of conforming with  
professional standards in the planning, execution, and reporting of its investigations.  

Sincerely,  

Glenn A. Fine  
Acting Inspector General
attachment a: satellite locations

locations included in the assessment

<table>
<thead>
<tr>
<th>satellite locations</th>
<th>number of personnel interviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>fraud detection office, arlington, va</td>
<td>5</td>
</tr>
<tr>
<td>cyber investigations office, arlington, va</td>
<td>2</td>
</tr>
<tr>
<td>los angeles field office</td>
<td>6</td>
</tr>
<tr>
<td>chicago field office</td>
<td>9</td>
</tr>
</tbody>
</table>
Attachment B: Review of Closed Investigative Files

We reviewed a total of 32 closed investigative files at five separate locations. The following tables list the cases reviewed at each location.

**DOJ OIG Headquarters** – six cases sampled from the Field Offices not visited in person

<table>
<thead>
<tr>
<th>Case File Number</th>
<th>Case Closing Date</th>
<th>Field Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-002333</td>
<td>06/06/2016</td>
<td>New York Field Office</td>
</tr>
<tr>
<td>2015-005810</td>
<td>10/27/2016</td>
<td>Washington Field Office</td>
</tr>
<tr>
<td>2015-010726</td>
<td>08/02/2016</td>
<td>Washington Field Office</td>
</tr>
<tr>
<td>2016-001583</td>
<td>03/08/2016</td>
<td>Dallas Field Office</td>
</tr>
<tr>
<td>2015-005749</td>
<td>10/08/2016</td>
<td>Denver Field Office</td>
</tr>
<tr>
<td>2016-001735</td>
<td>07/22/2016</td>
<td>Miami Field Office</td>
</tr>
</tbody>
</table>

**Fraud Detection Office** – eight cases sampled

<table>
<thead>
<tr>
<th>Case File Number</th>
<th>Case Closing Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-009115</td>
<td>03/10/2016</td>
</tr>
<tr>
<td>2014-009149</td>
<td>03/15/2016</td>
</tr>
<tr>
<td>2011-006272</td>
<td>06/02/2016</td>
</tr>
<tr>
<td>2015-010322</td>
<td>09/09/2016</td>
</tr>
<tr>
<td>2015-006259</td>
<td>09/13/2016</td>
</tr>
<tr>
<td>2014-007013</td>
<td>02/08/2016</td>
</tr>
<tr>
<td>2016-004765</td>
<td>06/16/2016</td>
</tr>
<tr>
<td>2013-005531</td>
<td>07/18/2016</td>
</tr>
</tbody>
</table>

**Cyber Field Office** – two cases reviewed

<table>
<thead>
<tr>
<th>Case File Number</th>
<th>Case Closing Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-006191</td>
<td>02/19/2015</td>
</tr>
<tr>
<td>2015-004852</td>
<td>12/03/2015</td>
</tr>
</tbody>
</table>
### Chicago Field Office — eight cases sampled

<table>
<thead>
<tr>
<th>Case File Number</th>
<th>Case Closing Date</th>
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</thead>
<tbody>
<tr>
<td>2015-007726</td>
<td>03/23/2016</td>
</tr>
<tr>
<td>2014-009157</td>
<td>06/10/2016</td>
</tr>
<tr>
<td>2016-003829</td>
<td>09/26/2016</td>
</tr>
<tr>
<td>2015-001596</td>
<td>02/16/2016</td>
</tr>
<tr>
<td>2015-009998</td>
<td>7/27/2016</td>
</tr>
<tr>
<td>2016-000165</td>
<td>06/30/2016</td>
</tr>
<tr>
<td>2016-000193</td>
<td>06/07/2016</td>
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<tr>
<td>2015-007040</td>
<td>04/21/2016</td>
</tr>
</tbody>
</table>

### Los Angeles Field Office — eight cases sampled

<table>
<thead>
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<tbody>
<tr>
<td>2014-011600</td>
<td>10/08/2015</td>
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<tr>
<td>2014-012032</td>
<td>02/01/2016</td>
</tr>
<tr>
<td>2013-006332</td>
<td>06/06/2016</td>
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<tr>
<td>2015-009827</td>
<td>04/15/2016</td>
</tr>
<tr>
<td>2015-005474</td>
<td>04/20/2016</td>
</tr>
<tr>
<td>2016-000688</td>
<td>06/23/2016</td>
</tr>
<tr>
<td>2014-000233</td>
<td>03/22/2016</td>
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<td>2016-000616</td>
<td>03/14/2016</td>
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Section II
The Honorable Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
Office of the Inspector General  
950 Pennsylvania Avenue, N.W.  
Suite 4706  
Washington, DC 20530  


Dear Mr. Horowitz:

This is a supplement to our “Report on the Quality Assessment Review of the Investigative Operations of the U.S. Department of Justice Office of the Inspector General.”

Best Practices

In addition to reporting a rating of compliant, the peer review team identified several “Best Practices” or similar notable positive attributes of your investigative operations. Specifically, the review team identified the following best practices.

1. The DOJ OIG Investigations Division has delegated approval authority for some low-risk investigative techniques to the Field Office Special Agent in Charge (SAC) level. For example, consensual monitoring approval for monitored telephone calls, as well as IG subpoena issuance for records, such as telephone toll records and public utility records, can be approved at the Field Office SAC level. The Peer Review team noted this practice has increased efficiency and effectiveness in investigative operations by reducing the amount of time required to obtain approval for these low-risk investigative techniques.

2. The DOJ OIG Investigations Division, Cyber Investigations Office has made good use of automated tracking capabilities to ensure the office's work is completed in a timely manner. For example, the office has an automated tickler in its case management system that ensures forensic imaging and analysis equipment validations are conducted at least annually. In addition, the office uses an online request form for imaging and analysis support that allows incoming requests to be tracked to ensure work is conducted timely, thus increasing efficiency and effectiveness.

3. The DOJ OIG has implemented innovative hiring practices that should be evaluated for wider utilization throughout the IG community. Specifically, DOJ OIG has used the Peace Corp Noncompetitive Eligibility (NCE) special hiring authority to hire non-criminal investigator staff. This hiring authority can be used to appoint returned
Peace Corps Volunteers and Peace Corps staff to certain Federal positions without competing with the general public. The program has significantly cut down the amount of time and money needed to fill vacancies. Further, according to DOJ OIG Investigative Division personnel, staff hired by DOJ OIG through the Peace Corp hiring authority have proven to be high-energy, problem solvers that possess strong verbal and written communication skills and diverse backgrounds.

Areas for Improvement or Increased Efficiency or Effectiveness

1. The DOJ OIG’s Inspector General Manual, Volume III, Chapter 207, (207.6C.) delineates case file review requirements as follows.

   C. Quality, Objectivity, Timeliness, and Appropriate Direction of Investigations. The ASAC, SAC, and INV Headquarters assure the quality, objectivity, and timeliness of investigations and assure that investigative efforts are appropriately directed toward addressing the issues raised by the allegations.

   (1) ASAC. The ASAC will stay current on the status of all investigations being worked by agents under his or her supervision. The ASAC may accomplish this task through reviews of investigative work plans and operational plans, case file reviews, reviews of IDMS data, and personal discussions with the case agent. The ASAC will conduct case reviews at least every 60 days...

   The review team observed that case file review documentation varied from field office to field office, for example some Field Offices made a note in the case file when a file review occurred, while others used a standardized file review form. The review team suggests DOJ OIG implement a standardized process for documenting case file reviews throughout the agency.

2. The Attorney General Guidelines for Office of Inspectors General with Statutory Law Enforcement Authority, Section VII., and DOJ OIG internal policy requires notification to the Federal Bureau of Investigation of any criminal investigation with concurrent jurisdiction.

   The review team found that investigative case files did not always contain documentation of FBI notifications. DOJ OIG management indicated that some offices were verbally notifying FBI counterparts of investigations, while others sent notification letters but did not save copies to the case file. During our review, DOJ OIG issued new policy dated February 2, 2017, requiring FBI notification letters to be maintained in the official case file. It is noted that not all DOJ OIG criminal investigations require FBI notification. For example, excepted FBI notifications include FBI personnel and FBI program areas. The review team suggests that DOJ OIG evaluate the Field Offices implementation of the February 2017 policy change to ensure it is being applied consistently.
We hope the observations in the enclosed documents are helpful. It was a pleasure working with your Investigations Division during this review.

Sincerely,

[Signature]

Glenn A. Fine
Acting Inspector General