

Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

September 7, 2023

FOIA Officer
U.S. Office of Special Counsel
1730 M St., N.W. (Suite 218)
Washington, DC 20036-4505

Sent via email to: FOIARequest@osc.gov

Request for Letter

To FOIA Officer:

The Human Rights Defense Center (HRDC) makes this request pursuant to the Freedom of Information Act, 5 U.S.C. § 552, *et seq.* HRDC is a non-profit dedicated to advocacy and education around criminal justice issues. Among other activities, HRDC publishes the journals *Prison Legal News* and *Criminal Legal News*.

Documents Requested:

HRDC requests the letter re: allegations at the Federal Correctional Institution for women in Dublin, California:

Letter re: allegations of asbestos and mold contamination at the Federal Correctional Institution for women in Dublin, California

Background information about this case can be viewed below and in the attached full article.

BY MICHAEL BALSAMO AND MICHAEL R. SISAK

Published 1:53 PM EDT, April 9, 2022

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WASHINGTON (AP) — A government watchdog has found a “substantial likelihood” the federal Bureau of Prisons committed wrongdoing when it ignored complaints and failed to address asbestos and mold contamination at a federal women’s prison in California that has already been under scrutiny for rampant sexual abuse of inmates.

The U.S. Office of Special Counsel now wants Attorney General Merrick Garland to step in to investigate the allegations after multiple whistleblower complaints were filed earlier this year. The office detailed its findings in a letter this past week and has asked Garland to submit a report within 60 days.

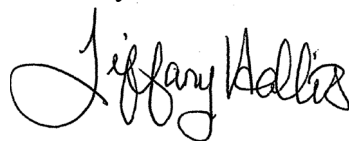
If you claim that a record or any portion of any record is exempt, please provide both the statutory citation to any exemption you believe is applicable and the specific reasons for your conclusion that the record or portion of record is exempt from disclosure. For partially-exempt documents, please redact that portion of the record that you believe is exempt and produce the remainder of the record(s). Please produce all records for which you do not claim an exemption or privilege.

The use of these records by our non-profit organization is likely to contribute significantly to the public's understanding of the operations of the Office of Special Counsel and their disclosure is in the public interest. Accordingly, we request a waiver of all fees for this request. This information is not being sought for commercial purposes.

If this request is denied in whole or part, please provide an index to all denials by reference to specific exemptions. If any records responsive to this request are denied in part, release all segregable portions of those records. Additionally, please outline any administrative appeals process available.

Please contact me via email, FOIA@humanrightsdefensecenter.org, should you require any additional information. Thank you for your time and attention in this matter.

Sincerely,

A handwritten signature in black ink that reads "Tiffany Hollis". The signature is written in a cursive, flowing style.

Tiffany Hollis
Public Records Manager
HUMAN RIGHTS DEFENSE CENTER



Feds accused of ignoring asbestos, mold at women's prison



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The whistleblower complaints, filed by union officials at the Federal Correctional Institution in Dublin, California, alleged that senior Bureau of Prisons officials had failed to act to resolve the allegations of workplace contamination. The union had repeatedly complained that correctional officers and other prison workers and inmates were being exposed to potentially hazardous mold and asbestos but says those concerns were ignored.

“Management’s failure to address unsafe and dangerous working conditions at FCI Dublin has put the health and safety of both employees and inmates at considerable risk,” Dublin union president Edward Canales said. “We look forward to the outcome of this investigation, which we hope will result in the unsafe conditions being remedied and appropriate disciplinary actions being taken against the managers who failed to act.”

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The Justice Department has already been investigating serious misconduct at Dublin, where five employees — including [the former warden](#) — have been charged with sexually abusing inmates. An Associated Press investigation this year revealed a pattern of sexual misconduct and detailed a toxic culture that enabled it to continue for years.

After the AP's investigation was published, [whistleblowers at the prison](#) said they were being attacked for speaking up. The Bureau of Prisons launched a task force of 18 senior executives who visited the prison in March to assess the conditions there and work to reform the facility. The agency's director, Michael Carvajal, also visited the prison.

The Justice Department said Saturday it had received the letter and “appreciates OSC’s responsiveness to these concerns.” It said the Bureau of Prisons was “addressing concerns raised by staff at Dublin and working to ensure that all facilities are operating under safe, healthy conditions.”

In a statement, the Bureau of Prisons said its staff members perform weekly fire, safety and sanitation inspections and staff members are encouraged to report unsafe or unhealth conditions to their supervisors. It said anyone who believes that such a condition exists could report it to the warden, other prison system officials or the Occupational Safety and Health Administration.

“All safety concerns reported by staff at Dublin are being addressed,” Bureau of Prisons spokesman Emery Nelson said in a statement.

The Office of Special Counsel said that while it found “a substantial likelihood of wrongdoing” based on the complaint that was filed, the referral to Garland does not constitute its final determination. The case remains open until the agency submits its final report, which is then forwarded to President Joe Biden and Congress.

Sisak reported from New York. On Twitter, follow Balsamo at twitter.com/mikebalsamo1 and Sisak at twitter.com/mikesisak and send confidential tips by visiting <https://www.ap.org/tips>