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February 17, 2009

Harley G. Lappin, Director
U.S. Bureau of Prisons
320 First St. NW
Washington, D.C. 20534

Dear Mr. Lappin:

I ask for an investigation into, and an explanation of, why I was provided false information in connection with a Freedom of Information Act request. I also ask to be informed of whatever disciplinary action is taken against the person or persons responsible. Whether or not documents were properly withheld is not the issue here, but rather whether false or misleading statements were made concerning those documents. I suggest that this incident makes an extremely poor precedent, showing as it does that Justice Department employees cannot be believed.

I filed two FOIA requests (2005-06735, 2006-00846) with the Federal Bureau of Prisons for information regarding the stabbing and subsequent death of a man who died in BOP custody, John Gray, Reg. No. 03330-082. In answer to specific questions, I was told that no investigation was conducted into the stabbing, and no criminal referrals were made. (See Ex. A, B, C, and D attached hereto) Documents I obtained recently from the Federal Bureau of Investigation show these assertions to be false. The New Orleans Office of the FBI conducted its own inquiry into this incident, which resulted in the successful prosecution of Mr. Gray's assailant, inmate Rudy Gonzales. The FBI file contains copies of the BOP's investigation into the matter, an investigation that supposedly never took place. (See Ex. E)

Since the FBI materials indicate that proper procedures were followed, I am mystified as to why the BOP would deliberately create the impression that its personnel were accessories after the fact to a prison killing. Numerous pages were blanked out in their entirety in the BOP's FOIA release with no indication of what they might contain, but given the extensive contact between the BOP and FBI, it is now impossible to believe that there was no reference whatsoever to any investigation. Perhaps a good place to start would be a detailed description of the pages withheld.

I look forward to your prompt response.

Sincerely yours,

Robert A. Bloomer, Jr.