

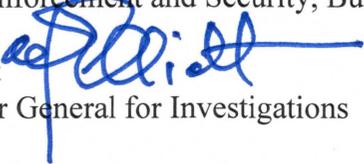


OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

Memorandum

JUL 26 2017

To: William Woody
Director of Law Enforcement and Security, Bureau of Land Management

From: Matthew T. Elliott 
Assistant Inspector General for Investigations

Subject: Management Advisory – Evidence-Collection Issues Revealed During
Investigation
Case No. OI-PI-17-0088-I

We recently concluded an investigation into the mishandling of evidence by a senior law enforcement manager with the Bureau of Land Management's Office of Law Enforcement and Security. The investigation confirmed that evidence—moqui marbles taken illegally from public lands and seized by BLM law enforcement pursuant to a criminal investigation—had been improperly stored, safeguarded, and removed from evidence storage for personal use.

Our investigation confirmed that the senior law enforcement manager allowed subordinate employees to display the marbles at their workstations against basic chain of custody standards. We also confirmed that additional marbles were given, without authority, to other senior law enforcement officials in other geographic locations. Lastly, the law enforcement manager gave marbles to a contractor as a reward for doing a good job on a project.

The investigative report provides the details of the manager's individual misconduct. The purpose of this management advisory is to alert you to the serious failure to safeguard evidence in accordance with basic law enforcement standards and to point out the lax environment that allowed the mishandling to occur.

The vast amount of evidence collected in the moqui marble investigation was problematic from the time of seizure. BLM law enforcement did not arrange for adequate storage for the marbles, which resulted in the marbles being stored in an unsecured area of a multiuse warehouse for a lengthy period of time. The marbles were kept in multiple unsealed containers in an area routinely accessible to non-law-enforcement personnel. When interviewed, several law enforcement managers agreed that the storage was improper and inconsistent with evidence-storage requirements.

Later, the marbles were relocated from the multiuse warehouse to a BLM evidence room in Salt Lake City. Again, the evidence containers were not sealed and individual marbles were not accounted for.

After they were relocated to the evidence room, several marbles were removed from it without legitimate reason or documentation of the removal. At the direction, or with the permission, of the senior law enforcement manager, marbles were taken from evidence storage and given to individuals without regard to the marbles' status as evidence. Several of the recipients of these marbles acknowledged that removing and displaying evidence was inappropriate, but said they had believed it was permissible in this instance because a senior law enforcement manager had told them they could.

At least five BLM employees were aware of the mishandling of evidence but did not report or question the misconduct, which demonstrates an alarming lack of integrity and accountability. Senior law enforcement officials who received marbles chose not to question where the marbles came from and kept them until we collected them during our investigation.

We also found several instances in which other marbles, resembling the marbles collected for evidence, were either displayed in or removed from the BLM office, although employees told us the marbles had been obtained elsewhere and did not come from evidence. Our investigation could not establish that the marbles were part of the evidence collection, but the law prohibits removal of artifacts or other materials from BLM land.

The circumstances surrounding the mishandling of evidence in a criminal case and the attitudes of the BLM employees and law enforcement officials involved indicate the need for corrective action by BLM management.

We understand that the BLM has updated its evidence policy effective April 1, 2016. To ensure compliance with the policy and improvement of evidence handling, we make the following recommendations:

1. Establish policy that items of evidence are not to be used for any purpose other than prosecution.
2. Establish policy, if appropriate, that addresses the proper methods to convert evidence for official education purposes after final adjudication of the criminal case.
3. Train BLM law enforcement officers and managers on how to secure large amounts of evidence while protecting the evidence from loss, theft, or improper removal.

Please provide a written response detailing the actions you are taking to address our recommendations. You may either email your response to doioigreferrals@doioig.gov, or mail it to:

Office of Inspector General
U.S. Department of the Interior
381 Elden Street, Suite 3000
Herndon, VA 20170

In accordance with the IG Empowerment Act of 2016, we intend to publish this memorandum on our website, in redacted form, no later than 3 days from the date we issue it to you. Within the next 10 business days, a representative from our Office of Investigations will contact you, or your designee, to discuss the memo and the status of your response.

If you have questions or need further information concerning this matter, please contact me at 202-208-5745.

cc: Michael Nedd, Acting Director, BLM
Darren Cruzan, Director, Office of Law Enforcement and Security, Department of the Interior