

## 7. OIG findings regarding Roundup participation by USMS employees

We identified six USMS employees who attended Roundups. Two of these employees, [File no. 283] and [File no.344], [ / [File no. 344] was not employed by DOJ or any other law enforcement agency at the time he attended the Roundup. ] attended Roundups prior to 1989.

[File no. 86], a Deputy U.S. Marshal, attended four Roundups, 1987 through 1990. During those years he saw only one skit, the officer urinating over his shoulder. He admitted that he heard something about the KKK skit in 1990 but said he did not see it and did not recall what he had heard. He saw no racist T-shirts at any of the Roundups. He did not see the "nigger checkpoint" sign in 1990. He said he recalled seeing some blacks during one of the years but could not recall which one. He claimed to believe that everyone, regardless of race, was welcome. He recalled he may have heard someone telling racist jokes as was "common in the South" but he could provide no specifics. He believed the media portrayal of the Roundup was inconsistent with the Roundup he attended.

As we found no evidence of significant racist behavior in the first three years [File no. 86] attended the Roundup, we conclude there was no evidence that he was aware of or condoned racist behavior in those years. Although he also attended in 1990, a year in which we found significant racist behavior, we found no evidence that he saw either the skit or the sign, the two central racist events in that year. As many people who attended the 1990 Roundup reported they did not see the sign, we do not find his claim to have missed it to be incredible. While he said he heard about the skit, he said he did not recall what he had heard so we cannot judge his reaction to it. We note that he did not attend any further Roundups, albeit for personal reasons, not because of the events at the 1990 Roundup. Overall, his attendance in a year when a limited number of persons engaged in non-sanctioned racist behavior that he did not personally witness does not suggest that he encouraged or approved of racist conduct.

[File no. 381], a Deputy U.S. Marshal, briefly attended the 1995 Roundup. He and a friend drove to the campground planning to see if their friends and colleagues were attending and, if so, to visit with them for the afternoon. When they arrived they drove through the campground, did not see anyone they knew, and left. They drove by the rafting area and did not recognize anyone at that location either. They then returned home.

[File no. 381] was at the campground approximately fifteen minutes. He did not observe any racist signs or other misconduct during that time. We found nothing in this short visit which would suggest that [File no. 381] was aware of or encouraged any racist activity.

[File no. 859], a Deputy U.S. Marshal, attended the 1991 Roundup. She did not enjoy the experience and left early, arriving late on Thursday afternoon and leaving on Saturday afternoon. She spent most of Friday at a local medical clinic because she was not feeling well. She said that as a woman she felt very uncomfortable because of the vulgarity and drunkenness of most of the attendees. She told us if she had not attended with another person, she would have left even earlier. She and the person with whom she attended, a DEA agent, camped outside the main campground. She saw no racist signs, skits, or other behavior she construed as racist while she was at the campground. She did recall seeing some Confederate flags at the campground, but she did not interpret them as displaying racist intentions and did not attribute them to the Roundup as an entity but to the participants who displayed the flag. She was unaware of any policy excluding blacks or other minorities from the Roundup. Because we found no evidence that

[File no. 859] engaged in any racist behavior and the mere display of Confederate flags by some unspecified attendees was not universally interpreted to be racist behavior, we conclude that [File no. 859]'s attendance at the 1991 Roundup did not demonstrate that she encouraged or approved of racist conduct.

[ / While we conclude that [File no. 859] did not violate any codes of conduct by attending the Roundup, we are concerned about her failure to self-report her attendance in response to the USMS query. Because [File no. 859] does not have e-mail, she did not receive the e-mail sent out by USMS management inquiring about attendance at the Roundup. [File no. 859], however, saw another employee's copy of the e-mail to USMS personnel asking about attendance at the Roundup. She said she did not respond because she decided to wait until she received a hard copy of the inquiry. She did not notify anyone that she had not received the notice and did not report in the absence of a notice directed specifically at her, despite knowing that she should have received a notice and was expected to report her attendance. We only learned of her attendance through other witnesses. We expect employees who have relevant information to official inquiries to offer that information whether they are specifically requested for such information. Because she was not personally queried, her failure to self-report most likely is not subject to discipline. We believe, however, that [File no. 859]'s failure to self-report under these circumstances reflected extremely poor judgment.]

[File no. 942], a Deputy U.S. Marshal, attended the 1991 Roundup for several hours one evening. He did not stay overnight and did not participate in any of the official Roundup functions. He did not pay a registration fee.

During his time at the campground he observed no racist behavior. He believed the Roundup was open to everyone and recalled seeing a black officer in attendance. He first heard of possible racism at the Roundup from the media reports this past summer. We found nothing in [File no 942]'s brief attendance at the Roundup that suggested that he participated in or encouraged racist conduct.