



U. S. Department of Justice
Drug Enforcement Administration

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www.dea.gov

Springfield, Virginia 22152

AUG 11 2015

The Honorable Charles Grassley
United States Senate
Washington, DC 20510

Dear Senator Grassley:

This letter is in further response to your correspondence dated April 21, 2015, regarding the Office of Inspector General's report on the detention of Mr. Daniel Chong by the Drug Enforcement Administration's (DEA) San Diego Field Division. This letter supplements the Department of Justice's letter to you dated April 28, 2015.

As you are aware, the Office of the Inspector General (OIG) has the right of first refusal to investigate allegations of misconduct. In this instance, OIG conducted a thorough investigation which resulted in seven different recommendations for improving DEA's holding cell procedures. DEA adopted the recommendations made by the OIG and did not perform an additional investigation beyond the internal management review initiated shortly after Mr. Chong was discovered in the holding cell. Accordingly, we do not have responses to those questions which fall outside the scope of OIG's report.

On May 23, 2012, DEA issued an interim policy to the Special Agents in Charge (SAC) for each of DEA's 21 field divisions. On June 30, 2012, the interim policy became the formal policy in each field division through the establishment of Division Orders. These Division Orders, which have been implemented in all DEA field divisions, include mandatory procedures regarding the handling of detainees. Under this policy, DEA has made a number of changes including: establishing protocols at the local level with regard to the inspection and monitoring of holding cell and interview areas and the accounting of detainees; establishing protocols for inspecting holding cells and interview rooms before detainees are placed inside; removing and processing contraband or other items located during the holding cell inspection; and establishing a procedure to determine if the holding cell and interview rooms are occupied.

Further, the policy mandates that the holding cells be inspected at the end of each day to ensure they are not occupied and do not contain contraband or other items. This daily inspection must also be noted in a ledger, to be inspected by a DEA manager on a weekly basis. In addition, in many instances, the Division Orders include additional precautionary measures that the individual SACs have implemented depending on physical or structural features of the individual offices within the field divisions, and/or other considerations.

Although DEA's policy does not require the use of any particular technologies, the policy provides minimum safeguards that each SAC has been required to institute in his/her respective Field Division. Certain DEA-controlled offices have installed, upgraded, or repositioned surveillance cameras in their holding cells or holding areas. In addition, all new DEA Basic Agent Trainees are given a block of instruction on prisoner transport and cell block procedures. The policy also requires that a Special Agent (SA) or local law enforcement officer who is deputized by DEA as a federal Task Force Officer be designated to monitor the holding area while it is being utilized.

We hope this information is helpful. If you have any additional detailed questions about the incident involving Mr. Chong's detention, we respectfully refer you to the Inspector General.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matthew J. Strait", with a large, stylized flourish extending to the right.

Matthew J. Strait
Acting Section Chief
Congressional Affairs Section