

Executive Summary

Allegations and Dispositions

Snap Shot - Harassment Referral Allegations and Dispositions

	FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
Referrals to DCR Harassment Program Coordinator	134	235	75.37%	212	-9.79%	106	94	-11.32%
Informal Complaints	104	189	81.73%	175	-7.41%	88	75	-14.29%
Closed Contacts	30	46	53.33%	37	-19.57%	19	19	2.70%
Sexual Harassment	26	23	-11.54%	26	13.04%	13	11	-15.38%
Non-Sexual Harassment	114	218	91.23%	196	-10.09%	98	84	-14.29%
Referrals to Harassment Allegation Response Team	62	66	6.45%	72	9.09%	36	26	-27.78%
Immediate Action Taken to Prevent Reoccurrence	Unknown	Unknown	--	21	--	11	9	-14.29%
OIG Investigation	0	1	--	1	0.00%	1	0	-100.00%
IA Investigation	11	17	54.55%	12	-29.41%	6	5	-16.67%
Management Referral	42	42	0.00%	58	38.10%	29	21	-27.59%
Corrective Action Taken on Closed Referral	Unknown	23	--	20	-13.04%	10	0	-100.00%
No Corrective Action Taken on Closed Referral	Unknown	37	--	25	-32.43%	13	4	-68.00%

88.30% of referrals were for non-sexual harassment.

Types of Harassment Referrals

	FY10	FY11	FY12	FY13 (Q1-Q2)
Harassment - Sexual	20	17	16	10
Harassment - Non Sexual	108	212	186	83
Harassment - Sexual & Non Sexual	6	6	10	1
Total	134	235	212	94
Percent of Non-Sexual Harassment Referrals	80.60%	90.21%	87.74%	88.30%

Sex (36 or 25.53%) and reprisal (25 or 17.73%) were the most frequently alleged bases.

Bases Alleged in Harassment Referrals

	FY10	%	FY11	%	FY12	%	FY13 (Q1-Q2)	%
Age	19	9.69%	40	11.56%	34	11.37%	19	13.48%
Color	2	1.02%	3	0.87%	2	0.67%	3	2.13%
Disability	21	10.71%	26	7.51%	30	10.03%	7	4.96%
National Origin	15	7.65%	48	13.87%	36	12.04%	19	13.48%
Parental Status	2	1.02%	3	0.87%	3	1.00%	0	0.00%
Race	27	13.78%	53	15.32%	33	11.04%	18	12.77%
Religion	4	2.04%	8	2.31%	11	3.68%	4	2.84%
Reprisal	33	16.84%	53	15.32%	59	19.73%	25	17.73%

Sex	52	26.53%	72	20.81%	62	20.74%	36	25.53%
Sexual Orientation	4	2.04%	9	2.60%	7	2.34%	0	0.00%
None	17	8.67%	31	8.96%	22	7.36%	10	7.09%
Total	196	100.00%	346	100.00%	299	100.00%	141	100.00%

86.11% of all sex-based allegations were made by females, which exceeds their 20.93% representation in the CBP workforce.

Sex-Based Harassment Referrals				
	FY10	FY11	FY12	FY13 (Q1-Q2)
Reported by Females	39	59	47	31
Reported by Males	13	13	15	5
Total Sex-Bases Harassment Referrals	52	72	62	36
% of Referrals by Females	75.00%	81.94%	75.81%	86.11%

55.56% of all race-based harassment allegations were reported by African Americans, which substantially exceeds their 7.19% representation in the CBP workforce.

Race-Based Harassment Referrals								
	FY10	%	FY11	%	FY12	%	FY13 (Q1-Q2)	%
Race - American Indian	1	3.70%	1	1.89%	1	3.03%	1	5.56%
Race - Asian	0	0.00%	6	11.32%	4	12.12%	3	16.67%
Race - Black	19	70.37%	27	50.94%	14	42.42%	10	55.56%
Race - White	7	25.93%	19	35.85%	14	42.42%	4	22.22%
Total	27	100.00%	53	100.00%	33	100.00%	18	100.00%

27.66% of referrals in FY13 (Q1-Q2) have been transmitted to the Harassment Allegation Response Team.

Transmissions to Harassment Response Team				
	FY10	FY11	FY12	FY13 (Q1-Q2)
Total Referrals	134	235	212	94
Transmitted to HA Response Team	62	66	72	26
%	46.27%	28.09%	33.96%	27.66%

80.77% of referrals to the Harassment Allegation Response Team resulted in management referrals, 19.23% in IA investigations, and 0.00% in LER referrals, OIG investigations, and no referrals, respectively.

Outcome of Transmission to Harassment Response Team								
	FY10	%	FY11	%	FY12	%	FY13 (Q1-Q2)	%
IA Investigation	11	15.07%	17	21.25%	12	16.44%	5	19.23%
LER Referral	11	15.07%	17	21.25%	1	1.37%	0	0.00%
Management Referral	42	57.53%	42	52.50%	58	79.45%	21	80.77%
No Referral	9	12.33%	3	3.75%	1	1.37%	0	0.00%
OIG Investigation	0	0.00%	1	1.25%	1	1.37%	0	0.00%

Total	73	100.00%	80	100.00%	73	100.00%	26	100.00%
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Trends in Bases Alleged

Trends in Bases Alleged								
Basis	FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
Age	19	40	110.53%	34	-15.00%	17	19	11.76%
Color	2	3	50.00%	2	-33.33%	1	3	200.00%
Disability	21	26	23.81%	30	15.38%	15	7	-53.33%
National Origin	15	48	220.00%	36	-25.00%	18	19	5.56%
Parental Status	2	3	50.00%	3	0.00%	2	0	-100.00%
Race	27	53	96.30%	33	-37.74%	17	18	9.09%
Religion	4	8	100.00%	11	37.50%	6	4	-27.27%
Reprisal	33	53	60.61%	59	11.32%	30	25	-15.25%
Sex	52	72	38.46%	62	-13.89%	31	36	16.13%
Sexual Orientation	4	9	125.00%	7	-22.22%	4	0	-100.00%
None	17	31	82.35%	22	-29.03%	11	10	-9.09%

Trends in Basis Clarification

Trends in Basis Clarification									
Basis Clarification		FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
Disability	Mental	5	4	-20.00%	7	75.00%	4	0	-100.00%
	Physical	16	22	37.50%	23	4.55%	12	7	-39.13%
National Origin	Hispanic	9	26	188.89%	23	-11.54%	12	14	21.74%
	Other	6	22	266.67%	13	-40.91%	7	5	-23.08%
Race	American Indian	1	1	0.00%	1	0.00%	1	3	500.00%
	Asian	0	6		4	-33.33%	2	1	-50.00%
	Black	19	27	42.11%	14	-48.15%	7	10	42.86%
	White	7	19	171.43%	14	-26.32%	7	4	-42.86%
Sex	Female	39	59	51.28%	47	-20.34%	24	31	31.91%
	Male	13	13	0.00%	15	15.38%	8	5	-33.33%

Allegations by Program Office

Allegations by Program Office								
Program Office	FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
OC	4	6	50.00%	3	-50.00%	2	1	-33.33%
CC	1	0	-100.00%	0		0	0	
HRM	6	6	0.00%	7	16.67%	4	3	-14.29%
OBP	42	74	76.19%	56	-24.32%	28	28	0.00%
OT	1	6	500.00%	3	-50.00%	2	1	-33.33%

IA	1	1	0.00%	4	300.00%	2	3	50.00%
OCA	0	0		0		0	0	
OFO	70	115	64.29%	113	-1.74%	57	44	-22.12%
OPA	0	0		0		0	0	
OA	2	6	200.00%	6	0.00%	3	2	-33.33%
OIT	1	7	600.00%	8	14.29%	4	5	25.00%
OTD	3	6	100.00%	6	0.00%	3	3	0.00%
INA	0	0		1		1	0	-100.00%
OAM	3	6	100.00%	4	-33.33%	2	0	-100.00%
OIIL	0	1		0	-100.00%	0	4	
OTIA	0	1		1	0.00%	1	0	-100.00%
Total	134	235		212		106	94	-11.32%

Office of Field Operations

Office of Field Operations								
Field Office	FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
Atlanta	4	0	-100.00%	4		2	2	0.00%
Baltimore	2	3	50.00%	3	0.00%	2	0	-100.00%
Boston	3	2	-33.33%	5	150.00%	3	1	-60.00%
Buffalo	4	5	25.00%	2	-60.00%	1	1	0.00%
Chicago	4	7	75.00%	12	71.43%	6	4	-33.33%
Detroit	0	8		7	-12.50%	4	4	14.29%
El Paso	14	13	-7.14%	2	-84.62%	1	4	300.00%
Houston	3	6	100.00%	3	-50.00%	2	1	-33.33%
Laredo	4	9	125.00%	9	0.00%	5	2	-55.56%
Los Angeles	4	10	150.00%	10	0.00%	5	2	-60.00%
Miami	1	3	200.00%	2	-33.33%	1	1	0.00%
New Orleans	0	1		0	-100.00%	0	1	
New York	3	5	66.67%	11	120.00%	6	4	-27.27%
Portland	0	1		0	-100.00%	0	0	
Preclearance Operations	2	9	350.00%	1	-88.89%	1	2	300.00%
San Diego	7	9	28.57%	11	22.22%	6	7	27.27%
San Francisco	3	4	33.33%	4	0.00%	2	0	-100.00%
San Juan	0	2		8	300.00%	4	0	-100.00%
Seattle	6	8	33.33%	2	-75.00%	1	5	400.00%
Tampa	1	1	0.00%	6	500.00%	3	2	-33.33%
Tucson	4	3	-25.00%	5	66.67%	3	0	-100.00%
Other	1	6	500.00%	5	-16.67%	3	1	-60.00%
Total	70	115		112		56	44	-21.43%

Office of Border Patrol

Office of Border Patrol								
Sector	FY10	FY11	+/-	FY12	+/-	FY12 (Q1-Q2)	FY13 (Q1-Q2)	+/-
Big Bend	1	9	800.00%	1	-88.89%	1	0	-100.00%

Blaine	0	1		0	-100.00%	0	1	
Buffalo	2	4	100.00%	1	-75.00%	1	0	-100.00%
Del Rio	1	7	600.00%	4	-42.86%	2	0	-100.00%
Detroit	0	3		1	-66.67%	1	1	100.00%
El Centro	1	4	300.00%	5	25.00%	3	6	140.00%
El Paso	12	8	-33.33%	5	-37.50%	3	3	20.00%
Grand Forks	0	1		1	0.00%	1	0	-100.00%
Havre	0	0		1		1	1	100.00%
Houlton	0	2		1	-50.00%	1	2	300.00%
Laredo	1	4	300.00%	5	25.00%	3	2	-20.00%
Miami	0	1		1	0.00%	1	0	-100.00%
New Orleans	0	0		0			1	
Ramey	0	1		1	0.00%	1	0	-100.00%
Rio Grande Valley	1	6	500.00%	2	-66.67%	1	2	100.00%
San Diego	12	7	-41.67%	9	28.57%	5	3	-33.33%
Swanton	3	1	-66.67%	0	-100.00%	0	1	
Tucson	5	12	140.00%	14	16.67%	7	4	-42.86%
Yuma	2	2	0.00%	4	100.00%	2	0	-100.00%
Other	1	1	0.00%	0	-100.00%	0	1	
Total	42	74		56		28	28	0.00%

Status of Open Referrals

Status of Open Referrals			
	FY11	FY12	FY13 (Q1-Q2)
Fact Finding – Ongoing	0	10	5
IA Investigation - Ongoing	0	0	3
OIG Investigation - Ongoing	0	0	0
Open with LER	1	7	7
Pending Fact Finder Assignment	0	0	2
Pending Management Determination	1	3	6
Total	2	20	23

Final Management Action - Closed Referrals

Final Management Action - Closed Referrals			
	FY11	FY12	FY13 (Q1-Q2)
No Action	37	29	4
Memorandum of Instruction	1	1	0
Letter of Caution	1	2	0
Alternate Discipline Agreement	1	0	0
Counseling	14	13	0
Oral Counseling	6	5	0
Written Counseling	8	8	0
Letter of Reprimand	2	4	0
Suspension	2	3	0

Resignation	1	0	0
Termination	1	0	0
Removal	1	0	0
Total	61	52	4