

Two admit sex with prisoner, officials say

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A three-year investigation into allegations of sexual misconduct by federal correctional officers has ended with one former officer pleading guilty and another agreeing to a plea bargain.

Howard Washington, a former Metropolitan Correctional Center officer, pleaded guilty in San Diego federal court Tuesday to a misdemeanor count of engaging in a sexual act with a female inmate in 1999.

Washington, 37, faces up to a year in prison at his April sentencing, but his defense attorney said his client could get probation.

Mark Hagan, another former MCC officer, was charged with the same count in connection with the same inmate in 1998. Hagan, 32, has admitted committing the offense and is expected to plead guilty to the charge soon, said Assistant U.S. Attorney Amalia Meza.

The men were each released on a \$5,000 bond.

Hagan's attorney, Michael Crowley, who was appointed Tuesday, did not immediately return phone calls.

According to federal law, a misdemeanor count of engaging in a sexual act means the act was consensual. However, the charge is still considered a crime because the men were federal officers and because they abused their authority over an inmate in their custody, Meza said.

"A correctional officer is supposed to protect inmates and make sure no harm comes to them," she said.

The court appearances marked the end of an investigation launched in 1998 by the Department of Justice's Office of the Inspector General.

The Inspector General's office is also forwarding similar allegations against two other male correctional officers to the Federal Bureau of Prisons. Those cases will be handled administratively, because the U.S. Attorney's Office declined to prosecute them.

If the Bureau of Prisons pursues the allegations, the officers could be reprimanded or fired.

"This appears to be a systematic problem throughout the Federal Bureau of Prisons, not only in MCC," said Joe Artes, the special agent in charge of the Office of the Inspector General in San Diego.

Artes said he knew of only one other sexual misconduct case involving MCC. It occurred in 1998, when a former MCC

corrections officer admitted to engaging in a sexual act with a prisoner.

Howard Hufford, the executive assistant to the warden at MCC, said prison officials take allegations of sexual misconduct seriously.

"These cases are all from the past and we haven't had any other cases since," Hufford said. "We have zero tolerance for this type of activity."

The Office of the Inspector General began the investigation after a group of female inmates accused Hagen of having sexual relations with a San Diego woman, now 29, who was awaiting trial on federal drug charges.

It is the policy of The Union-Tribune not to name victims of sexual misconduct.

Artes said the group believed the woman was getting preferential treatment as a result of the sexual relationship. But he said the woman didn't confirm the allegations to authorities until after she had served her sentence.

"She did not receive a lighter sentence or any deal as a result of this investigation," Artes said.

The woman admitted she had a sexual relationship with Hagen and contended that Washington found out about the affair and pressured her to have sexual relations with him, too.

But Washington's defense attorney, Michael McCabe, said he talked with three other correctional officers who claimed the woman had approached them for sex.

Artes said the officers never complained to his office about the woman.

Hagen, who began work as a federal correctional officer in 1995, resigned in February of 1999. Washington, who has been a correctional officer since 1990, resigned in July. He now works at the San Diego airport.

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Abstract (Document Summary)

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