

District of Columbia  
Corrections Information Council



District of Columbia  
**Department of Corrections**

2019 Inspection Report



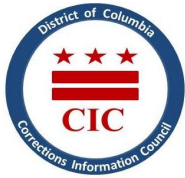
*Correctional Treatment Facility (CTF)*



*Central Detention Facility (CDF)*

October 8, 2020

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## District of Columbia Corrections Information Council

Charles Thornton, Board Chair  
Katharine A. Huffman, Board Member  
Calvin Woodland Jr., Board Member  
Nkechi Taifa, Board Member  
Charlie Whitaker, Board Member

### *About the District of Columbia Corrections Information Council*

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where residents from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (BOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the BOP, the Director of the DOC, and the community.

Although the CIC does not handle individual complaints or provide legal representation or advice, individuals are still encouraged to contact the CIC. Reports, concerns, and general information from incarcerated DC residents and the public are very important to the CIC, and they greatly inform our inspection schedule, recommendations, and reports. However, unless expressly permitted by the individuals or required by law, names and identifying information of residents, corrections staff not in leadership, and members of the general public will be kept anonymous and confidential.

### **DC Corrections Information Council**

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## Executive Summary

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This report documenting fiscal year 2019 information is a supplement to the fiscal year 2020 report.

### Correctional Treatment Facility Profile

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**Location:** 1901 E St SE, Washington, DC  
20003

**Security Level:** Minimum, Medium

**Rated Capacity:** 1,400

**FY 19 Population:** 544 (436 men and 108 women)

**Resident-to-Staff Ratio:** 2.37:1

### Central Detention Facility Profile

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**Location:** 1901 D St SE, Washington, DC  
20003

**Security Level:** Minimum, Medium, &  
Maximum

**Rated Capacity:** 2,164

**FY19 Population:** 1,275

**Resident-to-Staff Ratio:** 2.37:1

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## Introduction

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The DC Department of Corrections (hereinafter, DOC) operates two jail facilities: the Correctional Treatment Center (hereinafter, CTF), and the Central Detention Facility also known as the DC Jail (hereinafter, CDF). The facilities are adjacent to one another and are located in Southeast Washington, D.C. The DOC also operates the Central Cell Block holding cells, and contracts with two local halfway houses: Hope Village and the Fairview.

The CTF complex typically houses residents who are minimum or medium security, including female and juvenile<sup>1</sup> D.C. residents, as well as male residents who have specialized confinement needs. The CDF houses male residents, a majority of whom are held pending adjudication of a criminal case or are sentenced to a period of incarceration following conviction for a misdemeanor offense. Other CDF residents include those held on United States Parole Commission (USPC) warrants, those awaiting transfer to the Federal Bureau of Prisons (BOP), and those held due to a writ or hold typically awaiting transfer to another jurisdiction.

## Facility Descriptions

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### **Central Detention Facility**

The CDF, also known as the DC Jail, is located in Southeast DC. The facility was opened in 1976 and has a capacity of 2,164 inmates. The facility houses only male inmates, and most are awaiting trial or were convicted of a misdemeanor offense. At the end of fiscal year 2019, the population was 1,275 men.

### **Correctional Treatment Facility**

The CTF is located adjacent to the CDF in Southeast DC. The facility was opened in 1992 and has a capacity of 1,400 inmates. The facility houses male and female inmates, and similar to the CDF, most are awaiting trial or were convicted of a misdemeanor offense. Unlike the CDF, the CTF can only house individuals designated as low to medium security. At the end of fiscal year 2019, the population was 436 men and 108 women.

### **Central Cell Block holding cells**

The Central Cell Block is located in Judiciary Square at the Henry J. Daly Building on Indiana Avenue in Northwest DC. The building is primarily occupied by the Metropolitan Police Department, and the Central Cell Block holding cells are in the basement. The Central Cell Block provides access to the nearby DC Superior Court, and holds individuals temporarily who are awaiting a court hearing, including individuals who are arrested and held overnight.

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<sup>1</sup> Pursuant to the Comprehensive Youth Justice Amendment Act of 2016, DC juveniles charged as adults were to move from the CTF adult facility to New Beginnings, which is operated by the Department of Youth Rehabilitation Services (DYRS), by October 1, 2018. All juvenile offenders charged as adults who were in DOC custody were transferred to New Beginnings prior to October 1, 2018.

### **Hope Village**

Hope Village is a privately-operated halfway house located in Southeast DC for male residents. It is the only halfway house in the District for men, and it has contracts with both the DOC and the BOP to provide beds for returning citizens as they prepare for their release transition. At the end of fiscal year 2019, the population was 26 men under DOC custody.

### **The Fairview**

The Fairview is a privately-operated halfway house located in Northeast DC for female residents. It is the only halfway house in the District for women, and it has contracts with both the DOC and the BOP to provide beds for returning citizens for their release transition. At the end of fiscal year 2019, the population was three women under DOC custody.

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## **Fiscal Year 2019 Publications**

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### **DOC Outdoor Recreation Letter – Published April 18, 2019**

The CIC received numerous complaints about a lack of adequate recreation at DOC facilities in early 2019, and visited the CDF and CTF on February 25-26, 2019. Inmates at the CTF usually receive one hour of recreational time out of their unit each day, such as in the indoor gym or the outdoor recreational yard. CIC sent a letter addressing the recreational limitations after visiting the facilities, which is below.

According to staff, outdoor recreation at the CTF was suspended from November 2018 through February 2019 because the yard did not have proper drainage and therefore would remain flooded. Staff also noted that staff shortages limit the availability of outdoor recreation. At the CDF, outdoor recreation occurs on a concrete yard for most inmates, or in chain-link cages for inmates who are separated from the general population. The CDF does not have an indoor gym. Most individuals at the CDF were able to access recreation several times a week, although this was also limited by weather and staff shortages.



## CIC | DC Corrections Information Council

March 2019

To: Director Quincy Booth, DC Department of Corrections

From: Rev. Donald Isaac, Director, Corrections Information Council (CIC)

RE: CIC Visits to DOC Facilities February 25<sup>th</sup> and 26, 2019

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We appreciate the opportunity to visit CTF and CDF on February 25<sup>th</sup> and 26<sup>th</sup>, 2019. In particular we would like to thank Warden Johnson and his executive team, especially Deputy Warden Landerkin and Deputy Warden Jones, for facilitating our visit and answering our team's questions. We are also grateful to all the escort officers and unit staff who assisted us during this visit. As you are aware, this trip was motivated by concerns regarding inmates' access to outdoor recreation in light of recent complaints from individuals and community organizations. Below are some observations and recommendations based on the February visits.

### I. Outdoor Recreation at CTF

Executive staff at CTF explained that most units get off-unit recreation for one hour each day, Monday – Friday, but that off-unit recreation may be outdoors in the yard, or inside in the facility gym. Executive staff at CTF indicated to the CIC that historically outdoor recreation had been suspended from November until February as a matter of course, but that currently the Deputy Warden makes a daily determination as to whether off-unit recreation will be outdoor or indoor. The decision is based primarily on the weather and staffing.

The CIC surveyed CTF residents, primarily those on E-block and C-block,<sup>2</sup> regarding their experiences with outdoor recreation at this facility. Sixty-five percent of those surveyed (48/75) indicated that they had requested outdoor recreation from staff and been denied. Sixteen individuals reported receiving no reason for the denial of outdoor recreation. After that, the most common reasons individuals reported hearing for the denial of outdoor recreation were the grass needed to be cut (10), there was not enough staff (9), and the weather was bad (5). Two individuals reported being told “when you come out of your cell, that is recreation,” and another resident



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<sup>2</sup> Due to time constraints, the CIC visited all units on E-block and C-block, and units D2A and D2B, but did not go to the other units on D-block during this visit.

reported being told, “You get outside rec inside the unit; you will never go out as long as you are here.”

#### A. Physical Plant Limitations

The outdoor yard at CTF is split into three sections, allowing for multiple units to have outdoor recreation while being physically separated. The sections are separated by chain-link fence and bordered by the brick perimeter wall of the facility. Each section consists of a paved portion roughly the size of a single basketball court, as well as a grassy section. On the day of the CIC’s visit, there were large ruts in parts of the grassy area, which staff explained were from a tractor that had gotten stuck in the mud sometime the previous fall.

Executive staff indicated that the grassy area frequently limits the availability of outdoor recreation at CTF because it is not well-drained, and so the ground remains muddy for several days after it rains. Many residents only have one pair of shoes, typically the canvas slip-on shoes provided by the facility, which are not well-suited to walking in wet grass and/or mud. The facility does provide coats in cold weather, but not hats or gloves.

Executive staff also indicated that it has been difficult to cut the grass when the weather has been particularly wet, and that last summer weather delays resulted in the grass growing particularly tall, which then presented further difficulties cutting it. This led to a significant period during which residents of CTF did not have access to outdoor recreation.

***Recommendation:*** The DOC should pave the grassy portions of the CTF yard. While this will unfortunately reduce the residents’ access to nature, absent an improved drainage system it appears to be the best way to ensure this space is meaningfully available for recreation.

#### B. Difference in Amenities

Executive staff noted that the indoor gym has weight equipment and other activities that are not available in the outside yard. As a result, residents often express a preference for the indoor gym rather than the outside space. The CIC did not visit the CTF gym, but the outside yard appeared to have no amenities other than a basketball court in each section. In contrast, the CDF yard had several tables as well as sports and exercise equipment.

***Recommendation:*** The DOC should provide additional amenities in the CTF yard, such as picnic tables and exercise equipment.

#### C. Staffing

Executive staff explained to the CIC that staffing challenges also limit the availability of outdoor recreation. Running outdoor recreation at CTF requires eight staff members, including some along the outside perimeter wall, while running indoor recreation requires only three staff members. Executive staff explained that staff shortages are frequently caused by call-outs which require the movement of staff from posts at either CTF or CDF to accompany residents to the hospital or pick up individuals from halfway houses or other facilities. The average number of staff on call-outs during a shift is in the mid-teens, but ranges from five to thirty officers per day. CTF staff members are also sometimes moved to fill shortages on the CDF side.



The CIC also learned from the Director’s testimony at the DOC Oversight Hearing that the DOC has not yet filled approximately 40 new full-time positions added to reduce the number of overtime hours needed.

***Recommendation:*** The DOC should ensure that both facilities are sufficiently staffed to provide outdoor recreation every weekday according to the schedule, regardless of other needs. Staffing shortages should limit outdoor recreation only in truly exigent circumstances, not as a matter of practice.

#### D. Disability Access

The CIC received conflicting reports from staff regarding whether residents with physical disabilities are able to access outdoor recreation. One staff member indicated that if residents cannot physically walk up and down several flights of stairs to the outdoor yard at CTF, they are not able to have outdoor recreation at all. Another staff member recalled that individuals with walkers and wheelchairs could access a separate outside patio area via elevator and paved ramps.

***Recommendation:*** The CIC, being mindful of physical plant limitations, recommends that DOC make outdoor recreation accessible to as many residents as possible, including those with mobility challenges. As the DOC is doubtless aware, the Americans with Disabilities Act requires that facilities provide accommodations to facilitate disabled prisoners' equal use of facilities and participation programs unless doing so would cause an undue burden.

#### E. Grievances

The majority (78%) of residents of CTF who completed the CIC’s survey reported that they normally had access to grievance forms. However, 42 percent said that the grievance system does not work and 14 percent said that they fear staff retaliation for filing grievances. Respondents mentioned that they rarely receive responses to grievances, or that they “go nowhere.” Six individuals reported that they had filed grievances regarding lack of access to outdoor recreation in the last year. However, during testimony before the DC Council the DOC reported receiving only one grievance regarding lack of outdoor recreation.<sup>3</sup>

***Recommendation:*** The DOC should ensure that all inmate grievances are accurately tracked and responded to in a timely manner.

## **II. Outdoor Recreation at CDF**

Executive staff explained that outdoor recreation at CDF takes place in a paved yard in the center of the facility. There is no indoor gym at CDF. Residents are offered movies on days when they are not provided outdoor recreation. Recreation is not always offered on days when special programs are held.

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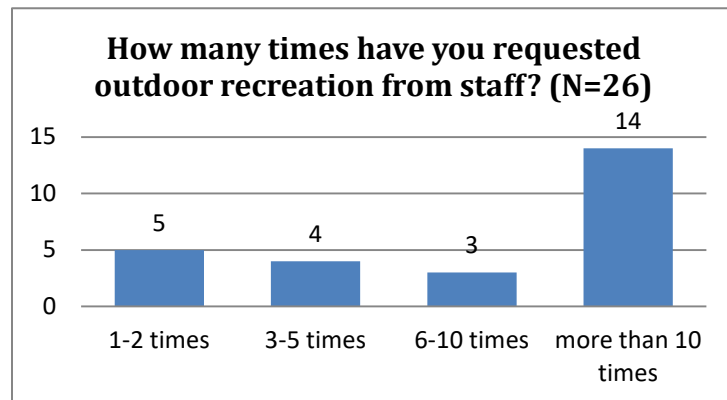
<sup>3</sup> Director Booth testified before Councilmember Allen during the DC Council’s Performance Oversight Hearing for the Committee on the Judiciary and Public Safety on March 1, 2019. Video available online at <http://dccouncil.us/event/performance-oversight-hearing-committee-on-the-judiciary-public-safety-7/> (3:05:30 in the recording).

The CIC visited the outdoor space at CDF, and noted a basketball court and two soccer goals, two picnic tables and a ping-pong table, as well as pull-up bars and other exercise equipment. Music was being played through speakers. Staff informed the CIC that 300 people can fit in the outdoor space, though it appeared they would not be able to move much if that many people were out at once. Staff explained that only one unit goes out for recreation at a time, so there are rarely more than 50 people in the space at once, but it can accommodate more in emergency situations.

The CIC also visited the smaller recreation yard at CDF, which consists primarily of four large chain-link cages, which serve as recreation spaces for individuals who are in administrative segregation or have separation orders that require individual recreation. The cages are roughly 6' x 15' and approximately 8' tall. Staff informed the CIC that the small recreation yard has not been in operation since last summer due to an issue with a sewage line backup. Staff anticipated that the cages would be available for use in spring 2019.

Fifty-five percent of the individuals who completed the CIC's survey said that they had requested outdoor recreation from staff and been denied. More than half the respondents to this question reported that they had asked numerous times.

The most common reason individuals reported hearing for the denial of outdoor recreation was that there were not enough staff (9), followed by no reason given (7), bad weather (5), it wasn't the staff member's decision (5) and outdoor recreation wasn't being offered (4). One individual reported being told that "leaving your cell is outdoor rec" and two others reported being told to stay out of jail if they wanted outdoor recreation.



Several individuals on NW2 and NE2 who spoke with the CIC but did not fill out surveys, said that they do not go outside as often as they would like, but that they do go outside occasionally, and they believe outdoor recreation is fair. Individuals on NE3 (the detail block) and SE2 (the GED block) stated that they have no problem getting outdoor recreation. Several individuals on SW2 mentioned that they preferred watching movies indoors and were not upset by the lack of outdoor recreation. Some individuals on SW3 indicated that they did not want to go outside because it was too cold, and reminded them too much of home.

CDF staff provided the daily recreation schedule for CDF, as well as recreation logs for the month of February 2019. Analysis of these logs indicates that units frequently go out for recreation at different times than those indicated on the schedule, but that most units had outdoor recreation on most days in February when the weather was not rainy and/or cold.

**Recommendation:** Continue to offer outdoor recreation to inmates on all units for one hour Monday through Friday, consistent with the established and posted schedule.

### A. Inclement Weather

The logs provided by CDF staff indicated that many individuals took advantage of outdoor recreation on days it was offered, even when the weather was cold.

When the weather was recorded on the recreation log, it suggested inconsistencies in how inclement weather is determined for purposes of outdoor recreation. For example, residents were offered outside recreation when it was 34°F outside, but kept inside when the temperature was as high as 45°F, with no indication of rain or high winds.

**Recommendation:** Develop guidelines for what constitutes inclement weather so that inmates are better able to predict when off-unit recreation will be outdoors and adjust their expectations accordingly.

### B. Staffing shortages

As noted in the prior section on staffing shortages at CTF, CDF is also impacted by the need for staff to go out to hospital call outs. The CIC did not learn how many additional staff members are needed to run outdoor recreation versus indoor movies, though it seems logical that perimeter wall staff is not needed at CDF since the recreation yard does not border a perimeter wall. The reason most commonly reported by residents for denial of outdoor recreation at CDF was a shortage of staff.

**Recommendation:** As noted above, the DOC should ensure that both facilities are sufficiently staffed to provide outdoor recreation every weekday according to the schedule, regardless of other needs. Staffing shortages should limit outdoor recreation only in truly exigent circumstances, not as a matter of practice.

### C. Grievances

Only 53 percent of the CDF residents who completed CIC's survey said that they typically have access to grievance forms. Forty percent of respondents said they do not use the grievance process because it does not work, while another ten percent noted that they fear staff retaliation if they were to use the grievance system. Thirteen individuals at CDF reported that they had filed a grievance regarding lack of access to outdoor recreation in the past year. Individuals commented that grievances get lost, are never resolved, "don't do anything" or "are useless."

**Recommendation:** As noted above with respect to CTF, the DOC should ensure that all inmate grievances are accurately tracked and responded to in a timely manner.

Again, thank you for making the CIC's February visits with incarcerated individuals at CTF and CDF possible. We hope that the information we gathered will be helpful to the facility and the Department of Corrections in its endeavor to ensure the health and well-being of the residents at CTF and CDF. If you have any questions of the CIC regarding the information and recommendations above, please contact us at the number below, or via email ([donald.isaac@dc.gov](mailto:donald.isaac@dc.gov) and [chrisiant.bracken@dc.gov](mailto:chrisiant.bracken@dc.gov)).

Sincerely,

Rev. Donald Isaac, Sr.

Director, CIC

## Methodology

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The CIC visited CTF on February 25, 2019, and CDF on February 26, 2019. At both facilities the CIC met with executive staff to discuss the process and challenges surrounding access to outdoor recreation. The CIC then visited housing units and offered individuals the opportunity to complete a brief survey regarding their recent experiences with outdoor recreation. At CTF, the CIC visited all units on C and E blocks, and units D2A and D2B. At CDF, the CIC visited housing units NE3, NO3, NW2, NW1, SO3, SW3, and SE2. The CIC attempted to visit SE3, but was unable to due to inmate behavior. The CIC did not visit NO2 and SO1 (restrictive housing units), or SO2 (intake unit). Additional information was collected through informal conversations with individuals on each unit during the on-site visit.

On many units, particularly at CDF, individuals indicated that they did not want to complete a survey because they did not have any concerns about outdoor recreation. Other individuals at both facilities declined to complete a survey without specifying whether they had concerns about recreation. Individuals at both facilities shared concerns other than outdoor recreation with the CIC during the on-site visit.

The CIC visited the outdoor recreation spaces at both CTF and CDF. The CIC did not visit the indoor gym at CTF.

After the on-site visit, the surveys were compiled using SurveyMonkey, a business intelligence tool, with unique identifiers used instead of individual names to protect confidentiality. Charts and other analysis do not include non-responses, and the total number of respondents for a particular question is noted on each chart. Extended responses from the surveys were compiled with comments from informal conversations with inmates at the facilities, and were used to inform analysis and provide context.

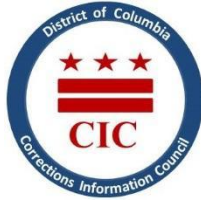
## **IRAA Inmates in DOC Custody Report – Published February 7, 2019**

In 2016, DC Council passed the Incarceration Reduction Amendment Act (IRAA), which allowed individuals to request a sentence reduction if they were convicted in DC Superior Court for crimes committed before they turned 18 years old, and they had served at least 20 years of their original sentence. In December of 2018, 23 individuals were at local DOC facilities for an IRAA hearing, which was comprised of 16 people at the CDF and seven at the CTF. They had served an average of 23.3 years. The CIC received concerns about safety and the lack of programming at the CDF, and the CIC recommended that the DOC transfer inmates eligible for IRAA to the CTF.

The CIC report published the report on February 7, 2020. The DOC responded and noted that individuals designated with higher security levels would not be able to be housed at the CTF because it is a low to medium security facility. Both the report and the response can be found below.

In May of 2019, the IRAA statute was amended (known as IRAA 2.0) to reduce the minimum time served to 15 years in order to become eligible to request a sentence reduction. Additional individuals applied for a reduction under IRAA 2.0, and were released after having their sentences reduced. Subsequent, the Council introduced legislation in February 2019 to further amend the IRAA statute (known as IRAA 3.0) to increase the eligibility to anyone who served 15 years and was under 25 years old at the time the crime was committed. The IRAA 3.0 bill had a public hearing on March 26, 2019, and was still awaiting Council consideration.

**District of Columbia  
Corrections Information Council**



**Thematic Report:**  
**IRAA Inmates in DOC Custody**  
January 31, 2019



## District of Columbia Corrections Information Council

Charles Thornton, Board Chair  
Katharine A. Huffman, Board Member  
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## Executive Summary

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### Key Statistics

**DOC Population:** Approx. 23 (CTF: 7; CDF: 16)

**Total Population (BOP & DOC):** Approx. 98

**Average Age:** 40.9 Years

**Length of Incarceration Served:** 23.3 Years

### Key Observations

- **Safety at CDF & Vulnerability:** The primary concern reported to the CIC throughout the year was safety for the individuals in CDF, particularly in light of the unique IRAA factors, which ask the Court to consider disciplinary history and places these individuals in a vulnerable position while incarcerated. One individual described it as being placed in an environment with their “hands behind [their] backs” and “. . . a bad situation to be in when other inmates know your hands are tied and they can use the system against you.”
- **Mindset Differences: Jail versus Prison Population:** Overwhelmingly, a majority of individuals with whom the CIC spoke described having a different “mindset” from pre-trial inmates that results in increasingly stressful environments. It creates potentially dangerous or violent incidents amongst inmates, particularly those housed in CDF. When asked to further explain, several individuals made the point that they have been incarcerated for two decades, and being placed in an environment where inmates cycle in-and-out creates a volatile environment with which they are not familiar. Particularly for individuals at CDF, the impression received by the CIC from the interviews depicts a volatile environment that creates an unnecessarily stressful process for individuals to “stay out of trouble” given the unique IRAA factors, which ask the Court to consider various factors, including disciplinary history.
- **Access to Programming & Reentry Services in CDF:** A significant majority of programming opportunities and reentry services are offered in CTF or in the GED Unit at CDF. One individual was concerned that this effectively places IRAA individuals, who are not in CTF or on the GED Unit, at an unfair disadvantage to obtain programming and critical reentry resources necessary for a successful reentry process. The CIC is encouraged to see that more individuals have since been transferred to CTF and the GED Unit to allow for more programming. However, the majority of IRAA individuals are still being housed in CDF, and they are not provided with as many programming opportunities as those in CTF.

### CIC Recommendation

Based on the survey responses and interviews with DOC inmates awaiting IRAA hearings, the CIC makes the following recommendation:

All individuals in DOC custody who have a pending IRAA hearing should be placed in CTF. Furthermore, the CIC wishes to coordinate a quarterly education session for all IRAA individuals in order to provide updates, answer any questions, and connect individuals with resources specific to their needs. The CIC looks forward to working closely with DOC to improve the conditions for IRAA individuals to ensure a smooth transition back to society.



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<sup>4</sup> Page numbers correspond with the numerical denotations of the original publication.

## Introduction

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In 2016, DC Council passed the Incarceration Reduction Amendment Act (IRAA) within the Comprehensive Youth Justice Amendment Act (CYJA), which went into effect April 2017. Under IRAA, juveniles (younger than 18 years old) sentenced in DC who have served at least 20 years and are not yet parole-eligible, may file an application for a sentence modification to reduce their sentence. In order to grant a sentence reduction, the Court must find that “the defendant is not a danger to the safety of any person or to the community and that the interests of justice warrant a sentence modification.” (§ 24-403.03 (a)(2)) IRAA then lists 11 factors for the Court to consider, including:

- Whether the defendant has substantially complied with the rules of the institution to which he or she has been confined and whether the defendant has completed any educational, vocational, or other program, where available (§ 24-403.03 (c)(3)); and
- Whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction (§ 24-403.03 (c)(5)).

As of December 31, 2018, seven applications have been granted and one has been denied; and 23 individuals on writ<sup>5</sup> at the DOC (seven at CTF and 16 at CDF/DC Jail) are awaiting IRAA hearings. Overall, there are approximately 98 eligible individuals who can apply for a modification hearing under IRAA.

The CIC is encouraged to see the reform efforts being made to address issues related to DC youth and their conditions of confinement. As a result of these efforts, the CIC is closely tracking the developments under IRAA and monitoring the well-being of those in BOP and DOC custody. This report aims to highlight the concerns regarding the conditions of confinement received from IRAA individuals currently in DOC custody awaiting their hearings. This report also provides a recommendation to address those reported concerns in order to ensure the safety and well-being of these individuals.

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<sup>5</sup> Individuals are sent to DOC on writ when the court issues a formal order sending the prisoner back to DC to be present at his or her trial.

## Key Observations

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The following sections highlight areas of particular concern for DOC inmates currently awaiting IRAA hearings. These concerns are primarily based on inmate interviews and survey responses.

### I. Safety at CDF and Vulnerability

The primary concern reported to the CIC throughout the year was safety for the individuals in CDF, particularly in light of the unique IRAA factors. Those factors ask the Court to consider disciplinary history; however, these individuals are vulnerable while incarcerated inside of CDF.

**“Unlike other sentenced inmates in DOC on writ, IRAA individuals have a unique set of factors the judge considers that puts our hands behind our backs and places us in dangerous situations. [We] are walking on eggshells... It is a bad situation to be in when other inmates know your hands are tied and they can use the system against you.”**  
(CDF Interview & Survey, August 2018)

One individual at CDF reported an instance where he was attacked by another inmate and forced to engage in self-defense. This individual was initially found guilty and sent to segregation, but the charge was ultimately dismissed after he appealed the decision. Throughout this process, the individual was under extreme duress and feared for his safety.

**“[W]e should [be] given one... unit to ourselves where we can be around others who have as much to lose by receiving a disciplinary report as we do, same as it is for those in the GED Unit.”**

(CDF Survey, August 2018)

He stated that, while he was being attacked, he felt as if he could not respond or protect himself. The CIC is very concerned that such incidents may occur again.

**“In the Young Men Emerging Unit (YME)[at CTF], I haven’t faced any of the safety challenges.”**

(CTF Survey, July 2018)

**“I haven’t faced any safety challenges.”**

(CTF Survey, July 2018)

When asked about the top safety challenges, the majority of inmates at CDF described being around inmates who “don’t know how to do the time” and have a different mindset (explained below). In contrast, individuals at CTF largely reported not having any safety challenges.

**“The jail mindset and prison mindset are not one in the same. An IRAA-eligible individual feels he has overcome and finally [has] hope and realistic promise and designs on returning to society as opposed to others still trying to figure it all out.”**

(CDF Survey, June 2018)

### II. Mindset Differences – Jail versus Prison Population

Overwhelmingly, a majority of individuals with whom the CIC spoke described having a different “mindset” from pre-trial inmates, which results in increasingly

stressful environments. Such environments create potentially dangerous or violent incidents amongst inmates, particularly those housed in CDF. When asked to further explain, several individuals stated that they have been incarcerated for two decades, and being placed in an environment where inmates cycle in-and-out creates a volatile environment with which they are not familiar. Furthermore, individuals specified that inmates often arrive to the jail experiencing withdrawals from drugs and other substances. As reported by the Substance Abuse and Mental Health Services Administration (SAMHSA), common withdrawal symptoms can include anxiety, depression, problems with impulse control, and sleep difficulties.<sup>6</sup> Notably, one individual spoke about his growth and maturity in prison over the past 24 years, and explained that there is a different level of respect and understanding.

Throughout the past year, the CIC has continued to meet with IRAA individuals, both at CDF and CTF, in order to monitor their well-being. Particularly for individuals at CDF, the impression received by the CIC from the interviews portrays a volatile environment that creates an unnecessarily stressful process for individuals to “stay out of trouble” given the unique IRAA factors, which ask the Court to consider various factors, including disciplinary history.

Overwhelmingly, most individuals have expressed a desire for housing at CTF inside of a specific unit designated for individuals on writ for IRAA. Individuals stated that an IRAA specific unit would be beneficial because fellow residents would “know how to conduct themselves.”

**“Being housed in CTF gives someone who is coming back on a writ the opportunity to continue programming versus the unstable environment of DC jail.”**  
(CTF Survey, July 2018)

### **III. Access to Programming and Reentry Services in CDF**

**“CDF doesn't have adequate programs to offer its inmate population. Too much idle time. There's simply not enough programs to offer the inmate population here at CDF. Majority of them are located at CTF... While being housed in the BOP, I participated in various types of programs, even prior to my arrival here. I want and wish to do more with my time.”**

(CDF Survey, June 2018)

Almost all individuals with whom the CIC spoke shared concerns over access to programming while at CDF. When asked about the ease of getting into various types of programming in DOC, individuals at CTF consistently reported the process as “very easy” or “easy,” whereas individuals at CDF increasingly found it “very difficult” or “difficult.”<sup>7</sup> Most individuals explained that the only way to get into programming opportunities is through housing inside of CTF or the GED Unit at CDF. One individual was concerned that this effectively places IRAA individuals who are not in CTF or on the GED Unit at an unfair disadvantage to obtain programming and critical reentry resources necessary for a successful reentry process.

<sup>6</sup> SAMHSA Publications, “Protracted Withdrawal” (July 2010), available online at <https://store.samhsa.gov/system/files/sma10-4554.pdf>.

<sup>7</sup> Refer to Appendix B.

As explained to the CIC, the only means of participating in college-level courses at CDF is through housing inside of the GED Unit. When asked about the difficulty of getting into the GED Unit, 50%

**“Coming from the BOP to sit in [CDF] is so counterproductive to those who thirst for higher learning; meaning don't bring us back from the BOP just to sit in a cell 19 hours a day!”  
(CTF Survey, July 2018)**

of respondents from CDF reported the process being “difficult” or “very difficult.”<sup>8</sup> The CIC is encouraged to see more individuals have since been transferred to CTF and the GED Unit to allow for more programming. However, most IRAA individuals are continuously housed at CDF, and are not provided with many of the programming opportunities available at CTF.

The CIC encourages the partnership between the DOC College & Career Readiness Program and

Georgetown University with the Prison Scholars Program. Two IRAA individuals were able to complete the program during summer. In the fall, three of the IRAA individuals successfully received college credit from Georgetown University for completing courses in Democracy and Philosophy. The CIC believes this is a promising practice and has seen the impact this has made on the students. Studies have shown access to education as instrumental in reducing recidivism rates.<sup>9</sup> The CIC hopes the population of IRAA individuals continues to increase at the DOC.

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## RECOMMENDATION

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Based on the concerns reported by individuals and our findings, the CIC recommends that the DOC house all IRAA candidates at CTF. Additionally, the CIC wishes to coordinate a quarterly education session for all IRAA individuals in order to provide updates, answer any questions, and connect individuals with resources specific to their needs. The CIC looks forward to working closely with the DOC to improve the conditions for IRAA candidates, in an effort to ensure their smooth transition back to society.

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## APPENDIX A: Methodology

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The CIC conducted confidential interviews between June and August 2018 with 15 DOC inmates who are currently awaiting a hearing under IRAA. In addition to the interviews, DOC IRAA inmates completed a brief survey generally asking about the conditions of confinement as relative to his or her health, safety, and reentry concerns while awaiting his or her hearing. Following the interviews, the survey responses and interview notes were compiled, and the survey responses used in our report can be found in Appendix B. Additional information was provided during confidential one-on-one interviews with CIC staff between February and December 2018.

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<sup>8</sup> Refer to Appendix B.

<sup>9</sup> “Researchers found that inmates who participate in correctional education programs have 43 percent lower odds of returning to prison than those who do not.” RAND Corporation, 2013. Article can be found online at <https://www.rand.org/news/press/2013/08/22.html>.

## APPENDIX B: Inmate Survey Responses

The following section provides survey responses used in the report for 15 DOC IRAA inmates completed between July and August 2018. Open-ended survey responses were edited to erase identifying information, and were also edited for clarity.

Are you in CDF (DC Jail) or CTF (Correctional Treatment Facility)?			
CDF ( <i>Answered: 11; Skipped: 0</i> )		CTF ( <i>Answered: 4; Skipped: 0</i> )	
11		4	
Current Housing Unit:			
CDF ( <i>Answered: 10; Skipped: 1</i> )		CTF ( <i>Answered: 4; Skipped: 0</i> )	
NW-1	1	D1A	1
NW-2	1	D2A (YME Unit)	2
S-2	3	M96 (Med. Unit)	1
SE-2	2		
SE-3	2		
SW-3	1		
Do you have any separatee issues amongst other IRAA-eligible individuals in DOC?			
CDF ( <i>Answered: 11; Skipped: 0</i> )		CTF ( <i>Answered: 4; Skipped: 0</i> )	
Yes	2	Yes	0
No	9	No	3
Don't Know	0	Don't Know	1
How long have you been incarcerated overall (in years)?			
CDF ( <i>Answered: 11; Skipped: 0</i> )		CTF ( <i>Answered: 4; Skipped: 0</i> )	
21	4	21	1

23	1	24	2
24	4	28	1
25	2		
<b>What BOP facility were you transferred from prior to DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
FCI Cumberland	1	FCI Hazelton	1
FCI Hazelton	1	FCI McDowell	1
FCI McDowell	2	FCI Petersburg Med.	1
USP Atwater	3	FCI Talladega	1
USP Canaan	2		
USP Lee	2		
USP Pollock	1		
<b>What is your current custody classification level in DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Minimum	0	Minimum	1
Medium	8	Medium	2
Maximum	3	Maximum	0
Do Not Know	0	Do Not Know	1
<b>Is there anything else you would like to share about your custody classification?</b> <i>[Open-ended response]</i>			
<b>CDF</b> ( <i>Answered: 7; Skipped: 4</i> )			
1.	Because of my life sentence		
2.	Although I am classified as a medium I am still being housed in a USP (penitentiary/high) due to the amount of time I have		
3.	No		
4.	No		

5.	I was told that I am Max custody here at CDF because of a new policy that makes any inmate with a sentence of over fifteen years automatically maximum security. Is this true, the new policy?		
6.	Because of the life on the back of my sentence, [my custody classification] is raised back up disqualifying me from participating in programs or getting a job. Thereby sitting me here stagnant, with idle time, and restricting preparation for return to society.		
7.	The BOP will always put us DC inmate's custody classification level at high, medium, or maximum because of the way the old sentences are [computed] with life on the back. And that alone keeps us from getting jobs or stops us from getting in classes or programs.		
<b>CTF</b> ( <i>Answered: 1; Skipped: 3</i> )			
1.	Within the BOP, they classified me as a Medium High In. My classification points were at 12; meaning I had low points, but my sentence with LIFE on my back number wouldn't allow me to progress through the system.		
<b>Do you have a high school diploma or GED?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	7	Yes	4
No	4	No	0
<b>Do you have a college degree?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	0	Yes	0
No	11	No	4
<b>Do you currently have a work assignment in DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	9	Yes	2
No	2	No	2
<b>Are you currently participating in any recreational programming in DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	5	Yes	1
No	6	No	3



<b>Are you currently participating in any religious programming in DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	7	Yes	2
No	4	No	2
<b>How easy or difficult is it to get into college courses in DOC?</b>			
<b>CDF</b> ( <i>Answered: 9; Skipped: 2</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Very Easy	0	Very Easy	2
Easy	1	Easy	2
Neutral	4	Neutral	0
Difficult	2	Difficult	0
Very Difficult	2	Very Difficult	0
<b>How easy or difficult is it to get into the GED Unit in DOC?</b>			
<b>CDF</b> ( <i>Answered: 10; Skipped: 1</i> )		<b>CTF</b> ( <i>Answered: 3; Skipped: 1</i> )	
Very Easy	0	Very Easy	0
Easy	2	Easy	1
Neutral	3	Neutral	1
Difficult	4	Difficult	1
Very Difficult	1	Very Difficult	0
<b>How easy or difficult is it to get into recreational programming in DOC?</b>			
<b>CDF</b> ( <i>Answered: 10; Skipped: 1</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Very Easy	0	Very Easy	0
Easy	3	Easy	1
Neutral	3	Neutral	1
Difficult	2	Difficult	0
Very Difficult	2	Very Difficult	2

<b>How easy or difficult is it to get into religious programming in DOC?</b>			
<b>CDF</b> ( <i>Answered: 10; Skipped: 1</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Very Easy	1	Very Easy	1
Easy	4	Easy	2
Neutral	3	Neutral	0
Difficult	1	Difficult	0
Very Difficult	1	Very Difficult	1
<b>Is there anything else you would like to share regarding education, programming, or employment? (Please feel free to list any specific programming you are currently participating in.)</b> [ <i>Open-ended response</i> ]			
<b>CDF</b> ( <i>Answered: 8; Skipped: 3</i> )			
1.	Work as unit orderly. Other than working as orderly in the unit, I am unable to participate in any of the above - due to Separatees! Furthermore, CDF doesn't have adequate programs to offer its inmate population. Too much idle time. There's simply not enough programs to offer the inmate population here at CDF. Majority of them are located at CTF... e.g. Re-Entry; Drug Treatment; College Courses; Culinary Arts; Challenge Program; various other work details, etc... Even job fairs! While being housed in the BOP, I participated in various types of programs. Even prior to my arrival here. I want and wish to do more with my time. Things that will benefit myself and greatly add to the future success of my reintegration. Due to my many separatee(s), unfortunately, I am unable to participate in the small number of programs available here at the CDF. To my knowledge, I have no separatees at the CTF.		
2.	mentor, self help, faith base		
3.	Most of the programs are not geared towards inmates on writs		
4.	the inside-out program/Howard University Black fathers matter anger management etc		
5.	It has been tedious to get into programs at the jail.		
6.	I am a GED tutor in the GED unit. I enrolled in the college program today at CDF with the online Ashland University course.		
7.	Only been here three days		
8.	I am in Black Fathers matter. And I referee the Football & basketball games. And I am a mentor for the Hope Foundation re-entry Fresh start Mentoring program.		
<b>CTF</b> ( <i>Answered: 3; Skipped: 1</i> )			

1.	I am participating in a college program with Ashland University.		
2.	I am currently enrolled in three Georgetown courses; (Political Philosophy, Lecture Series, Creative Writing.)		
3.	I am currently enrolled in the Georgetown Prison Scholars Program Non-Credit Base and anyone coming back from the BOP should be allowed to participate in the Educational Programs here at CTF. Coming from the BOP to sit in DC Jail is so counterproductive to those who thirst for higher learning ; meaning don't bring us back from the BOP just to sat in a cell 19 hrs. a day!		
<b>Do you have any medical or mental health needs?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	2	Yes	2
No	9	No	2
<b>Do you normally have access to Inmate Grievance Procedure (IGP) forms?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	10	Yes	4
No	1	No	0
<b>Have you ever used the grievance process at DOC?</b>			
<b>CDF</b> ( <i>Answered: 11; Skipped: 0</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	4	Yes	1
No	7	No	3
<b>If you have used the grievance process at DOC, what was the reason?</b>			
<b>CDF</b> ( <i>Answered: 5; Skipped: 6</i> )		<b>CTF</b> ( <i>Answered: 1; Skipped: 3</i> )	
Medical Care	1	Medical Care	1
Staff	1	Staff	1
Mail	2		
<b>If you have chosen not to use the grievance process at DOC, why not?</b>			
<b>CDF</b> ( <i>Answered: 10; Skipped: 1</i> )		<b>CTF</b> ( <i>Answered: 3; Skipped: 1</i> )	
No problems/No reason to	2	No problems/No reason to	3

use		use	
Grievance process does not work	3		
Not satisfied with outcome of previously filed grievance	5		
Staff retaliation	2		
Do not want to be a snitch	1		
<b>Have you received any disciplinary reports since arriving to DOC (regardless of whether you were found guilty or not guilty)?</b>			
<b>CDF</b> ( <i>Answered: 9; Skipped: 2</i> )		<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
Yes	2	Yes	0
No	7	No	4
<b>What are the top three safety challenges you currently face while being placed in a jail population (instead of a prison)?</b> [ <i>Open-ended response</i> ]			
<b>CDF</b> ( <i>Answered: 6; Skipped: 5</i> )			
1.	(1) Being housed around guys who don't know how to do time; (2) The level of respect is extremely low, by both inmates and staff; (3) Being around others who don't have as much [as] you have to lose		
2.	None I'm good		
3.	None		
4.	I have an eye condition, 'alterior uvetiua.'" In FBOP, the doctors were concerned and attentive. Here at DOC, the doctor's don't care. I complain about my condition but it goes unanswered.		
5.	1) Dealing with mentally ill inmates; 2) Inmates addicted to powerful drugs from the streets; 3) Hostile staff members		
6.	(1) Different status of those who are entering prison now from those who have been incarcerated for a lengthy amount of time; (2) Not being into the same or similar circumstances as others (feeling foreign to); (3) As prison or this jail is a hyper-sensitive place at times it's difficult to navigate thru the current functions and going ons of today		
<b>CTF</b> ( <i>Answered: 3; Skipped: 1</i> )			
1.	Theft from fellow inmates. Aggression from fellow inmates. Intimidation from fellow		

	inmates.		
2.	I haven't faced any safety challenges.		
3.	In the Young Men Emerging Unit (YME) I haven't faced any of the safety challenges.		
<b>Has DOC staff discussed with you what programs you should be taking while incarcerated, specifically ones helpful to meet the factors under IRAA?</b>			
<b>CDF</b> <i>(Answered: 11; Skipped: 0)</i>		<b>CTF</b> <i>(Answered: 4; Skipped: 0)</i>	
Yes	3	Yes	1
No	9	No	3
<b>Have DOC staff discussed a reentry plan for you?</b>			
<b>CDF</b> <i>(Answered: 10; Skipped: 1)</i>		<b>CTF</b> <i>(Answered: 4; Skipped: 0)</i>	
Yes	3	Yes	2
No	7	No	2
<b>Do you know where you can find reentry resources?</b>			
<b>CDF</b> <i>(Answered: 10; Skipped: 1)</i>		<b>CTF</b> <i>(Answered: 4; Skipped: 0)</i>	
Yes	6	Yes	3
No	4	No	1
<b>What concern(s) are particular to IRAA-eligible individuals being housed in a jail setting, as opposed to other sentenced inmates in DOC on writ, if any? <i>[Open-ended response]</i></b>			
<b>CDF</b> <i>(Answered: 10; Skipped: 1)</i>			
1.	My concerns are that I will not have an opportunity to continue programming. Most IRAA eligible people have already served most of their sentence, and in doing so have earned achievement that should dictate classification and housing.		
2.	Remaining clear conduct. That's a real issue. For any little thing, the Government can/will use against you, and your struggle for freedom/resentencing. Therefore, guys in my position have to deal with so much more – develop a greater 'patience', in order to meet our goal.		
3.	I would prefer that us who's back on a writ for resentencing house in a different unit altogether because we know how to conduct ourselves.		
4.	Being able to continue to program and show the court that we are ready to be given a second chance at life outside of jail.		

5.	The individuals back on IRAA have a great possibility to enter society from here. And, I believe it is imperative to give us the opportunity of superior education in regard to reentry and career building to limit recidivism.
6.	In contrast to other inmates in the DOC on writ, IRAA-eligible returning citizens are a special category of offenders (juvenile lifers) that were specifically given relief by the US Supreme Court and local DC legislators under the Comprehensive Youth Justice Amendment Act of 2016 because they have served “decades” in prison for offenses that occurred while they were children under the age of 18. Due to their special status as juveniles, a new law (DC Code Title 24 Section 403.03) was codified to afford them a retroactive application resentencing and release back into society.
7.	While potentially waiting to be resentenced, possibly released, the jail setting is not conducive to a re-entry mindset or objective. Especially since one is in the stage of preparing for society after decades of incarceration and one’s ability to communicate with the people one has on the outside who are also making preparation on one’s behalf is severely restricted. The jail mindset and prison mindset are not one in the same. An IRAA-eligible individual feels he has overcome and finally have hope and realistic promise and designs on returning to society as opposed to others still trying to figure it all out.
8.	The big difference is the time all the IRAA will have in when they do come up the jail, 20 years or more... After an inmate has done that much time his mind is on doing all he can to come home. IRAA inmates are used to being locked up a long time. Whereas the inmates that are coming back on writs have not done the time IRAA inmates have.
9.	The recent disciplinary report I received for defending myself is the perfect example. All of us IRAA individuals are walking on eggshells. For other inmates awaiting trial, appeals etc. a disciplinary report has little to no impact on their freedom. For us IRAA inmates, any disciplinary report (especially involving violence) can cost us our freedom. It is a bad situation to be in when other inmates know your hands are tied and they can use the system against you. If we are not even allowed to defend ourselves, then we should give one (or half) of a unit to ourselves where we can be around others who have as much to lose by receiving a disciplinary report as we do, same as it is for those in the GED Unit.
10.	The one obvious difference is the time that one who is able to file IRAA from others. As those who are IRAA eligible trying to reenter we are not involved in the jail culture as others are. Only to the extent of maintaining ones safety.
<b>CTF</b> ( <i>Answered: 4; Skipped: 0</i> )	
1	I would like to be housed in a unit for IRAA inmates. It is difficult for me to be housed in units in a unit where inmates who are not IRAA are housed because they are not disciplined and geared to do positive education things. Also they are loud, abrasive, and are obstacles to where what I am trying to accomplish.
2	Those who fall under IRAA who come back to DC on writ need to be housed in CTF versus CDF. Being housed in CTF gives someone who is coming back on a writ the opportunity to

	continue programming versus the unstable environment of DC jail.
3	IRAA-Eligible individuals NEED to be place[d] in an environment where they can benefit from the programs being offered at the DOC while waiting on a re-sentencing hearing. They need to be allowed to work and continue to take care of themselves. When we arrive at the DOC they look at us as if we are just coming to jail when in reality we have been in prisons across the US for over 20 yrs. working, learnings and supporting ourselves.
4	Those who come back on the IRAA should be housed at CTF because its programs available for them.

**Is there anything else you would like to share about your experience at DOC?** *[Open-ended response]*

**CDF** *(Answered: 9; Skipped: 2)*

1.	<p>There should be a writ, or fed block for individuals like myself... especially, those returning on the IRRA. In a way to protect us from, "crash dummies!!!"... those who know why we've returned, even those who aren't; that takes advantage of IRAA individuals' humble character. Ignoring the disrespect, practicing patience, even using the tools of effective communication, 'sometimes' isn't [sufficient]... to ward off a situation, where you HAVE to protect yourself from physical harm or instinctively fighting back. Television: The Nations Capital, DC Jail, doesn't have cable. Since leaving Lorton in 1997 - almost everywhere that I've been housed as a prisoner - other prisons have had cable. DC Jail doesn't even have basic cable... 40% of the tv channels are infomercials. With all the idle time - not to forget, lack of programs, you would think that this jail would provide adequate tv channels to entertain the restless. Instead of leaving them ways to "negatively" entertain each other. Haircuts - Haircuts, which are part of personal hygiene, grooming, are provided only once a month. Oppose to how the BOP (feds) provide them, once a week. Even 25 years ago... DC Jail kept barber kits in each unit. Guys received haircuts daily upon request. Now things are totally incomprehensibly different. Insomuch that neither are we allowed razors. For some like myself (Muslim Sunni) removing the hair from the pubic area as well as underarms is part of our faith/beliefs. Nails. The trimming of nails are also. However due to two suicides - from what I've been informed - razors are now prohibited. Therefore, we are now subjected to waiting an entire month, sometimes longer, to receive haircuts and nail clippers. Visitation: CTF provides "contact visits" once a week - similar to how the feds (BOP) conducts their visits. Where inmates can actually hug, touch, hold hands with children/family/love ones. CDF does not provide such. Instead, inmates and their love ones are coerced to 45 min video visitation. Have been stripped of the "behind of the glass" face to face visits and IRRA. Federal prisoners returning back on writ who are used to receiving "contact visits" should not be forced to the same treatment. There should be a unit in the CTF for those federal prisoners in order that they can receive such privileges, similar to those that they received from which they were prior to their arrival to DC Jail. Once upon the premises of the BOP, they take measures ensure the safety of visitors, upon arriving and departing. Not here at DC's Jail. Occasionally, my wife and children have been subjected to insults and harassment from the nearby residents of the DC Shelter. Milling around and near their vehicles. One time my wife witnessed two guys standing near her</p>
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	<p>vehicle from a distance they moved a way as they saw her approaching. Once she got to the car she noticed the lock had been tampered with. Upon further inspection, ironically as this may sound, she also noticed that a CO was in a vehicle nearby. Not even 20 ft away. She filed a report with MPD. There's also an underpass that visitors go through which at times my family have witnessed dried up feces, used condoms, and occasionally a strong smell of urine. Again... LACK OF RESPONSIBILITY AND ACCOUNTABILITY. Legal Visits: My attorney(s) here come to visit "plenty" of times and has had to wait 20 - sometimes half an hour before I am pulled out to see them. Which either robs me of my time with my attorney or causing them to leave. Not just IRAA individuals, but any sentenced prisoner from the BOP returning on a writ should not be treated the same way as one who either is newly detained, has no time, or is pre-trial. Held under detention center conditions.</p>
2.	It's been a rough ride.
3.	It's been nice having been over the jail for the first time since 2005.
4.	Every day is very challenging/complicated.
5.	I pray that the medical staff will begin to take sick call slips more seriously. The eye doctor is very mean and belligerent. There are doctors here that are not concerned with our well being at all. It's a very sad thing to encounter such lazy people who appear not to care.
6.	As a 16 year young child initially imprisoned in the year of 1997, to a 37 year old adult today, so much has changed in the world, even in our city with the current climate of hyper-gentrification, that I am certain that similarly situated IRAA-eligible returning citizens will need specific reentry services tailored to our unique situation. We have to learn how to not only write a resume, but also how to submit job applications online and how to use smartphones and how to create email address. We were imprisoned before the mass proliferation of the internet, so we have to learn basic web applications and how to operate mobile devices effectively as well. Most of us, such as myself, cannot even remember our social security numbers because we were never adults in society to make use of them. Job interview skills, modern day social culture that is heavily [tech-based], even traveling in familiar neighborhoods that have been made over through gentrification, are real concrete challenges that await IRAA-eligible citizens that have been imprisoned as teenagers since the 20th century. It appears that most of the DOC reentry services are disproportionately centered at CTF, or in the GED unit at CDF. The IRAA individuals outside of CTF and the GED unit at CDF are unfairly disadvantaged from accessing the reentry resources that they need to reenter society.
7.	I would like to add that the jail have a lot of pre-trial inmates. And a lot of young inmates. All the violence that happens up here be the young inmates on young inmates. Whoever come up here for the IRAA will be in his late 30's or 40's or even 50's. Here can you put us around this mindset and don't think one day something will go wrong... Everybody that come up here on the IRAA is trying to make it home after 20 something years and you put us in the cell with people off the streets telling us they go home in 24 hours, they got 3 months. All of us got life sentence!!



8.	There is a lot of corruption here. A lot of violence. A lot of staff members who really don't want to work hard. We are forced to eat poor diets and only receive a haircut once a month (which is unhealthy). The commissary prices are excessively high and the products are mostly junk food.
9.	As I came back to the DC Jail after not being here for well over 15 years I was out of place. I truly learned or confirmed that I was out of touch with today. I keep my goals and purpose in front of me so I know where I'm going. This is difficult for some [due] to the fact of getting oneself known in a light to be who he is and who he needs to be seen as. I've been here about 4 months the experience has been mind-blowing. I been able to find a program to get involved in and found a situation where my interaction is lessen with guys. So it would be a great plus if this could be done for others like myself.
<b>CTF</b> ( <i>Answered: 0; Skipped: 4</i> )	



District of Columbia  
Corrections Information Council

The electronic version of this report is  
available on the CIC website:

**<http://www.cic.dc.gov/>**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CORRECTIONS**



**DC Department of Corrections’ Response to the Corrections Information Council’s  
Thematic Report Regarding IRAA Inmates in DOC Custody**

The D.C. Department of Corrections (DCDOC) responds to the Corrections Information Council (CIC) Thematic Report regarding inmates currently housed at the D.C. Department of Corrections on writ from the Federal Bureau of Prisons pursuant to petitions they have filed under the District of Columbia Incarceration Reduction Amendment Act (IRAA).<sup>1/</sup>

The CIC Report draws on anecdotal information relayed by unidentified IRAA inmates in interviews regarding their feelings of “safety and vulnerability” at the Central Detention Facility (DC Jail) to conclude that “the impression received by the CIC” from these feelings is that the DC Jail creates an “unnecessarily stressful process” for IRAA inmates to “stay out of trouble” while their IRAA petitions are pending in court. The CIC recommends that the DCDOC house all IRAA candidates at DCDOC Correctional Treatment Facility (CTF) on the rationale that the court considers the disciplinary history of this population, pressuring inmates not to engage in disciplinary infractions during their stay on writ at the DCDOC, making them vulnerable to the behavior and mindset of pretrial detainees.

The report does not take into account that, like the DC Jail, the CTF population is also comprised of pretrial detainees and short term sentenced misdemeanants and felons and that inmates persistently, consistently and pervasively seek transfer to the CTF due to their visitation and other pleasing lower security amenities. However, there are many safety and security considerations that go into the determination of appropriate housing of two thousand inmates in the limited space of two vertical buildings in the center of an urban area that must be respected and followed.

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<sup>1</sup> D.C. Official Code § 24-403.03, Modification of an imposed term of imprisonment for violations of law committed before 18 years of age.

All inmates are not eligible for the CTF as it is a low to medium custody facility and maximum custody inmates are precluded from housing there by accreditation standards and the standard of care in maintaining safety, security and order. Moreover, inmates may not be eligible for CTF due to the presence of separations at the facility, and because separations are not divulged to inmates or their attorneys, their report that they do not have separations is not reliable. Out of twenty-four (24) IRAA inmates currently in DCDOC custody, nine (9) are at CTF. Out of the fifteen (15) IRAA inmates currently housed the DC Jail, nine (9) are maximum custody inmates and not eligible to go to CTF by virtue of that classification.

While the report speculates a potentially violent atmosphere for the IRAA inmates, the facts reflect a safe environment. None of the twenty four (24) IRAA inmates currently in custody have been assaulted or received disciplinary infractions during their stay, reflecting that the IRAA inmates are not subjected to disproportionate or heightened danger, violence or victimization.

While the CIC supports their thesis by noting that court's look at program participation and disciplinary history while incarcerated, the court's review is not myopic or restricted to the immediate time period at the DC Jail but rather looks at the inmate's history of incarceration which must be, as statutorily prescribed, at least twenty years, not the few weeks or months an IRAA inmate spends at the DCDOC. Moreover, an IRAA inmate's extended presence in the DCDOC is not necessary to the legal process and their stay, if uncomfortable, can be shortened.

The similarities between the DC Jail and the CTF far outweigh the differences. Both facilities house minimum and medium custody inmates and pretrial detainees, sentenced misdemeanants and sentenced felons. Both facilities are accredited by the American Correctional Association (ACA) and the National Conference on Correctional Health Care (NCCHC) and certified compliant under the Prison Rape Elimination Act, or PREA.

Inmates at the DC Jail access work details, services and programs including Mentoring, Life Skills, Anger Management, GED, Mentoring/Spiritual Counseling, Creative Writing, Tutoring, Group/Individual Therapy, Culinary Arts/Vocational, Financial Literacy, Therapeutic Art, Parenting/Empowerment, Substance Use Prevention, Reentry/Housing Program for Ex-Offenders and Yoga/ Meditation. Inmates at the DC Jail receive religious accommodations and services, recreation, out of cell activity, television, library cart reading materials, commissary, social visitation, 24/7 legal visitation, telephone services (social and legal calls), mail services (regular and legal), case management services, law library services, grooming services, and inmates may grieve any concerns or complaints through the Inmate Grievance Procedures (medical and regular). Moreover, inmates who feel at risk are informed in the Inmate Handbook that they may request protective custody if they have safety or security concerns and may request

a housing hearing to be considered for another housing assignment.

Based on the foregoing, although the DCDOC cannot accommodate the recommendation that the Department house all IRAA inmates at the CTF or establish an IRAA unit there, the Department has and will continue to consider the housing of IRAA inmates in the best location suited for their individualized security and programmatic needs and requirements on a case by case basis. The Department is certainly amenable to housing IRAA inmates eligible and appropriate to be housed at CTF there and will evaluate individuals accordingly. The CIC request to coordinate a quarterly education session for all IRAA individuals in order to provide updates, answer any questions, and connect individuals with resources specific to their needs can be accommodated as long as they the sessions are held in the inmates' assigned facilities and housing units in a manner that maintains the safety, security and order of the facility. The DCDOC also looks forward to working closely with the CIC in continuing to provide IRAA candidates conditions of confinement, programs and services to aid in their smooth transition back to society.

February 8, 2019

## **APPENDIX A: Methodology**

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The CIC compiled this report documenting fiscal year 2019 activities in order to supplement the fiscal year 2020 inspection and report. Structural changes within the organization during the middle of the 2018 fiscal year required the agency to prioritize the outstanding production of the fiscal year 2018 report, which was published during fiscal year 2019. With the onset of the COVID-19 pandemic in fiscal year 2020, the CIC continues to monitor and communicate with both executive leadership and inmates housed at the DOC, and we are eagerly progressing towards improved and ongoing future communications and publications for fiscal years 2020 and 2021.