



USP Thomson Inspection Report

District of Columbia
Corrections Information Council



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District of Columbia Corrections Information Council

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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 inmates 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 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 inmates, corrections staff not in leadership, and members of the general public will be kept anonymous and confidential.

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I. Facility Profile

United States Penitentiary Thomson (USP Thomson) is a high-security facility located in Thomson, Illinois, with an adjacent minimum security satellite camp. The facility is approximately 842 driving miles from Washington, DC.

The Bureau of Prisons acquired the facility from the state of Illinois in October 2012. In 2018, the Bureau announced that it was moving the Special Management Unit (SMU) from USP Lewisburg to USP Thomson. The facility was fully activated in January 2019, and now includes both the SMU and a Reintegration Housing Unit (RU). These two specialized programs are located on separate yards within the facility and run separately. There is also a satellite camp, which the CIC did not visit because no DC individuals are currently housed there. The CIC toured the RU, including three housing units, recreation, health services, religious services, education, and psychology. Per the CIC's agreement with the BOP, the CIC is not allowed access to the Special Management Unit (SMU).

USP Thomson has eight buildings with a rated capacity of 1,900 in the main facility. On the day the CIC visited USP Thomson, staff reported approximately 900 individuals in the SMU, and 275 in the RU. There were approximately 66 DC individuals in the SMU (7% of total SMU population), and 15 in the RU (5% of total RU population) including three individuals in the Special Housing Unit (SHU.) The CIC was able to interview and/or receive written feedback from 57 individuals, including four in the RU.

II. Key Findings

- **Staff Violence:** The CIC heard several concerning reports of staff physically assaulting DC residents, including while they were handcuffed. Residents also reported racist comments and threats of physical harm from staff.
- **Long Stays:** Twelve individuals who spoke with the CIC had been in the SMU more than 12 months. Seven of those individuals had been in the SMU more than 24 months, the maximum period allowed according to the BOP Program Statement.
- **Program Repeats:** Executive staff indicated that individuals who have failed to progress through the SMU program are routinely sent back through, resulting in prolonged periods in a highly restrictive setting.
- **Insufficient Staffing:** USP Thomson has struggled with insufficient staffing since its activation in 2018. A few DC residents reported not getting necessary services like showers, mail, and recreation due to lack of staff. Executive staff suggested that the use of augmentation has declined dramatically, but declined to provide supporting documentation.
- **Lack of Access to Medical Care:** Nearly one in four survey respondents said that they were not able to access medical care when needed. DC individuals reported a lack of response to sick call requests and long waits for dental care.
- **Lack of Access to Mental Health Care:** Facility staff highlighted the large number of psychology services staff, yet DC residents reported that they did not see psychology staff often, and/or that staff were not helpful. A few residents suggested that staff caseloads were too large to provide individualized treatment.
- **No Hygiene Products:** DC residents reported that the facility does not provide basic personal hygiene supplies such as soap, toothpaste and toothbrushes. There is a lack of personal hygiene supplies and limited access to showers.
- **Self-Study:** In the SMU, education and psychology programming is provided almost entirely by self-study packets and radio programs. Individuals reported limited interactions with education and psychology staff.
- **Disproportionate Population:** DC Code Offenders account for 1.7% of the total population of the BOP, but 7% of the residents in the highly restrictive Special Management Unit.
- Per the CIC's agreement with the BOP, the CIC is not allowed access to the SMU, so the CIC was not able to tour the area where the majority of the DC residents at USP Thomson are housed.

III. Recommendations

The CIC recommends the BOP take the following actions to address the concerns raised by DC residents in this report.

- 1) The BOP should adhere to the 24-month limit in the 2016 version of the SMU Program Statement¹ and ensure that individuals do not spend long and/or repeated periods of time in this highly restrictive environment.

Comments by the Bureau of Prisons:

*Unit Team staff at USP Thomson track inmates' SMU progression via the Bureau inmate information system. Staff monitor and update assignments in accordance with the progression levels outlined in **Program Statement 5217.02, Special Management Units**. Successful progression in the SMU Program may be delayed for various reasons, including but not limited to violations of rules and regulations. Inmates who have not successfully completed the SMU program within 24 months are considered SMU failures and are reassessed for their appropriateness in the SMU Program.*

- 2) Leadership at USP Thomson should reinforce to staff the principles governing the use of force laid out in Program Statement 5566.06,² including confrontation avoidance procedures, and using only the amount of force necessary to gain control of inmates.

Comments by the Bureau of Prisons:

*As outlined in **Program Statement 5566.06, Use of Force and Application of Restraints**, the Bureau of Prisons authorizes staff to use force only as a last alternative after all other reasonable efforts to resolve a situation have failed. When authorized, staff must use only that amount of force necessary to gain control of the inmate, to protect and ensure the safety of inmates, staff and others, to prevent serious property damage, and to ensure institution security and good order. New staff receive use of force training during orientation training, and other staff receive use of force training annually.*

- 3) The BOP should fully investigate all allegations of staff physical assaults on inmates.

Comments by the Bureau of Prisons:

The CIC Visited USP Thomson on July 20-21, 2021. CIC staff did not report any staff misconduct regarding any inmate during their visit to Executive Staff. The Bureau of Prisons was made aware of these allegations, upon receipt of this report, which was forwarded electronically on March 8, 2022.

*In accordance with **Program Statement 3420.11, Standards of Employee Conduct**, the Bureau of Prisons takes allegations of staff misconduct seriously, and makes every attempt to hold staff to the highest standards. All allegations of staff misconduct are reviewed, and if necessary, referred to the appropriate department for investigation.*

Under Section VI. Staff Interactions and Section XI. Conclusion, the CIC cited numerous allegations of harassment, abuse, verbal threats, and physical violence by USP Thomson staff, including specific inmates' comments about staff interactions. However, the CIC did not provide USP Thomson Executive Staff or the Bureau Coordinator with detailed and specific information to investigate or substantiate any allegation of abuse. Therefore, the BOP is not able to thoroughly address any of these claims.

¹ Bureau of Prison Program Statement 5217.02, "Special Management Units." Available at https://www.bop.gov/policy/progstat/5217_02.pdf

² Bureau of Prisons Program Statement 5566.06 "Use of Force and Application of Restraints." Available at https://www.bop.gov/policy/progstat/5566_006.pdf

- 4) The BOP should continue to work to fully resolve the staffing shortage at USP Thomson.

Comments by the Bureau of Prisons:

At the time of the site visit, USP Thomson's overall staffing percentage was 81%; Correctional Officer staffing was at 73%; and Correctional Services staffing was at 74%. As of August 26, 2022, USP Thomson's overall staffing percentage was 81.92%; Correctional Officer staffing was at 76.52%; and Correctional Services staffing was at 78.57%. USP Thomson's inmate to staff ratio is 1.8 inmates to every staff member.

Since the DC CIC site visit, National BOP Recruiters have conducted recruitment initiatives for potential candidates across the country through mass mailings and emails to apply to USP Thomson under a direct hire announcement. USP Thomson staff and National Recruiters are actively attending external career fairs, hosting application workshops, and advertising its job opportunities in local the area. Staff from USP Thomson attended a job fair in Chicago, Illinois and St. Louis, Missouri, and Indianapolis, Indiana to expand the candidate pool. The Human Resources Department partnered with local businesses to provide advertisements for a career fair, as well as promote open jobs continuously. There are several variables that create hiring challenges at USP Thomson such as the geographic location, competitive pay with other law enforcement agencies, candidate background checks, etc.

- 5) Leadership at USP Thomson should ensure blank grievance forms are available to all inmates upon request and that complete forms are submitted and processed appropriately.

Comments by the Bureau of Prisons:

*USP Thomson adheres to **Program Statement 1330.18, Administrative Remedy Program**. Inmates may seek formal review of an issue relating to any aspect of their own confinement. Inmates may request the appropriate documentation from their unit team to address their Administrative Remedy needs. The purpose of the Administrative Remedy Program is to thoroughly review and respond to specific issues by either granting or denying the relief sought. Inmates who are dissatisfied with the response at the institutional level may appeal the response to the Regional and Central Office level.*

- 6) The BOP should ensure that individuals are enrolled in education classes promptly and receive appropriate support from teaching staff.

Comments by the Bureau of Prisons:

*Per Program Statement 5350.28, **Literacy Program (GED Standard)**, inmates arriving at USP Thomson are screened by Education staff within 30 days of arrival to determine their educational needs. Additionally, per Program Statement 5321.08, **Unit Management Manual**, inmates are also screened by Unit Team within 28 days of arrival to determine programming needs covered under the First Step Act. The First Step Act has thirteen (13) need areas, and inmates are recommended to enroll, actively participate, and complete programs to fulfill their identified needs. The Education Department is staffed with qualified teachers which conduct classes to assist inmates in achieving their educational goals, as well as additional instruction and tutoring, as needed, to inmates with learning deficits.*

- 7) The BOP should provide sufficient mental health staff to support the treatment needs of the whole population.

Comments by the Bureau of Prisons:

The Reintegration Unit (RU) has two Psychologists and four RU Treatment Specialists available to address inmates' mental health needs. The Special Management Unit (SMU) has three Restrictive Housing Psychologists and one SMU Coordinator/Psychologist who supervises six SMU Treatment Specialists. USP Thomson also has two

Staff Psychologists and a Drug Abuse Program Coordinator. The Drug Abuse Program Coordinator supervises one Drug Treatment Specialist Who provides services to the RU, SMU, and Camp inmates. The satellite camp has one Psychologist available to provide mental health services to Camp inmates.

- 8) The BOP should ensure that all individuals who request mental health treatment and support receive a timely response and appropriate care, especially given that intensely restrictive environments such as the SMU are known to cause or exacerbate depression, anxiety, and psychosis.

Comments by the Bureau of Prisons:

Every inmate in the Special Management Unit (SMU) has the opportunity to sign up for the Voluntary SMU Psychology Treatment Program. Should they choose to participate, they are assigned a Treatment Specialist and are seen twice per week. Inmates are offered three FSA groups including Drug Education, Anger Management, and Criminal Thinking. Every inmate has access to a psychologist weekly, who responds to crisis interventions, conducts monthly SMU reviews, out of cell individual counseling, per request or by their treatment plan/ mental health care level. The psychologist assists in future psychology treatment program planning and referrals (such as Challenge, RDAP, SOTP), psychotropic medication referrals, and offers numerous resources. Psychologists are trained to monitor and treat a variety of mental health symptoms. All inmates who require, referred, or request mental health treatment are seen in a timely manner, as dictated by policy.

- 9) The BOP should ensure that Health Services is sufficiently staffed to respond to sick call requests and provide appropriate medical and dental care in a timely manner.

Comments by the Bureau of Prisons:

*USP Thomson provides routine diagnostic and treatment services in accordance with **Program Statement 6031.01, Patient Care**, including guidance for chronic care clinics, medical intake screenings, physicals, consultations from outside health providers, triage and access to care.*

As of August 22, 2022, USP Thomson Health Services was staffed at 72.22 %, and with recent hires, USP Thomson is expected to be staffed at 80.55% by September 2022.

USP Thomson has requested the assistance of the Regional Recruiter to fill open positions for a staff pharmacist and medical officers within the Health Services Department. The staff pharmacist position has been re-announced with incentives. There have been two conditional offers submitted and accepted for two medical officers. The medical officers have an anticipated start date at USP Thomson of December 2022. Additionally, USP Thomson has requested temporary duty (TDY) staff from across the Bureau of Prisons to assist with routine medical services. There are several variables that create hiring challenges at USP Thomson such as the geographic location, competitive pay with other medical facilities and agencies, candidate background checks, etc.

- 10) Staff at USP Thomson should provide basic hygiene items in accordance with the Inmate Handbook.

Comments by the Bureau of Prisons:

*Inmates at USP Thomson are afforded the opportunity to purchase basic hygiene items through the institutional Commissary. Additionally, USP Thomson provides indigent inmates personal hygiene items per **Program Statement 5230.05, Grooming**. “10. [PERSONAL HYGIENE §551.6 The Warden shall make available to an inmate those articles necessary for maintaining personal hygiene.] Examples of articles to be available would include: soap, toothbrush, toothpaste or powder, comb, and toilet paper.”*

- 11) The Office of the Inspector General should do a review of USP Thomson to ensure the facility is in compliance with all program statements and agency regulations.

Comments by the Bureau of Prisons:

The Office of the Inspector General completed an audit at USP Thomson, June 27-July 1, 2022.

IV. Overview of Specialized Missions

Special Management Unit

The SMU is located on the South Yard of USP Thomson. Individuals are referred to SMU after disruptive activity at other high security institutions. This is defined very broadly as “activity such that greater management of the inmate’s interaction with other persons is necessary to ensure the safety, security, or orderly operation of Bureau facilities...” and can include repeated serious disciplinary violations, leadership or participation in a disruptive geographical group or gang-related activity, or some combination of both.

According to the BOP, the SMU is both a more restrictive high security facility and a program that individuals complete with the goal of returning to general population. The program consists of three levels. Individuals progress through the levels by avoiding disciplinary reports, completing educational and psychology workbooks, attending weekly groups, and demonstrating the ability to coexist with other inmates. Individuals can be returned to previous levels for failure to program or disciplinary violations.

SMU Level	Inmate interaction	Programming	Goals	Expected Duration
1	<ul style="list-style-type: none"> • Minimal • Restricted to cell 23 hours/day 	<ul style="list-style-type: none"> • self-study packets for GED/ESL • Adult Continuing Education (ACE) classes • SMU workbooks (Basic Cognitive Skills, My Change Plan, Values for Responsible Living, Anger) 	<ul style="list-style-type: none"> • no disciplinary violations • program participation 	6-8 months
2	<ul style="list-style-type: none"> • Increased interaction opportunities • Still mostly restricted to cell 	<ul style="list-style-type: none"> • self-study packets or small groups for GED/ESL and psychology (criminal thinking, rational decision making, emotional regulation). • self-study ACE classes 	<ul style="list-style-type: none"> • no disciplinary violations • program participation • demonstrated willingness to coexist with other groups/gangs 	2-3 months
3	<ul style="list-style-type: none"> • Open movement in unit 	<ul style="list-style-type: none"> • group counseling sessions emphasizing re-entry focus and responsibility 	<ul style="list-style-type: none"> • demonstrated positive community interaction skills 	1-2 months

According to the BOP's program statement on Special Management Units,³ individuals are expected to complete the program in approximately 12 months. The maximum time an inmate may spend in SMU is 24 consecutive months. If they are unable to complete the program in that time, they are placed in SMU fail status and their file is referred to Central Office for a recommendation for further placement.

According to the BOP, when an individual has successfully completed all three levels (including maintaining a clear disciplinary record for at least nine months), the Unit Team submits a memo to the Warden recommending the individual be redesignated to general population at another institution.

Reintegration Unit

The RU is located on the North Yard of USP Thomson, and houses individuals with a history of protective custody requests who consistently refuse to enter general population. At many facilities the only option for protective custody is to house them in the Special Housing Unit (SHU), where they are isolated most of each day. The RU was created to provide an alternative to housing these individuals in long-term SHU, and to move these individuals towards "reintegrating" into general population units or into the community. At the time of the CIC's visit, 15 individuals from DC were living in the RU, including three who were in SHU.

The "program" portion of the RU contains three levels. To progress through the levels, individuals must avoid disciplinary reports, maintain "exceptional" cell sanitation, and maintain gainful employment within the facility. Individuals are also expected to complete level objectives, such as GED and ACE classes, leisure/fitness programs, and financial obligations.

V. SMU Program Components

According to the Program Statement on SMUs, individuals are expected to move through the phases of the program in approximately a year. Many DC individuals the CIC spoke with were not progressing through the program at that pace. This has led to some people being held in this highly restrictive environment for longer than the maximum period allowed. Staff indicated it was common practice to send individuals through the program multiple times in a row, defeating the purpose of the maximum period and again resulting in residents spending years in a highly restrictive "program" that did not appear to result in behavior change. The CIC also noticed an extremely high incidence of disciplinary reports for "inappropriate sexual acts" and heard many concerns about how those incidents were handled and the ongoing impact on individuals.

Progression Through the Program

Some DC individuals did not appear to be progressing through the program as expected in the program statement. As noted above, the program is intended for completion in 9-13 months, and individuals are to spend no more than 24 months in the highly restrictive SMU. Twelve individuals with whom the CIC spoke had been in the SMU more than 12 months, and seven reporting being inside of the unit longer more than 24 months.

Six of the individuals with the longest periods in SMU indicated that they had never progressed beyond Level 1. Another individual said that he had progressed to Level 3 in nine months, but was

³ Bureau of Prison Program Statement 5217.02, "Special Management Units." Available at https://www.bop.gov/policy/progstat/5217_02.pdf

now “stuck” there with no information on further steps to be classified as “complete.” Two individuals shared that they had clear conduct for more than a year (17 months and 25 months respectively); however, once a previous disciplinary report was referred to the FBI, they were recorded as having failed the SMU program, and have not received further information on their status or when they might be transferred out of the SMU. Another individual shared that he completed the SMU program and was redesignated to another facility when he received a disciplinary report and was held for another 3-6 months in the SMU.

A few individuals with whom the CIC spoke were progressing through the program consistent with the BOP’s stated expectations. Two individuals said that they had progressed to Level 3 in 11 months, and two other individuals shared that they were on Level 2 after six months and eight months, respectively. Seven individuals had been at USP Thomson for less than six months.

SMU Returns

According to the BOP’s program statement for SMUs,⁴ “the maximum time an inmate may spend in SMU is 24 consecutive months. Inmates will not be returned to the program unless they engage in additional disruptive behavior that warrants a new referral, which will be subject to approval as provided in policy.” Executive staff at USP Thomson explained to CIC staff that if individuals refuse to participate in the SMU then they are typically sent to other institutions, but if they “fail” due to disruptive behavior, they are often reassigned to the SMU immediately to begin another period of restrictive housing lasting up to 24 months. This means that despite the language of the program statement, there is functionally no maximum time an inmate may spend in SMU.

Individuals referred to the SMU have already likely served months or years in restrictive housing at other institutions prior to their referral, given that most referrals are premised upon multiple serious disciplinary infractions. Prolonged confinement in extremely restrictive housing environments has been documented to have serious medical and mental health impacts on individuals. The regular use of SMU “returns” is a serious concern.

Twenty individuals (almost half the individuals who spoke with the CIC) said that this was not their first time in the SMU.

Recommendation: The BOP should adhere to the 24-month limit in the 2016 version of the SMU Program Statement and ensure that individuals do not spend long and/or repeated periods of time in this highly restrictive environment.

Engaging in Sexual Acts

Many of the individuals with whom the CIC spoke mentioned concerns around receiving disciplinary reports for a code 205, “engaging in sexual acts.” According to records provided by the BOP, in the last year there were 479 incidences of this disciplinary infraction at USP Thomson. This is by far the most reported disciplinary infraction, followed by 124 instances of “refusing to obey an order,” 116 instances of “threatening bodily harm,” and 100 instances of “fighting with another person.” Staff at USP Thomson indicated that “engaging in sexual acts” could include behavior such as masturbation as well as intentionally exposing one’s private parts in the presence of another person.

⁴ Bureau of Prison Program Statement 5217.02, “Special Management Units.” Available at https://www.bop.gov/policy/progstat/5217_02.pdf

Two individuals reported being returned to a more restrictive level of the SMU program due to disciplinary reports for a code 205. One individual reported that he had been at USP Thomson for more than 18 months due to multiple disciplinary reports for a code 205. He indicated that staff required him to re-start the entire SMU program because of these charges. Another individual stated that his unit is known as a “jacking” unit where most of the individuals are exposing their private parts.

Two individuals said that they had been verbally harassed by staff while they were written up for a code 205 infraction. Two other individuals shared that staff had told them they had been labeled as sex offenders due to their disciplinary reports for code 205. They are concerned about how that impacts their safety on the unit, access to email, and eventual re-entry to the community.

When asked, facility staff stated they did not know why there was such a high rate of disciplinary reports for this behavior at USP Thomson. The BOP lists nine facilities with residential or non-residential sex offender management programs. These programs provide information and treatment for individuals with a history of sexual offenses. There is no specific treatment provided at USP Thomson for individuals with a history of sexual offenses.

VI. Staff Interactions

DC residents at USP Thomson reported concerns about verbal harassment and physical abuse from staff. They also shared frustrations with the disciplinary system and administrative grievance process. Since the activation of USP Thomson, there have been reports that the facility is short-staffed. The CIC asked facility executive staff as well as residents about the current staffing situation.

Harassment/Abuse

More than half of the DC individuals (24/43) who spoke with the CIC reported harassment or abuse by staff at USP Thomson. Nine individuals described physical assaults including two individuals who said that they were hit or punched by staff while in handcuffs. One individual said he was beaten, restrained on a bed, and denied food, while another said he was choked, punched, and kicked and put in handcuffs that were too tight and caused permanent injury to his wrists.

Five individuals reported being called racial slurs by staff, and four additional individuals reported being threatened verbally by staff. Four respondents said that they had been denied recreation, and three individuals said they were denied showers. Four individuals said that their property was destroyed by staff.

“Staff come through calling n-word and motherf---r. When I tell the captain, they say they’re going to talk to him, but nothing happens but a shakedown of my cell. I can’t defend myself if you hit me in handcuffs.”

“Even when you’re trying to keep it together you get slammed down for nothing and then told you’re resisting while in restraints.”

“Staff harasses me every day, disrespect, racist names, from the Lieutenants to the officers.”

“More so on the level of verbal abuse, and threats to do bodily harm.”

“I’ve been verbally abused and threatened. Targeted by staff and had property destroyed.”

Recommendation: Leadership at USP Thomson should reinforce to staff the principles governing the use of force laid out in Program Statement 5566.06,5 including confrontation avoidance procedures, and using only the amount of force necessary to gain control of inmates.

Recommendation: The BOP should fully investigate all allegations of staff physical assaults on inmates.

Insufficient Staff and Use of Augmentation

In May 2021, the staff union at USP Thomson reported 110 vacancies out of 602 positions at the facility. Staff complained publicly of “abusive levels of augmentation” and significant reliance on overtime. Augmentation is a process in which staff such as nurses, psychologists, and case managers are reassigned to cover basic functions, such as escorting inmates to showers and recreation. The staff union reported that the facility was augmenting 20 to 60 staff each day as of May 2021.

When asked about this situation, executive staff at USP Thomson said that they had shut down several underutilized units to help with understaffing and hired 62 officers since January 2021. The Wardens indicated that the use of augmentation had been declining steadily, and that the facility had used no staff augmentation on the day of the CIC’s visit and only 2 to 3 reassigned staff the day before. The BOP declined to provide supportive documentation.

In September 2021, a news article quoted the staff union president at USP Thomson saying that there were 96 vacancies among the custodial staff (i.e. correction officers) down from 167 a year prior.⁶ According to the same article, the union had secured a retention bonus for staff who stay more than a year at USP Thomson, with the goal of reducing staff turnover and increasing the number of experienced staff at the facility.

Four DC residents told the CIC that the facility is short staffed, and three others shared that it is hard to get the attention of their unit team members. One individual shared that the facility leadership has changed four times in the last two years, and another person shared that the rules change with the leadership and it is hard to adjust.

“Staff overuse the excuse ‘we don’t have enough staff to pull you out.’”

“It fluctuates – one minute everything is cool, then the admin changes, things you would be allowed before change. There are different rules so it’s hard to adjust.”

“Staff get pulled from the mailroom to the unit to run showers, and inmates suffer.”

“Unit team walks around but keeps moving. When you knock on the door, they ignore you.”

“Rules need to be applied consistently. Short on staff might be a part of it.”

“You have to go through hoops to do anything, showers, recreation...”

Recommendation: The BOP should continue to work to fully resolve the staffing shortage at USP Thomson.

⁵ Bureau of Prisons Program Statement 5566.06 “Use of Force and Application of Restraints.” Available at https://www.bop.gov/policy/progstat/5566_006.pdf

⁶ Marci Clark, *USP Thomson Union Secures 25% Retention Bonus to Help With Understaffing*, KWQC, Sept. 19, 2021, available at <https://www.kwqc.com/2021/09/20/usp-thomson-union-secures-25-retention-bonus-help-with-understaffing/>

Disciplinary Process

Twenty-nine individuals shared comments about the disciplinary process at USP Thomson. The most common complaint was that the process was biased and/or unfair. Four individuals shared that the process was very slow, and four others said that they did not receive notification of their disciplinary charges until weeks or months after the alleged incident. Two individuals commented that they received disciplinary sanctions prior to having a hearing on their charges, and two others said that by the time they received notice of their sanction they had already served more than that amount of time. Two individuals shared that staff refused to provide them with forms to appeal their disciplinary decisions.

“The staff do not go by the handbook like they’re supposed to and when you explain that to them, they say appeal it then deny us the forms we need to appeal.”

“It’s backed up, unprofessional, and neglected.”

“It’s slow, they don’t follow the program statements or rules for the DHO process.”

“The process for disciplinary is terrible. You get one week when it’s supposed to be 24 hours. They always have excuses for why the camera’s not working, and you get found guilty anyway.”

“Disciplinary doesn’t play by the rules. I got a shot ten days after the incident and got sanctioned but by the time I got the DHO report I’d already served the sanction.”

Grievance Process

Fourteen DC residents shared comments about the grievance process at USP Thomson. Seven said that staff either do not submit completed grievance forms or throw them away. Two individuals commented that staff refused to provide grievance forms, and another person said that staff on his unit retaliated against individuals who filed grievance forms.

“A lot of times the counselor who picks up the grievances never turns them in or processes them.”

“They take too long and then they be saying that it was our fault for not turning it in. Then they denied the BP-8 and BP-9.”

“They just throw it away if you can get your counselor to give you one.”

The BOP provided the CIC with data on the number of grievances filed at USP Thomson between July 2020 and June 2021, including institution filings (BP-9), regional appeals (BP-10) and Central Office appeals (BP-11) and the response times. The number of grievances filed and their response times varied widely.

BOP Grievance Response Times	BP-9 (Facility)	BP-10 (Region)	BP-11 (Central Office)
Total number of grievances/appeals filed each month, July 2020 - June 2021 (range)	2 - 57	13 - 33	4 - 16
Percentage answered on time (range)	44% - 100%	64% - 100%	0% - 80%
Percentage answered on time (average over 12 months)	83.8%	88.1%	40.8%
Average response time (range)	14 - 60 days	19-59 days	44-124 days
Average response time (average over 12 months)	21 days	35 days	82 days
Response time required by BOP Program Statement	20 days	30 days	40 days

Recommendation: Leadership at USP Thomson should ensure blank grievance forms are available to all inmates upon request and that complete forms are submitted and processed appropriately.

VII. Education and Programming

Education and programming in the RU includes GED classes and testing, Adult Continuing Education (ACE) packets, psycho-educational groups, and First Step Act classes. Re-entry materials are available to residents in the leisure library. Facility staff told the CIC that camp currently has a welding program, and they are working on adding a machining program and a vocational technology instructor at the camp.

Individuals in the SMU are required to participate in education and psychology programming to move through the levels of the program. Educational and psychoeducational programming for individuals in the SMU consists almost entirely of self-study packets. There are two book carts in the SMU, each with 150 books, which circulate between units.

Literacy/GED

Education staff stated that in the RU, GED classes are taught by staff, and inmates serve as tutors. Testing is done by computers on site. In the SMU, residents work through GED study packets. Per staff, there are two staff instructors available in the SMU to assist residents at their cell doors. Testing is done on paper in the SMU.

Eighteen individuals who spoke with the CIC said that they were participating in GED study. Six of them said that they didn't have enough support from a teacher, and four said that there were long delays between when they requested to enroll in GED and when they were enrolled. Four individuals said that they were denied GED materials by education staff. Three individuals said that education staff were unresponsive. Three individuals said that the education department was good.

"It's non-existent. I been asking about school since I been here, since I knew I was going to be locked down for a year and they just assigned me a teacher last week."

"Education doesn't really do too many rounds to speak with us and I haven't got one GED package yet. The other programs are good."

"Education department is good."

"They need to pull us out more to help us instead of just giving us work to do."

"It's horrible. I never see my teacher."

"Still in the GED program. Other inmates and staff help with packets."

Recommendation: *The BOP should ensure that individuals are enrolled in education classes promptly and receive appropriate support from teaching staff.*

Adult Continuing Education (ACE)

Individuals in SMU are required to complete four ACE classes to progress through the SMU levels. Each month, two ACE programs are broadcast to inmates over a radio channel. SMU residents are issued an mp3 player by the facility, which they can use to listen to the broadcast that airs twice a day.⁷ Individuals must complete a paper post-test and submit it to the education department to receive credit for the course. Individuals can also request a paper program packet. Individuals in RU can purchase an mp3 player through the commissary to access the ACE broadcasts.

Twenty-two DC residents reported that they were participating in ACE programming.

"I would have to say that the ACE programs are fine."

"I do the programs. There's good information but I'm not sure if it matters in this context because intelligence and good sense are not valued here."

"Programming is not very helpful or good, I'm just trying to clear the SMU program."

"I am working on 14 ACE courses and psychology programs and finding it helpful."

"Most of the radio/mp3 stations are difficult to pick up and overall there's not a lot of beneficial programs offered."

⁷ See Appendix B for ACE participation instructions and a copy of the Broadcast Schedule for USP Thomson in July 2020, provided by the BOP.

VIII. Psychology

According to the BOP, there is not currently a full-time psychiatrist at USP Thomson. There is a tele-psychiatrist available. The facility has ten full-time psychologists on staff, including the Chief Psychologist, the SMU Coordinator, three restrictive housing psychologists in the SMU, four staff psychologists in the RU and a reintegration psychologist. There are eleven treatment specialists, six in the SMU, four in the RU, and one in drug treatment. Treatment specialist positions require a bachelor's degree and either specialized higher education or work experience in casework and/or counseling.⁸

Psychology Programs

Treatment specialists administer the voluntary SMU psychology treatment program and First Step Act programs on subjects like Anger Management, Substance Abuse, and Trauma. In the SMU these are self-study packets, and in the RU they are in-person groups of 12 to 15 participants. According to staff, the SMU psychology treatment program consists of in-cell reading and journaling in the first phases, and a group during Phase Three.

Sixteen DC residents who spoke to the CIC said that they were participating in psychology programming. No one who spoke with the CIC had comments specific to psychology programs.

Mental Health Treatment

Twenty-five residents who spoke with the CIC reported that they had a previous or current mental health diagnosis. Eleven individuals indicated that they were receiving mental health medication at the time of the CIC's visit.

The CIC asked residents how often they meet with psychology staff. The forty-three responses are reflected in the following chart:

Never	11
Weekly	11
Monthly	5
Rarely	10
Don't Know	1
N/A	5

Forty individuals who were interviewed shared their experiences with mental health care. Ten individuals said that psychology staff were not helpful. Seven individuals said that psychology staff did not respond to requests to see them, and six said that they did not see psychology staff very often. Four individuals said that there weren't enough psychology staff or that their caseloads were too big to provide useful treatment. Four other individuals said that you had to "act out" or "do something crazy" to be seen by psychology staff. Four individuals said mental health care at USP Thomson was bad without elaborating ("garbage," "it sucks.")

Eight individuals had positive or neutral comments about psychology services ("kinda cool," "no complaints," "decent," "some staff are helpful, some not.")

⁸ See posting for Correctional Treatment Specialist at <https://www.usajobs.gov/job/627619100>, accessed 1/28/2022.

Four individuals shared issues with mental health medication, including one person who said his medication was reduced upon arrival to the SMU “for no reason,” another who said he was taken off anxiety medication because he kept receiving disciplinary violations, and a third who said his medication was discontinued because he forgot to take it regularly.

“I see the treatment specialist once a week, which helps, but it is not always the same person, so it throws me off.”

“Psychology services are rarely called when needed. There is not enough psychology staff available for the amount of residents who have mental health issues. You have to act out to get attention from staff.”

“They downplay symptoms and say we all have antisocial disorder.”

“There is no mental health care here, they don’t come around.”

“The doctor here has tried her best to be as helpful as possible but due to the volume of her caseload she isn’t always able to accommodate each individual.”

“Some of them is helpful, some is disrespectful, overall not helpful, very unprofessional.”

Recommendation: *The BOP should provide sufficient mental health staff to support the treatment needs of the whole population.*

Recommendation: *The BOP should ensure that all individuals who request mental health treatment and support receive a timely response and appropriate care, especially given that intensely restrictive environments such as the SMU are known to cause or exacerbate depression, anxiety, and psychosis.*

IX. Health Services

According to facility staff, the health services unit at USP Thomson functions as an ambulatory clinic with no inpatient care. There is a lab and x-ray machine on site, as well as a trauma room. The health services unit contains holding cells for individuals waiting for care to accommodate separation requirements and different security levels. Individuals needing more intensive care are transported by local emergency services to a hospital 20 to 30 minutes away in Clinton, IA. When USP Thomson is short-staffed, they get support via telemedicine from Rochester Federal Medical Center. Facility staff stated that a new doctor would start at the facility in August 2021.

Sick Call

Individuals can request to be seen for new or recurring medical issues through the sick call system. According to staff, individuals in the RU can submit sick call requests at morning pill line four days a week, while individuals in the SMU can give sick call requests to nurses when they are on the unit distributing medication. Individuals in the SMU are typically seen cell-side but may be brought to the health services unit if necessary.

Nine residents reported that it was hard to get medical care or that they did not receive responses to their sick call requests. Three mentioned long waits to be seen by medical staff.

Chronic Care

Health services staff is responsible for providing ongoing care for individuals with chronic conditions. Staff told the CIC that there are approximately 500 individuals at USP Thomson receiving chronic care, or about forty-five percent of the current population. Staff noted that the population at USP Thomson trends younger than many facilities, but there is a higher incidence of chronic mental health issues.

Fifteen survey respondents reported that they were on the chronic care list. Of those fifteen, seven individuals reported that they were not able to access medical care when needed, three said they were able to access care, and five did not respond to the question. Twenty-one respondents said they were not on the chronic care list and eleven respondents did not know whether they were.

Medication

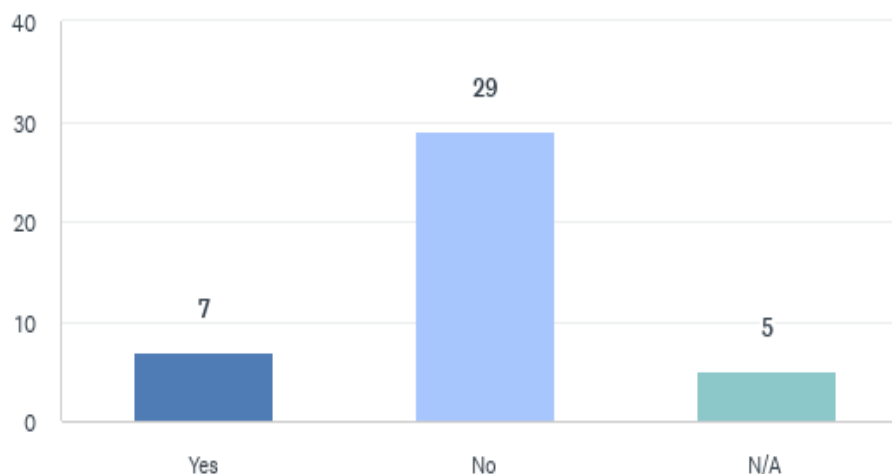
Health services staff stated that they pass medication to residents daily. In the RU, individuals can come to pill line to receive their medications. Some individuals in the RU can self-carry medication to use as needed. Health services staff bring medications to the SMU and deliver them to individuals at their cells. Staff track medication compliance and meet weekly with psychology staff to discuss missed doses of psychiatric medication and any necessary interventions.

Access to Care

Twenty-nine (71%) of the individuals who completed surveys indicated that they were not able to access medical care when needed. Seven (17%) said they could access medical care when needed, and five individuals indicated they had not needed to use medical services.

Are You Able to Access Medical Care When You Need It?

(Answered: 41 Skipped: 7)



Additional Resident Comments

Thirty-two individuals interviewed by the CIC volunteered comments about medical care. The most common feedback was from individuals who had not seen dental staff during their time at USP Thomson. Of the twelve individuals who reported not having received dental care, six had been at USP Thomson less than six months, four had been at USP Thomson more than six months but less than a year, one individual had been at USP Thomson nearly eighteen months without dental care and reported having a cavity, and another individual reported being at USP Thomson over two years

without seeing a dentist. Two additional respondents mentioned having seen the dentist and having positive experiences.

Twenty-nine survey respondents reported using or needing glasses. Two individuals said they had been waiting more than six months for glasses. Two other individuals said staff at USP Thomson had glued or taped their broken glasses instead of ordering new pairs.

Six individuals said they had no comments on medical services because they had not needed medical care while at USP Thomson. Four individuals reported generally good experiences with medical care, and two individuals reported “bad” experiences with medical without elaborating further.

“The nurses here are disrespectful, don't want to do their job. I'll put in multiple cop-out/sick call to be seen about issues I'm having with no one from medical even coming or asking was I fine or seeing me.”

“It comes when it comes. The timing may be kinda off sometimes but good...”

“My glasses have been broken since I been here and still have not been fixed. I'm chronic care and have not seen the doctor in 7.5 months and counting.”

“The dental are pretty decent here. Medical overall seems overwhelmed.”

“They are a very slow process and when they finally see you they are no help.”

Recommendation: The BOP should ensure that Health Services is sufficiently staffed to respond to sick call requests and provide appropriate medical and dental care in a timely manner.

X. Hygiene and Food

Personal Hygiene

Sixteen individuals told the CIC that the facility does not provide basic hygiene items including hand soap, shampoo, toothpaste, and toothbrushes and that individuals are required to purchase these items from commissary. Several individuals shared that this was a recent change in policy.

The facility's Admission and Orientation Handbook (A&O Handbook) dated June 2021,⁹ states that “Toothpaste, toothbrushes, combs, razors, and soap for personal hygiene are issued by the institution. Inmates may purchase brand name items through the Commissary.”

Showers

⁹ The BOP provided this document to the CIC upon request. A 2017 version of the Admission and Orientation Handbook for the camp at USP Thomson is available online at https://www.bop.gov/locations/institutions/tom/TOM-Camp_AO_Handbook042417.pdf

Four individuals indicated that staff withhold showers or treat showers as a privilege that must be earned. Two individuals complained that showers are only available three days a week, and one individual complained about being handcuffed on the way to and from the shower.

The A&O Handbook states that showers will be provided to each inmate three times a week.

Cleaning Supplies

Six individuals told the CIC that they were not provided with any cleaning supplies to clean their cells. Two additional individuals said that they were given disinfectant but were told by staff to use their body towels or washcloths to clean their cells.

According to the A&O Handbook, cleaning supplies are distributed by staff on a weekly schedule.

Food

Nineteen individuals shared concerns about the food at USP Thomson. Common complaints included that food was spoiled or contaminated (4), trays were dirty (3), portions were small (3), meals were the same in a day or week (3) and the food was cold (2). Six individuals said the food was bad without elaborating, and three people said that meals were “okay.”

The Bureau of Prisons National menu is available on the BOP website.¹⁰

“They give us disinfectant but no rags to clean the cell. They suggest we clean our cells with body washcloths, but if they rip, we get written up.”

“They withhold showers, so I wind up taking one in the sink.”

“They don't pass out no hygiene no more, they make you pay for it even if your account is froze.”

“I found hair, rocks, and glass in my food before. The trays are dirty, the food is half cooked and not clean, sometimes taste like dirt. The commissary is fair, but they don't give us hygiene, they make us order it.”

“To be completely honest, the food is starting to get better. But they don't give hygiene, and they don't never give out cleaning supplies.”

Recommendation: Staff at USP Thomson should provide basic hygiene items in accordance with the Inmate Handbook.

¹⁰ Federal Bureau of Prisons – National Menu Lunch and Dinner FY 2021 available at https://www.bop.gov/foia/docs/fy21_national_lunch_menu_eng_spn.pdf

XI. Conclusion

The BOP consistently calls the SMU a “program”; however, it is primarily a highly restrictive behavioral management unit. For at least the first six months in the SMU, individuals are restricted to a cell for 23 hours a day and the “programming” consists entirely of self-study workbooks on education and psychology topics, and continuing education classes provided by radio. The CIC spoke with many DC individuals who never progressed beyond this level despite spending many months or even multiple years in the SMU. Other individuals reported “failing” the SMU program and being “sent back” for another potentially two year-long period of almost total isolation.

More than half of the individuals who spoke to the CIC reported harassment or abuse by staff, including racial slurs, verbal threats, and nine individuals who described being physically assaulted by staff at USP Thomson.

USP Thomson has an unusually high rate of disciplinary infractions for “engaging in sexual acts.” It is not clear why this occurs, or whether any of the individuals with multiple reports for this behavior have been provided any counseling or treatment to address this behavior.

DC individuals also reported challenges seeing both psychology and health services staff when needed. Nearly three in four respondents said that they were not able to access medical care when needed. Individuals also shared that they were not provided basic hygiene items and had to purchase them from commissary, and a few individuals shared concerns about access to cleaning supplies and showers.

Most DC individuals reported finding ACE classes useful. Several DC individuals reported delays in GED enrollment, and rarely seeing education or psychology staff for anything more than an exchange of completed packets for new ones.

Several DC residents suggested that some of the issues were due to chronic understaffing. The BOP has taken several steps to address understaffing at USP Thomson, including offering retention bonuses and holding regular job fairs in the area.

The CIC only spoke with four individuals housed in the RU, but their comments included concerns about staff violence, unhealthy food, and lack of accommodations for individuals with disabilities.

When asked what they would do to improve conditions of confinement at USP Thomson, DC residents responded with the following:

“Simply give us what we have coming not negative, give us our barbershop, let the orderly clean the showers, plug up the tray carts (hot meals.) When it's time for someone to level up, level him up on time. Make sure we get our paper and envelopes, ink pens, run recreations, stop beating people with handcuffs on or in chains. More training - the communication here is terrible. It's a lot of inexperience. Give blankets and swap laundry on a regular basis, just be consistent with what we're supposed to have.”

“With respectful COs, cleaning supplies, better food, better medical staff, more programs, just a more organized facility.”

“I would make more rec, have things to do at rec, like workout things, yoga pads, etc. Things you can't hurt someone with. A better spending limit on commissary. Respectful staff members. Let inmates cell with people they feel they could get along with. Groups meeting. Staff rounds to see if inmates are okay.”

“More treatment and true care for our health, mental health and our well-being! We're here for upliftment, not stagnation!”

Recommendation: *The Office of the Inspector General should do a review of USP Thomson to ensure the facility is in compliance with all program statements and agency regulations.*

Appendix A: Methodology

In accordance with the Memorandum of Understanding (MOU) between the CIC and the BOP requiring at least 30 days' notice of an inspection, the CIC notified the BOP on June 21, 2021 of its request to inspect USP Thomson on July 20 and 21, 2021. The BOP approved the request.

On June 25, 2021 the BOP provided the CIC with the roster of DC Code Offenders at USP Thomson. On June 28, 2021, the CIC sent letters to 84 DC Code Offenders housed at USP Thomson, informing them of the upcoming inspection and offering them the opportunity for a confidential interview with a member of the CIC team.

In accordance with the MOU, the BOP provided the CIC with advance documents regarding USP Thomson, including inmate population and demographics, facility staffing, significant incidents, administrative remedy filings, and disciplinary records. The CIC also reviewed an education report, the Admissions and Orientation Handbook, and the most recent Prison Rape Elimination Act (PREA) report. The BOP was not able to provide an ACA audit report because the facility's initial ACA audit had been rescheduled several times due to Covid and had not yet been completed.

The CIC conducted an onsite inspection of USP Thomson on July 20 and 21, 2021. The CIC toured three housing units in the Reintegration Unit, as well as recreation, health services, religious services, education, and psychology on the North Yard. Per the CIC's agreement with the BOP, the CIC is not allowed access to the Special Management Unit (SMU) so the CIC did not go to that side of the facility at all.

After the tour, facility staff brought down individuals who had expressed interest in speaking with the CIC. The CIC offered individuals the opportunity to complete a written survey about their experiences at USP Thomson. The CIC then met with individuals in non-contact booths to hear any additional feedback. The CIC spoke with forty-eight inmates, including three housed in the RU and one housed in the SHU.

After the site visit, the surveys were compiled using SurveyMonkey, a business intelligence tool, with unique identifiers used instead of individual names to protect confidentiality. The total number of respondents for a particular question is noted on each chart. Extended responses from the surveys were compiled with comments from other forms of communications with DC inmates at the facility and were used to inform analysis and provide context in applicable sections.

Based on the advance materials provided, and the site visit, including interviews with forty-eight DC residents at USP Thomson and their responses to survey questions, the report provides factual data and suggests eleven recommendations.

The CIC provided the BOP with a draft version of the report for review of factual information and an opportunity to respond to follow-up questions and any other information in the report. The BOP responses to the CIC draft report are included in the final version of this report.

Appendix B: SMU ACE Instructions and Sample Broadcast Schedule

SMU ACE Radio Station 107.3FM July's Instructions and Information

Updated 7/1/2020

*****The Education Department at USP Thomson is not responsible for the issuance, maintenance, and/or exchange of MP3 players and/or accessories*****

Class	Day	Lesson	Air Times		hrs
			AM	PM	
The Birth of The Modern Mind – 720 minutes	Mondays	1-4	08:30 AM	1:30 PM	2
	Tuesday	5-8	08:30 AM	1:30 PM	2
	Wednesday	9-12	08:30 AM	1:30 PM	2
	Thursday	13-16	08:30 AM	1:30 PM	2
	Friday	17-20	08:30 AM	1:30 PM	2
	Saturday	21-24	08:30 AM	1:30 PM	2
History's Greatest Voyage of Exploration – 720 minutes	Mondays	1-4	11:00 AM	04:00 PM	2
	Tuesday	5-8	11:00 AM	04:00 PM	2
	Wednesday	9-12	11:00 AM	04:00 PM	2
	Thursday	13-16	11:00 AM	04:00 PM	2
	Friday	17-20	11:00 AM	04:00 PM	2
	Saturday	21-24	11:00 AM	04:00 PM	2

If there are technical issues with the radio station 107.3 FM follow this instructions:

- Report it to Education Department, SMU ACE Coordinator. Be specific.
- Keep the post-test and allow reasonable time for the issue to be fix. When fixed, continue with the circulation process.
- Be alert during the times provided above. Maximum effort will be done to fix the technical issues in a timely manner.
- If you do not have an MP3, withdrawn voluntarily and request a paper program packet. Education Department is not responsible for MP3 player issues.

Course circulation process steps:

- Starting on the first Monday of every month**, two ACE Radio courses will play weekly on radio station 107.3 FM
- Pay attention to the lessons for each class on the radio station 107.3 at the assigned time. (See above). The ACE classes will change every month. It is important that they be turned in during the appropriate month.
- After you have listened to the course, complete the post-test.
- Deliver the post-test to the Education Department through institutional mail by the end of the assigned month. Do not complete your post-test at the last minute.**
- If the post-test is received after 2 weeks of the due date on these instructions, you are voluntary withdrawing from the class. Participation of ACE program is your responsibility.**
- It is your responsibility to deliver it on time.**

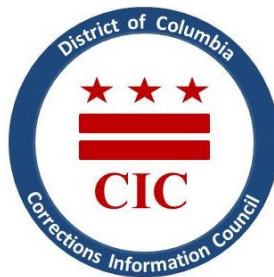
ACE Radio Program Participation

- You are fully responsible for the successful completion of the ACE Radio program course
- Neatly print your name and registration number on the test before turning in. If it can not to be read, it will not be documented on your education record.
- You must **achieve a minimum score of 70% or above** on the post-test to receive credit for successful completion of the course.
- If you pass the ACE course and follow instructions, the credits for the course will be recorded on your BOP transcripts and on your SMU reviews.

How you will get credit

- Write your name and registration number on each post-test to receive credit.
- This is an individual-study program; it is your responsibility to pay attention to the lessons.
- Turn in your post-test on time.
- You must **achieve a minimum score of 70% or above on the post-test** to be given credit.
- If you do not write your name, no records will be available to give you credit.**
- An ACE Radio course will be done once. If you do it twice, the second time will be recorded in your records! Do not request the post-test again if you passed.**

*****Rules, procedures, and course schedules are subject to change at any time upon USP Thomson needs.**



**District of Columbia
Corrections Information Council**

The electronic version of this report is
available on the CIC website:
<http://www.cic.dc.gov/>