



CIC | DC Corrections Information Council

COUNCIL OF THE DISTRICT OF COLUMBIA Committee on the Judiciary and Public Safety – Performance Oversight Hearings February 15, 2018

Testimony of Michelle Bonner, Executive Director Corrections Information Council

Good afternoon, Chairman Allen and other members of the Committee on the Judiciary and Public Safety.

I am Michelle Bonner, the Executive Director of the DC Corrections Information Council, commonly known as the “CIC.” Board members Charles Thornton, Katharine Huffman, Phylisa Carter, and Calvin Woodland, Jr., join me in thanking you for the opportunity to share with you and the community the work we have done in fiscal year 2017 and in fiscal year 2018, to date.

As you know, the CIC is an independent monitoring body initially established under the 1997 Revitalization Act, with its mandate further expanded and detailed in the DC Jail Improvement Act of 2003. The CIC is mandated to inspect, monitor, and report on the conditions of confinement in the prisons, jails, and halfway houses where DC residents are incarcerated. This includes over 4,700 residents (a decrease of about 200 from last year) in 116 Federal Bureau of Prisons (BOP) facilities and contract facilities in 34 states and the District of Columbia, as well as over 2,000 residents (an increase of about 200 from last year) in the custody of the DC Department of Corrections (DOC).

The CIC first consisted of a volunteer board of three members only, from 2002 to 2005. During that time, it did not have access to BOP facilities, accessible funding, or full time staff support. From 2006 to 2012 there was no volunteer board and no government support to establish a board. The CIC board was re-established in June 2012, and in August 2012, the CIC hired its first program analyst. Since then, the CIC has evolved into an independent government agency, has expanded to seven full time employees, and has an increased board capacity from three to five board members.

Since before 2012, the CIC and advocates for the agency have stressed that our mandate extends beyond mere inspection of bricks and mortar to include assessments of programs and services available to DC residents at over 100 facilities, as well as the policies and procedures that govern them. We examine medical and mental health treatment; substance abuse programs; and education and training programs. We also examine grievance procedures and disciplinary policies, visitation procedures, and prerelease planning. DC residents in BOP custody are far from their homes and families. They face unique obstacles in maintaining

community connections and reentering the community upon completion of their sentences. The CIC's oversight role includes reporting on these unique obstacles and making recommendations to remove these unique barriers.

The CIC sees its role as the eyes and ears for the Mayor, the Council, community members and families of incarcerated DC residents. We hoped to provide transparency, oversight, knowledge, and systematic monitoring of the facilities that incarcerate our residents here in DC and across the U.S. In performance of this function, the CIC has:

- Inspected over 48 BOP facilities and contract facilities (up from over 40 reported last year), as well as the DOC facilities (DC Jail/Central Detention Center (CDF) and Correctional Treatment Facility (CTF));
- Published 29 comprehensive inspection reports, 10 of which were published in FY17 and FY18 to date;
- Responded to hundreds of letters and inquiries from incarcerated persons and their loved ones;
- Attended dozens of community events and criminal justice stakeholders' meetings;
- Met with the leadership of the BOP about our findings and recommendations;
- Communicated directly with the DC DOC leadership on many occasions regarding incarcerated persons and community concerns;

Throughout, it has been our goal to provide information and insight that advocates, government officials, decision-makers, and corrections agencies can use to improve the conditions of confinement for incarcerated DC residents.

In addition, the CIC embarked on the following activities in FY2017 and FY2018, to date:

- CIC Holiday Card Initiative – In FY17 and FY18, the CIC coordinated holiday postcard writing events with community partners and sent around 4000 postcards to DC residents incarcerated in BOP prisons and contract prisons. Results have included positive feedback and connections with those incarcerated far away, as well as community members who participated.
- Prisoner and Reentry Symposium – In March 2017, the CIC and PDS cohosted the first Prisoner and Reentry Symposium, where 52 returning residents, service providers, government workers, and criminal justice leaders presented to nearly 200 attendees. The first symposium was a broad introduction; the next symposium will focus on one targeted issue. This has improved our connections and interactions with various criminal justice stakeholders.
- Use of Experts on Inspections – The CIC has long consulted with experts to learn more about issues affecting incarcerated persons. In FY 17 and FY18 the CIC also used experts on two of its prison inspections: Talila Lewis of HEARD for USP Tucson in FY17, and Dr. Andrea Weisman, a corrections psychology expert, for ADX Florence in FY18. These interactions improve our internal operations, by increasing staff expertise through collaboration with these experts.
- CIC Program Analyst Liaison – In FY18, Laura de las Casas has taken on the CIC Program Analyst Liaison position. She manages all CIC correspondence: with incarcerated

persons, community members, service providers, etc., and she manages the tracking of issues/concerns reported to the CIC. She also confers with the Director to reach out to corrections agencies' leadership on systemic issues or issues that require immediate attention. This year, she will compile a report on DC-specific issues affecting DC persons incarcerated in BOP facilities and contract facilities.

- Dedicated DOC Program Analyst – In FY18, the CIC hired GULC Fellow Rebekah Joab to act as the CIC Program Analyst dedicated primarily to DOC facilities. In the first quarter alone, she produced the 2016 and 2017 CIC reports on the DOC; and she has visited several DOC incarcerated persons. She will also work on the thematic report on education services provided in DOC facilities.
- Communications Specialist Position – On January 8, 2018, the CIC hired a Communications Specialist – Mabel Tejada – devoted, full-time, to transmitting and disseminating information that the CIC obtains. Mabel has received communications training, constructed a social media post plan, set an Open Meeting schedule, and is developing a broader communications plan for the agency.
- CIC Info Sheets – The CIC has basic information on procedures, definitions, and other data, that it is making available to the public in the form of “Info Sheets.” Rather than waiting for an inspection report to disperse information, the CIC is constantly trying to implement ways to make corrections information more available and accessible to the general public. These Info Sheets can be found on the CIC website; and their posting is advertised via social media and in CIC Bulletins.
- CIC Information Fair – CIC Board Chair Charles Thornton led a contingent of DC representatives from agencies including the Mayor’s Office on Returning Citizens Affairs (MORCA), Department of Behavioral Health (DBH), Court Services and Offender Supervision Agency (CSOSA), and returning citizens to meet with DC men incarcerated at FCI Cumberland, in MD. They provided information on reentry services, and shared first-hand experiences about transitioning from prison to the community.
- Testifying at Public Hearings – The CIC collects information that depicts challenges that agencies, service providers, and decision-makers are attempting to address. The CIC has proactively participated in public hearings to provide this information to the Council and to the public, to help them implement changes that will positively affect incarcerated DC residents. The testimony to date includes: CIC Testimony on Special Education for Incarcerated Young Adults (10.4.17); CIC Testimony on Youth Rehabilitation Amendment Act 2017 (10.26.17); CIC Testimony on Bill 22-459 Opioid Abuse Treatment Act (12.12.17); and testimony earlier today in contribution to the Roundtable Hearing on DC Department of Corrections.

A main objective of the CIC is to maintain its relationship with BOP, with continued access to BOP facilities and BOP review and response to CIC reports. The CIC has conducted announced inspections of BOP facilities and contract facilities for over five years, and the parties have renewed the MOU governing such inspections through July 2019. The CIC is looking forward to its meeting with the BOP’s new director, Mark Inch, next week, to further its relationship with the BOP under new leadership. Beyond inspections and facility reports, the CIC hopes to exert a positive influence over BOP’s designation of more DC incarcerated persons to facilities within

the District or closer to the District. For instance, the CIC has suggested a pilot program to keep individuals in DC, applicable to young people eligible for special education and related services under the Individuals with Disabilities in Education Act (IDEA), where numbers are small and the population is discrete. With work and hope, maybe the population of DC incarcerated persons in or near DC can be expanded in the near future.

The CIC has committed to spending more time and attention to the inspection and monitoring of DOC facilities, going forward. While the CIC has proposed an MOU with DOC, similar to the one we have with BOP, which governs inspections, reporting, and information sharing, the CIC and DOC do not yet have such an agreement. The CIC is meeting with DOC later this month, where there will be further discussion as to formalizing the relationship between the corrections agency and monitoring body. Also, the 2003 DC Jail Improvement Act only references the CDF (DC Jail) for CIC inspections: not the CTF, the Central Cell Block, or the contracted halfway houses. The CIC is exploring whether that Act should be changed to better reflect the facilities to be monitored, and the information needed to conduct effective monitoring of said facilities.

Operationally, the CIC has expanded quite a bit over the past three fiscal years. In FY 2017, however, the CIC did experience staff turnover in three of the then six positions, which also hampered the agency's progress in report writing and events, such as pop-up think tanks. However, the agency is now again at full capacity, with more defined roles (as discussed earlier), and with expertise including a licensed social worker with PREA Auditor certification. The new CIC team will also have a retreat to further help define roles contributing to our mission of effective independent oversight.

With increased staff comes the need for increased space, which the CIC has been attempting to obtain since FY 2016. The brutal cold front that came in with new year, along with a nonfunctioning heating system in the CIC's existing space, increased the urgency of this need to move. The Department of General Services (DGS) has identified space of between 2,500 and 3,000 square feet in a commercial building that also currently houses the Office of Police Complaints. If all goes as planned, DGS estimates that the CIC will move into this new space between June and August 2018. The CIC thanks the Council for its support of this much-needed move to a new space.

Indeed, the CIC thanks this Committee and the Council as a whole for its ongoing support and the value the city government has placed in the existence of meaningful, independent oversight of correctional facilities where DC residents are incarcerated. The CIC greatly appreciates the Council's understanding of the importance of inspection and monitoring, as distinct from its own form of legislative oversight and other forms of oversight, such as auditing, regulatory, legal, investigatory, or journalistic oversight. "Monitoring is not about blame for past mistakes, it is about preventing occurrences in the future and about improving the current state of the

correctional facilities.”¹ This is the mission of the CIC: to help improve and maintain high standards in conditions of confinement. The CIC thanks you for the resources and support to fulfill this mission.

¹ Deitch, Michele, “Distinguishing the Various Functions of Effective Prison Oversight,” 30 Pace L. Rev. 1438, 1443 (2010).