

FCI Hazelton Inspection Report

District of Columbia
Corrections Information Council



June 18, 2021

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.

DC Corrections Information Council

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Facility Demographics

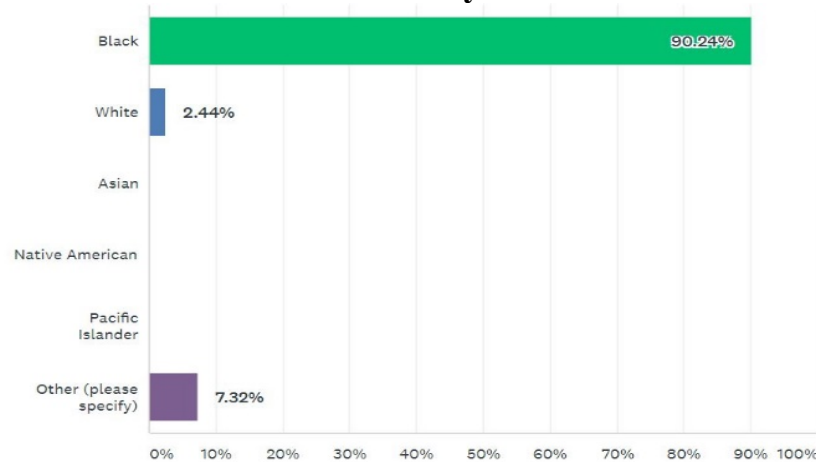
Rated Capacity: 1,261

Current Population: 1,450

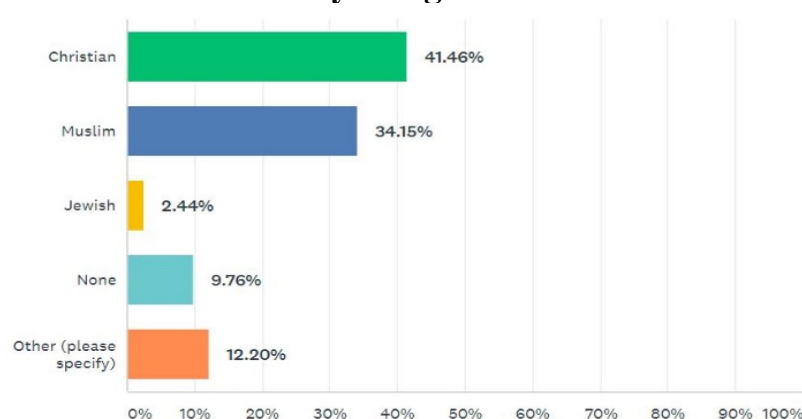
Respondents: August 2019 – 49 respondents;
November 2019 – 38 respondents

Respondent Average Age: 41 years old

Residents by Race:



Residents by Religious Preference:



During the time August 2019 inspection, 90% of inmate respondents identified their race as Black; under 10% were “other”. Over 41% of the respondents identified their religious preference as Christian, 34% identified as Muslim, and 2% identified as Jewish; less than 20% of the respondents identified as “other” or “none.”

I. Introduction

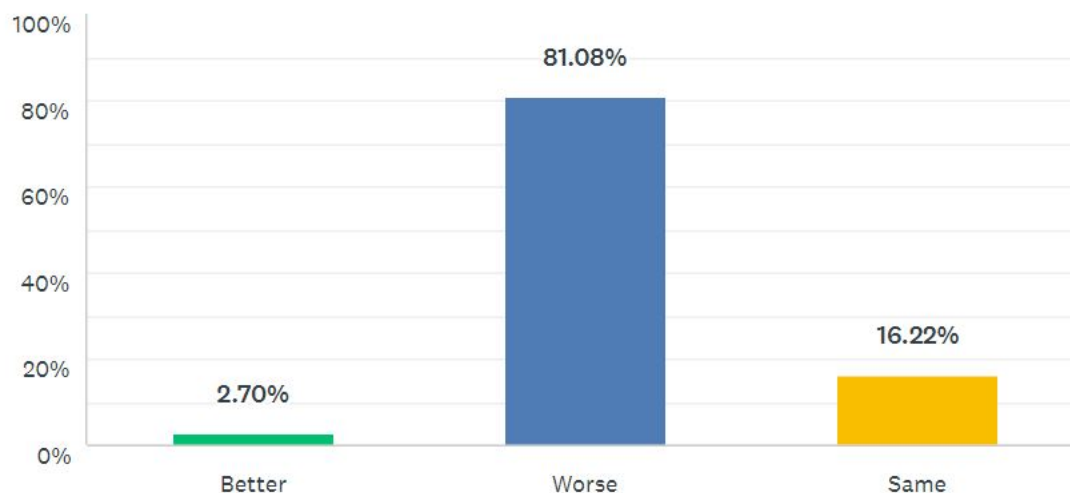
Federal Correctional Institution Hazelton (FCI Hazelton) is a medium security federal prison facility for adult males located in Bruceton Mills, West Virginia. FCI Hazelton is approximately 188 miles from Washington, DC. It is one of the four facilities within the Hazelton Federal Correctional Complex (FCC). The CIC conducted an inspection of FCI Hazelton in August of 2019, and a follow up inspection in November of 2019. Both inspections focused on program availability.

During the CIC's visit on August 2019 visit, 172 inmates were DC code offenders. During the November 2019 visit, the facility held 1,261 inmates, and the population of DC code offenders was 176.

The CIC conducted the initial onsite inspection of FCI Hazelton on August 14th and August 15th, 2019. The CIC was escorted by the warden and members of the executive staff. CIC toured the facility, spoke with facility staff, and conducted confidential interviews with 49 DC residents. There were considerable concerns raised by the residents during and after this visit, which prompted a request for an additional inspection, scheduled for 90 days later.

The CIC conducted the follow up inspection of FCI Hazelton on November 4th and November 5th, 2019. Prior to the follow-up inspection, the CIC was informed that FCI Hazelton was on lockdown. Despite the lockdown, CIC was able to conduct confidential interviews with 38 DC residents.

Overall Improvement of Conditions at FCI Hazelton since August 2019:



Over 80% of the respondents stated that the conditions have worsened since the August 2019 site visit. Roughly 16% stated that the conditions are the same as August 2019.

II.Recommendations

The CIC recommends that the BOP and FCI Hazelton take the following actions to address the concerns raised by DC residents:

1) Programming:

Facility leadership should conduct an evaluation of why so few residents are participating in programming and address existing issues to facilitate increased participation. It should collaborate with the local college to evaluate the feasibility of adding additional programming options for residents within facility budget constraints. Additionally, it should conduct outreach to solicit volunteers to instruct programming at the facility to give inmates more options for productivity during their incarceration.

2) Staffing and Staff Training:

Executive staff should implement mandatory antiracism training for all personnel. This training should occur at least annually and ideally should occur quarterly. The institution should provide staff training at least once per year on interpersonal interactions and cultural competencies, and forward training materials to the CIC for the next two years. In addition, executive staff should have all staff sign an acknowledgement form after receiving the comprehensive training. The facility should provide a four-hour or half-day staff training on stress management at least once per year. After the comprehensive training, all staff should sign an acknowledgement form. Executive staff should continue to provide regular training on diversity and professionalism.

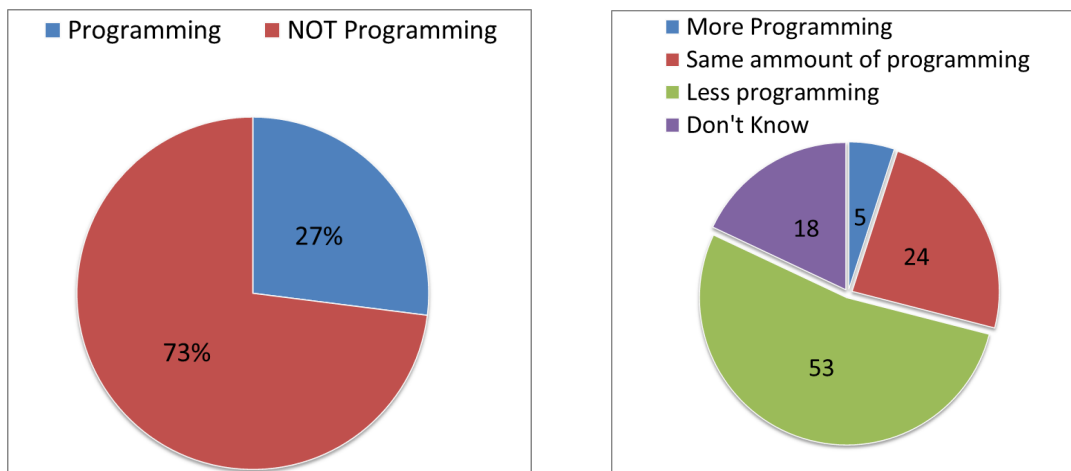
3) Safety and Security:

Executive staff should eliminate mass punishment and continue to offer programming during lockdowns when possible. Explore ways to minimize the impact of lockdowns on the entire facility by locking down individual cells or units where a disciplinary incident occurred rather than locking down the entire facility.

III.Programming

Programming at Hazelton was limited during the CIC's August 2019 inspection. Due to the lockdown during the November 2019 inspection, all programming was canceled. Fifty three percent of the August 2019 respondents stated that they were participating in programs. Programs included, Residential Drug Abuse Program¹ (RDAP), Criminal Minds, GED, and Victim Impact. The 47% of respondents who were not programming stated that there was no access to programs at FCI Hazelton due to unavailability.

¹ RDAP is the BOP's most intensive drug treatment program. Participants live in a unit separate from the general population and engage in half-day programming and half-day work, school, or vocational activities. RDAP is typically nine months in duration. https://www.bop.gov/inmates/custody_and_care/substance_abuse_treatment.jsp

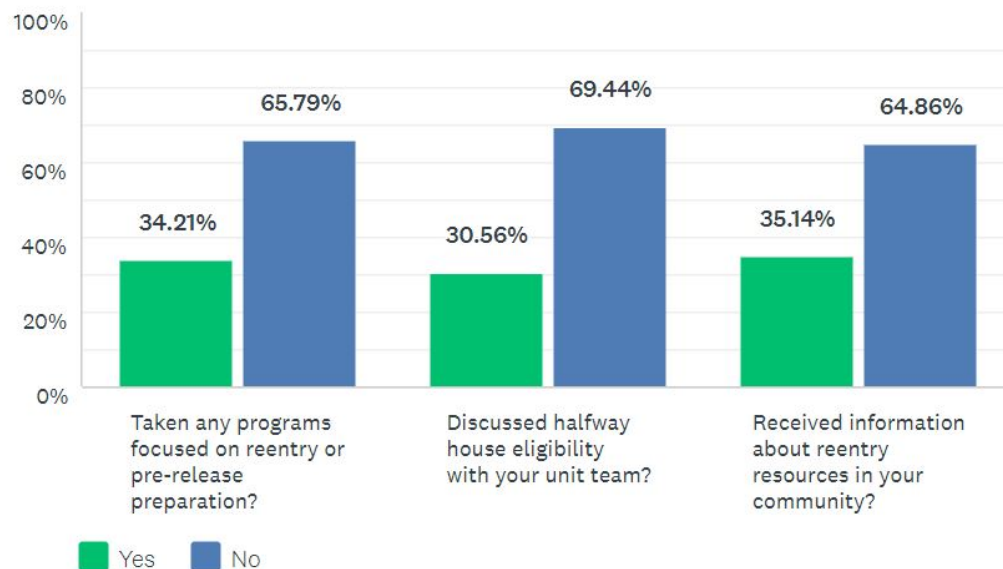


Reentry and Release

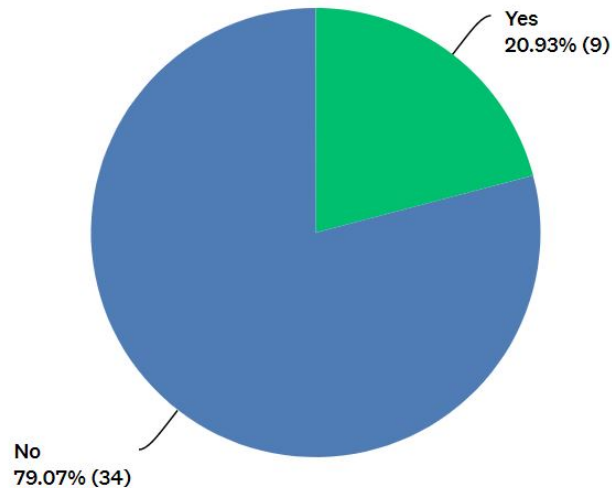
Almost 80% reported that no DC government agencies have contacted them regarding programs, services, and treatments that are available upon their release.

Comments about reentry and release programs included, “This institution has a limited amount of programming available to inmates and none that specialize in vocational or pre-release to help with the success of the returning citizen.”

Engagement in Reentry Activities:



Resident Engagement regarding Programs, Services, and Treatment available upon Release:



Recommendation:

Facility leadership should conduct an evaluation of why so few residents are participating in programming and address existing issues to facilitate increased participation. It should collaborate with the local college to evaluate the feasibility of adding additional programming options for residents within facility budget constraints. Additionally, it should conduct outreach to solicit volunteers to instruct programming at the facility to give residents more options for productivity during their incarceration.

Comments by the Bureau of Prisons:

FCI Hazelton is in compliance with Program Statement 5300.21, Education, Training and Leisure Time Program Standards, and recently added a number of programs to assist all inmates with their transition back into society. The Education Department continues to offer the following programs to ensure all inmates have the opportunity to enhance their skills and prepare for release: Literacy (GED), English as a Second Language (ESL), Adult Continuing Education Classes (ACE), Microsoft Office Vocational Training, Advanced Microsoft Office Vocational Training, Apprenticeships, Post-Secondary Education, Mock Job Fairs, and resume writing. FCI Hazelton has also implemented numerous First Step Act recognized classes that include, National Parenting from Prison Program Phase I and Phase II, Money Smart, Brain Health as You Age, Walk with Ease, Anger Management, Non-Residential Drug Abuse Program, and Drug Education. FCI Hazelton continues to add new classes for the inmate population that are recognized under the First Step Act. Additionally, in May 2021, FCI Hazelton began offering a Core Program that introduces skills in basic safety, construction math, hand tools, power tools, construction drawings, basic rigging, communication skills and material handling in the carpentry field. Upon completion of the Core Program, inmates may enroll into the

Vocational Training Carpentry program. The program is certified by the National Center for Construction Education and Research and provides classroom instruction, as well as hands on training. All inmates participate in the Release Preparation Program (RPP) prior to their release into the community.

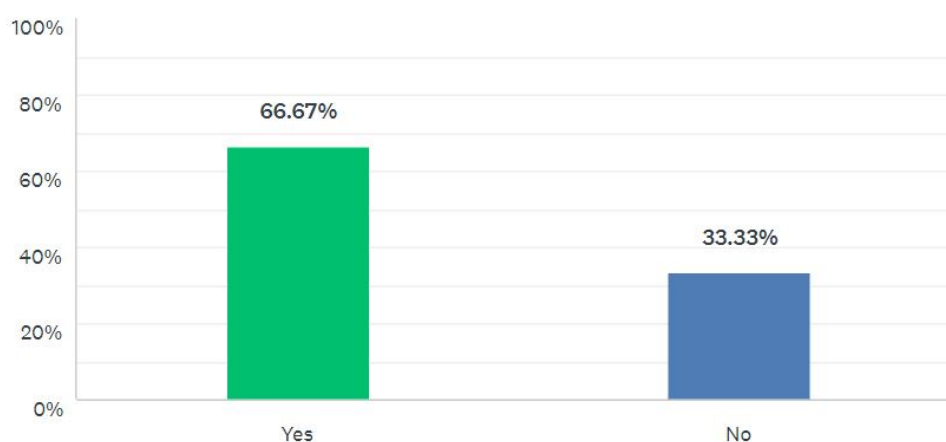
Program recommendations are provided to inmates by staff. However, inmates bear the responsibility of enrolling, actively participating and completing any program offered at FCI Hazelton. FCI Hazelton is amenable to the CIC providing useful re-entry resources specific to District of Columbia inmates to the Bureau Coordinator for review and possible placement in the Re-Entry Resource Center. Additionally, FCI Hazelton encourages volunteers to instruct re-entry programs geared toward District of Columbia inmates.

IV. Staffing and Staff Training

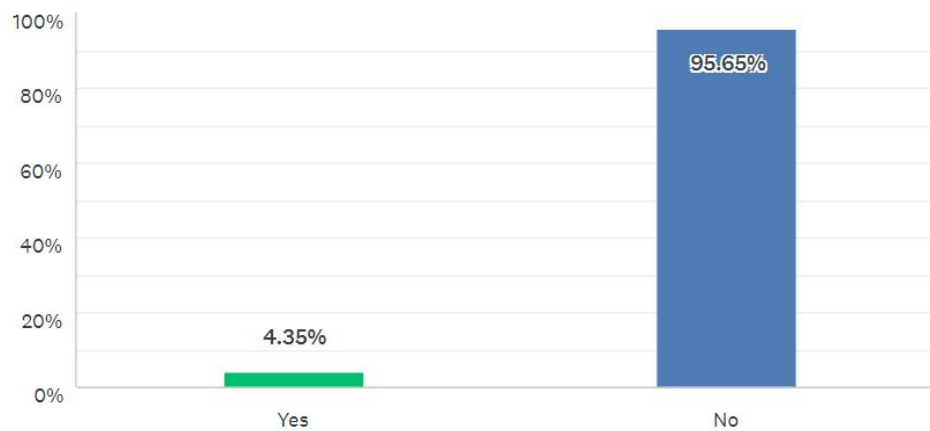
At the time of the August 2019 visit, the institution was under new leadership with a new warden. The leadership stated that there was an existing staff shortage. Staff shortages impact the residents because staff members must perform their assigned duties in addition to the duties of vacant positions. At the time of the November 2019 visit, FCI Hazelton staff stated they had hired 110 new staff members, which increased the staffing of the facility to 95% filled.

Sixty- six percent of respondents expressed that they were harassed by staff. Comments included remarks about verbal harassment, overuse of the SHU, and the intimidating atmosphere. Less than 7% stated that they reported sexual abuse or sexual harassment at FCI Hazelton. Most respondents did not report fear of other residents; only 4% affirmed harassment or abuse by other residents.

Reports Harassment by Staff at FCI Hazelton:

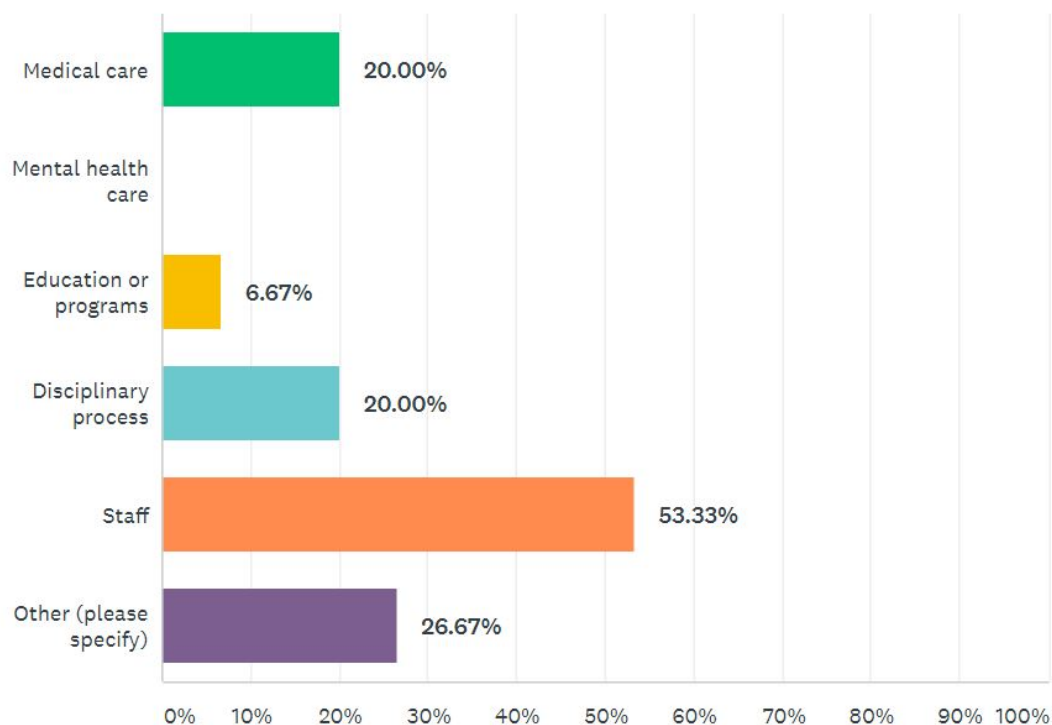


Reports of Harassment by Residents:



Slightly more than 33% of respondents have used the grievance process at FCI Hazelton. More than half of the people who filed a grievance did so to report staff treatment. Other areas of concern were medical care (20%) and the disciplinary process (20%). Survey comments suggested that staff intentionally loses grievance paperwork; therefore, grievances remain unaddressed.

Grievances Filed by Residents at FCI Hazelton:



V.Communication

Communication and Visitation

In August 2019, over 70% of the respondents stated that they have access to writing materials. Over 47% of the respondents stated that they have access to the telephones. Half of the respondents stated that they have access to the library and reading materials. Over 57% of the respondents stated that they do not have access to visitation.

Access to Communication and Recreation:

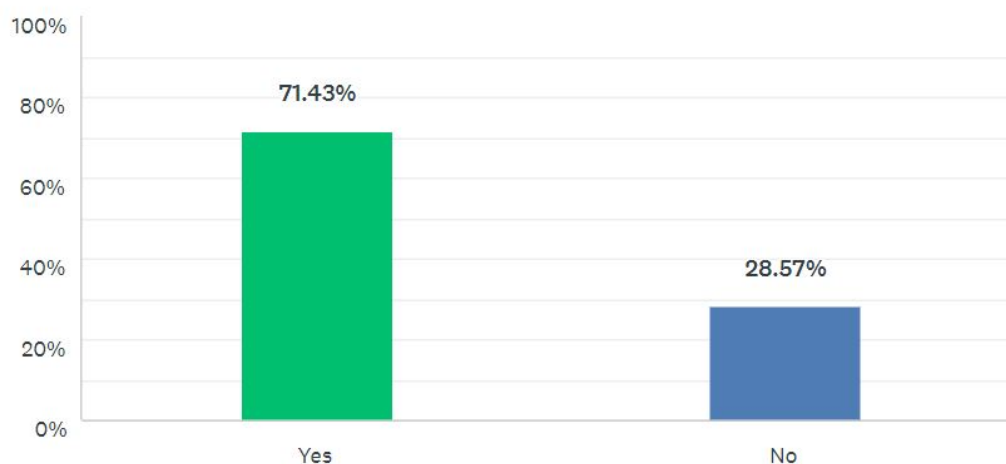


Mail Correspondence

All DC residents at FCI Hazelton expressed concerns about the mail room practices. Residents receive a photocopy and may not receive any correspondence on card stock or construction paper. The Warden stated that the policy was implemented due to a significant increase in attempts to introduce contraband. Residents stated that once their mail is photocopied, portions of the mail contents are missing and mixed up. The residents were particularly concerned about the policy of photocopying and subsequently disposing of highly treasured family photographs.

Over 71% of the respondents stated that they have had legal mail opened at FCI Hazelton before receiving it. Many respondents stated that the facility copies the mail and then destroys it.

Legal Mail Reportedly Open before Given to Residents:



In November 2019, almost 80% of the respondents stated that they had not had any visitation since August 2019, due to lockdowns. Many of the respondents shared that the lack of visitation is “stressful” and “inconvenient.” Respondents who did experience visits stated that there is no longer access to vending machines, food must be placed on the floor, and there is no touching visitors.

Recommendation:

Executive staff should implement mandatory antiracism training for all personnel. This training should occur at least annually and ideally should occur quarterly. The institution should provide staff training at least once per year on interpersonal interactions and cultural competencies, and forward training materials to the CIC for the next two years. In addition, executive staff should have all staff sign an acknowledgement form after receiving the comprehensive training. The facility should provide a four-hour or half-day staff training on stress management at least once per year. After the comprehensive training, all staff should sign an acknowledgement form. Executive staff should continue to provide regular training on diversity and professionalism.

Comment by the Bureau of Prisons:

All current and newly hired staff at FCC Hazelton, receive mandatory annual training on Diversity Management, the Employee Assistance Program (EAP), Communication Skills, and Core Values. The training includes sections on interpersonal interactions, working in an inclusive environment and stress management. The Human Resources Department documents all staff training participation.

VI. Safety and Security

Lockdowns

On August 24, 2019, respondents provided data about how many times FCI Hazelton had been locked down during the past 12 months. The most frequent responses stated the facility had been locked down “over 10 times” and “too many times to count”. When asked to comment about the lockdowns, respondents focused on the fact that there was no hot food during lockdowns and that there was a lack of clear justification for lockdowns.

Many residents expressed displeasure regarding the use of “mass punishment”—the practice of holding all residents responsible for the behaviors of a few. They believe that infractions credited to an individual should warrant individual consequences. One inmate stated in August, “I’m very frustrated from being penalized and locked down for other inmates’ infractions. I have worked too hard to get to a medium security from a United States Penitentiary only to be treated worse than those inmates on max security status. I am in fear to talk to staff here due to them all being so confrontational and disrespectful.”

Significant Incidents (12 month period from September 2018 – August 2019)

During the 12 month period spanning from September 2018 -August 2019, there were 7 lockdowns, 35 incidents with “use of force”, 59 incidents with “use of restraints”, 26 incidents where “chemicals [were] used”, and one hundred and thirty – five “Form 583’s” filed. Form 583 contains fields to enter the date and time of the incident; inmates and staff involved; injuries; medical reports; a description of the incident; and other information, such as the existence of video of the incident. The form is to be completed by the lieutenant on duty at the time of the incident, and forwarded to the captain, assistant warden, warden, and regional office for review.

SHU

The Special Housing Unit (SHU), also referred to as segregated or restrictive housing, is designed to securely separate inmates from the general inmate population. In the BOP, inmates placed in the SHU are housed in two-person cells. The two categories of Special Housing are Administrative Detention² and Disciplinary Segregation.³ According to BOP policy, an inmate may be placed in administrative detention for the following reasons:

1. Pending classification or reclassification of custody level;
2. Holdover status while awaiting redesignation to another facility;
3. Investigation of alleged violation of agency regulation or criminal law;
4. Awaiting transfer to another facility;
5. Administrative detention for the inmate’s own protection; or
6. Post-disciplinary detention.

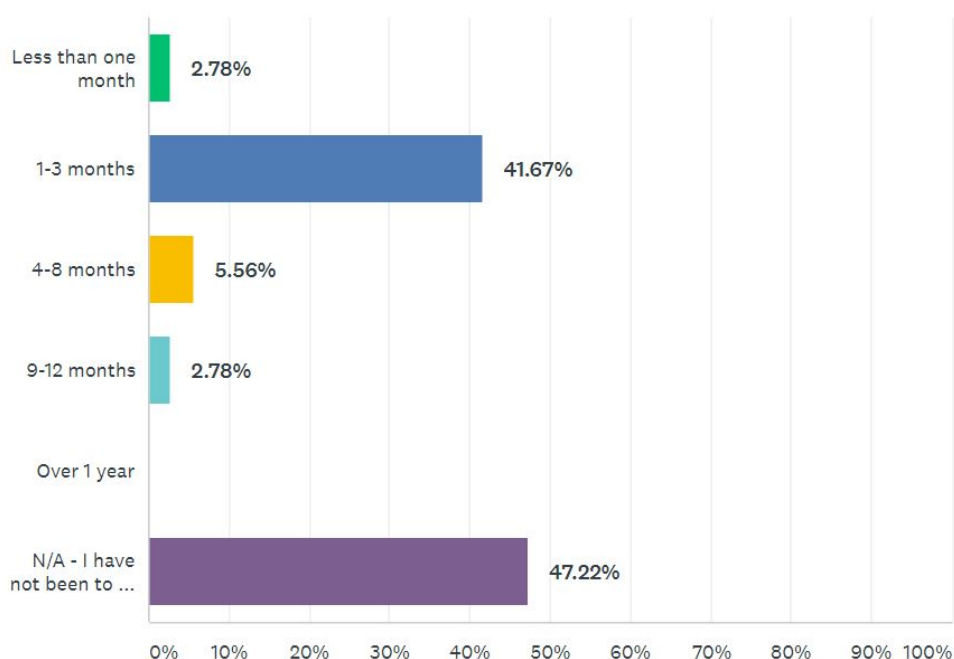
² Fed. Bureau of Prisons, U.S. Dep’t of Justice, Program Statement No. 5270.10, Special Housing Units (Nov. 23, 2016). https://www.bop.gov/policy/progstat/5270_009.pdf

³ Disciplinary segregation is imposed as a sanction for violations of BOP rules and regulations.

Disciplinary segregation is a form of separation from the general population for a specified period of time. The Discipline Hearing Officer (DHO) orders disciplinary segregation for inmates who commit serious violations of BOP rules. The DHO can impose the sanction of disciplinary segregation if she or he determines that no other available course of action will adequately punish that inmate to deter her or him from violating BOP rules again. An inmate may be placed in disciplinary segregation only by the order of the DHO following a hearing in which it was found that the inmate violated a BOP rule in the Greatest, High, or Moderate categories, or a repeated offense in the Low Moderate category.⁴

Residents in the SHU are generally confined to their cells for 23 to 24 hours a day. BOP policy provides for five hours of recreation time per week, which ordinarily should occur in one-hour periods on separate days.⁵ Plans to increase recreation time are developed locally at each institution.⁶ Inmates are also permitted to receive one non-contact visit⁷ per month and make one 15-minute phone call per month. Residents may be allowed to make additional calls in the event of an emergency or death.

Length of Time in SHU:



Twenty-two people responded to the question about access to needs/services provided while they were in the SHU. The greatest lacks were recreation (61.9%) and visitation (57.14%). The

⁴ Washington Lawyers' Committee. Guide to Segregation in Federal Prisons.

http://www.washlaw.org/pdf/Guide_to_Segregation_in_Federal_Prisons.pdf

⁵ Fed. Bureau of Prisons, U.S. Dep't of Justice, Program Statement No. 5270.11, Special Housing Units (Nov. 23, 2016). https://www.bop.gov/policy/progstat/5270_009.pdf

⁶ Id.

⁷ Non-contact visits could be defined as face to face, through glass, or via video.

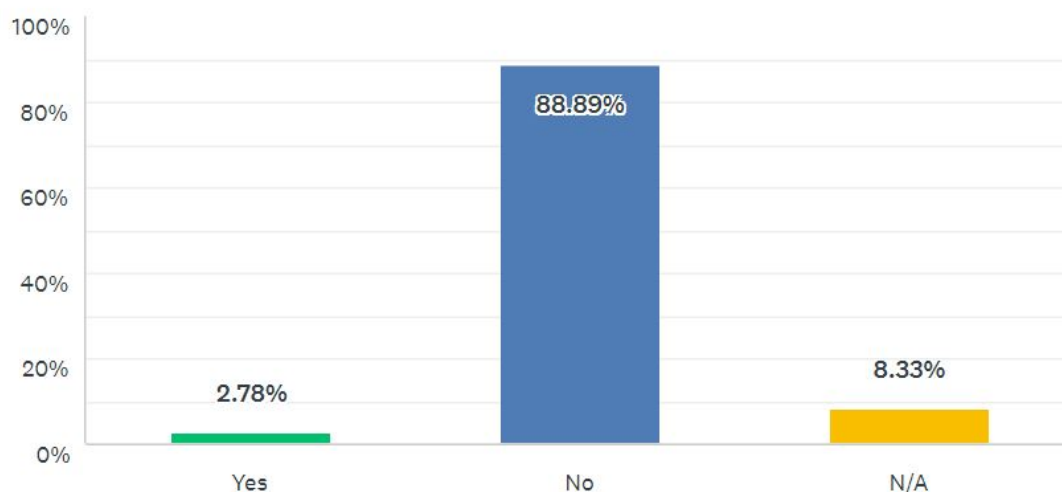
respondents were equally divided when asked about the availability of library/reading materials. More than 90% said they had access to shower while in SHU.

Commissary

In November 2019, respondents were asked about commissary limits at FCI Hazelton during the lockdown. Although the answers varied, over 64% of the respondents stated that the commissary was \$25 per week. The remaining respondents providing commissary limits that ranged from \$25 per week to \$90 per week to \$125 per week.

BOP policy permits the imposition of spending limits as a method of lessening any disparities; however, it only addresses using spending limits as a disciplinary measure to restrict gambling and other activities involving payoffs.⁸ Over 88% of the respondents to the November survey stated that they were not able to purchase items from commissary since August 2019. Many respondents stated that the constant fluctuation of the commissary limit can be “stressful.” Respondents also stated that a \$25 per week spending limit is not enough to purchase proper hygiene.

Ability to Purchase Commissary during Lockdowns since August 2019:



Recommendation:

The facility should continue to offer programming during lockdowns when possible by limiting lockdowns to specific areas or units. The facility should explore ways to minimize the impact of lockdowns on the entire facility, including allowing inmates to be locked down to their units rather than their individual cells, and locking down only the unit where a disciplinary incident occurs, rather than the entire facility.

Comment by the Bureau of Prisons:

⁸ US DOJ BOP Program Statement Number 4500.12 Trust Fund/Deposit Fund Manual issued March 14, 2018. <https://www.bop.gov/policy/progstat/4500.12.pdf>

The decision to modify institution operations and/or secure an institution is one that is never taken lightly. It is only done when absolutely necessary to maintain the orderly operations of the institution, while maintaining the safety and security of staff and inmates. The primary objective is to investigate what caused an event and to determine how best to prevent it from happening in the future. Institution operations are dictated by the nature, duration and magnitude of each situation. The goal remains to return to normal operating procedures as expeditiously as possible following the conclusion of any necessitating event.

VII. Conclusion

The inspection of FCI Hazelton focused on three concerns: lack of programming; tension between DC residents and staff of the facility; and the over-use of mass punishment, including lockdowns.

Only slightly more than half (53%) of DC residents who completed the August 14-15 survey indicated they were involved in programming at FCI Hazelton. During the November 4-5, 2020 follow up visit, only 27% of the respondents stated they were involved in programming. During both visits, residents complained about the lack of programs focused on re-entry or pre-release. Conducting an evaluation of why so few inmates are participating in programming, collaborating with a local college, and recruiting volunteers are the first steps to address the need for additional programming.

In August 2019, more than 60% of the survey respondents stated they were harassed by staff at Hazelton. While only 15 residents had filed a formal grievance, more than half of the grievances were complaints about staff behavior. The lack of use for the formal grievance process may be due in part to resident distrust and discouragement because several respondents noted that grievances remain unaddressed. Providing on-going staff training focused on interpersonal interactions, cultural competencies, and professionalism may begin to reduce the tension between residents and staff while addressing concerns of environmental intimidation.

Residents during both visits expressed concerns regarding the use of mass punishment, especially excessive lockdowns. Residents complained about the staff holding all residents responsible for the behaviors of a few and felt that discipline would be more appropriate and effective if individual, rather than group, consequences were instituted. During the 12-month period spanning from September 2018 - August 2019, there were 7 lockdowns. FCI Hazelton was on lockdown during the November 2019 site visit. During a lockdown, all programming ceases, which further exacerbates the residents' concerns regarding the lack of programming. By limiting the use of facility-wide lockdowns or limiting lockdowns to specific areas or units, disciplinary concerns could be more directly addressed, and programming could continue for those not directly involved in the incidents. Executive staff should eliminate mass punishment and continue to offer programming during lockdowns when possible.

Appendix A: Methodology

In accordance with the Memorandum of Understanding (MOU) between the CIC and the BOP, the CIC notified the BOP on August 1, 2019 of its request to inspect FCI Hazelton. Prior to the onsite inspection, the CIC communicated with DC inmates at Hazelton, informing them of the upcoming inspection and offering them the opportunity for a confidential interview with a member of the CIC.

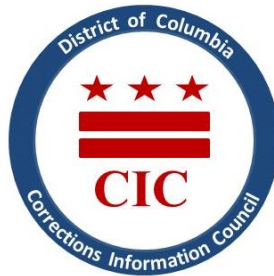
While planning for the onsite inspection, the CIC reviewed general inmate and facility data related to inmate population and demographics, facility staffing, significant incidents, and disciplinary records along with background materials, including an education report, dining menus, commissary lists, the Admissions and Orientation Handbook, the most recent ACA audit, the most recent Prison Rape Elimination Act (PREA) report, and administrative remedy filings and responses at the facility, regional office, and central office levels.

The CIC conducted an onsite inspection of FCI Hazelton on August 14-15, 2019 concurrent to the site visit to SFF Hazelton. The itinerary consisted of a tour of all areas to which inmates have access, discussions with staff, and confidential interviews with DC inmates. At the end of the August 2019 tour, the CIC spoke with DC inmates to offer everyone an opportunity to fill out a survey and speak with a member of the CIC. The CIC interviewed forty-nine (49) DC inmates between August 14th and 15th.

Due to concerns raised during several of the interviews with the residents, the CIC notified the BOP on September 1, 2019 of its request for a follow-up inspection to the FCI. The CIC conducted a follow-up site visit on November 4 -5, 2019. The CIC interviewed thirty-eight (38) DC inmates. Nine of the people who completed the November 2019 survey had also completed the August 2019 survey.

The analysis of the survey data and production of this report were delayed due to unforeseen staff changes at the CIC. Subsequently, CIC staff compiled the surveys from both the August and November site visits 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 combined 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.

The CIC provided the BOP with a draft of this report for a review of factual information and an opportunity to respond. The BOP responses are included in the appropriate sections of the report.



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