



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

June 18, 2019

Donald Isaac, Executive Director
DC Corrections Information Council
441 4th Street, NW
Suite 270N
Washington, DC 20001

Dear Mr. Isaac:

This letter is in response to the draft inspection report received on February 19, 2019, regarding the December 14-15, 2017, visit to United States Penitentiary (USP) Pollock, Louisiana. The Federal Bureau of Prisons (Bureau) recognizes the value of the Corrections Information Council (CIC) inspections of its facilities and the voice it provides the DC Superior Court inmates. We hope to continue working closely with the CIC to improve the Bureau facilities and to raise awareness with regard to those inmates' needs.

The Bureau notes the draft report findings are based on a small percentage of DC inmates assigned to USP Pollock. At the time of the visit, USP Pollock housed 48 inmates from the DC area, which constitutes 5% percent of the total population of the facility. Throughout the report, unsubstantiated inmate allegations are made without direct observation by the CIC or supported by facts that can be corroborated. However, allegations of misconduct are thoroughly investigated and based on the findings, appropriate action is taken, if necessary.

I offer the following response to statements and recommendations in the report:

The draft report states: "Out of 13 inmates interviewed about treatment at the facility, all inmates reported being treated worse by staff at the facility. In regards to treatment by other inmates, six inmates reported being treated worse by other inmates, five inmates reported being treated the same by other inmates, and two inmates reported being treated better by other inmates."

Response: On an annual basis, all staff are required to take interpersonal interactions and cultural competence training through Domestic Violence, Sexual Assault, Suicide Prevention, appropriate Supervision of Offenders, CPR, Core Values, Diversity, Ethics, and Standards of

Conduct. The Bureau takes allegations of misconduct seriously. If provided with specific information, we will investigate the matter and take appropriate action, based on the findings. All inmates have access to make grievances through the Administrative Remedy Process.

The draft report states: "DC inmates were surveyed about their medical care level, access to sick call slips, and physical evaluations. Most DC survey respondents reported their designated medical care level to be a one. Eight respondents reported their medical care level being a one or two, and four respondents reported not knowing their designated medical care level. Additionally, out of 14 individuals surveyed, four reported being on a Chronic Care Caseload, and four reported not knowing whether or not they were on a Chronic Care Caseload."

Response: All inmates are provided an overview of Health Services during Admission & Orientation (A&O). During A&O, all inmates receive an A&O Handbook detailing the explanation of medical care services. All inmates enrolled in Chronic Care Clinics are seen by a clinician within 14 days of arrival. During the time of the evaluation, the clinician provides detailed information regarding the clinics in which they are enrolled. Inmates may inquire about their medical care level with their health care provider.

The draft report states: "Out of 13 DC survey respondents five reported having a mental health diagnosis at USP Pollock or elsewhere; five reported not having a mental health diagnosis at USP Pollock or elsewhere; and three DC survey respondents reported not knowing if they have ever had a mental health diagnosis at USP Pollock or elsewhere."

Response: All inmates are provided an overview of Health and Psychology Services during Admission & Orientation (A&O). During A&O, all inmates receive an A&O Handbook detailing the explanation of Psychology Services. An inmate's initial contact with a Psychologist is ordinarily within 14 days of arrival and will undergo a routine intake screening. Inmates may inquire with Psychology Services about the status of their mental health care.

The draft report states: "There is no other programming outside of GED classes offered in the SHU. CIC inquired about the possibility of additional educational programming in the SHU."

Response: Program Statement 5270.11, Special Housing Units, outlines programming activities for inmates housed in the Special Housing Unit.

The draft report states: "Out of 12 survey responses, eight DC inmates reported having a high school diploma or a GED. Five DC inmates reported receiving their GED while incarcerated, and one DC inmate reported having a college degree. Five DC inmates reported that the process of getting into GED programming was easy while nine DC inmates reported the process to be neutral, difficult, or very difficult."

Response: If an inmate does not have a high school diploma and has not completed the mandatory 240 hours in a literacy program, he or she will be enrolled in the GED Program.

The draft report states: "CIC staff members inquired about possible discrimination against DC inmates who wanted to participate in the program, and Challenge staff members reported that

two DC inmates were recently screened for the program and were scheduled to move onto the unit within the next couple of days.”

Response: Allegations of misconduct are thoroughly investigated and based on the findings, appropriate action is taken, if necessary.

The draft report states: “During informal interviews, inmates reported excessively cold temperature in the SHU. During the tour of the SHU, CIC staff noticed a vast temperature difference in the unit as compared to the rest of the facility.”

Response: The temperature in BOP facilities is governed by Program Statement 4200.12, Facilities Operations Manual, Chapter 16, Section 4. If an inmate complaint is made about the temperature in their living space, the appropriate staff evaluates the actual cell temperature. If areas are found to be at or below set point, adjustments are made to increase the occupant comfort level.

The draft report states: “Informal and formal interviews with inmates revealed concerns of severely delayed mail. Although inmates ultimately reported the ability to send and receive mail, many inmates reported not receiving mail until about four months after it was sent to the facility.”

Response: Program Statement 5800.16, Mail Management Manual, governs procedures for processing inmate mail. Mail Room staff will distribute legal mail and special mail ordinarily within 24 hours. Outgoing “General Correspondence” mail will not be sealed by the inmates and will be placed in the mailbox with the exception of authorized legal mail and special mail, which may be sealed. If legal mail is not properly marked, it will be opened as general correspondence.

The draft report states: “Staff reported that inmates have to submit a formal request for information that may be specific to their state if needed for their legal case or reentry affairs. If approved, this information can then be offered in an online format. Staff reported that the facility has a CD provided from DC Court Services and Offender Supervision (CSOSA) that contains some DC specific resources, but evidence from the inspection showed that the CD is very out dated.”

Response: An updated CD has not been provided by the DC Court Services and Offender Supervision (CSOSA) for dissemination to current DC inmates.

The draft report states: “In response to the survey, a majority of individuals (36%) reported being either “unsatisfied” or (43%) “very unsatisfied” with the quality and quantity of meals. Most people reported the food as served cold and the portion sizes of meals as too small. Some inmates reported that the meals were undercooked most of the time, and other inmates reported it as below an acceptable human standard.”

Response: The Bureau of Prisons adheres to a national food menu for all BOP facilities. The Food Service Administrator and Assistant Food Service Administrator inspect and ensure portion control abides by the national menu, which is developed and analyzed by a certified dietician.

Furthermore, inmates have input of the food offered within the national menu. Every year, the Bureau conducts an inmate survey to determine inmate eating preferences.

The draft report states: "Provide a four-hour or half-day staff training on stress management at least once per year. Additionally, have all staff sign an acknowledgement the form after receiving the comprehensive training."

Response: Annually, all FCC Pollock staff are required to attend a three hour training provided by the Chief Psychologist addressing Mental Health, Employee Assistance Programs, and Suicide Prevention. All areas address stress management. In addition, the Chief Psychologist attends departmental meetings and/or retreats to address stress management and tools with staff throughout the year.

The draft report states: "DC inmates were surveyed about ways to report sexual abuse or sexual harassment. Out of nine inmates, three reported not knowing how to report sexual abuse or sexual harassment; six DC survey respondents reported being told they can report sexual abuse or sexual harassment to staff; two DC survey respondents reported being told they can report sexual abuse or sexual harassment to an outside service agency or rape crisis center; five DC survey respondents indicated being told they can report sexual abuse or sexual harassment through hotlines; and five DC survey respondents disclosed being told they can report sexual abuse or sexual harassment anonymously. When asked if any DC inmates reported sexual abuse or sexual harassment while at the facility, 11 out of 13 people indicated not reporting any sexual abuse or sexual harassment, while two people viewed the question as inapplicable to them."

Response: There are several ways an inmate can report sexually abusive behavior. All inmates attend Admission & Orientation (A&O) which, addresses, "Sexually Abusive Behavior Prevention and Intervention: An Overview for Offenders." Inmates are provided with the contact information for the Regional PREA Coordinator, Office of the Inspector General Investigations Division, and third-party reporting information offices within their A&O Handbook. They may also notify staff of any allegations of sexual abuse. Additionally, inmates may forward allegations of sexual abuse to the Department of Justice (DOJ) Sexual Abuse Reporting via electronic messaging through the Trust Fund Limited Computer System (TRULINCS).

The draft report states: "Out of 14 individual responses, eight DC survey respondents reported having used the grievance process (submitted an administrative remedy form) at USP Pollock, while six DC survey respondents reported they have not. Of those who reported using the grievance process, six inmates reported the reason being staff; one inmate reported the reason as issues with medical care; one inmate reported the reason as issues with education or programs; four inmates reported the reason as relative to the disciplinary process; and one inmate categorized the reason as *other*. Of the 13 DC inmates surveyed, eight people felt that informal complaints (BP-8½) are not fairly addressed at the institution; seven people felt that administrative remedy filings (BP-9) are not fairly addressed at the institution; and seven felt that administrative remedy appeals (BP-10, BP-11) are not fairly addressed by the institution."

Response: The Administrative Remedy Program, also known as the grievance process, allows inmates to seek formal review of issues related to their confinement. An inmate must first attempt to informally resolve the issue before filing a grievance. The process provides three levels of formal review: the Facility (BP-9), the Regional Office (BP-10), and the Central Office (BP-11). If an inmate is not satisfied with the response, he or she may appeal it at the next level. The appeals process is provided to an inmate at each stage of the grievance process. Additionally, the Administrative Remedy process is discussed during Admission and Orientation.

The draft report states: "CIC survey, individuals expressed serious concerns about staff retaliation."

Response: The Bureau takes allegations of discrimination and retaliation seriously. If provided with specific information, we will investigate the matter. Based on the findings, we will take the appropriate action, if necessary.

The draft report states: "Based on a thorough review of the water testing documents, it is clear that proper water testing was not performed, and the proper source of water was not tested."

Response: The Town of Pollock is responsible for conducting water inspections for the Federal Correctional Complex (FCC) Pollock in accordance with Louisiana State Law and Louisiana Public Health Code, Title 51, Part 12. Water quality tests are performed by the Town of Pollock on a yearly basis and chlorine tests are conducted daily. A review of the most current water quality test can be located here: <https://www.pollockla.us/ccr>

I appreciate the opportunity to review and provide comments to your inspection report of USP Pollock.

Please contact me at (202) 353-3638, if I can be of further assistance.

Sincerely,



David Brewer, Administrator
Correctional Programs Branch