

USP Tucson Inspection Report



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**District of Columbia
Corrections Information Council**

April 4, 2017



District of Columbia Corrections Information Council (CIC)

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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 (FBOP), 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 FBOP, the Director of the DOC, and the community.

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

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Executive Summary

USP Tucson

Dates of Inspection: September 1-2, 2016

Location: Tucson, Arizona

Distance from DC: 2271 Miles from DC

Transportation: 33 Hours by Car /
6 Hours 30 Minutes by Plane

INSTITUTION PROFILE

Security Level: High

Rated Capacity: 960

Occupancy: 1,585 (155% capacity)

DC Inmates: 69 (4.35% of total population)

Average Age of DC Inmates: 46 years old

Average Sentence of DC Inmates: 386 months*

Inmate-to-Staff Ratio: 3.50 : 1 (FCC Tucson)

*Average does not include individuals with life sentences.

Source: Federal Bureau of Prisons.

FINDINGS

- USP Tucson is the first FBOP facility to provide **Video Relay Interpreting (VRI)** Services for deaf or hard of hearing inmates to communicate with facility staff.
- **Distance:** DC inmates were nearly unanimous in expressing their desire to move closer to home if given the opportunity.
- **Hygiene:** One DC inmate commented that USP Tucson is “one of the cleanest prisons.”
- **Challenge Program:** USP Tucson offers the Challenge Program, with 80 total inmates and 0 DC inmates currently enrolled.
- **Religion:** DC inmates reported that “Muslim-based faiths are given little attention.”
- **Medical Care:** USP Tucson provides a medical open house with a computer on wheels during weekdays for inmates to submit medical records request. However, DC inmates reported delays in medical care.
- **Complex Executive Staff** were cooperative and very responsive to CIC’s onsite recommendations and request for information outside of onsite visit.
- **Administrative Remedies:** Most common reasons why DC inmates do not file grievances include fear of staff retaliation and that the grievance process does not work.
- **SHU:** The majority of DC inmates reported that staff from medical, mental health, education, and religious services conducts regular rounds in the SHU. USP Tucson hired a psychologist to exclusively work with inmates in the SHU in an effort to tend to their mental health needs.
- **Staff:** A DC inmate commented that the escorts facilitating the CIC inspection were the most respectful staff. The CIC received negative reports, however, including one account that staff members “have a bad habit” of looking up information on why an inmate is incarcerated and then sharing the information with other inmates.

RECOMMENDATIONS

- 1.** The FBOP and USP Tucson should evaluate the eligibility requirements and application process for any potential disparate impact.
- 2.** Assess the amount of religious programming available for Muslim-based faiths, and adjust accordingly.
- 3.** Review the food portions provided to inmates to examine whether the portions are sufficient.
- 4.** Recruit Public Health Service Officers to address the mental health care vacancies at USP Tucson and to minimize treatment delays.
- 5.** Stress the importance of zero tolerance of staff retaliation or intimidation of inmates who wish to file an administrative remedy, with meaningful personnel consequences for staff who violate the FBOP's objectives.
- 6.** Reduce maximum penalties for disciplinary segregation and impose a sanction of disciplinary segregation only as necessary and only after determining, in writing, that other available sanctions are insufficient to serve purpose of punishment.
- 7.** Implement a cultural diversity sensitivity training program.
- 8.** Establish a standardized curriculum for the Release Preparation Program (RPP) across all FBOP facilities.
- 9.** Provide opportunities for DC agencies and other organization to compile and disseminate reentry resources to DC inmates.
- 10.** Provide a copy of the Washington Post for all inmates to access in the library.
- 11.** USP Tucson should update its' policy on access to attorney phone calls to allow inmates the opportunity to place an occasional unmonitored call to his or her attorney.
- 12.** Move DC inmates to a facility within 250 miles of DC.

I. Facility Profile

USP Tucson is a high security facility located in Tucson, Arizona. It is approximately 2,271 miles from DC and six and a half hours from DC by plane or 33 hours from DC by car. The rated capacity of USP Tucson is 960. At the time of the inspection, the facility population was 1,585, which represents 155% capacity. A total of 69 DC residents comprised 4.35% of the population. The inmate-to-staff ration for FCC Tucson, which is comprised of USP Tucson and Federal Correctional Institution (FCI) Tucson, was 3.50:1.

USP Tucson is a Sex Offender Management Program (SOMP) institution whose primary goal is to reduce the placement of sexual offenders in protective custody and to create a climate conducive to voluntary placement in treatment.¹

II. Inmate Feedback Summary

As a part of the interviews with DC inmates, the CIC asked participants to explain what they thought were the best and worst aspects of USP Tucson. With regards to the most positive aspects of USP Tucson, the most common response was the facility is generally safe (e.g., “the inmate climate is not hostile,” “not as violent as other facilities, “not much fighting, stabbing, and lock downs”). Regarding programming, the CIC received multiple reports about the music program, access to the sex offender treatment program, and about programming in general. Other positive reports included three about the education department, two about recreation, two about certain staff members, and one about employment.

When DC inmates were asked to share the most negative aspects of USP Tucson, the most common answer was treatment by staff. Inmates stated that staff members are disrespectful and in some cases “jeopardize their safety.” A DC inmate emphasized that the way staff interact with inmates “provok[es] violence.” DC inmates also responded that the treatment of DC inmates was the worst aspect of USP Tucson, specifically that DC inmates are disrespected, that the facility does not like or care about DC inmates, and that there are problems regarding how DC inmates are being managed and classified. Other negative reports included the distance of the facility from DC, lack of employment, poor and/or lack of medical care, racial profiling, lack of programming, and food.

The CIC also asked the 23 out of 34 DC inmates who had been incarcerated at other high security institutions to compare USP Tucson to these institutions. DC inmates reported that USP Tucson is better than other facilities regarding safety, communication, visitation, education, and

¹ Inmate Admission & Orientation Handbook, USP Tucson (January 2016).

programming. DC inmates also reported that USP Tucson was worse than other facilities with regards to health services, employment, staff, and treatment of DC inmates.

III. Methodology

The CIC and Talila Lewis, founder of Helping Educate to Advance the Rights of the Deaf (HEARD) conducted an onsite inspection of USP Tucson on September 1-2, 2016. Prior to the onsite inspection, the CIC communicated with all DC inmates at USP Tucson, informing them of the impending inspection and offering them the opportunity for a confidential interview with a member of the CIC. The onsite inspection consisted of an opening session with executive staff, a tour of the facility, dialogue with facility staff, and confidential interviews with 35 DC inmates.

Both before and after the onsite inspection, the CIC reviewed general inmate and facility data related to staffing, significant incidents, urine surveillance, and disciplinary records. The CIC also reviewed an education report, menus, the most recent American Correctional Association (ACA) Audit, and administrative remedy filings and responses at the facility, regional, and central office levels.

After the CIC inspection process was completed, the CIC provided the FBOP with a draft version of the report for review of factual information. The FBOP responses to the CIC draft report are included in the final published report.

IV. Housing

The housing units at USP Tucson are two-stories, with two sides per housing unit. Each housing unit has 32 cells per side on both the ground floor and second floor.

The CIC conducted an onsite inspection of Housing Units A1 and A2. Housing Unit A1 has 128 cells with a total of 95 inmates. A1 has an in-unit library and in-unit washers and dryers. At the time of the inspection, there were 20 Mental Health Care Level III inmates housed in A1 with individualized treatment plans.² Housing Unit A2 is designated for Mental Health Care Level II inmates.³

² An inmate designated as Mental Health Care Level III has a mental illness requiring either enhanced outpatient mental health care (i.e., weekly mental health interventions), or requiring placement in a residential mental health care. FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5310.16, TREATMENT AND CARE OF INMATES WITH MENTAL ILLNESS (May 1, 2014).

³ An inmate designated as Mental Health Care Level II has a mental illness requiring either routine outpatient mental health care on an ongoing basis, or requiring brief, crisis-oriented mental health care of significant intensity (i.e., placement on suicide watch, or behavioral observation status). Id.

A. Hygiene

Regarding hygiene, the majority of inmates reported that their units are clean, that they have enough clean clothes for the week, that they are normally able to shower five days a week, and that they normally have cleaning chemicals. Multiple DC inmates noted that they wash their own sheets. A DC inmate commented that USP Tucson is “one of the cleanest prisons” while another reported that there is fungus on the ceiling of one of the units.

V. Challenge Program

Challenge Program		
	Overall	DC Inmates
Number Enrolled	80	0
Number On Waiting List	49	1

Source: FCC Tucson. Data received August 2016.

USP Tucson offers the Challenge Program. Located in Unit D-2, the Challenge Program is a residential program that offers a modified therapeutic community to inmates who express an interest. The Challenge Program at USP Tucson began in 2010. As of the date of the inspection, Staff reported about 160 incarcerated residents at USP Tucson have graduated from the Challenge Program. It is 9-12 months in duration based on participant performance. There are four treatment staff responsible for facilitating the pro-social behavior model for Challenge Program participants. The program is an alternative to the (RDAP) Residential Drug Abuse Program that allows incarcerated individuals who do not qualify for RDAP an opportunity for rehabilitative programming. During the time of the CIC inspection, there were no DC inmates in the Challenge program.

Admittance into the program is not based on an individual’s release date, and enrollment is voluntary. To be eligible for the Challenge Program, an incarcerated resident at USP Tucson is screened/interviewed and placed on a waiting list. To be considered a “viable candidate,” the facility advises incarcerated residents that he will (1) need to have a clear disciplinary record, for at least six months prior to entering the Challenge Program; and (2) must be able to read, write and speak English at this time. Furthermore, viable candidates generally have a history of: (1) substance abuse either while in the community or while incarcerated; (2) history of mental illness; and/or (3) Walsh Act history or conviction.

The Challenge Program has three (3) phases. After completing all three phases, participants are able to receive a total of \$120 (\$40 for each phase). During Phase Two, participants are able to apply as suicide companions for those placed on suicide observation to offer peer guidance to other incarcerated residents. They are compensated for this work.

The men in the Challenge Program participate in therapeutic programming Monday through Friday from 7:00 am until 10:30 am. Individuals have access to individual and group therapy in the unit. Participants are also trained to serve as mediators in the unit resolving minor discrepancies amongst peers. Every six months participants meet with their Unit Team staff to assess their progress with established goals. Staff and inmates alike believe the Challenge Program reduces violence and gang affiliation. During the three phases, participants can earn monetary incentives that include: \$40 for completing each phase of treatment.

While in the program, participants have access to a unit library, and exercise equipment. Additionally, the recreation department visits the unit to offer activities for those who are programming during recreation hours. Inmates have access to a Psychologist on the unit in addition to the general psychology staff.

Challenge Program participants who the CIC spoke to stated that the program encourages unity, respect, caring, accountability and provides a safe space for like-minded individuals to create a sense of community. The Challenge Program participants have a newsletter committee entitled, *The Challenger*, that is responsible for collecting newsletter contributions from the inmate population. Furthermore, the program has a smaller committee made up of inmates called “Men Impacting Others” that writes a newsletter and coordinates additional activities to encourage general population inmates to join the Challenge Program.⁴

The majority of participants complete nine journal workbooks. Eight mentors are currently assigned to the unit to provide peer support to participants through the process. Eligible mentors have access to a single cell as an incentive. Currently, there are fourteen graduates housed in the unit.

During the inspection, one participant in the Challenge Program stated that his goal is to get his points reduced and possibly receive the opportunity to transfer.

Recommendations

1. The FBOP and USP Tucson should evaluate the eligibility requirements and application process for any potential disparate impact.

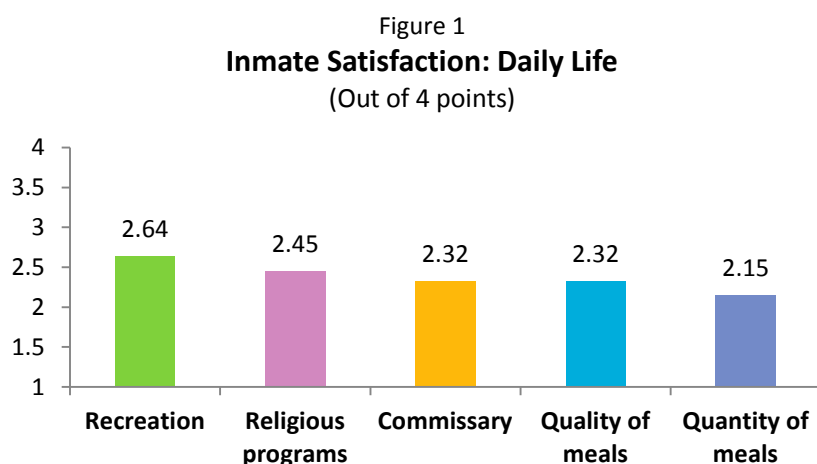
- As of August 2016, 80 inmates were enrolled in the Challenge Program, with zero DC inmates. The FBOP and USP Tucson should evaluate the eligibility requirements and application process for any potential disparate impact.

VI. Daily Life

The CIC asked DC inmates to rate their satisfaction regarding the quality of meals, quality of meals, recreation, and religious services at USP Tucson (Figure 1). From a scale of 1-4 (“1” as

⁴ FBOP Response to CIC USP Tucson Draft Inspection Report, dated 3/29/2017.

“very unsatisfied” and “4” as “very satisfied”), recreation programs were ranked highest at 2.64. The quantity of meals was ranked lowest at 2.15.



A. Religious Services

Life Connections Program		
	Overall	DC Inmates
Number Enrolled	1	0
Threshold Program		
	Overall	DC Inmates
Number Enrolled	47	0

Source: FCC Tucson. Data received August 2016.

According to the ACA audi in December 2013, there were 17 active faiths at USP Tucson. As of August 2016, USP Tucson had a vacancy for the Supervisory Chaplain. The facility offers the Threshold Program. The Threshold Program is a voluntary non-residential, faith-based reentry program.

The CIC received concerns from DC inmates that “Muslim-based faiths are given little attention.” A DC inmate noted that there is a religious bias in selecting inmates for the Challenge program, and another stated that he needs an interpreter to participate in religious programs.

B. Commissary

Each inmate is allowed to make purchases at the Commissary at USP Tucson. Inmates in the Special Housing Unit (SHU) have access to a limited version of the standard commissary list at the facility. As per FBOP policy, all standard items are marked up 30%, except for religious items (excluding edible items), postage, self-improvement textbooks, correspondence courses, legal materials, tools and materials for educational/vocational training, Smoking Cessation

Program materials, and Passover meals during Passover.⁵ The maximum spending limit is \$320 per month.

Nearly a third of DC inmates interviewed reported dissatisfaction with commissary. Several DC inmates noted that the commissary available at USP Tucson is worse than those at other federal institutions. Most expressed concerns about the high prices and the limited options. A DC inmate commented that the commissary does not have enough items for the compound and is therefore always running out of food and hygiene items.

C. Recreation

USP Tucson's Recreation Department hosts a variety of leisure, art & hobby craft, and wellness programs that include, but not limited to, organized and informal sports, physical fitness, painting, knitting, and fitness/nutrition prescriptions & counseling. The sports leagues at USP Tucson include softball, soccer, volleyball and basketball. Other wellness classes include spin cycling and aerobics. The University of Arizona provides a volunteer Art Instructor who facilitates courses. The Recreation Department at USP Tucson has music courses and a fully functional band. The Bands are able to perform at various functions throughout the facility. Inmates at USP Tucson have access to a monthly newsletter, and they have an opportunity to submit their work through this editorial. Other popular activities in the recreation department at USP Tucson include Bowling.

From information provided by the FCC Tucson Recreation Department during the CIC's onsite inspection, the top three leisure programs with the most inmate participation at USP Tucson are: Crochet 1, Crochet 2, and Beading 2.⁶ The top three wellness programs with the most inmate participation at USP Tucson are: Cycle, Step Aerobics, and ABS.

Regarding recreation, A DC inmate noted that race is a factor in available recreation. A DC inmate commented that "recreation programs are not anything that can really be done when not in recreation."

D. Meals

USP Tucson follows standard FBOP menu guidelines⁷ and offers heart-healthy, vegetarian, kosher, and halal diet options. The facility also provides a renal diet option, as determined by medical staff. Inmates are provided with one serving of main entrée, one serving of starches, one serving of dessert (when served), and one piece of fruit (when served). Breakfast is served at 6:30 a.m., and lunch is served at 11:00 a.m. Dinner is served at 5:00 p.m. Inmates are given approximately 20 minutes to eat their meals. No food items may be removed from food service. As stated in the facility's Admission & Orientation Handbook, the cost per inmate per day for meals is \$3.40. The dining room at USP Tucson includes tables that are wheelchair accessible, seating up to 25 wheelchair users at a time. Furthermore, the dining room includes paintings of inspirational and uplifting quotes on the walls.

⁵ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 4500.11, CN-1, TRUST FUND/DEPOSIT FUND MANUAL (Dec. 16, 2016).

⁶ Numbers are based on reporting from 10/01/2014 to 6/30/2015.

⁷ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, NATIONAL MENU FY 2016.

The majority of commentary from DC inmates about daily life focused on both the quality and quantity of meals. Regarding quality, DC inmates reported that meals are poorly prepared, not fresh, “constantly cold,” and often expired. A DC inmate noted that he is getting sick from the food and another that inmates in the kitchen are urinating in the food. DC inmates also commented that due to the poor quality and low nutritional value of food, inmates are compelled to purchase food items from commissary. Regarding quantity, DC inmates reported that the meal portions are inadequate and getting “smaller and smaller.” DC inmates reported that the main entrees (e.g., meats, fish, poultry) are minimal and that inmates are fed “like kids.” Several inmates expressed concerns that the amount of food served is not enough to hold them over until the next meal, thus prompting the need to purchase items from commissary.

Recommendations

2. ***Assess the amount of religious programming available for Muslim-based faiths, and adjust accordingly.***
 - The CIC received concerns from DC inmates that “Muslim-based faiths are given little attention.” To further USP Tucson’s faith-based reentry priorities, the facility should assess the amount of religious programming available for Muslim-based faiths relative to the demand and programming for other faiths, and adjust accordingly.
3. ***Review the food portions provided to inmates to examine whether the portions are sufficient.***
 - DC inmates reported inadequate meal sizes and noted that the meal portions are getting “smaller and smaller.” The CIC understands the budget constraints a correctional facility faces in ensuring that all inmates are provided with nutritionally adequate meals meeting the objectives under the FBOP’s Program Statement.⁸ The CIC encourages USP Tucson to review the food portions provided to inmates to examine whether the portions are sufficient.

VII. Health Services

The CIC asked DC inmates to rate their satisfaction with both the quality of health services at USP Tucson and the wait times. Approximately 37%, 57%, and 36% reported being “very satisfied” or “satisfied” with the quality of medical, dental, and mental health care, respectively (Figure 2).⁹

As for whether health services responds to sick call slips within 48 hours, 37% of respondents answered “rarely,” 31% responded “sometimes,” and 11% answered “usually” (remaining

⁸ FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, PROGRAM STATEMENT NO. 4700.06, FOOD SERVICE MANUAL (Sept. 13, 2011).

⁹ Note: responses of “N/A” were not included in the analysis to ensure that levels of satisfaction refer only to those who have used these services. For instance, analysis of mental health perceptions is based only on responses from inmates who require mental health services.

respondents have not filed sick call slips). One DC inmate explained that a response can take 10 to 30 days while others reported that it may take months. As for wait times by department, DC inmates were most satisfied with dental and least satisfied with medical (Figure 3).

Figure 2
Quality of Care

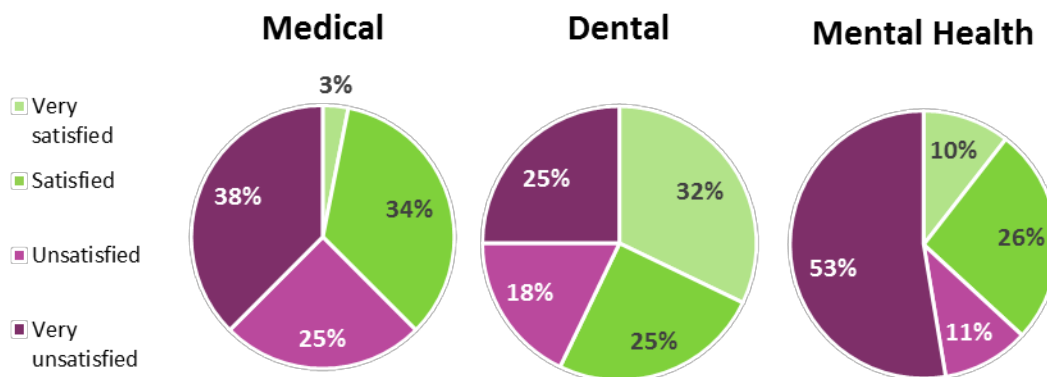
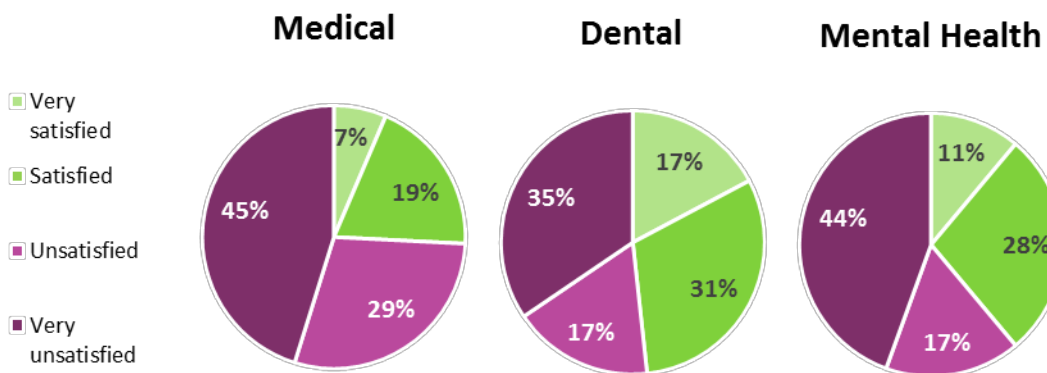


Figure 3
Wait Times



A. Medical Care

USP Tucson is a Medical Care Level III facility. An inmate designated as Medical Health Care Level III are fragile outpatients who require frequent clinical contacts, and/or who may require some assistance with activities of daily living, but do not require daily nursing supervision.¹⁰ As of August 2016, the facility reported that there were 49 DC inmates designated as chronic care inmates.

The Health Services Department at USP Tucson includes a Clinical Director, Health Services Administrator, two Assistant Health Services Administrators, three Mid-Level Practitioners,

¹⁰ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, LEGAL RESOURCE GUIDE TO THE FEDERAL BUREAU OF PRISONS (2014), available at http://www.bop.gov/resources/pdfs/legal_guide.pdf.

fifteen nurses, and one Physical Therapist. The facility also provides a medical open house using the Computer-On-Wheels between Monday through Friday for inmates to ask questions, verify appointments, follow-up with medical concerns and other routine medical questions.¹¹ Staff reported the computer on wheels promotes access to medical services.

At USP Tucson, medication is provided three times a day through an insulin line, followed by a pill line and prescription pick up. Inmates are able to self-carry medications issued at the pharmacy.

A total of 22 DC inmates surveyed were on the chronic care caseload; six reported receiving timely follow-up care, and 16 did not. One chronic care DC inmate stated that he was seen once every six months and is now seen only once a year. Another DC inmate stated that he is now being seen once every six months when it was previously once every three months; his asthma inhaler also took three months to refill after the facility ran out of inhalers. DC inmates also reported long wait times, including one epileptic patient who has not yet seen a doctor and has gone without medicine for days. One DC inmate reported being on the wrong medication for his chronic care issue and another that he has refused to take blood pressure medication because he does not trust medical staff. Another DC inmate reported needing to pay a \$2 copay to be seen even though he is a chronic care patient.

Regarding general medical care, nearly all feedback from DC inmates was negative. In particular, DC inmates spoke of delays in medical care; for instance, one DC inmate had a kidney stone for over two months, and another had a foot infection that was neglected and resulted in hospitalization. A DC inmate dislocated his shoulder and was never able to get it treated and another was not seen after he lost feeling in his feet. Another DC inmate explained that inmates from DC are the last to see or obtain any mental health or medical treatment.

DC inmates also provided feedback regarding eye care. A DC inmate with glaucoma reported not being able to see an eye doctor for a year, and another that his eyesight remains blurry. Another reported that he has not seen an eye doctor for two years.

B. Dental Care

As reported above, approximately 57% being “very satisfied” or “satisfied” with the quality of dental (Figure 2). The CIC received positive feedback from one DC inmate who reported that he was able to receive dental care upon arrival at the facility. Negative feedback focused on long wait times for dentures and overall dental care.

C. Mental Health Care

USP Tucson is a Mental Health Care Level III facility. An inmate designated as Mental Health Care Level III has a mental illness requiring either enhanced outpatient mental health care (i.e., weekly mental health interventions), or requiring placement in a residential mental health care.¹² Mental Health Care Level III inmates are required to receive certain services including, but not

¹¹ FBOP Response to CIC USP Tucson Draft Inspection Report, dated 3/29/2017.

¹² FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, PROGRAM STATEMENT NO. 5310.16, TREATMENT AND CARE OF INMATES WITH MENTAL ILLNESS (May 1, 2014).

limited to, an individualized treatment plan that is updated at least every 6 months and evidence-based psychosocial interventions on at least a weekly basis.¹³

As of August 2016, Psychology Services at FCC Tucson consists of 17 staff, made up of 9 doctoral level clinical psychologists, 7 treatment specialists, and 1 psychology technician. The psychiatrist who issues and regulates psychotropic medication for inmates at USP Tucson sees all inmates with significant mental health needs on a monthly basis. A contracted psychiatrist goes into USP Tucson once a week for four hours.¹⁴ The facility also utilizes tele-psychiatry eight hours a week.¹⁵

During the inspection, staff informed the CIC that within the month a new psychologist would be joining the psychology department. Additionally, tele-psychiatry is slated to begin at USP Tucson soon. Currently, Psychology Services facilitates open house during mainline three hours per week. Inmates also have access to treatment groups and one-on-one therapy when needed.

As of August 2016, USP Tucson reported there were 16 DC inmates with diagnosed mental health issues. During the inspection, staff reported the facility had four DC inmates who are designated as Mental Health Care Level III. These inmates have access to psychology treatment groups and during admission to the facility, every inmate is instructed on how to use the Trulincs computer system to schedule appointments with psychology staff. When necessary, mental health companions are assigned to share cells with those who have special mental health needs to provide mentoring and support with daily living. Mental Health companions are trained and they meet with staff from the psychology department at USP Tucson on a weekly basis.

At USP Tucson, suicide risks are determined through suicide risk assessments. Assessments are conducted at a rate of 1-2 per week. Staff at the USP Tucson report conducting 10-15 suicide risk assessments in a three month span of time.

Of the 22 DC inmates who required mental health services, half felt they had adequate access to these services, and half felt they did not. One DC inmate noted that the psychologist he saw did not take his concerns seriously (“I feel like they laugh like it’s a joke”). One DC inmate reported that he had been taking medication every day at the DC jail but was not able to receive it at USP Tucson. Two DC inmates noted bias in seeing mental health professionals, including that “DC inmates are the last to see or obtain any mental health and medical treatment.”

SOTP-Sex Offender Treatment Program

At USP Tucson, inmates convicted of sexual offenses have access to a non-residential Sex Offender Treatment Program (SOTP-NR). At the time of the CIC inspection, three SOTP-NR groups were active, with 18 SOTP-NR participants at USP Tucson. The program is one year in duration and includes therapeutic group treatment. Participants undergo three phases of treatment that involve a readiness assessment, structured psycho-educational and process groups as well as a transition and aftercare component.

¹³ Id.

¹⁴ FBOP Response to CIC USP Tucson Draft Inspection Report, dated 3/29/2017.

¹⁵ Id.

At the time of the CIC inspection, the Sex Offender Treatment Program had two vacant psychology positions. One psychology position was recently filled. Thirty-seven (37) inmates were on active treatment plans and 250 inmates were on the waiting list. Over 200 inmates had treatment plans that include transitional placement.

Drug Abuse Treatment Program

USP Tucson also offers the 40-hour Drug Education program and the 6-month Non-Residential Drug Abuse Program. The facility also offers a program that addresses criminal thinking, Alcoholics Anonymous (AA) Meetings, anger management and journaling. USP Tucson also offers drug education courses that involve information about synthetic drugs in an effort to keep people up to date with dangerous trends.

Recommendations

4. Recruit Public Health Service Officers to address the mental health care vacancies at USP Tucson and to minimize treatment delays.

- As stated by the OIG, the U.S. Public Health Service (PHS) provides health services to underserved and vulnerable populations, which includes inmates housed in the FBOP. The OIG recommended that the FBOP use PHS services as they offer staffing flexibility.¹⁶ Assigning more PHS Officers to address the medical vacancies at USP Tucson would assist the facility in providing adequate mental health care and ensure that DC inmates who require mental health services are provided with the appropriate required care.

VIII. Discipline and Administrative Remedies

A. Discipline

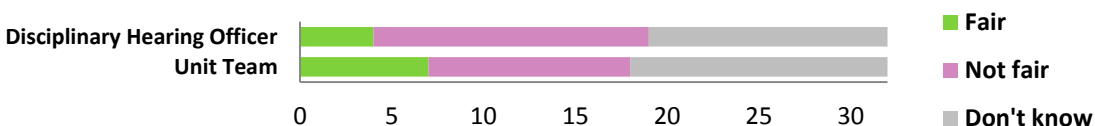
Violations of Bureau of Prisons rules and regulations are handled by the Unit Discipline Committee (UDC) or the Discipline Hearing Officer (DHO). An incident report is made if a staff member observes or believes an inmate has breached rules and/or regulations. Avenues for the incident report include an informal resolution, an initial hearing with the UDC for low moderate or moderate offenses, or a disciplinary hearing with the DHO for high severity offenses. Initial hearings must be held within five work days of the staff becoming involved, and the UDC must provide its decision by the close of business the next work day. At USP Tucson, the most frequent disciplinary incidents between July 2015 thru June 2016 include: refusal to work, telephone monitoring disruptions, and drugs & alcohol.

At the time of the CIC inspection, 51 inmates had cases currently pending investigation. Two federal inmates pending investigation had been waiting over 30 days.

¹⁶ As of September 2014, FBOP was already employing over 800 PHS officers to provide medical care. Id.

The CIC asked DC inmates about the fairness of disciplinary decisions by the DHO and the UDC (Figure 4). In many cases, disciplinary actions are first handled by the UDC before referral to the DHO. Seven DC inmates responded that the UDC's decisions are fair, 11 that they are unfair, and 14 did not know. Four DC inmates responded that the DHO's decisions are fair, 15 that they are unfair, and 13 did not know.

Figure 4
Fairness of Disciplinary Decisions



One DC inmate commented that the sanctions are too harsh and another that DC inmates (“007s”) are targeted and kept in SHU longer than anyone else. One DC inmate explained that he was never informed of the inmate discipline system because he did not participate in admission and orientation and thus was sanctioned under the system.

B. Administrative Remedies

The Administrative Remedy Program allows inmates to seek formal review of issues related to their confinement. The process provides for three levels of review with corresponding filing forms: Facility (BP-9), Regional Office (BP-10), and Central Office (BP-11). At each level, an inmate submits a request or appeal, which is reviewed by FBOP officials and either rejected or filed. All requests or appeals that are filed must be answered within specific time frames, and remedy of the issue may be granted at any level.

The table below provides an overview of the categories with the most numerous administrative remedy filings submitted at each level regarding USP Tucson between July 2015 to June 2016.

Facility Level (BP-9)					
Category	Submitted	Rejected	Filed	Answered	Granted
Mail Communication	103	21	82	73	4
Medical (Excl. Forced Treatment)	106	21	85	82	4
Staff/Others - Complaints	83	19	64	64	1
Regional Office (BP-10)					
Category	Submitted	Rejected	Filed	Answered	Granted
DHO Appeals	136	34	102	94	2
Mail Communication	46	11	35	33	0
Medical (Excl. Forced Treatment)	57	13	44	41	0
Staff/Others - Complaints	46	34	12	11	0
Central Office (BP-11)					
Category	Submitted	Rejected	Filed	Answered	Granted
DHO Appeals	24	13	11	0	0

Mail Communication	20	8	12	3	0
Medical (Excl. Forced Treatment)	39	13	26	18	0

Approximately 45% of DC inmates interviewed have used the administrative remedy process at USP Tucson (Figure 5). While the mass majority reported having access to cop outs and sick call slips, nearly half of all respondents reported not having access to administrative remedy forms. Among all DC inmates surveyed, two reported that informal complaints are treated fairly, two that grievances are treated fairly, and two that grievance appeals are treated fairly (Figure 6). A large number of DC inmates reported not knowing about how fairly complaints, grievances, and appeals are addressed.

Figure 5

Have you ever used the grievance process at this facility?

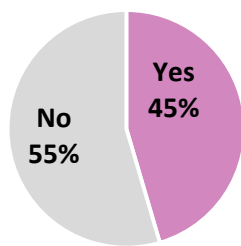
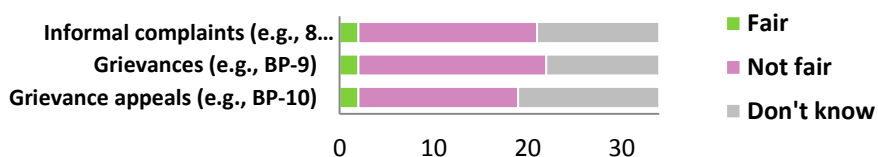


Figure 6

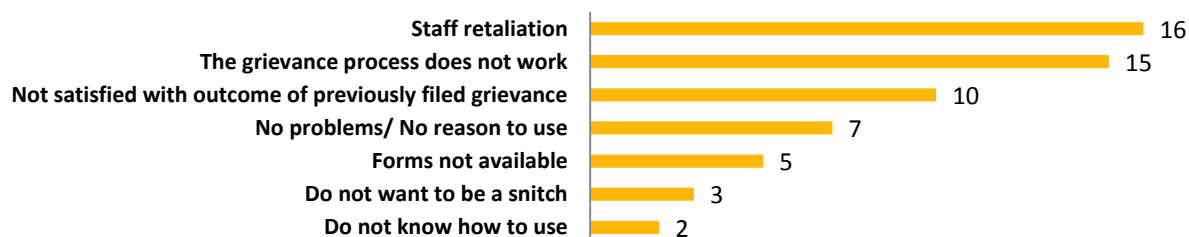
Fairness of Administrative Remedy Process



The number one answer to why DC inmates have chosen not to use the grievance process was staff retaliation (Figure 7). The next most common reasons include that the grievance process does not work and that inmates were not satisfied with the outcome of previously filed grievances. Several DC inmates reported that they had no problems or reason to use the grievance process. Others indicated that forms are not available, inmates do not want to be snitches, and inmates do not know how to use the grievance process.

Figure 7

If you have chosen not to use the grievance process, why?



With regards to staff retaliation, the CIC received reports of staff assaults, cell shakedowns, planted contraband, and lock ups due to inmates filing grievances against staff. One DC inmate stated that “staff sticks together” and another that speaking up will result in getting an incident report. Other DC inmates commented more broadly about the ineffectiveness of the grievance

process, specifically that grievances are ignored or purposely delayed. For instance, a DC inmate explained that although he has access to administrative remedy forms, staff do not look at them or claim to have lost them. Other comments from DC inmates included that the grievance process is a “waste of time” and that there is “no due process.” Another DC inmate noted that the grievance process has worked in other places but not at USP Tucson.

Recommendations

5. *Stress the importance of zero tolerance of staff retaliation or intimidation of inmates who wish to file an administrative remedy, with meaningful personnel consequences for staff who violate the FBOP’s objectives.*

- The FBOP should stress the importance of zero tolerance of staff retaliation or intimidation of inmates who wish to file an administrative remedy, with meaningful personnel consequences for staff who violate the FBOP’s objectives. Such measures will increase transparency and improve efforts to deter staff retaliation and promote the availability for inmates to use the Administrative Remedy process.

IX. Special Housing Unit (SHU)

The SHU, often referred to as segregated housing, is designed to securely separate inmates from the general inmate population. In the FBOP, inmates placed in SHU are housed in two-person cells. The two categories of Special Housing are administrative detention¹⁷ and disciplinary segregation.¹⁸ According to FBOP policy, an inmate may be placed in administrative detention for the following reasons:

- a) Pending classification or reclassification of custody level;
- b) Holdover status while awaiting redesignation to another facility;
- c) Investigation of alleged violation of agency regulation or criminal law;
- d) Awaiting transfer to another facility;
- e) Administrative detention for the inmate’s own protection ; or
- f) Post-disciplinary detention.

The SHU at USP Tucson is designed to house up to 238 inmates. All inmates housed in FCI Tucson requiring placement in SHU are sent to the SHU at USP Tucson. One range in the SHU is for inmates designated at FCI Tucson, Pretrial inmates and inmates designated to the satellite Prison Camp.¹⁹ At the time of the inspection, staff reported 145 inmates were in the SHU in administrative detention, 51 of whom were pending investigation. Two inmates were pending investigation over 30 days, none of whom were DC inmates. Staff also reported 120 inmates were in the SHU in disciplinary segregation; 36 inmates were pending transfer, one of whom was

¹⁷ FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, PROGRAM STATEMENT NO. 5270.10, SPECIAL HOUSING UNITS (Nov. 23, 2016).

¹⁸ Disciplinary segregation is imposed as a sanction for violations of FBOP rules and regulations.

¹⁹ FBOP Response to CIC USP Tucson Draft Inspection Report, dated 3/29/2017.

a DC inmate. As of August 2016, a total of 3 DC inmates were in the SHU, all of whom were in administrative segregation who were not awaiting disciplinary action. Zero DC inmates were in the SHU for over a year. One DC inmate was in the SHU who had been diagnosed with a mental health issue.

Staff assignments in the SHU are rotated quarterly but can remain stationed in the SHU for multiple quarters in a row. Various departmental staff makes weekly rounds in the SHU. The Education Department makes weekly rounds in the SHU and delivers worksheets. The chapel services also make weekly rounds in the SHU. The staff consensus is that the added programming opportunities in USP Tucson lead to a reduction in gang violence.

In September of 2016, USP Tucson hired a psychologist to exclusively work with individuals in the SHU in an effort to tend to their mental health needs. USP Tucson is one of six pilot institutions with a SHU psychologist. Staff plans to measure outcomes by monitoring the behavior of inmates who are in the SHU, monitoring frequency of SHU visits, length of stay and how long individuals remain in general population without disruption.

Inmates in the SHU are generally confined to their cells for 23 to 24 hours a day. FBOP policy provides for five hours of recreation time per week, which ordinarily should occur in one-hour periods on separate days.²⁰ The FBOP further states that plans to increase recreation time are developed locally at each institution.²¹ Inmates are also permitted to receive one non-contact visit per month and make one 15-minute phone call per month. Inmates may be allowed to make additional calls in the event of an emergency or death. At USP Tucson, inmates in the SHU receive one hour a day for recreation every weekday except Tuesday. Inmates do not receive recreation on weekends. Inmates in the SHU at USP Tucson can receive a call every 30 days by submitting a request to the SHU officer. Individuals who are housed in the SHU at USP Tucson have access to non-contact visiting rooms with 2 hour limits.

Over half of all DC inmates surveyed have been in the SHU at USP Tucson (Figure 8). Of these 17 DC inmates who reported having been in the SHU, 41% spent over 30 days in SHU at one time (Figure 9).

²⁰ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5270.11, SPECIAL HOUSING UNITS (Nov. 23, 2016).

²¹ Id.

Figure 8

How many times have you been in the SHU at this facility?

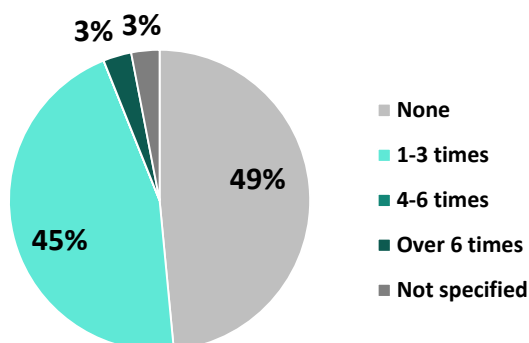
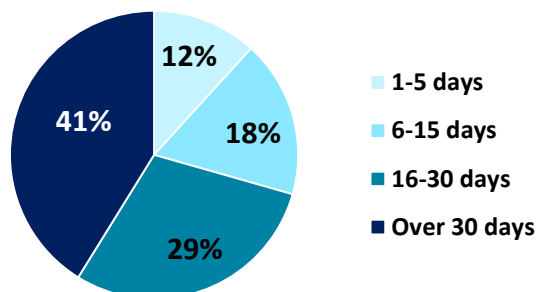


Figure 9

What is the maximum time you have spent in the SHU at one time?



The majority of DC inmates reported that staff from medical, mental health, education, and religious services conducts regular rounds in the SHU. All DC inmates reported having access to showers. The majority of DC inmates also reported having access to recreation, writing materials, and reading materials. The least accessible resource was the telephone, with seven out of 17 DC inmates not having access.

DC inmates commented that the SHU is unsanitary, that cleaning supplies are not adequately issued, that sick call slips are not available, and that clothing exchanges are not possible. One DC inmate noted that his property was mishandled and misplaced when he went to the SHU. Another reported that during the four months that he was in SHU, the DHO did not see him, and the Warden overrode the deadline. One DC inmate indicated that he has heard that there are no cameras in the SHU, that there is physical abuse, and that it holds mentally ill inmates.

Recommendations

In January 2016, President Barack Obama formally adopted the Department of Justice's (DOJ) recommendations to safely reduce the overuse of restrictive housing, including increasing the minimum amount of time that inmates in restrictive housing spend outside their cells and housing inmates in the least restrictive setting necessary to ensure their own safety as well safety of staff, other inmates, and the public.²² The DOJ issued a report concluding that the practice of restrictive housing should be used rarely, applied fairly, and subject to reasonable constraints.²³ Following the "Guiding Principles" as well as the policy recommendation changes directed to the FBOP from the DOJ report, the CIC provides the following recommendations:

²² Available at <https://www.whitehouse.gov/the-press-office/2016/01/26/fact-sheet-department-justice-review-solitary-confinement>

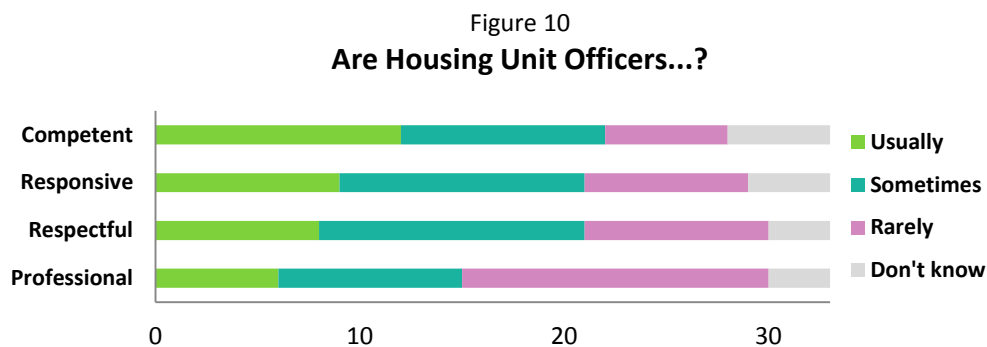
²³ U.S. DEP'T OF JUSTICE, EXECUTIVE SUMMARY, REPORT AND RECOMMENDATIONS CONCERNING THE USE OF RESTRICTIVE HOUSING (Jan. 2016) ("After extensive study, we have concluded that there are occasions when correctional officials have no choice but to segregate inmates from the general population, typically when it is the only way to ensure the safety of inmates, staff, and the public. But as a matter of policy, we believe strongly this practice should be used rarely, applied fairly, and subjected to reasonable constraints.")

6. Reduce maximum penalties for disciplinary segregation and impose a sanction of disciplinary segregation only as necessary and only after determining, in writing, that other available sanctions are insufficient to serve purpose of punishment.

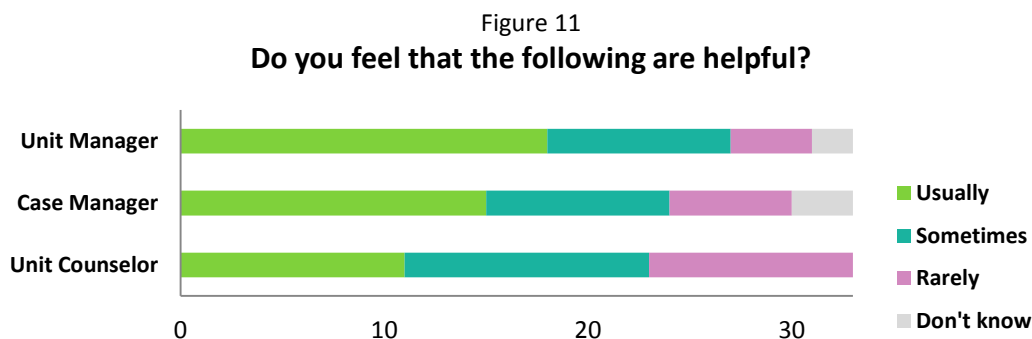
- Forty-one percent of DC inmates who reported having been in the SHU spent over 30 days in SHU at one time. Reducing the maximum penalties and requiring that the DHO determine, in writing, that other available sanctions are insufficient to serve the purpose of punishment would help ensure USP Tucson reduces the total number of inmates in the SHU. This, in turn, will contribute to the downward trends in the FBOP's SHU population.

X. Staff

The CIC received mixed feedback from DC inmates about the staff at USP Tucson (Figure 10). The majority of respondents indicated that housing unit officers are “usually” or “sometimes” competent, responsive, and respectful. Nearly half of respondents indicated that housing unit officers are “rarely” professional.



DC inmates were also asked how often their unit managers, case managers, and unit counselors are helpful. Unit counselors received the most positive feedback, followed by case managers and then unit managers (Figure 11).



Several DC inmates provided positive feedback regarding certain staff members (e.g., case manager has been “very professional and very helpful” and “good officers this quarter”). One DC inmate commented that the escorts facilitating the CIC inspection were the most respectful

staff. Specific examples of unprofessionalism include one account that staff members “have a bad habit” of looking up information on why an inmate is incarcerated and then sharing the information with other inmates. One DC inmate stated that staff perceives inmates as either “gay” or “locked up for dealing with kids” while another noted that staff do not respect inmates’ rights because “they feel everyone here is a drop out, snitch, or child molester.” One DC inmate reported that staff will not move him even though they know he was assaulted.

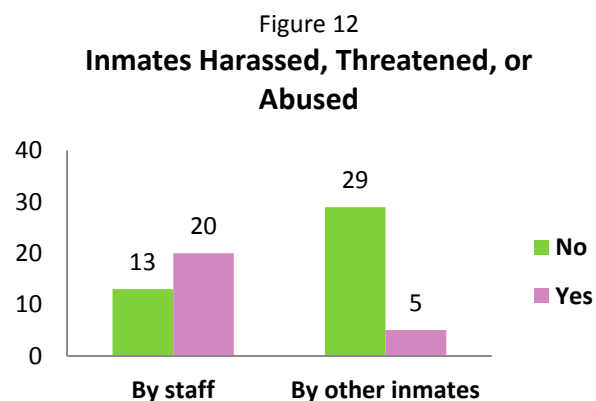
Recommendations

7. *Implement a cultural diversity sensitivity training program.*

- Working with the National Institute of Corrections, USP Tucson can identify training needs and implement a cultural diversity sensitivity training program for staff members to increase awareness of cultures different from their own. Providing staff with such training would further the FBOP’s mission “to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure....”²⁴

XI. Institutional Safety

More than half of all DC inmates surveyed reported being harassed, threatened, or abused by staff. Five reported by harassed, threatened, or abused by other inmates (Figure 12).



Regarding staff harassment, the top three types were insulting remarks, discrimination due to DC residency status, and discrimination based on offense or crime (Figure 13). DC inmates who selected “Other” referenced “aggressive communication” and staff instigating reactions from inmates (e.g., an officer daring inmate to hit him). Seven DC inmates indicated that they have reported harassments, threats, or abuse by staff, and none were satisfied by how the reports were

²⁴ FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, [HTTPS://WWW.BOP.GOV/ABOUT/AGENCY/AGENCY_PILLARS.JSP](https://www.bop.gov/about/agency/agency_pillars.jsp).

handled. Regarding harassment from other inmates, the top three types discrimination due to DC residency status, discrimination based on religion or religious beliefs, and insulting remarks (Figure 14). Of the two DC inmates who reported these incidents, none were satisfied with how the reports were handled.

Figure 13

Types of Staff Harassment	
TYPE	# REPORTS
Insulting remarks	14
DC residency status	14
Offense/crime	7
Physical abuse	4
Race or ethnic origin	3
Religion/religious beliefs	2
Sexual orientation	1
Gang related issues	1
Sexual abuse	0
Other	5

Figure 14

Types of Inmate Harassment	
TYPE	# REPORTS
DC residency status	3
Religion/religious beliefs	2
Insulting remarks	1
Race or ethnic origin	1
Physical abuse	1
Gang related issues	0
Offense/crime	0
Sexual abuse	0
Sexual orientation	0
Other	1

When asked about the most positive aspect of USP Tucson, nine DC inmates reported that the facility is safe, that USP Tucson is “not as violent as other facilities,” and that there are fewer lock downs, fighting, and stabbing. Negative feedback regarding institutional safety focused primarily on assault, harassment, and discrimination by staff. One DC inmate reported that an officer “slammed” him with force, and another that he had to get stitches after an officer put him in handcuffs and leg restraints. Another DC inmate spoke of assault and harassment from staff as retaliation for an inmate reporting staff misconduct. Regarding general harassment, a DC inmate stated that officers make demeaning comments to provoke inmates, and another reported that officers make fun of him for not having teeth. One DC inmate noted that staff will publicly discuss inmates’ cases in front of other inmates. Multiple DC inmates spoke of discrimination towards incarcerated DC residents, both by staff and other inmates. Another DC inmate commented, “I would like to be somewhere where I don’t fear for my life.”

As for sexual abuse, the majority of DC inmates were aware of how to report incidents to staff. Approximately half knew how to report to outside service agencies, hotlines, and anonymously; a third knew how to report through family. Of the 35 DC inmates the CIC surveyed, seven responded that they were not told how to report sexual abuse.

XII. Reentry

FBOP facilities, except for administrative maximum security institutions, offer a Release Preparation Program (RPP) that is intended to prepare inmates for community reentry upon release.²⁵ At USP Tucson, the RPP includes Arizona@Work, a federally funded program that provides resources to individuals who are preparing for release. Arizona@Work visits USP Tucson monthly on the last Wednesday of every month to meet with those who are scheduled to release. At the time of the inspection, it was not specified whether the program only connects inmates who plan to work in Arizona after release. In response to the CIC's draft inspection report, the FBOP clarified Arizona@Work is available to all inmates releasing in the United States. RPP classes also consists of mock job fairs, resume writing, and mock job applications.

In cases where inmates who have mental health problems need support with transitioning back into the community, the inmate's unit team will provide comprehensive support services. At the time of the CIC's inspection, USP Tucson was in the process of hiring a social worker to assist those with special needs. Most specifically, the social worker would be assigned to assist those who are eligible for Social Security benefits with the application process.

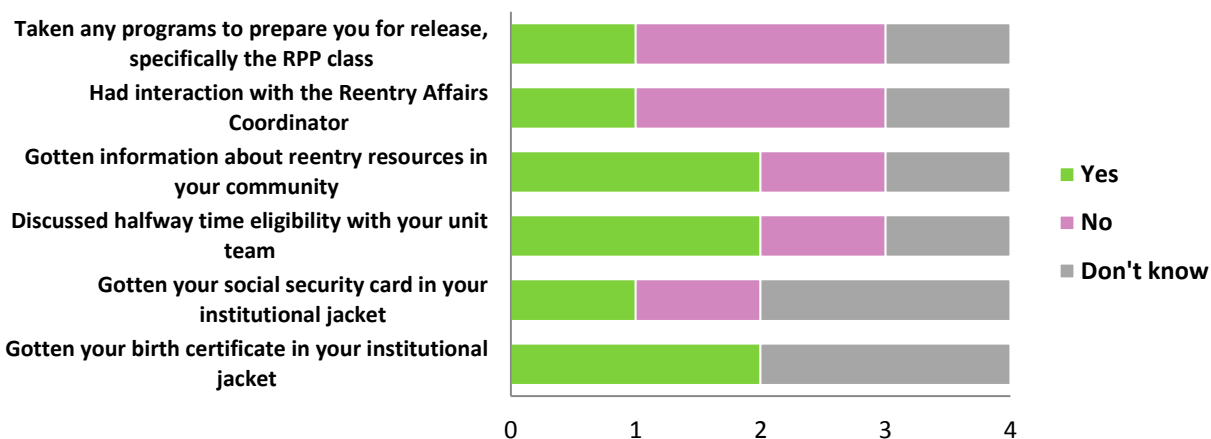
The DC Court Services and Offender Supervision Agency (CSOSA) provides a quarterly Community Resource Day for DC inmates in FBOP facilities, including USP Tucson. Through videoconferencing, CSOSA staff and representatives from other organizations provide information on housing, healthcare, employment, education, and other resources in the DC area to DC inmates who are within 90 days of release. Inmates also receive an informational package with the contact information of providers who participate in the event. This service ensures that returning citizens receive the information and connection to services necessary for successful reentry.

As of July 2016, approximately 4 DC Superior Court inmates were scheduled to be released within 12 months. An additional 2 DC Superior Court inmates will be released within the next 13-60 months. Of the DC inmates the CIC surveyed, four were within 18 months of release. (Figure 15).

²⁵ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5325.07, RELEASE PREPARATION PROGRAM (DEC, 31, 2007).

Figure 15

If you are within 18 months of release, have you:



All of these DC inmates reporting knowing how to access their state IDs, while the majority knew how to access housing, education, medical care, therapy, or drug treatment. Half of these DC inmates knew how to access employment or disability benefits. During the interviews, a DC inmate reported he cannot file for Supplemental Security Income until after release and that he will be homeless.

Recommendations

8. *Establish a standardized curriculum for the Release Preparation Program (RPP) across all FBOP facilities.*

- The CIC commends the FBOP for initiating plans for a standardized RPP curriculum across all FBOP facilities. According to the FBOP Reentry Services Division's Senior Deputy Assistant Director, Patti Butterfield, RPP currently does not have a standardized curriculum. The FBOP should establish a standardized curriculum for the RPP across all FBOP facilities to ensure inmates receive successful preparation for reentry and community resource transition.

9. *Provide opportunities for DC agencies and other organization to compile and disseminate reentry resources to DC inmates.*

- As planning for the standardized RPP curriculum progresses, the FBOP should also provide opportunities for DC agencies and other organizations to compile and disseminate resources to DC inmates across FBOP facilities. Opportunities may include coordinating with the Reentry Affairs Coordinator to ensure that DC specific resources are readily accessible and up-to-date.

XIII. Employment, Education & Programming

DC inmates reported that it was most difficult to receive a vocational training at the facility and least difficult to enroll in a recovery program (Figure 18). Recovery programs and academic programs received the highest satisfaction ratings, and jobs received the lowest (Figure 19).

Figure 18
Difficulty of Access
(ranked in order)

TYPE	Difficulty Rating (highest = 4)
Vocational training	2.89
Mental health program	2.28
Job	2.63
Unit program	2.05
Academic program	1.95
Recovery program	1.95

Figure 19
Satisfaction
(ranked in order)

TYPE	Satisfaction Rating (highest = 4)
Recovery program	2.73
Academic program	2.70
Mental health program	2.67
Unit program	2.64
Vocational training	2.41
Job	2.31

As for programming, several DC inmates provided positive feedback, including that there are “good programs” and that “programming is not bad.” One DC inmate explained that he teaches music programs and that inmates teach all leisure classes. Others noted the general lack of programs and long waiting lists to participate in programming, such as for the Challenge program, anger management, and non-residential drug programs. One referred to the Challenge program as a “failed experiment.” Another DC inmate commented that “programming doesn’t benefit or educate [inmates]” while another noted that “white folk get all the jobs.”

A. Employment

As of August 2016, 52 DC inmates were employed at USP Tucson. At the time of the CIC inspection, staff reported that the UNICOR factory at FCC Tucson closed in May 2016. Food Service is the biggest employer.

Approximately 79% of DC inmates interviewed were employed at USP Tucson (Figure 16). Several DC inmates who spoke with the CIC had jobs as orderlies or worked in the food service department. DC inmate concerns focused on low pay for work (“I work seven days a week and make \$7 a month) and lack of employment opportunities. One DC inmate noted that the facility needs to offer UNICOR jobs and another that he quit his job in food services because he refused to spray chemicals around food during training.

B. Education

Source: Federal Bureau of Prisons.

Special Learning Needs Program		Number of DC Inmates
Enrolled		4
Completed		3
On Waiting List		1
Dropped or Refused Program		1
GED Program		Number of DC Inmates
Enrolled		7
Completed		8
On Waiting List		6
Dropped or Refused Program		2
College Classes		Number of DC Inmates
Enrolled		1
Correspondence Classes		Number of DC Inmates
Enrolled		1

The Education Department at USP Tucson has twelve certified teachers and two education technicians. While inspecting the Education Department, the CIC observed two of four instructors teaching in the education department. One instructor was out on leave and the other instructor works late nights. The Education Department holds over 800 videos for self-study including a typing a tutorial and a legal research course. The library has over 5,000 books, and inmate clerks receive two weeks of training before becoming employed. Additionally, the Education Department in USP Tucson facilitates the interlibrary loan process with the local library to allow the individuals access to additional literary works.

USP Tucson offers a Business and Accounting College Certification Program. The facility received the Advanced Occupation Education Grant to participate in the pilot college program and signed a \$50,000 contract with Pima Community College. The Program is one year in duration and allows participants to earn up to 14 transferrable credits. Participants who complete the program receive a Business Management Certification. Twenty-two individuals have access to the Business and Accounting Certificate program per cohort at each site in FCC Tucson. The program is offered four times a year. There are currently 30 people on the waiting list.

One DC inmate stated that “the education department is great.” Contrasting opinions focused on long wait lists and general lack of available educational opportunities, such as computer classes and college courses. According to one DC inmate, many of the programs are Adult Continuing Education (ACE) classes that do not qualify for education good time credits. One DC inmate stated that “anyone with any type of learning disability can’t get anything accomplished.” A DC inmate commented on barriers to education, stating he was told by staff that he “doesn’t need to get a GED because [he] still [has] 13 years – long way to get to the door.”

Additionally, while the staff stated that the facility provides the *Washington Post* to inmates, two DC inmates reported that it is not provided and must be purchased by inmates.

C. Vocational Training

USP Tucson offers a range of Vocational Training opportunities for inmates at the facility. The Culinary Arts Vocational Training Instructor provides several marketable job training programs, including Serv Safe and Baking. Inmates who are Serv Safe certified through the Vocational Training program have a 25% chance of obtaining employment upon release.

The Serv Safe program is facilitated for individuals interested in obtaining employment in the food industry. This 100-hour program is designed to teach basic knowledge regarding safety and sanitation during food preparation. Staff reported approximately 150 completions a year.

Additionally, the American Culinary Federation offers Beginning and Advanced Baking Programs that have a Quality Assurance Accreditation. Participants can obtain up to 200 hours of certified culinary training. The American Culinary Federation conducts site visits at the facility every three years to ensure that USP Tucson is adhering to the curriculum guidelines. Participants in the Baking Program create deserts for special events throughout the facility. Upon completion, these individuals have their resume and a portfolio. The maximum amount of participants is twenty. Participants much have a H.S. Diploma or GED and possess at least one year clear conduct. Each class holds less than 20 students and there are 150 completions each year. There was one DC inmate enrolled in the Baking Program during the CIC inspection. During the inspection, the inmates participating in the program were able to showcase their skills and expertise acquired from the Baking Program. The CIC noted participants were highly skilled and believes there are many positive benefits from participating in the Baking Program at USP Tucson.

The Baking Program enables participants to accumulate 160 hours of instruction that encompasses: Baking for Beginners, Advanced Baking, Cake Decorating, and community services in a simulated restaurant experience. The Vocational Training Department is down one VT Instructor in the Culinary Arts Baking Program.

USP Tucson also has a Custodial Maintenance Course that prepares participants to properly clean and maintain sanitation. Participants receive 120 hours of instruction that includes both hands on and instructional training. Over 100 participants are certified annually. Additionally, the Department of Labor (DOL) offers an opportunity for individuals to pursue the following DOL Apprenticeships: Plumbing, Electrical, and HVAC. The administration plans to create an opportunity for inmate tutors to receive a Teacher's Aide Apprenticeship. Individuals pursuing apprenticeship must be working in the area of interest within the facility.

Recommendations

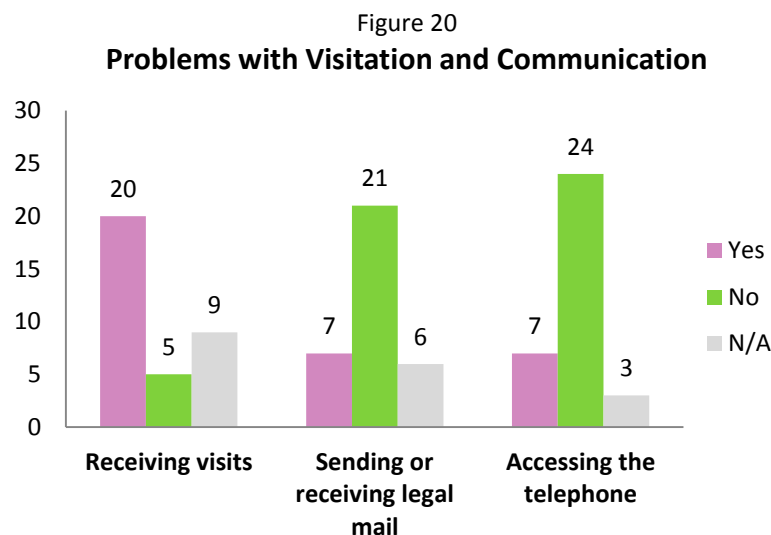
10. Provide a copy of the Washington Post for all inmates to access in the library.

- The facility should provide a copy of the Washington Post for all inmates to access in the library. Providing the Washington Post would allow DC inmates to

receive local news and receive updated information on developments happening in Washington, DC.

XIV. Communication & Visitation

DC inmates experienced varying levels of difficulty regarding visitation and communication (Figure 20). A large majority of DC inmates experienced no trouble regarding sending or receiving legal mail or accessing the telephone.



A. Visitation

USP Tucson offers in-person visitation on Friday, Saturday, Sunday and holidays. There is a children's room in the visiting room to accommodate families. The facility uses ION Scanners to check visitors for drugs before entering the facility. The facility is in the process of offering online video visitation and expects to begin offering video visitation in 2017.

Regarding procedures for notifying potential visitors of the facility's lock down status on visiting day's families must go onto the FBOP website, locate the facility where their loved one is incarcerated and call the main number to the facility. An automated system will notify callers as to the status of visitation.

The most common type of visitation problem was the distance for visitors (Figure 21). DC inmates were nearly unanimous (all but one) in expressing their desire to move closer to home if given the opportunity. DC inmates noted that they are too far from home, and that the distance from DC to Arizona makes it difficult, if not nearly impossible, for family to visit. Others expressed their desire for a prison in DC.

DC inmates also noted problems with the approval process for visitors, loss of visitation privileges, and not knowing whether they have visitation privileges. Another DC inmate said visitation is difficult because “the area is not so friendly.”

B. Communication

Cost of Sending and Receiving Email	\$0.05/Message
Cost of a 15-Minute Phone Call to DC	\$0.11/Minute
Number of DC Inmates Who Require Interpreters	1

Source: FCC Tucson. Data received August 2016.

Mail: Mail correspondence is permitted without prior approval in most cases. Mail is distributed Monday through Friday by the evening watch Correctional Officer in each housing unit. Legal and Special Mail is distributed by the Mail Room or Unit staff and opened in the presence of the inmate. Legal and Special Mail is recorded in a log-book to monitor correspondence. Inmates are also permitted to receive publications such as books, newspapers, and magazines with some exceptions. Inmates do not have a limit on the amount of mail they receive. Mail service is distributed Monday through Friday (except holidays).

Regarding mail, one DC inmate noted that after he asked for more stamps for a postcard to be mailed to his daughter, his daughter received pornography, presumptively by staff.

Telephones: At USP Tucson, inmates in general population do not have a specific limit on the number of phone calls an inmate may make. However, telephone calls are restricted to 15 minutes in duration and each inmate is allowed 300 minutes of calling time per month, unless on telephone restriction. Inmates are allowed to add or delete contacts, but there is a maximum of 30 active telephone numbers at one time.

For inmates who are deaf or hard of hearing, USP Tucson recently began offering Video Relay Services (VRS) through a secured connection.²⁶ Since 2014, USP Tucson has provided Video Relay Interpreting (VRI) Services for deaf or hard of hearing inmates to communicate with facility staff.²⁷ Facility staff reported that USP Tucson is the first FBOP facility to provide VRI Services. For inmates using VRS, the facility restricts calls to 30 minutes or less and allows 300 minutes of calling time per month. Furthermore, the facility provides VRS to deaf or hard of hearing inmates at no cost. Since the date of the CIC’s inspection, CIC staff have successfully been able to communicate with a DC inmate using VRS.

²⁶ VRS is a form of communication that allows deaf or hard of hearing individuals to communicate on the telephone with hearing individuals using a remote sign language interpreter.

²⁷ VRI is a form of communication that allows deaf or hard of hearing individuals to communicate with hearing individuals in the same location using a remote sign language interpreter.

Most common problem regarding the telephone was that inmates cannot afford calls. Other problems include broken phones, lack of phone privileges, too few phones, and access denied by other inmates. One DC inmate noted that his phone privileges were restricted as punishment for self-mutilation.

Attorney-Client Communication: As stated in the FBOP Program Statements, FBOP provides each inmate with several ways to access confidential communications with his attorney, including the opportunity to place an occasional unmonitored call to his attorney.²⁸ Inmates at USP Tucson are permitted to have unmonitored phone calls with an attorney, but the inmate must demonstrate to the Unit Team a valid reason why the phone call should be unmonitored, such as an imminent court deadline. Mail from attorneys is treated as Special Mail if it is marked “Legal Mail - Open Only in the Presence of Inmate” and has the attorney’s name and an indication that she/he is an attorney. In order to visit, attorneys should make an appointment in advance. Meetings with an attorney will be visually monitored but not audio monitored. While the transfer of legal material from an attorney to an inmate is permitted, it is also subject to a search for contraband.

Recommendations

11. USP Tucson should update its’ policy on access to attorney phone calls to allow inmates the opportunity to place an occasional unmonitored call to his or her attorney .

- DC inmates face particular difficulties receiving attorney visits given the distance and traveling required to Tucson, Arizona. To ensure all inmates have adequate access to confidential communications with his attorney without demonstrating a need to facility staff.

²⁸ FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, PROGRAM STATEMENT NO. 5264.008, INMATE TELEPHONE REGULATIONS (Feb. 11, 2008).

XV. Treatment of DC Inmates

Regarding how staff treats DC inmates in comparison to other inmates, 71% reported worse treatment, 29% reported equal treatment, and none reported better treatment (Figure 23). When asked whether DC inmates are treated better or worse by other inmates, 38% reported worse treatment, 59% reported equal treatment, and 3% reported better treatment (Figure 24).

Figure 23
**Compared to other inmates, how
are DC inmates treated by staff?**

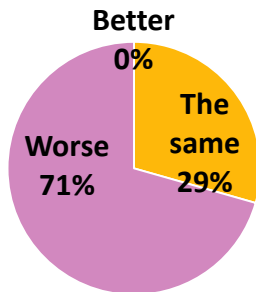
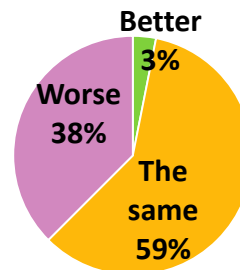


Figure 24
**Compared to other inmates,
how are DC inmates treated by
other inmates?**



Regarding overall treatment of DC inmates by staff and other inmates, respondents pointed out that DC inmates are stigmatized as “troublemakers,” given “harsher punishments,” and receive “disgusted looks.” One DC inmate noted that DC inmates are treated roughly and searched more frequently by staff and other inmates. Other DC inmates explained that there is a racial bias against DC inmates who are predominantly black, influencing decisions such as whether an inmate can be moved to another unit. One DC inmate commented that USP Tucson is “one of the most racist institutions [he has] ever been in.”

Additional examples regarding disparate treatment of DC inmates by staff focus on how services are provided. One DC inmate stated that his counselor and case worker treat DC inmates harshly. Another DC inmate explained that DC inmates at the facility and in other federal facilities do not receive good medical care or good credit towards sentencing. The issue of good credit, or lack thereof, was echoed by several DC inmates who also added that staff at USP Tucson do not understand sentencing and parole guidelines specific to DC. One DC inmate explained that due to this lack of understanding, DC inmates “have no way of fighting against miscalculation.”

Similar to inmate treatment, DC inmates noted that other inmates do not like and disrespect inmates from DC. According to respondents, some inmates are actually “scared of [DC inmates] for some reason.” One DC inmate reported that a gym table was etched with “F*** DC N*****” and another that inmates do not feel that DC inmates should be in the federal facility.

During the CIC inspection, several DC inmates raised concerns about their interactions with the United States Parole Commission (USPC).²⁹ Five DC inmates commented either being denied parole or were given parole and the decision was then rescinded.

Recommendations

12. Move DC inmates to a facility within 250 miles of DC.

- In January 2016, the Colson Task Force released its recommendations for improving reentry in federal corrections. The recommendations included developing greater opportunities for family engagement by housing individuals as close to home as possible.³⁰ With USP Tucson located over 2000 miles away from DC, to the extent possible, the FBOP should move DC inmates to a facility within 250 miles of DC .

²⁹ The FBOP and USPC are separate agencies under the U.S. Department of Justice.

³⁰ Transforming Prisons, Restoring Lives: Final Recommendations of the Charles Colson Task Force on Federal Corrections (January 2016).



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

MAR 29 2017

Michelle R. Bonner, Esq.
Executive Director
DC Corrections Information Council
2901 14th Street, NW
Washington, DC 20009

Dear Ms. Bonner,

This letter is in response to the draft inspection report received on March 1, 2017, regarding the September 1-2, 2016, visit to FCC Tucson. The Bureau of Prisons (Bureau) recognizes the value of the Corrections Information Council (CIC) inspections of its facilities and the voice it provides the D.C. Superior Court inmates. We hope to continue working closely to improve the Bureau facilities and raise awareness with regard to those inmates' needs. I offer the following response to the questions and/or statements in the report:

Throughout the report unsubstantiated allegations are made without direct observation of the CIC or supported by facts that can be corroborated. The Bureau takes allegations of misconduct seriously. If provided with specific case information, the Bureau will assist in any assessment or investigate any matter.

Factual Clarification:

The draft report indicates: *The Challenge Program participants have a Newsletter committee entitled, Men Impacting Others that is responsible for collecting newsletter contributions from the inmate population.*

Response: Challenge Program participants have a newsletter committee entitled, The Challenger, responsible for collecting contributions from the inmate population. In addition, a smaller group of inmates have formed a committee called "Men Impacting Others." This committee also has a newsletter and works with various institution disciplines to bring in guest speakers and provide additional uplifting activities to

encourage the general population inmates to program and possibly join the Challenge Program.

The draft report indicates: *Participants complete ten journals/workbooks.*

Response: The majority of the participants complete nine journal workbooks. Only those inmates identified as a sex offender requiring an additional review for civil commitment based on their offense are required to complete ten.

The draft report states: *While in the program, participants have access to a unit library, and exercise equipment.*

Response: While in the program, participants have access to a unit library, exercise equipment; serve on committees such as cultural diversity, education, hospitality, fitness and health in order to give back to their community in some fashion and increase pro-social behaviors through a variety of mediums.

The draft report states: *The Health Services Department at USP Tucson includes a clinical director, two assistant health service administrators, two mid-level practitioners, five clinical nurses, and three physical therapists.*

Response: The Health Services Department at USP Tucson includes a Clinical Director, Health Services Administrator, two Assistant Health Services Administrators, three Mid-Level Practitioners, 15 nurses and a Physical Therapist.

The draft report states: *Inmates are able to self-carry medications from the pill line window as they leave the dining hall after lunch on weekdays.*

Response: Medication dispensed at the pill line window must be consumed at the window. Only medication issued at the pharmacy is self-carry.

The draft report states: *The facility also provides a medical open house with a computer on wheels between Monday and Friday for inmates to submit medical records request.*

Response: The Computer-On-Wheels is for inmates to ask questions, verify appointments, follow-up with medical concerns and other routine medical questions. The Computer-On Wheels is not the proper format for inmates to submit medical records requests.

The draft report states: *USP Tucson is a Medical Care Level III facility. An inmate designated as Medical Health Care Level III are fragile outpatients who require frequent clinical contacts, and/or who may require some assistance with activities of daily living, but do not require daily nursing supervision.*

Response: Medical Health Care III inmates must be able to complete activities of daily living (bathing, dressing, toileting). However, Medical Health Care III inmates may require, and are provided, assistance with laundry and general housing sanitation.

The draft report states: *Another DC inmate reported needing to pay a \$2 copay to be seen even though he is a chronic care patient.*

Response: Copays are never charged for chronic care; however, the \$2.00 copay may be required for non-chronic care situations.

The draft reports states: *Another DC inmate stated that he is now being seen once every six months when it was previously once every three months; his asthma inhaler also took three months to refill after the facility ran out of inhalers.*

Response: USP Tucson has never had inhalers run out of stock.

The draft report states: *A contracted psychiatrist goes into USP Tucson twice a week to meet with Mental Health Care Level III inmates.*

USP Tucson has a contract psychiatrist on site once a week for four hours. Additionally, Tele-Psychiatry is utilized eight hours a week.

The draft report states: *During the inspection, staff informed the CIC that within the month a new psychiatrist would be joining the psychology department.*

Response: At the time of the CIC inspection, FCC Tucson had hired a new psychologist who was scheduled to arrive within a month; there were no plans to hire a psychiatrist.

The draft report states: *The process provides for three levels of review with corresponding filing forms: Facility (BP-9), Regional Office (BP-10), and Central Office (BP-11).*

Response: The Administrative Remedy Program emphasizes the use of the Informal Resolution (BP-8). The vast majority of the inmate concerns are addressed through this means, rarely requiring the use of the formal Administrative Remedy process which explains why "A large number of DC inmates reported not knowing about how fairly complaints, grievances, and appeals are addressed."

The draft report states: *While the mass majority reported having access to cop outs and sick call slips, nearly half of all respondents reported not having access to administrative remedy forms.*

Response: Administrative Remedy forms are readily available from any member of an inmate's Unit Team, seven days a week, including those inmates housed in the Special Housing Unit (SHU). The report shows over 650 Administrative Remedies were submitted during the requested reviewing period which indicates forms are readily available.

The draft report state: *One entire range in the SHU is for inmates designated at FCI Tucson. There is also a range for pre-trial individuals.*

Response: One range in SHU is dedicated for the inmates designated at FCI Tucson, Pretrial inmates and inmates designated to the satellite Prison Camp.

The draft report states: *Over half of all DC inmates surveyed have been in the SHU at USP Tucson. Of these 17 DC inmates who reported having been in the SHU, 41% spent over 30 days in SHU at one time.*

Response: At the time of the inspection there were no DC inmates in SHU for over 30 days pending investigation. However, there are times when it is necessary for inmates to be in SHU for more than 30 days, in accordance with Program Statement 5270.11, Special Housing Units. Specifically, progressive sanctions, complex investigations, and pending transfers have at times exceeded 30 days.

The draft report states: *Specific examples of unprofessionalism include one account that staff members "have a bad habit" of looking up information on why an inmate is incarcerated and then sharing the information with other inmates.*

Response: Staff members providing inmate court case history to

other inmates would be thoroughly investigated in accordance with the Program Statement 3420.11, Standards of Employee Conduct.

The draft report states: More than half of the DC inmates surveyed reported being harassed, threatened or abused by staff.

Response: "The majority of respondents indicate housing unit officers are "usually" or "sometimes" competent, responsive and respectful" (Pg. 22 of report). Furthermore, Bureau policy takes a zero tolerance stance regarding threatening, harassing or intimidating behavior. We take allegations of misconduct seriously and review them for and possible disciplinary actions, if warranted.

The draft report states: *At the time of the inspection, it was not specified whether the program only connects inmates who plan to work in Arizona after release.*

Response: The program, Arizona@Work, is available to all inmates releasing in the United States.

The draft report states: *Inmates who are within a month of releasing are able to participate in the 2nd Chance Tucson Job Fair. The purpose of sending inmates to the job fair is to inform employers about incentives to hire returning citizens. Employers conduct mock interviews onsite at the USP Tucson and assist participants with understanding the interview process, dress code and how to answer the question about criminal background during the interview.*

Response: Satellite Prison Camp inmates who are within six months of release are eligible to participate in the 2nd Chance Tucson Job Fair at the Tucson Convention Center. The purpose of sending inmates to the job fair is to provide them transition back into society. These are actual job interviews for real jobs upon release. Employers attend the job fair with the understanding the applicants will have a felony conviction in their background.

The draft report states: *The table on page 28 of the report indicates the ABE Program has inmates "enrolled", "completed", on a "waiting list", and "dropped or refused program".*

Response: The ABE program does not exist at FCC Tucson. The table actually reflects inmates "enrolled", "completed", on a "waiting list", and "dropped or refused program" for Special

Learning Needs.

The draft report states: *USP Tucson has 2 certified teachers.*

Response: USP Tucson has 12 certified teachers, and two education technicians.

The draft reports states: *The Food Service Director provides several marketable job training programs including Serv Safe and baking.*

Response: FCC Tucson does not employ a Food Service Director, but rather a Culinary Arts Vocational Training Instructor.

The draft report states: *Additionally, the American Culinary Federation offers a Baking Program sponsored by the local chef association. In the Baking Program participants can obtain 100 hours of certified culinary skills.*

Response: FCC Tucson's Beginning and Advanced Baking Programs have a Quality Assurance Accreditation from the American Culinary Federation. Participants can obtain up to 200 hours of certified culinary training and apply for their first level of chef certification with the American Culinary Federation upon release.

The draft report states: *For inmates who are deaf and hard of hearing, USP Tucson recently began offering Video Relay Services (VRS) through a secured connection. Since 2014, USP Tucson Video Rely Interpretation (VRI) Services for the deaf or hard of hearing inmates to communicate with facility staff.*

Response: In addition to what the draft report states, live interpreters are available for education programs, Disciplinary Hearing Officer hearings, and medical appointments.

Recommendations by CIC:

The FBOP and USP Tucson should evaluate the eligibility requirements and application process for any potential disparate impact. The draft report states: "As of August 2016, 80 inmates were enrolled in the Challenge Program, with zero DC inmates. The FBOP and USP Tucson should evaluate the eligibility requirements and application process for any potential disparate impact."

Response: Since October 2016, inmates are no longer required to have one year free of discipline prior to applying to the Challenge Program. Additionally, the Challenge Program is voluntary; inmates must apply to the program to be accepted. In the last year, four DC inmates signed up for the program and were placed on the waiting list then declined to join.

Assess the amount of religious programming available for Muslim-based faiths, and adjust accordingly. "The draft report states: The CIC received concerns from DC inmates that "Muslim-based faiths are given little attention." To further USP Tucson's faith-based reentry priorities, the facility should assess (assess) the amount of religious programming available for Muslim-based faiths relative to the demand and programming for other faiths, and adjust accordingly."

Response: A review of this recommendation and concern revealed Islam based faith groups are provided two hours a week in the Chapel which is equal to or more than time allotted other religious denominations. Furthermore, 21 inmates, 1.3% of the population, participate in Islam based faith groups and an Imam is available and participates in worship services twice a month.

Review the food portions provided to inmates to examine whether the portions are sufficient. The draft report states: "DC inmates reported inadequate meal sizes and noted that the meal portions are getting "smaller and smaller." The CIC understands the budget constraints a correctional facility faces in ensuring that all inmates are provided with nutritionally adequate meals meeting the objectives under the FBOP's Program Statement. The CIC encourages USP Tucson to review the food portions provided to inmates to examine whether the portions are sufficient."

Response: The Food Service Department at FCC Tucson receives a budget which adequately provides all inmates with hearty, nutritious meals that are appropriately portioned and approved by a dietitian. Additionally, FCC Tucson offers a salad bar option 7 days a week at two different meals along with a variety of religious and medical diet options. The lack of Administrative Remedies regarding nutritionally adequate meals and meal portions indicate this is not a creditable issue at FCC Tucson.

Recruit Public Health Service Officers to address the mental health care vacancies at USP Tucson and to minimize treatment delays. The draft report states: "As stated by the OIG, the U.S. Public Health Service (PHS) provides health services to

underserved and vulnerable populations, which includes inmates housed in the FBOP. The OIG recommended that the FBOP use PHS services as they offer staffing flexibility. Assigning more PHS Officers to address the medical vacancies at USP Tucson would assist the facility in providing adequate mental health care and ensure that DC inmates who require mental health services are provided with the appropriate required care."

Response: USP Tucson provides inmates with timely and appropriate medical care. Health Service positions are difficult to fill in both the private and public sectors. FCC Tucson has 11 PHS positions with 81.89% of them staffed. FCC Tucson has had more success hiring non-PHS staff, with 86.96% of the positions filled.

Stress the importance of zero tolerance of staff retaliation or intimidation of inmates who wish to file an administrative remedy, with meaningful personnel consequences for staff who violate the FBOP's objectives. The draft report states: "The FBOP should stress the importance of zero tolerance of staff retaliation or intimidation of inmates who wish to file an administrative remedy, with meaningful personnel consequences for staff who violate the FBOP's objectives. Such measures will increase transparency and improve efforts to deter staff retaliation and promote the availability for inmates to use the Administrative Remedy process."

Response: The Bureau has a strong zero tolerance policy relating to staff retaliation or intimidation of inmates who wish to file Administrative Remedies. This policy is emphasized during Annual Refresher Training and during Introduction to Correctional Techniques through all levels of supervision throughout the Bureau.

Reduce maximum penalties for disciplinary segregation and impose a sanction of disciplinary segregation only as necessary and only after determining, in writing, that other available sanctions are insufficient to serve purpose of punishment. The draft report states: "Forty-one percent of DC inmates who reported having been in the SHU spent over 30 days in SHU at one time. Reducing the maximum penalties and requiring that the DHO determine, in writing, that other available sanctions are insufficient to serve the purpose of punishment would help ensure USP Tucson reduces the total number of inmates in the SHU. This, in turn, will contribute to the downward trends in the FBOP's SHU population."

Response: The draft report fails to specify any of the inmates who reported having been in SHU over 30 days. However, the report did state that three DC inmates were in SHU, 4.3% of the DC inmate population, none for over 30 days pending investigation and none for Disciplinary Segregation. Sanctions of Disciplinary Segregation are imposed as a last resort or if the level of severity substantiates the sanction.

Implement a cultural diversity sensitivity training program.

The draft report states: "Working with the National Institute of Corrections, USP Tucson can identify training needs and implement a cultural diversity sensitivity training program for staff members to increase awareness of cultures different from their own. Providing staff with such training would further the FBOP's mission "to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure..."

Response: Cultural Diversity is emphasized by the department heads and executive staff to all new staff members at Introduction to Correctional Techniques, in Annual Training and throughout the year, in less formal settings such as staff recalls. FCC Tucson has an Affirmative Employment Committee that meets monthly and hosted eight events in 2016 to commemorate diversity inclusion, and equal opportunity. Additionally, FCC Tucson holds an Annual Diversity Day, over 300 staff members participated in 2016. This program includes cultural diversity training and education with events designed to further the Bureau's goals of increased staff awareness of cultures different from their own.

Establish a standardized curriculum for the Release Preparation Program (RPP) across all FBOP facilities. The draft report states: "The CIC commends the FBOP for initiating plans for a standardized RPP curriculum across all FBOP facilities. According to the FBOP Reentry Services Division's Senior Deputy Assistant Director, Patti Butterfield, RPP currently does not have a standardized curriculum. The FBOP should establish a standardized curriculum for the RPP across all FBOP facilities to ensure inmates receive successful preparation for reentry and community resource transition."

Response: As noted by the CIC, the Bureau is in the process of standardizing the curriculum of the Release Preparation Program (RPP). The standardized RPP is expected to include evidence based courses to ensure inmates receive successful preparation

for the reentry and community resource transition.

Provide opportunities for DC agencies and other organization to compile and disseminate reentry resources to DC inmates. The draft report states: "As planning for the standardized RPP curriculum progresses, the FBOP should also provide opportunities for DC agencies and other organizations to compile and disseminate resources to DC inmates across FBOP facilities. Opportunities may include coordinating with the Reentry Affairs Coordinator to ensure that DC specific resources are readily accessible and up-to-date."

Response: As noted in the report, the Bureau and FCC Tucson host the DC Court Services and Offender Supervision Agency via video conference. Should DC agencies provide resources for distribution to the DC inmates in preparation for release, they would be incorporated into the Arizonz@Work packet already provided.

Provide a copy of the Washington Post for all inmates to access in the library. The draft report states: "The facility should provide a copy of the Washington Post for all inmates to access in the library. Providing the Washington Post would allow DC inmates to receive local news and receive updated information on developments happening in Washington, DC."

Response: The Washington Post was available until the most recent inmate survey in July 2016. In that survey, only one inmate in the facility expressed interest in receiving it. The annual survey is used as a barometer to determine which publications and periodicals should be continued and which new resources should be continued.

USP Tucson should update its' policy on access to attorney phone calls to allow inmates the opportunity to place an occasional unmonitored call to his or her attorney. The draft report states: "DC inmates face particular difficulties receiving attorney visits given the distance and traveling required to Tucson, Arizona. To ensure all inmates have adequate access to confidential communications with his attorney without demonstrating a need to facility staff."

Response: USP Tucson is a designated institution for inmates who have already been convicted and sentenced. Program Statement 5264.08, Inmate Telephone Regulations, allows inmates several methods to communicate with attorneys (i.e. special mail and private attorney visits) as well as an unmonitored attorney

call, which should be limited to the inmate demonstrating an imminent court deadline. Based on these provisions, frequent confidential inmate attorney calls should only be allowed when an inmate demonstrates that communication with his or her attorney other means is not adequate.

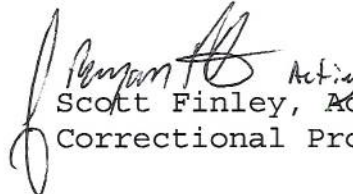
Move DC inmates to a facility within 250 miles of DC. The draft report states: "In January 2016, the Colson Task Force released its recommendations for improving reentry in federal corrections. The recommendations included developing greater opportunities for family engagement by housing individuals as close to home as possible. With USP Tucson located over 2000 miles away from DC, to the extent possible, the FBOP should move DC inmates to a facility within 250 miles of DC.

Response: The Bureau has taken initiatives in the last two years to move as many DC inmates as were willing go, within 500 miles or less of the District of Columbia. With the population of DC inmates being approximately 5,000, the Bureau would not be able to adequately place them all within 250 miles of the District of Columbia and provide the same level of programming.

I appreciate the opportunity to review and provide comments to your inspection report of FCC Tucson. I hope to continue working closely with the CIC to improve the operations of Bureau facilities and ensure we are meeting the needs of the inmate population.

Please contact me at (202)353-3646 if I can be of further assistance.

Sincerely,

 Acting
Scott Finley, Administrator
Correctional Programs Branch