

USP MCCREARY

Pine Knot, Kentucky

570 Miles from downtown DC: 9 hours by car, inaccessible by bus

Demographics

- Security level: USP High
- Facility mental health care level: 2
- Inmates as of July 2013: 1422
- DC inmates: 166
- Inmates facility was designed to house: 1492 (USP)
- Total staff: 370
- Inmate/staff ratio (average over 12 mos): 3.8/1
- Median age: 36
- Median DC inmates' age: 38
- Overall facility racial demographics:
Black 58.4%, White 38.1%, Other 3.5%
- Ethnicity: Hispanic 16.7%, Non-Hispanic 83.3%
- DC inmate racial demographics:
Black 98.7%, White 1.3%
- Ethnicity: Hispanic 0.7%, Non-Hispanic 99.3%

Commendable Practices

Warden J.C. Holland and Support Staff

- Warden Holland is new to McCreary. Warden Holland's previous post was FCI Manchester, which exhibited several commendable practices that will hopefully be brought to McCreary. The CIC commends the Warden and his staff for their availability to the CIC before, during, and after our inspection.

Superior Programming

- McCreary had the third-highest number of GED graduates in the FBOP for FY 2012.

CHALLENGE Program

- The CHALLENGE program is a residential program that provides treatment to inmates with a mental health diagnosis and/or substance abuse history.

Reentry Program

- McCreary recently opened a reentry program. The program is designed to provide inmates with individualized programming plans while incarcerated and prepare inmates for release.

Interlibrary Loan with all Kentucky Libraries

- The McCreary library utilizes an interlibrary loan system, through which inmates have access to all public libraries in Kentucky.

Inmate Concerns



- Staff (17)
- Sentence Designation & Computation (15)
- Medical (13)
- Food (10)
- Programming (10)
- Special Housing Unit (10)
- Other (9)
- DC Specific Issues (8)

Areas for Improvement

Staff

- The most prevalent inmate concern reported to the CIC was staff treatment of inmates. The CIC is particularly concerned with reports of racist officers and retaliatory and punitive practices in the SHU.

Medical Concerns

- DC inmates reported numerous concerns regarding medical care. The specific concerns are noted in the report.

CSOSA Community Resource Day

- The CIC recommends McCreary begin participating in quarterly CSOSA Video Conferences.

FBOP-Wide Issues at McCreary

- **Sentence Computation and Designation.** The second most frequent inmate concern reported to the CIC was sentence designation and computation.
- **DC Inmates Stigmatized.** DC inmates reported being treated differently stigmatized simply because they are from DC.
- **Lack of Visitation for DC Inmates.** Like most FBOP facilities, McCreary's distance from DC is not conducive to visitation by family members and loved ones. The CIC recommends that the FBOP confer with the DC DOC to establish video visitation programs not just at McCreary, but FBOP wide.

Site Inspection

The CIC conducted a comprehensive inspection of United States Penitentiary (USP) McCreary over a seven-month period, with a site visit on April 15, 2013. The CIC obtained information from current and former McCreary inmates, families and loved ones of current and former McCreary inmates, advocates in the community knowledgeable on McCreary, and the DC community at large. The CIC's onsite inspection began with an opening session with Warden Holland and his support staff. The CIC then toured the facility, observed programming, interviewed DC inmates, and had a closeout session with the Warden and his staff. The CIC toured and/or spoke with staff from the following departments and programs: Education, Recreation, Food Service, Health Services, Psychology Services, Reentry, Vocational Training, Religious Services, Commissary, one standard housing unit, the Special Housing Unit, the CHALLENGE unit, and the law and leisure libraries. The CIC also spoke with 24 DC inmates at McCreary and received 33 letters from DC inmates at McCreary.

McCreary Demographic Data (source: Bureau of Prisons, general data from 9/2013 and DC data from 2/2013)

Total Inmates	1422			
DC Inmates	166			
Total inmates prison was designed to house	955			
% Capacity	149%			
Total Staff	370			
Inmate/Staff Ratio	3.8/1			
Inmate Demographics				
	Total Number		DC Number	
Number of male inmates	1422		166	
Number of female inmates	0		0	
Inmates < 18 years old	0		0	
Median age	36		38	
Racial breakdown				
	Total Number	DC Number	Percent of total population	Percent of DC population
Black	830	151	58.4%	98.7%
White	542	2	38.1%	1.3%
Other Races/Ethnicities	50	0	3.5%	0
Ethnic breakdown				
	Total Number	DC Number	Percent of total population	Percent of DC population
Hispanic	238	1	16.7%	0.7%
Non-Hispanic	1184	152	83.3%	99.3%
Inmate Sentence Information				
	Total Number		DC Number	
# Inmates with data available	1422		153	
Mean sentence (months)	175.6		196.5	
Median sentence (months)	120.0		79	
Mean time remaining - New Law/Old Law (months)	113.3/547.1		NA	
Median time remaining - New Law/Old Law (months)	67.0/371.5		NA	
Months to Release - Total Inmate Population				
	Number of Inmates		Percent	
4 months or less remaining	51		4.2%	
5-8 months remaining	72		6.0%	
9-12 months remaining	71		5.9%	
13-24 months remaining	136		11.3%	

25-60 months remaining	252	20.9%
61-120 months remaining	277	23.0%
121 months remaining	346	28.7%
Months to Release - DC inmate population		
Months to Release - DC inmate population	Number of Inmates	Percent
0-12 months remaining	26	17.0%
13-59 months remaining	39	25.5%
60-83 months remaining	5	3.3%
84 months remaining	83	54.2%
Offenses		
Offenses	Total inmates / Percentage (out of 1407)	DC Inmates/ Percentage (out of 158)
Violent Offenders ¹	759/ 53.9%	107/ 70.4%
Drug Offenders	419/ 29.8%	18/ 11.8%
Sex Offenses	13/ 0.9%	6/ 3.9%
Others	216/15.4%	27/17.1%

Facilities

There are six housing units at McCreary, identified as 1, 2, 3, 4, 5, and 6, and two sections, right and left, per unit. Each housing unit has 128 cells and 20 showers.

Education/Recreation

The education department at McCreary offers the following classes: General Education Development (GED), English as a Second Language (ESL), Adult Literacy, and post-secondary studies through correspondence. All classes are voluntary except for the GED and ESL classes. The education department also employs inmates as tutors. Inmates who do not have a verifiable high school diploma or a GED will be required to attend 240 hours of GED classes. In 2012, 57 inmates, five from DC, graduated from the GED program. This ranks third in the FBOP. In the first quarter of calendar year 2013 three DC inmates completed their GED and three DC inmates completed vocational training programs. Additionally, at the time of the CIC's inspection there were three DC inmates enrolled in ESL classes.

On the date of the inspection the CIC was informed that the computers for the new computerized GED testing would be up and running within the next couple of weeks. The GED computer room has 24 computers, which will also be used for Adult Continuing Education (ACE) courses. McCreary will also utilize computerized Pre-GED test as a trial before the GED test is computerized.

Recreation activities at McCreary include indoor and outdoor activities such as leather craft, hobby craft, crochet, art, and many more. Volunteers from the local community college occasionally teach the art classes; however, classes are usually Bob Ross instructional videos and DVDs. Wellness and physical fitness programs are also available, and according to McCreary staff these programs assist inmates in maintaining good interpersonal relations, improving mental health, and reducing stress. McCreary also offers a music program with inmate instructors, and the facility has 12 to 14 inmates in guitar lessons per quarter. The instruments offered include guitar, bass, drum set and bongos. There is also a book club in Unit 2A.

In 2012, McCreary received the Golden Apple Award. This award is given to FBOP Education/Recreation Departments demonstrating excellence in academics, occupational training, and recreation. Institutions are evaluated on how programs and resources meet or exceed community standards and the ability of the Education/Recreation Department to address the diverse needs of the inmate population. Below are additional McCreary education and recreation indicators.

Education and Recreation Indicators (source: Bureau of Prisons data for FY 2012)

Education Indicators (FY 2012)	# Enrolled	# Completed
GED/Equivalent Programs	313	52
ESL Programs	11	2
Parenting Programs	95	82
Occupational Programs	82	86
Onsite College-Level Programs	0	0
Correspondence College-Level Programs	0	0
Recreational Wellness Programs	229	308
Pre-Release Programs	620	620
Indicator		
		Hours Complete FY 2012
GED		36,023
Post-Secondary		0
Pre-Release		620
Continuing Education		6,297
Recreation Leisure		1,545
Recreation Wellness		395
Total Hours Of Education Instruction		48,137
Total Hours Of Occupational Training		24,158

Total hours of instruction for education and vocational: 72,295

Challenge Program

The CHALLENGE program is designed for inmates in the penitentiary setting and is open to inmates with a mental health diagnosis and/or substance abuse history.ⁱⁱ The CHALLENGE program is located on a separate unit decorated with murals and motivational wall art. According to the FBOP, the CHALLENGE program is about making a transition from former criminal lifestyles to a new, positive way of living. CHALLENGE groups meet in separate rooms, not in common areas, and meetings are led by treatment specialists. On the day of our inspection the CHALLENGE program had 73 inmate participants, five of which were from DC. The capacity for this program is 90; the program will not be at capacity until another treatment specialist is hired. Inmates participating in the CHALLENGE program can receive a lower security designation within 9 to 12 months of participating in the program.

Other Programs

The Non-Residential Substance Abuse Program is a 6-month program with a \$30 incentive upon completion. McCreary does not have Residential Drug Abuse Program (RDAP); however, Substance Abuse Specialists conduct interviews for inmates that would like to participate in the RDAP program and make recommendations for transfers accordingly. Additionally, McCreary has Narcotics Anonymous and Alcoholic Anonymous (NA/AA) meetings weekly, with 30 to 40 inmates participating in each session.

Reentry Unit

McCreary recently opened up a reentry program on Unit 2A. On the date of the CIC’s visit the unit had been open for two months and had 130 inmates, 17 of which were from DC. McCreary plans to have 260 inmates on this unit in the near future. Residential Reentry Center staff members have spoken to the men on the unit, and inmates have access to the CSOSA Resource Day video. The unit provides various kinds of programming daily and GED training is offered to all unit members. The reentry unit accepts inmates with six months to four years remaining on their sentences, but also accepts special applications from other inmates.

Medical Care

McCreary is a Care Level Two facility for non-chronic ailments. At the time of the CIC's visit to McCreary there was no physician on staff, but since then the position has been filled. Medical staff are onsite seven days a week from 6:00 am through 10:00pm. If an inmate needs medical assistance after 10:00 pm the Lieutenant will contact the on-call Physician's Assistant for guidance. Chronically ill inmates are all placed on the same unit, which is in close proximity to the medical unit.

Within 14 days of arrival, each inmate who does not have a current documented examination or mandatory tests from another federal facility will receive a physical. The Inmate Release Preparation Program (IRPP) allows inmates to request a physical examination sixty (60) days prior to release, if they haven't received one within one year prior to the expected day of release. Inmates must pay a \$2.00 co-pay for non-emergency services, but there is no co-pay for the following: Chronic Care Clinic visits, insulin injections, lab services, follow up visits, and wound care. Requests for prescription refills are completed utilizing the TRULINCS system. Over the counter medication is available for purchase at the Commissary.

On the day of the inspection the CIC interviewed 24 DC inmates onsite, and through the inspection process the CIC received 33 letters from McCreary inmates. DC inmates reported numerous medical concerns; the most serious included:

- Inmates with serious medical conditions not receiving medical care
- Long wait times to receive medical care
- Poor medical care
- Problems delivering urgent care
- An incorrect diagnosis
- Refusal or inability to test an inmate reporting a mass

A further breakdown of DC inmate medical concerns is in Appendix A: *Inmate Concerns Broken Down by Topic, Number, and Facility*.

Routine dental care requests are submitted to a Staff Member using the cop-out form. According to McCreary staff, dental emergencies are seen quickly and the wait for non-emergency care is up to six months. Additional medical information is below.

Medical Indicators (Source: ACA audit dated 10/2012 and Bureau of Prisons data from 10/2012- 9/2013)
Average inmate population for the period in the ACA Audit is 1559.

DEATHS	
Total Deaths	0
Unexpected Natural Deaths	0
Deaths By Homicide	0
Deaths By Suicide	0
Suicide Attempts (Source: ACA audit dated 8/2010)	75

COMMUNICABLE DISEASE INDICATORS (Source ACA Audit dated 8/2012). All data is for the 12 month period prior to the ACA Audit.

HIV	
Inmates on antiretroviral treatment <i>at a given point in time</i> within a 12 month period before the ACA Audit	19
Inmates <i>at a given point in time</i> who have been on antiretroviral treatment for at least 6 months with a viral load of less than 50 cps/ml	10
"Inmates diagnosed with HIV <i>at a given point in time</i> in ACA audit	21
Tuberculosis	
Inmates who are new converters on a TB test, indicating new infection within last 12 months before the ACA Audit	1

Inmates tested for TB in the 12 months before the ACA Audit	1649
Inmates treated for latent TB within a 12 month period before the ACA Audit	2
Inmates who completed treatment for latent TB within a 12 month period before the ACA Audit	2
Hepatitis C	
Inmates diagnosed with Hepatitis C <i>at a given point in time</i>	191
MRSA	
Inmates diagnosed with MRSA within the last 12 months before the ACA Audit	27
Other Health Indicators	
Diabetic inmates reviewed	30
Diabetic inmates <i>at a given point in time</i> under treatment for at least six months with hemoglobin A1C level measuring > 9%	11
Completed dental treatment plans during the 12 month period before the ACA Audit	119
Inmate admissions to off-site hospitals	36
Inmates transported off-site for treatment of emergency health conditions	17
Specialty consults completed during the 12 month period before the ACA Audit	362
Specialty consults ordered during the 12 month period before the ACA Audit	549

Mental Health

McCreary does not have a mental health unit. In order to receive psychotropic medication, inmates have access to tele-psychiatry based upon clinical need. Most psychotropic medications are prescribed and managed by the clinical director and mid-level providers.

Special Housing Unit (SHU)

Each inmate in the SHU is to receive one phone call every 30 days and has the ability to write and receive mail. The SHU has an outside recreation area, an outdoor cage that holds up to four inmates. Also, there is a law library terminal in the SHU. McCreary does not maintain records for SHU occupancy and therefore could not provide the CIC with follow-up information concerning the total number of inmates and DC inmates in the SHU on the day of the CIC's inspection. Information on administrative remedies filed by inmates in the categories of the SHU and Disciplinary Hearing Officer (DHO) Appeals are outlined below.

Administrative SHU/DHO indicators (source: Bureau of Prisons data from 10/2012 through 9/2013)

Administrative SHU/DHO Indicators	Number Submitted	Number Rejected	Number Filed	Number Answered	Number Granted
BP-9s related to SHU	22	N/A	N/A	N/A	N/A
BP-10s related to SHU	13	8	5	3	0
BP-11s related to SHU	5	4	1	0	0
BP-9s related to DHOs	20	N/A	N/A	N/A	N/A
BP-10s related to DHOs	129	58	71	20	6
BP-11s related to DHOs	62	39	23	0	0

Meals

McCreary serves over 1,400 inmates three meals per day. The menu is based on the FBOP National Menu. McCreary spends \$3.25 per day per inmate for food. The inmates are served hot breakfast and lunch on a daily basis; dinner is served cold. McCreary has also stopped serving juice, cool-aid, and tea; currently the only liquid being served is water.

McCreary has a religious diet room to accommodate the religious diets of inmates. Approximately 20 to 30 inmates have religious dietary requirements. These diets are requested through Religious Services and are mandated by the religious tenets of officially recognized faith groups. The religious diet room receives food only from certified religious vendors. McCreary also serves food to comply with medical dietary needs, such as low-sodium and low-cholesterol meals, soy products that are alternative protein sources for vegetarians, and separate rooms for vegetable preparation and meat preparation.

Law and Leisure Libraries

DC inmates have access to DC Superior Court cases and DC Circuit cases through the electronic law library seven days a week. There are four paid inmate clerks available to assist inmates in the law library; this work detail is the highest paid in McCreary's education department. In addition to the law library in the education department, there is a law library located on the SHU.

The leisure library is separate from the law library. The library utilizes an interlibrary loan system, through which inmates have access to all libraries in Kentucky. Inmates can use the interlibrary loan system to obtain up to two books; however, if an inmate loses a book he must pay the value of the book up to \$60.00. Eight typewriters are available for inmate use in the leisure library.

Religious Programs

McCreary offers a wide range of religious programs to inmates. Staff Chaplains are available, as well as contract and volunteer representatives of other faiths. Faith group time and space allotments, religious diets, holy day observances, and ceremonial meals are coordinated through the Chaplain's office. Information about Religious Services programming and staff schedules is available on bulletin boards located in the housing units and Religious Services offices.

There are 17 faith groups (32 are officially recognized by the FBOP). When inmates want to introduce a new component to a Religious Service program they can fill out the Unfamiliar Religious Belief and Components Form. Between 300 and 500 inmates use the chaplain or religious services each week.

Currently, there are three faiths practiced outside. There are two worship areas located on the facility grounds: one chapel, and one smaller area with lockers to hold items for particular faiths. On Fridays, 30 to 40 Muslim inmates meet to worship. There are five inmates that practice Catholicism and one volunteer Catholic Priest. Overall, there are about 50 volunteers for Religious Services.

Religious Services offers several other programs including anger management, spiritual growth, financial classes, and the programs on the new reentry unit.

Email, Mail, and Phone

Inmates at McCreary have access to email through a specialized and secure FBOP email system, CORRLINKS. For phone service, inmates in the general population can purchase a maximum of 300 minutes per month.

Inmate Concerns

On the day of the inspection the CIC interviewed 24 DC inmates onsite, and through the inspection process the CIC received 33 letters from McCreary inmates. The largest number of inmate concerns reported to the CIC concerned staff conduct, sentence designation and computation for DC inmates, and medical care. The numerous medical concerns are outlined below at Appendix A: *Inmate Concerns Broken Down by Topic, Number, and Facility*

The CIC also received reports from inmates about mistreatment by staff including: reports of SHU staff using retaliatory and punitive practices, specifically, the use of pepper spray and paper sheets. The concern of sentence designation and computation is a FBOP issue, not McCreary specific. However, how McCreary staff

responds to the frustrations of DC inmates surrounding sentence designation and computation should be examined.

The CIC recommends McCreary and FBOP staff investigate the concerns listed in Appendix A.

Administrative Remedies

The CIC reviewed the number and topic of administrative remedies submitted by McCreary inmates over a twelve month period from October 2012 through September of 2012.ⁱⁱⁱ The CIC, however, did not review individual administrative remedies, but rather a breakdown of administrative remedies by number filed and topic. At the facility level inmates filed the most numerous administrative remedies in the following subjects: visitation, education/recreation and mental health. At the regional level inmates filed the most numerous administrative remedies in the following subjects: DHO Appeals, staff, and medical. At the Central Office level inmates filed the most numerous administrative remedies in the following subjects: DHO Appeals, staff, and medical. A chart outlining administrative remedies by topic filed and granted at the facility level, regional level and, Central Office is below.

Administrative Remedies Filed by Topic; Facility-Wide, not DC-Specific

(Source: Bureau of Prisons data from 10/2012 – 9/ 2013)

Subject Breakdown	BP-9s submitted	BP-9s % granted	BP-10s submitted	BP-10s % granted	BP-11s submitted	BP-11s % granted
Classification	13	N/A	20	0.00%	12	0.00%
Comm Prgms	19	N/A	1	0.00%	0	0%
Control Unit	14	N/A	0	0.00%	0	0%
Dental Care	27	N/A	2	0.00%	0	0%
DHO Appeals	20	N/A	129	30.00%	62	0%
Disability	35	N/A	5	0.00%	1	0%
Education/Recreation	11	N/A	5	0.00%	2	0%
Food	24	N/A	19	0.00%	11	0%
Forced Med	26	N/A	0	0.00%	0	0%
Inst Operatn	25	N/A	19	0.00%	21	0%
Inst Program	15	N/A	10	0.00%	5	0%
Jail Time	30	N/A	8	0.00%	7	0%
Legal	33	N/A	16	0.00%	12	0%
Mail	16	N/A	17	0.00%	14	0%
Medical	26	N/A	59	0.00%	44	0%
Mental Health	28	N/A	0	0.00%	0	0%
Non-Mail Com	17	N/A	0	0.00%	0	0%
Other Stat-Mandated Procedures	36	N/A	0	66.70%	0	0%
Records	32	N/A	2	0.00%	3	0%
Sentence Comp	31	N/A	8	0.00%	5	0%
Spec Housing	22	N/A	13	0.00%	5	0%
Srch/Restrnt	23	N/A	3	0.00%	1	0%
Staff	34	N/A	89	0.00%	48	0%
Transfer	10	N/A	11	0.00%	3	0%
UDC Actions	21	N/A	38	75.00%	13	0%
Visiting	18	N/A	3	0.00%	4	0%

Significant Incidents (Source: Bureau of Prisons data from 10/2012 – 9/ 2013)

This information is not DC-specific.

Significant incidents (8/2012-8/2013)	Number
Institution locked down	0
Assault on inmate with weapon	13
Assault on inmate, no weapon	50
Assault on staff with weapon	3
Assault on staff, no weapon	29
Attempted assault on inmate with weapon	1
Attempted assault on inmate, no weapon	1
Attempted assault on staff with weapon	0
Attempted assault on staff, no weapon	11
Sexual act, nonconsensual, on inmate	0
Sexual assault on staff	0
Sexual contact, abusive, on inmate	1
Number of 583 reports (reports of assault on officers)	255
Chemicals used	34
Use of force	106
Use of restraints	80
Use of restraints, pregnant inmate	0
Escape from secure facility	0
Escape from non-secure facility	1

ⁱ Violent Offenses include conviction for the follow charges: Weapons, Explosives, Arson, Robbery, Homicide, Aggravated Assault, and Kidnapping.

ⁱⁱ The CHALLENGE program is distinguishable from the Residential Drug Abuse Program (RDAP) because the CHALLENGE program is specifically designed for the USP setting. Also RDAP participants must have a diagnosed drug disorder, while the CHALLENGE program provides treatment to inmates with substance abuse and/or mental illness.

ⁱⁱⁱ The information reviewed was not DC specific, but rather facility wide.