

FCI Bennettsville Inspection Report

**District of Columbia
Corrections Information Council**

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District of Columbia Corrections Information Council (CIC)

Phylisa Carter, Board Chair
Katharine A. Huffman, Board Member

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.

DC Corrections Information Council

2901 14th Street, NW
Ground Floor
Washington, DC 20009
Phone: (202) 478-9211
Email: dc.cic@dc.gov

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Inspection Methodology

The CIC conducted an onsite inspection of FCI Bennetttsville on November 18, 2014 and collected and reviewed information from November 2014 through June 2016.

Prior to the onsite inspection, the CIC communicated with all incarcerated DC residents at FCI Bennetttsville, informing them of the impending inspection and offering them the opportunity for a confidential interview with a member of the CIC. During the onsite inspection, the CIC was escorted by the Executive Assistant, the Warden, and other members of the executive staff. The onsite inspection consisted of an opening session with executive staff, a tour of the facility, dialogue with facility staff, and confidential interviews with DC inmates. In addition to the onsite inspection, the CIC conducted follow-up interviews in 2016 with inmates who had recently been released from FCI Bennetttsville and have incorporated feedback into this report.

Throughout the inspection process, 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 and requested responses to follow-up questions. The FBOP responses to the CIC draft report are included in the final published report.

Executive Summary

FCI Bennettsville

Location: Bennettsville, South Carolina
Distance from DC: 399 miles from DC
5.8 hours by car /
Not accessible by public transit

Date of Inspection: November 18, 2014

INSTITUTION PROFILE

Security Level: Medium
Rated Capacity: 1152
Occupancy*: 1597 in September 2014 (139% capacity); 1411 in June 2016 (122% capacity)
DC Inmates: 44 (2.8% of total population)
Avg Age of DC Inmates: 36.4 years old
Avg Sentence of DC Inmates: 160.1 months
Inmate-to-Staff Ratio 6 : 1

KEY FINDINGS

- **Distance from DC:** The distance of FCI Bennettsville from DC prevents inmates from receiving visitation. The facility is not accessible by public transit.
- **Facility Age:** FCI Bennettsville is 10 years old and is one of the newer FBOP facilities.
- **Inmate Age:** The average age of DC inmates at the facility is 36.4, which is lower than the average at most CIC-inspected facilities.
- **Staff Feedback:** DC inmates provided mixed feedback about staff that ranged from helpful and fair to unprofessional and nonresponsive.
- **DC Inmate Treatment:** DC inmates reported disparate and unfair treatment from staff. Inmates reported difficulty accessing jobs and programs because they are from DC.
- **Drug Education:** Half of all DC inmates at FCI Bennettsville are enrolled in the non-residential drug education classes.
- **Recreation:** The Recreation Department offers a wide variety of activities and amenities for inmates, including several intramural leagues, sports fields, a large gym, and many musical instruments. The facility also offers art, music, photography, and health and wellness classes. The facility holds an annual art show at a local museum to display inmates' work.
- **Employment:** Approximately 94% of inmates are employed, and the majority work 35 hours a week.
- **Vocational Programming:** Through a partnership with Northeastern Technical College, the facility offers numerous vocational training programs, including HVAC, automotive technology, culinary arts, construction, welding, and industrial floor cleaning. Students receive college credit for participation in vocational training programs. Staff at the facility expressed strong support for employment skills and counseling services, specifically those related to successful reentry.
- **Eye Care:** In 2014, DC residents experienced delays of up to one year before receiving glasses. The facility has since shortened its wait time such that there are no DC residents waiting for eyeglasses.

RECOMMENDATIONS

1. Monitor staff conduct to ensure fair treatment of DC inmates.
2. Ensure that eyeglasses are provided to inmates in a timely manner.
3. Provide professional instructors for education classes.
4. Ensure proper handling of inmate property.
5. Make increased RRC time for eligible men a priority of the facility and the agency.

I. Facility Overview

FCI Bennettsville is a medium security facility located in Bennettsville, South Carolina for male inmates. The facility was built approximately 10 years ago and is one of the newer FBOP facilities. At the time of the CIC inspection, the total population was 1597, which represents 139% of the rated capacity of 1152. There were 44 DC residents that made up 2.8% of the population. The inmate-to-staff ratio was 6:1.¹ A chart with inmates' demographic information as of September 2014 is provided at Appendix A. Since then, the inmate population has decreased to 1411, which represents 122% capacity.

General Population Housing Units

During the onsite inspection, the CIC inspected Pod A-2 on housing Unit A. Unit A has three unit managers and three case managers. The case manager handles sentence information, ensures inmates are on track for programming, and manages the paperwork for Residential Reentry Center (RRC) placement. Case managers generally see inmates every six months; inmates within one year of release meet with their case manager every 90 days. Case managers are also available during daily open house hours, evening hours, and weekends as scheduled. There are approximately 180 to 185 inmates per case manager. Unit managers handle pre-release preparation, including required core Release Preparation Program (RPP) classes and issues concerning finances, resumes, and probation.

The facility contains three housing units with approximately 500 inmates per unit. Each unit contains four pods, and each pod contains 64 cells with two to three inmates per cell. As of June 2016, FBOP reports that there are no three inmates living in cells designed to house two. Each pod is staffed by four staff members. All general population housing units have televisions, phones, and computers for inmate use. On the date of the CIC onsite inspection, Pod A-2 housed seven DC inmates. According to staff, the housing unit had 16 to 17 cell vacancies because several inmates had been moved to the Special Housing Unit (SHU) because they did not like their housing assignments. Ordinarily, each housing unit has approximately two vacancies.

Special Housing Unit (SHU)

The Special Housing Unit (SHU), often referred to as segregated housing, is designed to separate inmates securely from the general inmate population.² 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.³ Inmates are also permitted to receive one non-contact visit per month and make one 15-minute phone call per month.⁴ Inmates may be allowed to make additional calls in the event of an emergency or death.⁵

Inmates in the SHU are classified under either disciplinary or administrative status. Disciplinary segregation is a punishment for rule violations or other prohibited acts, while administrative

detention is considered non-punitive.⁶ Administrative detention may be used for various reasons, including new arrivals awaiting unit designation, inmates awaiting transfer to another facility, the investigation or protection of an inmate, or other safety or security concerns.⁷

The SHU at FCI Bennettville is designed to house 190 inmates. At the time of the CIC inspection, 164 inmates were in the SHU, representing 86.3% capacity. Most inmates in the SHU are double-celled. Out of the 164 inmates, 16 were in disciplinary segregation, and 148 were in administrative detention. Of inmates in administrative detention, 30 were in protective custody. A total of five DC inmates were in the SHU, with three in disciplinary segregation and two in administrative detention. As of June 2016, the average stay in the SHU is 47 days.

Staff rotates in the SHU with a lieutenant on every shift. The unit team staff conducts rounds daily. Members of the medical staff and educational services also conduct rounds daily, and a psychologist conducts mental health rounds at least once a day. The SHU is directly connected to the Medical Department area. Inmates receive the standard recreation time of one hour a day, five days a week. Pursuant to FBOP policy, inmates may make one 15-minute phone call per month. Inmates may receive visitors whenever visitation occurs through video visitation.

Inmate Feedback

The CIC received three positive comments about general impressions of FCI Bennettville, including that the facility is safe and that it is “not a bad institution.” One inmate had no complaints. The CIC received one concern that the facility is run similar to a United States Penitentiary (USP).

DC inmates reported five concerns regarding the facility building, including problems with mold, cold temperatures, and use of three-person cells. DC inmates reported three additional concerns regarding the SHU, which included lack of programming and issues with the staff.

The CIC received mixed feedback from DC inmates about staff conduct, with 16 concerns and six positive comments. Concerns included staff being unhelpful, unprofessional, and lazy; positive feedback included a fair warden, professional and dependable unit team, and respectful staff.

Regarding disparate treatment of DC inmates, there were 15 reports that DC inmates experience discriminatory treatment at the facility and one contrasting report that DC inmates are not treated differently. The majority of concerns touched on issues such as staff showing favoritism to non-DC inmates and DC inmates being perceived as disrespectful. Four concerns addressed lack of programming and employment for DC inmates, a topic that is discussed further in the “Employment, Education and Programming” portion of this report.

Recommendations

1. **Monitor staff conduct to ensure fair treatment of DC inmates:** Due to the mixed feedback regarding staff at FCI Bennettsville, the facility should work to ensure high performance across staff members. Additionally, because there was general consensus about discriminatory treatment towards DC inmates, executive staff should train staff accordingly to ensure that there is no disparate treatment of inmates based on race, ethnicity, or locality.

II. Health Services

FCI Bennettsville is a Medical Care Level I facility and a Mental Health Care Level I facility. A table with facility medical indicators as of May 2014 is available at Appendix B.

Medical Care

FCI Bennettsville is a Medical Care Level I facility.⁸ The Health Services Department includes a doctor who is the acting Clinical Director, a nurse practitioner, a physician assistant, three nurses, a nurse-in-training, an infectious disease coordinator, a medication technician, and an administrative assistant. As of June 2016, there are 14 medical staff employed and three vacancies.

The facility contracts with an X-ray assistant, a dental assistant, and a lab technician. An ophthalmologist visits twice a week. As of June 2016, there are no DC residents on the wait list for an appointment. Wait times for glasses are two to four months for regular prescription glasses while bifocals, single vision, and transitional lenses may take a little longer.

The doctor sees between 10 and 15 patients each day. The most common chronic conditions are asthma, hypertension, and diabetes. Annual doctor visits are required by the 21 chronic care patients at the facility, none of whom are DC residents. Inmates who are new to the FBOP receive a physical within 14 days of arrival at the institution. Inmates over 50 years of age can request a physical every year, and inmates under 50 years of age can request a physical every three years.

Health Services can accommodate routine procedures including X-rays, minor outpatient surgery, routine examinations, medication, and chronic care concerns. Injuries are commonly sports-related. For urgent health concerns that cannot be handled onsite at FCI Bennettsville (e.g., broken bones, heart attacks, and major strokes), inmates are treated at Scotland Memorial, Chesterfield General, and McLeod Regional Medical Center. Lab work is done at the facility, and medical records are stored electronically. Medication is provided three times a day through a pill line and is delivered to individual cells as necessary.

Pursuant to FBOP policy, inmates must submit a cop-out request to receive medical care.⁹ The standard FBOP fees are charged for medical care: \$2.00 for sick calls and no charge for emergency care, chronic care, or care for indigent inmates.¹⁰ Sick call is held from 6:30AM to 7:00AM, during which time inmates are triaged and appointments are scheduled according to triage guidelines. The average wait time for sick calls is up to two weeks.

Dental Care

Dental care is provided onsite at the facility. FCI Bennettsville has one dentist, one dental hygienist, and one contract dental assistant. The wait time for routine procedures, such as check-

ups and cleanings, is nine months. For dentures and partials, the wait time is three and a half years. Dental staff handles an average of five treatments and 17 cleanings per day.

Mental Health Care

FCI Bennettsville is a Mental Health Care Level I facility.¹¹ Psychology staff includes a Chief Psychologist, treatment specialist, drug abuse program coordinator, and administrative assistant. Mental health staff sees inmates the same day they request an appointment. Staff reported that approximately 20 inmates are on psychiatric medication.¹² In the past year, 220 inmates participated in group therapy, including four DC residents. A total of 247 inmates received individual clinical intervention, including 14 from, DC. A total of 12 inmates received ongoing individual therapy, including three DC residents. Approximately 60% of DC inmates are enrolled in non-residential drug education classes.

Suicide Prevention

FBOP policy requires facilities to implement suicide prevention practices.¹³ A mental health screening is conducted upon intake, including a screening for suicide risk.¹⁴ Additionally, inmates may refer themselves or be referred by staff to Psychology Services for an evaluation.¹⁵ Inmates who pose a suicide risk at intake or a later time are placed on Suicide Watch, which requires constant visual surveillance.¹⁶ Only the Program Coordinator may take an inmate off Suicide Watch.¹⁷ After an inmate is taken off Suicide Watch, follow-up evaluation and care are required.¹⁸

The suicide prevention program and Suicide Watch operate in accordance with FBOP guidelines. Staff receives quarterly training on suicide prevention. Staff can place inmates on Suicide Watch, and inmates on Suicide Watch are under constant monitoring and supervision. They are placed in special observation cells and provided with a suicide-proof mattress, smock, and blanket. After an inmate is released from Suicide Watch, staff from Psychology Services follow-up daily, weekly, and then twice a month. At the time of the CIC inspection, one inmate was on Suicide Watch.

Inmate Feedback

CIC received a total of 16 concerns from DC inmates about Health Services. Comments included unprofessional staff, inability to receive an X-ray, ineffective mental health care, and inability to access dental care. There were also six reports of inmates who experienced extensive delays in obtaining glasses. One DC inmate provided positive feedback regarding equal treatment from Health Services and another reported that he received medical care.

Recommendations

2. **Ensure that eyeglasses are provided to inmates in a timely manner:** Limited eyesight is a safety hazard that impedes the ability to work and fully participate in programming. Six inmates reported delays in receiving eyeglasses, including one who waited a year for glasses. The wait list for eyeglasses has since been shortened, and the CIC recommends that the facility continue to ensure that inmates receive eyeglasses in a timely manner to reduce safety hazards.

III. Employment, Education and Programming

Employment

As of June 2016, 93.8% of all inmates are employed. The majority of inmates work 35 hours a week, which is considered a normal work week. There are 146 unemployed inmates, including two from DC. Reasons for unemployment include recent arrival, pending completion of the Admission and Orientation Program, and placement in the Special Housing Unit.

Education Indicators

Education Program Enrollment (FY 2013)		
	Total Enrolled	Total Completed
GED Programs	140	67
ESL Programs	25	7
Parenting Programs	65	87
Post-Secondary Education	0	0
Occupational/Vocational Programs	405	443

Source: Federal Bureau of Prisons. Statistics dated October 2012 to September 2013.

Education Services

Education is a significant factor in reducing recidivism.¹⁹ The FBOP requires all inmates who enter FBOP custody without a GED or high school diploma to enroll in education classes and participate in 240 hours of instruction towards their GED before they are permitted to withdraw from the programming.²⁰ To be exempt from the GED requirement, an inmate must demonstrate within 60 days of arrival that he has a high school diploma or GED. Inmates who are not exempt take the Tests of Adult Basic Education (TABE), which allows for placement in an appropriate class level. Inmates who test below a fifth grade level are placed in special education classes.

FCI Bennettsville offers three education curriculum levels (K-5, pre-GED, GED) in accordance with FBOP curriculum standards. Approximately 60 inmates were in pre-GED classes in 2014. There were 238 inmates enrolled in GED classes, with 83 completions. Seven DC inmates were enrolled in GED classes, with four GED completions. Four DC inmates were on the waiting list for GED classes, and four had refused the GED classes. The facility also offers Spanish and English as a Second Language (ESL) versions of GED classes. As of June 2016, there are four inmates enrolled in college correspondence classes, including one DC resident.

FCI Bennettsville also offers classes on typing, Microsoft Office 2010, money management, and parenting. The typing, Microsoft, and finance classes are all available on computers in a large

computer lab. At the time of the CIC inspection, computers were available for the transfer to computer-based GED testing, but the facility was waiting for the FBOP to complete preparations and provide training.

Several classes are taught by inmates rather than by staff; for example, a GED class in Spanish was taught by inmates because the instructor spoke little Spanish. A program that provided free books and tutoring for post-secondary education had been offered previously, but fewer than 10 inmates paid tuition for the classes. Consequently, the program was discontinued after one year.

Vocational Programming

Vocational training provides individuals with marketable skills that increase the likelihood of obtaining employment after release and substantially decrease the likelihood of recidivism.²¹ FCI Bennettsville currently has 18 vocational training programs and apprenticeships. The facility partners with Northeastern Technical College for programming. Vocational training programs include construction, welding, industrial floor cleaning, carpentry, electrical, automotive, HVAC, and a six-month ServSafe culinary arts program. HVAC includes Type 1 (small appliances), Type 2 (medium to high pressure appliances), and Type 3 (low pressure appliances). The welding program lasts six months, provides 40 credit hours, and includes a computer simulator as part of the training. The vocational training building includes a computer room with 12 computers with programs for English and Spanish skills and offer Windows 7, Microsoft Word 2010, job interview questions, and other materials. At the time of the CIC inspection, 15 inmates were enrolled in the welding class; another 15, including one DC inmate, were enrolled in the electrical class.

The facility offers two core vocational classes, including one in Spanish. Topics in core classes include employment skills and resume writing. Inmates complete the core classes with a resume, interview skills, computer literacy, and finance education. Core classes provide 147 hours toward college credit or apprenticeship hours. The curriculum is designed to be hands-on, and inmates who complete the classes then choose a discipline for further vocational training.

FCI Bennettsville offers several intensive training classes taught by certified instructors. The facility has an automotive technology lab that offers basic and advanced automotive vocational training. Basic training covers A/C, heating, battery, and brakes and can qualify for 30 transferrable college credits. Advanced training lasts 12 months, covers power transmission and engine repair, and can qualify for 50 transferrable college credits. Inmates who complete the advanced course are fully qualified for an automotive repair job. At the time of the CIC inspection, 23 students were enrolled in the basic course and 20 in the advanced course. FCI Bennettsville also offers electrical classes through the National Center for Construction Education and Research (NCCER).

With the exception of the industrial floor cleaning program and ACE classes, all vocational training programs require a GED. Inmates must have paid any outstanding fines, have one year free of major disciplinary infractions, and have six months free of minor disciplinary infractions. Every inmate in vocational training participates in a mock job fair in which real employers conduct interviews and give feedback. The job fairs are held four times per year.

At the time of inspection, FCI Bennettsville was in the middle of renovating the vocational training rooms. Staff and inmates find creative ways to reuse scrap materials from around the facility. Inmates used scrap materials to renovate the vocational training lab and undertake small projects, such as the fountain near the door of the vocational training building.

Inmate Feedback

The CIC received two positive comments from DC inmates about the quality of vocational training and the number of programs. One DC inmate reported being able to take classes. DC inmates provided seven concerns regarding education and programming at FCI Bennettsville, three of which addressed lengthy wait times for vocational training. Other concerns included lack of programming, ineffective teachers, inmates teaching classes, and well-paying jobs being given to inmates from South Carolina.

Regarding DC specific issues, the CIC received an additional four concerns that inmates from DC in particular were not being given jobs and programming.

Recommendations

- 3. Provide professional instructors for education classes:** Several education classes are taught by inmates rather than staff. Although inmates provide a good supplement to education classes, the majority of classes should be taught and not simply proctored by teachers. The Spanish-language GED class is taught by inmates because the instructor spoke little Spanish. The CIC recommends the education classes are taught by trained teachers and that the Spanish GED instructor is fluent in Spanish.

IV. Discipline and Administrative Remedies

Disciplinary Hearing Officer

The Disciplinary Hearing Officer (DHO) handles serious disciplinary infractions and other matters referred by the Unit Disciplinary Committee (UDC). Disciplinary measures include, but are not limited to, revocation of an inmate's visiting privileges, revocation of phone privileges, forfeiture of good time credit, or placement in disciplinary segregation within the SHU. Staff at FCI Bennettsville indicated that the average wait time to see the DHO for a hearing is one week.

Significant Incidents

Facility locked down	2
Inmate suicides	0
Inmate homicides	0
Inmate deaths from natural causes	0
Inmate assault on inmate, with weapon	4
Inmate assault on inmate, without weapon	11
Inmate assault on staff, with weapon	0
Inmate assault on staff, without weapon	14
Inmate attempted assault on inmate, with weapon	0
Inmate attempted assault on inmate, without weapon	0
Inmate attempted assault on staff, with weapon	0
Inmate attempted assault on staff, without weapon	1
Inmate escape from secure facility	0
Inmate escape from non-secure facility	0
Inmate sexual act, non-consensual, on inmate	0
Inmate sexual assault on staff	0
Inmate sexual contact, abusive, on inmate	1
Staff uses of chemicals	1
Staff uses of force	12
Staff uses of restraints	3
Form 583 reports filed by staff (reports to Central Office) ²²	59

Source: Federal Bureau of Prisons. Statistics dated October 2013 to September 2014.

Administrative Remedy Program

The Administrative Remedy Program allows inmates to seek formal review of issues related to their confinement.²³ 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.²⁴ 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.²⁵ The tables below provide an overview of the categories with the most numerous administrative remedy filings submitted at each level as well as filings related to the SHU.

Facility Level (BP-9s)					
	Submitted	Rejected	Filed	Answered	Granted
Staff	7	5	2	0	0
UDC Actions	7	6	0	0	0
DHO Appeals	2	2	0	3	0
Transfer	2	1	1	0	0
Regional Office (BP-10s)					
	Submitted	Rejected	Filed	Answered	Granted
DHO Appeals ²⁶	17	11	6	1	1
Jail Time	3	2	1	0	0
Sentence Computation	2	0	2	0	0
UDC Actions ²⁷	2	1	1	0	0
Central Office (BP-11s)					
	Submitted	Rejected	Filed	Answered	Granted
Medical	3	2	1	0	0
DHO Appeals	23	15	8	0	0
Classification	1	0	1	0	0
Staff	2	1	1	0	0

Source: Federal Bureau of Prisons. Statistics dated September 2014.

Administrative Remedy Filings Related to the SHU					
	Submitted	Rejected	Filed	Answered	Granted
BP-9s (facility level)	2	1	1	0	0
BP-10s (Regional Office)	0	0	0	0	0
BP-11s (Central Office)	0	0	0	0	0

Source: Federal Bureau of Prisons. Statistics dated September 2014.

Inmate Feedback

The CIC did not receive any feedback from DC inmates regarding discipline and administrative remedies.

Recommendations

Recommendations with respect to the administrative remedy process will be included in a separate CIC thematic report given that concerns around this issue have been identified not just for a specific facility, but across FBOP facilities.

V. Visitation and Communication

Visitation

FCI Bennettsville is 399 miles from DC. It is five hours and 48 minutes from DC by car and not accessible by bus or other public transportation.

Although FCI Bennettsville previous hosted “Professional Tuesdays” for inmates, it has not done so since January 2014. The CIC was not given information on how many Children’s Fairs have been held at the facility since January 2014 but was told that none of the inmates who participated were DC residents.

Communication

Computers:

FCI Bennettsville has one computer in each unit for inmate use. The law library has four computers for legal research and six typewriters, with an additional eight typewriters in the leisure library. Nine computers are available in the Career Resource Center, 15 in the computer vocational training lab, and 12 in the library. One computer is in the Special Housing Unit. The law library has a terminal in each unit as well as in the SHU. The computers all use Windows 7.

Email:

All general population inmates in FBOP facilities have access to email through CorrLinks, the email server on the TRULINCS software platform used in FBOP facilities. Funding for TRULINCS is provided entirely by the Inmate Trust Fund, which is maintained by profits from inmate purchases of commissary products, telephone services, and fees for use of TRULINCS.

Mail:

Pursuant to federal regulation, ordinary mail may be opened and inspected for contraband and content outside of an inmate’s presence.²⁸ Special mail, including legal mail, must be opened in the recipient inmate’s presence and inspected only for contraband.²⁹ For outgoing special mail, an inmate may seal the envelope prior to giving it to staff, and the mail is not subject to inspection.³⁰

FCI Bennettsville follows federal policy for mail services. The inmate handbook adequately describes mail policies and is in accordance with constitutional requirements. For incoming legal mail, inmates are called out of their units and sign a logbook. Outgoing legal mail is sealed on the unit. Staff at FCI Bennettsville report seeing a relatively low amount of contraband.

Phone:

Phones are located within the housing units at a cost of \$3.50 for a 15-minute call to DC.

Inmate Feedback

The CIC received 11 concerns from DC inmates regarding communication and visitation, seven of which centered on the lack of visitation due to the facility's distance from DC. Other concerns include unprofessional staff during visitation, cost of phone calls, inability to contact family member at another facility, and denial of email access.

Recommendations

The CIC is a proponent of FBOP moving inmates closer DC to facilitate visitation and family connections. In the meantime, the CIC is encouraged by the FBOP's willingness to pilot video visitation at other facilities, and it hopes that inmates at this facility may soon benefit from this technology as well.

VI. Daily Life Services

Religious Services

FCI Bennettsville has four dedicated Religious Services staff, including the Supervisory Chaplain, one other chaplain, and one support staff member. At the time of the CIC inspection, one chaplain position was vacant. There are 12 different faith groups represented at the facility. The facility has an indoor chapel and outdoor worship area, including a sweat lodge. The chapel is divided on Fridays for Muslim Jumu'ah prayer. Baptisms are offered quarterly by an ordained minister in a portable pool, and a rabbi visits monthly. There are approximately 23 Religious Services volunteers who run various faith groups, reentry programs, and other classes within the facility; volunteers include Jehovah's Witness volunteers on Mondays and Rasta volunteers on Tuesdays. The facility has a 15-person choir and a Hispanic choir.

Recreation

The Recreation Department at FCI Bennettsville offers a wide variety of recreation activities and intramural leagues. Outdoor recreational space includes a soccer and flag football field, a kickball and softball field, a dirt track, an asphalt track, a sand volleyball court, a bocce ball court, eight racquetball courts, and five basketball nets. Intramural leagues are offered for softball, soccer, and flag football. Indoor activities include soccer, basketball, horseshoes, music, a photo program, ping pong, knitting, and ceramics. The Recreation Department also provides jump ropes, stability balls, cardiovascular equipment, and other exercise equipment.

The department has an art room and a band room with a piano and over a dozen guitars. The band room is used by eight bands at the facility and is open every day from noon to 8:00 PM and on Friday mornings. The facility offers various classes that include art, photography, health and wellness, aerobic exercise, music theory, guitar, and drumming. Students in the art classes are supplied with art equipment until they are done with the class, and FCI Bennettsville holds an annual art show displaying inmates' artwork at a local museum. DVDs for learning and teaching Spanish and exercise are also available.

Library

FCI Bennettsville has a library where inmates can read books, magazines, and newspapers, including the *Washington Post*. The library is open six days a week and four nights a week. Books that are not available onsite at the facility can be borrowed through an interlibrary loan partnership with a local library. The library is well-funded and has a wide selection of books. Inmates in the SHU have access to a law library computer.

Inmates may also make copies at the library. Copies cost 15 cents per page, and indigent inmates are provided free copies through their Unit Team with no specific limit allotted each month.

Meals

Food Service at FCI Bennettsville employs approximately 50 inmates, including 20 who work on the serving line, 15 in the kitchen, 10 in the dish room, and five in other areas. There are also 15 staff employees. The dining hall can seat up to 368 inmates, and the facility follows standard FBOP menu guidelines. Staff members stand main line during lunch and are available to answer inmate questions and address concerns. FCI Bennettsville spends approximately \$3.12 per day on meals for each inmate.

FCI Bennettsville offers vegetarian, heart-healthy, and religious diet options. Religious diet meals arrive sealed at the facility already prepared in accordance with certified religious diet standards and are stored in a separate kitchen area. A total of nine inmates are on religious diets. Vegetarians are given daily options on the main line that include peanut butter and jelly sandwiches and cottage cheese. Heart-healthy options are baked rather than fried and have no added salt. Inmates in the SHU eat the same meals as the general population with the meals prepared in the main kitchen and then transported to the SHU.

Commissary

Each inmate in general population is allowed to make purchases at the commissary once a week, with a maximum spending limit of \$320 per month. Per FBOP policy, all products are marked up 30% with the exception of religious items.

Inmate Feedback

CIC received 11 concerns from DC inmates regarding daily life issues, including poor food quality, lack of funding for the law library, and staff improperly taking inmate personal items. CIC also received one complaint about the cost of email and one about the cost of soap. One DC inmate reported that the commissary is affordable.

Recommendations

- 4. Ensure proper handling of inmate property:** FCI Bennettsville should ensure that the staff is trained on and act in compliance with policies regarding the proper handling and confiscation of inmate property.

VII. Reentry Services

At the time of the CIC inspection, approximately 16.7% of DC inmates were set to be released within 12 months. Approximately 36.4% were to be released between 13-59 months, 9.1% between 60-83 months, and 37.9% in 84 months or longer. As of June 2016, seven of the 44 DC residents at the facility will be releasing within the next 12 months.

Release Preparation Program

All FBOP facilities follow a Release Preparation Program (RPP) that is intended to prepare inmates for community reentry upon release.³¹ The program operates at both the unit and facility level, and institutions are responsible for developing their own curriculum. Inmates generally receive training on resume writing, job search skills, job retention skills, and other topics relevant to reentry. The program is overseen at the facility level by the Reentry Affairs Coordinator (RAC), which is a dedicated position within the executive staff.³² Along with an inmate's case manager, the RAC coordinates placement in a Residential Reentry Center (RRC, also known as a halfway house) as an inmate nears the end of his sentence.³³ For male DC inmates in FBOP custody, the RRC is Hope Village, in Southeast DC.³⁴

FCI Bennettsville has a total of 88 separate RPP courses, which range between one and 402 hours to complete. These classes are taught by FBOP staff, representatives from local agencies (e.g., Social Security, US Probation Offices, Child Support Services, Vocational Rehabilitation, and Veterans Administration), and other social service/reentry organizations. Inmates are sanctioned if they fail to enroll in RPP classes less than 30 months prior to their projected release date. As of June 2016, a total of 31 DC residents are enrolled in the RPP at FCI Bennettsville.

According to the FBOP, the seven DC residents who will be released within the next 12 months have received varying lengths of RRC time that range from 30 days to seven months. One DC resident refused RRC placement, one is pending RRC placement, and one did not receive RRC time because he was released after a pending charge was dropped.³⁵

MOU with Social Security Administration

The Social Security Number (SSN) card is an important document for the successful reentry of an inmate. The FBOP has a nationwide Memorandum of Understanding (MOU) with the Social Security Administration to facilitate the process of inmates obtaining SSN cards prior to release.³⁶

CSOSA Outreach

The Court Services and Offender Supervision Agency of Washington, DC (CSOSA) provides a quarterly Community Resource Day for DC inmates in FBOP custody. 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. This service ensures that returning citizens receive the information and connection to services necessary for successful reentry. FCI Bennettsville participates in Community Resource Day and also keeps the CSOSA Community Resource Day Manual, which contains contact information from the Community Resource Day.

Inmate Feedback

CIC received five concerns from DC inmates regarding the lack of reentry programs, resources, and assistance. Despite the nationwide MOU, the CIC did receive a complaint from a DC inmate that he did not receive help obtaining his Social Security card while incarcerated at this facility. CIC received one positive comment that an inmate's transfer process was quick.

Recommendations

5. Make increased RRC time for eligible men a priority of the facility and the agency. RRC time has been shown to be a critical part in successful reentry, and CIC recommends that FCI Bennettsville prioritize efforts to secure a minimum of six months for each returning citizen.

VIII. Inmate Feedback

The CIC collects inmate concerns and positive comments through a variety of sources, including phone conversations, mail and email correspondence, and inmate interviews during onsite inspections. The inmate concerns and positive comments below are compiled from all these sources. Efforts are made to reproduce concerns and comments in the inmates' own words. However, information may be summarized or paraphrased when comments are too long or convoluted or if they can be tied directly to a particular inmate. All names, identifying information, and confidential information are removed from published concerns and comments.

Inmate Concerns

Total Concerns Reported: 89

Health Services (Total Concerns: 16)
Medical <ul style="list-style-type: none">• Half of the medical staff is good and half is bad.• Medical staff is unprofessional.• Medical is "BS"; inmate doesn't even go there.• Medical costs \$2.00.• Medical should not cost \$2.00.• Inmate was downgraded from Medical Care Level II to Medical Care Level I and moved to FCI Bennettsville. Inmate states he should be in a medical institution.• There is no X-ray technician, and the inmate has been waiting for four months for an X-ray; staff told him that he couldn't receive one. Inmate has permanent injuries and is in a lot of pain. Inmate takes strong pain pills, similar to a tranquilizer, and the side effects make him drowsy and grumpy.
Mental Health <ul style="list-style-type: none">• Psychologists just tell inmate to read a book.
Dental <ul style="list-style-type: none">• Inmate hasn't seen a dentist in three years.• Inmate put in a cop-out for a cleaning two years ago but still has not received a cleaning.
Eye Care <ul style="list-style-type: none">• Inmate could not see an eye doctor, so he made his own glasses.• Inmate ordered glasses three months ago and has not received them. He needs glasses to see so that he can work.• Inmate broke his glasses over two months ago at another facility. He was told he would see optometrist here but has not.• Inmate needs glasses. His glasses broke about six months ago, and he needs new ones.• Inmate's cheap prescription glasses broke. He will now have to wait a year for glasses. Inmate has not seen an optometrist in six to seven months because the prison doesn't have one.

<ul style="list-style-type: none"> Staff took about six months to replace inmate's old glasses, which were ten years old.
<p style="text-align: center;">Staff Conduct (Total Concerns: 16)</p>
<p>Staff Generally</p> <ul style="list-style-type: none"> Some COs can be unprofessional and nasty. Inmates are not given a high level of respect. Some staff members give inmates the run around. Staff is unprofessional. Staff is lazy. Officers act as though they are untrained. Staff should treat inmates like people. Staff members treat inmates like property and not people. Staff is not helpful. Staff does not respond to inmate's needs. Warden only comes on tours. There is lots of racism from staff. Staff does not provide enough time for movement.
<p>Unit Team</p> <ul style="list-style-type: none"> Case management and unit management are inconsistent. Case managers and unit managers are professional but dismissive. The unit team does not assist with needs. Unit managers and case managers just say the same thing and do not do anything. Unit managers need to do their job. The only person in the unit an inmate can depend on is the counselor.
<p style="text-align: center;">DC Specific Issues (Total Concerns: 15)</p>
<ul style="list-style-type: none"> No programs apply to DC inmates. Jobs and programs are not given to DC inmates. DC inmates do not get good jobs. No DC inmate has ever worked in the commissary. Officer told inmate he cannot get a job because he is from DC. Not enough resources for DC inmates. Staff favors inmates not from DC. DC inmates are treated differently because they are "not from around here." DC inmates seen as disrespectful. Stigma against DC inmates. Case manager is unhelpful to DC inmates. Staff shows favoritism to non-DC inmates. FBOP uses DC statute against DC inmates. Inmate is not receiving emails because he is from DC. DC inmates are lowest on the totem pole. DC inmates cannot get good time even though federal inmates do.
<p style="text-align: center;">Daily Life Issues (Total Concerns: 11)</p>
<p>Meals</p>

<ul style="list-style-type: none"> • Cups and trays are dirty. • Not enough food, and trays are too small. Bad quality of food. • Receive food cold almost every day. • The food is trash.
Financial <ul style="list-style-type: none"> • The prison is taking money sent by inmate's family and using it to pay inmate's fines without permission. • Inmate does not receive emails because of the cost. • Inmate makes only \$1.20 a month, but soap costs \$1.50 per bar.
Law Library <ul style="list-style-type: none"> • Law library issues need to be addressed; funding needs to go to the law library.
Personal Items <ul style="list-style-type: none"> • Property taken during shakedown. Property is taken often. • Staff took inmate's newspaper even though he paid for it. • Family photo was taken from inmate.
<p style="text-align: center;">Communication and Visitation (Total Concerns: 11)</p>
Visitation <ul style="list-style-type: none"> • Inmate is too far from family. • Inmate wants to transfer closer to home. He does not get visits because of how far he is from home. • Inmate needs to be close to home and would like to have visits. • If closer to DC, inmate would have visitors. He had visits at Rivers but has now lost communication with loved ones. • Inmate needs transportation for families to visit. • Inmate does not get visitors because the facility is so far from home. • Facility is too far away from home; need to come up with a plan to get DC inmates closer to home. • Staff was unprofessional during a visit.
Phone <ul style="list-style-type: none"> • Phone calls cost \$3.50 for a 15-minute call.
Mail <ul style="list-style-type: none"> • Inmate had to wait seven months to be allowed to contact family member at another correctional facility. • Inmate is being denied email access because of his conviction. Staff tells him the policy is to deny email access when used to facilitate commission of a crime, but his offense did not involve the internet.
<p style="text-align: center;">Education and Programming (Total Concerns: 7)</p>
General <ul style="list-style-type: none"> • Nothing to do; no programming. • Waiting lists too long for vocational training. • Long waiting for vocational training position. • Waiting list for vocational training is three to eight months.

<ul style="list-style-type: none"> Facility gives the well-paying jobs to inmates from South Carolina.
Education <ul style="list-style-type: none"> In GED program, teachers sit in the office and gossip. Education class is poor because an inmate teaches the class.
<p align="center">Release and Pre-Release Services (Total Concerns: 5)</p>
Programs <ul style="list-style-type: none"> Need more info on reentry programs. Not enough resources for DC inmates. Need more reentry assistance for guys who have been in for a while.
Other <ul style="list-style-type: none"> Inmate received no help in getting his Social Security card. Inmate served 31 years but will receive only three weeks at an RRC.
<p align="center">Facility Issues (Total Concerns: 5)</p>
<ul style="list-style-type: none"> Units are very cold. Mold in units C3 and C4 that smells. In C Unit, something is wrong with the roof; the walls sweat a lot in C Unit. Three-person cells are terrible. Inmate could not get a plunger for the toilet for a whole day.
<p align="center">Special Housing Unit and Disciplinary Hearing Officer (Total Concerns: 3)</p>
SHU <ul style="list-style-type: none"> Staff members do not speak loudly enough when they call for recreation in the SHU. Also, staff does not provide enough time to get down from the top bunk to go to daily recreation. No programming in SHU. Staff is lazy, and this is worse in SHU.
<p align="center">Other Issues (Total Concerns: 1)</p>
<ul style="list-style-type: none"> Facility is run like a USP.

Inmate Positive Comments

Total Positive Comments Reported: 14

Staff Conduct (Total Comments: 6)
<ul style="list-style-type: none"> Some staff members are good. The Warden is trying. Inmate has heard the warden is fair although he has not spoken with him. Inmate's unit team is competent and professional. Inmate can depend on counselor in unit. Staff is respectful.
Education and Programming (Total Comments: 3)
<ul style="list-style-type: none"> There are a good number of programs. Vocational training here is the best program inmate has experienced. Inmate was able to take classes.
Health Services (Total Comments: 2)
<ul style="list-style-type: none"> Medical is "alright." They treat everyone the same. Inmate received medical care.
DC Specific Issues (Total Comments: 1)
<ul style="list-style-type: none"> Inmates not treated differently because they are from DC. Staff does not single them out.
Daily Life Issues (Total Comments: 1)
<ul style="list-style-type: none"> The commissary is affordable.
Institutional Safety (Total Comments: 1)
<ul style="list-style-type: none"> This is a secure facility; inmate feels safe here.
Sentence Computation, Designation, and Parole (Total Comments: 1)
<ul style="list-style-type: none"> The transfer process was quick.
Other Comments (Total Comments: 2)
<ul style="list-style-type: none"> No complaints. "Not a bad institution."

Endnotes

¹ As Director Samuels explained in his June 2012 testimony before the U.S. Senate Subcommittee on the Constitution, Civil Rights, and Human Rights, increased overcrowding and lowered inmate-to-staff ratios negatively affect the availability of productive work and programming opportunities for inmates, poses increased risks of violence to staff and inmates, and strains the infrastructure of facilities. *See Reassessing Solitary Confinement: The Human Rights, Fiscal, and Public Safety Consequences: Hearing Before the Subcomm. on the Constitution, Civil Rights, and Human Rights of the S. Comm. on the Judiciary, 112th Cong. (June 19, 2012) (testimony of Charles E. Samuels, Jr., Dir., Fed. Bureau of Prisons), available at* <http://www.justice.gov/ola/testimony/112-2/06-19-12-bop-samuels.pdf>. The FBOP has stated that overcrowding is its biggest challenge, especially its effect on staffing and safety. *See U.S. DEP'T OF JUSTICE, FY 2016 PERFORMANCE BUDGET CONGRESSIONAL SUBMISSION: FEDERAL PRISON SYSTEM: SALARIES AND EXPENSES (Feb. 2015), available at* http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/02/27_federal_bureau_of_prisons_bop_se.pdf (“The largest internal challenge for the BOP is to provide adequate levels of bed space and staffing to safely manage the growing inmate population. Crowding is a very real danger in prisons—causing frustration and anger for inmates whose access to basic necessities like toilets, showers, and meals becomes very limited and who face hours of idleness resulting from limited availability of productive work and program opportunities. Crowding also strains facilities’ infrastructure like water, sewage, and power systems, and increases the maintenance service needed to keep these systems operational.”). In fiscal year 2014, the FBOP was operating system-wide at an inmate-to-staff ratio of 4.58, after an average ratio of 4.87 between 2005 and 2013. *Id.* In comparison, the five states with the highest prison populations had an average inmate-to-staff ratio of 3.10, and the FBOP previously operated at a ratio of 3.75 in fiscal year 1998. *Id.*

² FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5270.10, SPECIAL HOUSING UNITS (July 29, 2011), *available at* http://www.bop.gov/policy/progstat/5270_010.pdf (“Special housing units help ensure the safety, security, and orderly operation of correctional facilities, and protect the public, by providing alternative housing assignments for inmates removed from the general population.”).

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ Status when placed in the SHU, 28 C.F.R. § 541.22 (2013), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2012-title28-vol2/xml/CFR-2012-title28-vol2-part541-subpartB.xml>.

When placed in the SHU, you are either in administrative detention status or disciplinary segregation status.

(a) *Administrative detention status.* Administrative detention status is an administrative status which removes you from the general population when necessary to ensure the safety, security, and orderly operation of correctional facilities, or protect the public. Administrative detention status is non-punitive, and can occur for a variety of reasons.

(b) *Disciplinary segregation status.* Disciplinary segregation status is a punitive status imposed only by a Discipline Hearing Officer (DHO) as a sanction for committing a prohibited act(s).

Id.

⁷ Administrative detention status, 28 C.F.R. § 541.23 (2013), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2012-title28-vol2/xml/CFR-2012-title28-vol2-part541-subpartB.xml>.

You may be placed in administrative detention status for the following reasons:

(a) *Pending Classification or Reclassification.* You are a new commitment pending classification or under review for Reclassification.

(b) *Holdover Status.* You are in holdover status during transfer to a designated institution or other destination.

(c) *Removal from general population.* Your presence in the general population poses a threat to life, property, self, staff, other inmates, the public, or to the security or orderly running of the institution and:

(1) *Investigation.* You are under investigation or awaiting a hearing for possibly violating a Bureau regulation or criminal law;

(2) *Transfer.* You are pending transfer to another institution or location;

(3) *Protection cases.* You requested, or staff determined you need, administrative detention status for your own protection; or

(4) *Post-disciplinary detention.* You are ending confinement in disciplinary segregation status, and your return to the general population would threaten the safety, security, and orderly operation of a correctional facility, or public safety.

Id.

⁸ Inmates and facilities are classified according to Medical Care Level. Inmate classifications are based on the medical history and health condition of the inmate, while facility classifications are based on the inmate care level that the facility is staffed and equipped to handle. While FBOP Program Statements do not define the classification levels, other FBOP and DOJ documents describe the four levels.

Inmates with Care Level 1 needs are generally healthy, under 70 years of age, and may have limited medical needs requiring clinician evaluation and monitoring. Examples of such conditions are mild asthma, diet-controlled diabetes, and patients with human immunodeficiency virus (HIV) who are stable and do not require medications.

Inmates with Care Level 2 needs are those who are stable outpatients, requiring at least quarterly clinician evaluation. Examples of such conditions are medication-controlled diabetes, epilepsy, and emphysema.

Inmates with Care Level 3 needs 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. This Care Level may include stabilization of medical or mental health conditions that may require periodic hospitalization. Other examples of this Care Level are patients with cancer in remission less than a year, advanced HIV disease, severe mental illness in remission on medication, severe congestive heart failure, and end-stage liver disease.

Inmates with Care Level 4 needs are severely impaired, and may require daily nursing care. Examples of such conditions are those with cancer in active treatment, dialysis, quadriplegia, stroke or head injury patients, major surgical patients, acute psychiatric illness requiring inpatient treatment, and high-risk pregnancy.

The DSCC designates those inmates with Care Levels 1 and 2. For those inmates with Care Levels 3 and 4, the designation decision will be made by the OMDT, as the medical need of the inmate is the primary factor in the designation decision.

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.

Care Level 1 inmates are less than 70 years old and are generally healthy but may have limited medical needs that can be easily managed by clinician evaluations every 6 months. Sub-specialty care is limited in that it is not regularly required and is completed in less than 3 months. This care level includes inmates with stable mental-health conditions requiring chronic care appointments and individual psychology or health services contacts no more than once every 6 months. The acute services required, such as crisis intervention, are less than 3 months duration, occur no more than every 2 years, and can be resolved without hospitalization.

Care Level 2 inmates are stable outpatients with chronic illnesses requiring at least quarterly clinician evaluations. These inmates independently perform daily living activities. The care level includes inmates with mental health conditions that can be managed through chronic care clinics or individual psychology or health services contacts no more frequently than monthly to quarterly. The acute services required, such as crisis intervention, are less than 3 months duration, occur no more than every 2 years, and can be resolved without hospitalization.

Care Level 3 inmates are fragile outpatients with medical conditions that require daily to monthly clinical contact. These inmates may have chronic or recurrent mental illnesses or ongoing cognitive impairments that require daily to monthly psychiatric health services or psychology contacts to maintain outpatient status. These inmates may also require assistance in performing some activities of daily living, but do not require daily nursing care. Inmates in this care level may periodically require hospitalization to stabilize the inmate's medical or mental health condition.

Care Level 4 inmates have acute medical or chronic mental health conditions resulting in severe impairments to physical and cognitive functioning. These inmates require services at Medical

Referral Centers (MRC), such as the BOP's Federal Medical Centers (FMC), and may require varying degrees of nursing care.

OFFICE OF THE INSPECTOR GEN., U.S. DEP'T OF JUSTICE, THE FEDERAL BUREAU OF PRISON'S EFFORTS TO MANAGE INMATE HEALTH CARE (Feb. 2008), *available at* <http://www.justice.gov/oig/reports/BOP/a0808/final.pdf>.

⁹ A "cop-out" is the standard form for an inmate to submit a request to staff or a specific department. A specific form for medical issues can also be submitted. The medical cop-out form is not publicly available, while all other requests are filed on Form BP-A0148 ("Inmate Request to Staff"). FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, FORM BP-A-148, INMATE REQUEST TO STAFF (June 2010), *available at* http://www.bop.gov/policy/forms/BP_A0148.pdf.

¹⁰ Fees for Health Care Services, 28 C.F.R. § 549.70 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2009-title28-vol2/pdf/CFR-2009-title28-vol2-part549-subpartF.pdf>; *see also* FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 6031.02, INMATE COPAYMENT PROGRAM (Aug. 15, 2005), *available at* http://www.bop.gov/policy/progstat/6031_002.pdf. The co-payment provision applies to "[a]ny individual incarcerated in an institution under the Bureau's jurisdiction." Inmates affected, 28 C.F.R. § 549.71 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2009-title28-vol2/pdf/CFR-2009-title28-vol2-part549-subpartF.pdf>. Inmates are not charged the co-payment fee for:

- (a) Health care services based on staff referrals;
- (b) Staff-approved follow-up treatment for a chronic condition;
- (c) Preventive health care services;
- (d) Emergency services;
- (e) Prenatal care;
- (f) Diagnosis or treatment of chronic infectious diseases;
- (g) Mental health care; or
- (h) Substance abuse treatment.

Services provided without fees, 28 C.F.R. § 549.72 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2009-title28-vol2/pdf/CFR-2009-title28-vol2-part549-subpartF.pdf>. Indigent inmates are also exempt from the health care service fee. Inmates without funds, 28 C.F.R. § 549.74 (2009), *available at*

<http://www.gpo.gov/fdsys/pkg/CFR-2009-title28-vol2/pdf/CFR-2009-title28-vol2-part549-subpartF.pdf>. Indigent inmates are determined according to FBOP policy, which defines indigence as a balance of less than \$6.00 in an inmate's commissary account for the last 30 days. *See* FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 6031.02, INMATE COPAYMENT PROGRAM (Aug. 15, 2005), *available at* http://www.bop.gov/policy/progstat/6031_002.pdf. Wardens may impose restrictions on an inmate to prevent abuse of the exemption for indigence. *Id.*

¹¹ In 2014, the FBOP publicly defined the Mental Health Care Levels used in the FBOP system, as well as the treatment requirements for each level.

(1) **CARE1-MH: No Significant Mental Health Care.** An individual is considered to meet CARE1-MH criteria if he/she:

- Shows no significant level of functional impairment associated with a mental illness and demonstrates no need for regular mental health interventions; and
- Has no history of serious functional impairment due to mental illness or if a history of mental illness is present, the inmate has consistently demonstrated appropriate help-seeking behavior in response to any reemergence of symptoms.

(2) **CARE2-MH: Routine Outpatient Mental Health Care or Crisis-Oriented Mental Health Care.** An individual is considered to meet CARE2-MH criteria if he/she has a mental illness requiring:

- Routine outpatient mental health care on an ongoing basis; and/or
- Brief, crisis-oriented mental health care of significant intensity; e.g., placement on suicide watch or behavioral observation status.

(3) **CARE3-MH: Enhanced Outpatient Mental Health Care or Residential Mental Health Care.** An individual is considered to meet the criteria for CARE3-MH if he/she has a mental illness requiring:

- Enhanced outpatient mental health care (i.e., weekly mental health interventions); or
- Residential mental health care (i.e., placement in a residential Psychology Treatment Program).

(4) **CARE4-MH: Inpatient Psychiatric Care.** A mentally ill inmate may meet the criteria for CARE4-MH and require acute care in a psychiatric hospital if the inmate is gravely disabled and cannot function in general population in a CARE3-MH environment.

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), *available at* http://www.bop.gov/policy/progstat/5310_016.pdf.

(1) **Mental Health Care Level One.** Inmates classified as CARE1-MH are not required to receive any regular mental health services or to have a treatment plan. When mental health services are provided to these inmates, they are documented in PDS.

(2) **Mental Health Care Level Two.** Required services include, but are not limited to:

- A diagnosis and mental health care level for each inmate will be documented in a Diagnostic and Care Level Formulation note in PDS.
- A rationale for the diagnosis and assigned care level will also be documented in the Diagnostic and Care Level Formulation note in PDS.
- A collaborative, individualized treatment plan that describes the inmate's problems and goals, and the interventions planned to assist with goal attainment will be developed, reviewed, and updated at least every 12 months.
- Evidence-based psychosocial interventions on at least a monthly basis (if group treatment is offered, it should occur at least every other week, to provide continuity of care).

(3) **Mental Health Care Level Three.** Required services include, but are not limited to:

- A diagnosis and mental health care level for each inmate will be documented in a Diagnostic and Care Level Formulation note in PDS.
- A rationale for the diagnosis and assigned care level will also be documented in the Diagnostic and Care Level Formulation note in PDS.
- A collaborative, individualized treatment plan that describes the inmate's problems and goals, and the interventions planned to assist with goal attainment, will be developed, reviewed, and updated at least every 6 months.
- Evidence-based psychosocial interventions on at least a weekly basis are provided via enhanced outpatient care or on a scheduled basis consistent with a residential Psychology Treatment Program.

(4) **Mental Health Care Level Four.** This treatment takes place only in a Medical Referral Center. Required services include, but are not limited to:

- A diagnosis and mental health care level for each inmate will be documented in the Diagnostic and Care Level Formulation note in PDS.
- A rationale for the diagnosis and assigned care level will also be documented in the Diagnostic and Care Level Formulation note in PDS.
- A collaborative, individualized treatment plan that describes the inmate's problems and goals, and the interventions planned to assist with goal attainment will be developed, reviewed, and updated at least every 90 days.
- Evidence-based psychosocial interventions and/or individual mental health contacts will occur on at least a weekly basis.

At CARE4-MH sites, for inmates too cognitively impaired to engage in traditional psychosocial interventions (i.e., severe neurocognitive disorders), supportive contacts from a broad variety of providers may be the most appropriate care plan. Frequency and type of care will be determined on an individual basis for these cases.

Id.

¹² Prescription medication is the most common treatment for federal prison inmates. DORIS J. JAMES & LAUREN E. GLAZE, BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, MENTAL HEALTH PROBLEMS OF PRISON AND JAIL INMATES (2006), *available at* <http://www.bjs.gov/content/pub/pdf/mhppji.pdf> (reporting that 19.5% of inmates in federal prisons received medication for mental health needs, while 15.1% received professional mental health therapy).

¹³ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5324.08, SUICIDE PREVENTION PROGRAM (Apr. 5, 2007), *available at* http://www.bop.gov/policy/progstat/5324_008.pdf.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Educational programming is both good for an inmate's well-being and decision-making, as well as the inmate's ability to obtain employment upon release, all of which reduce recidivism rates. See LOIS M. DAVIS ET AL., RAND CORP., HOW EFFECTIVE IS CORRECTIONAL EDUCATION, AND WHERE DO WE GO FROM HERE?: THE RESULTS OF A COMPREHENSIVE EVALUATION (2014), available at http://www.rand.org/content/dam/rand/pubs/research_reports/RR500/RR564/RAND_RR564.pdf (analyzing available literature on educational programs for incarcerated individuals and concluding that "[i]nmates who participated in correctional education programs had a 43 percent lower odds of recidivating than inmates who did not"); JAKE CRONIN, UNIV. OF MO., INST. OF PUB. POLICY, THE PATH TO SUCCESSFUL REENTRY: THE RELATIONSHIP BETWEEN CORRECTIONAL EDUCATION, EMPLOYMENT AND RECIDIVISM (Sept. 2011), available at http://ipp.missouri.edu/wp-content/uploads/2014/06/the_path_to_successful_reentry.pdf; see also John M. Nally et al., *The Post-Release Employment and Recidivism Among Different Types of Offenders with a Different Level of Education: A 5-Year Follow-Up Study in Indiana*, 9 JUST. POL'Y J. 16 (2012), available at http://www.cjcj.org/uploads/cjcj/documents/the_post-release.pdf; JOHN M. NALLY ET AL., IND. DEP'T OF CORR., THE IMPACT OF EDUCATION AND EMPLOYMENT ON RECIDIVISM (2011), available at http://www.in.gov/idoc/files/Impact_of_Education_and_Employment_on_Recidivism.pdf.

²⁰ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5350.28, LITERACY PROGRAM (GED STANDARD) (Dec. 1, 2003), available at http://www.bop.gov/policy/progstat/5350_028.pdf.

²¹ See JAKE CRONIN, UNIV. OF MO., INST. OF PUB. POLICY, THE PATH TO SUCCESSFUL REENTRY: THE RELATIONSHIP BETWEEN CORRECTIONAL EDUCATION, EMPLOYMENT AND RECIDIVISM (Sept. 2011), available at http://ipp.missouri.edu/wp-content/uploads/2014/06/the_path_to_successful_reentry.pdf. The study concluded that "[e]mployment proves to be the strongest predictor of not returning to prison in each of our models." *Id.*; see also John M. Nally et al., *The Post-Release Employment and Recidivism Among Different Types of Offenders with a Different Level of Education: A 5-Year Follow-Up Study in Indiana*, 9 JUST. POL'Y J. 16 (2012), available at http://www.cjcj.org/uploads/cjcj/documents/the_post-release.pdf; JOHN M. NALLY ET AL., IND. DEP'T OF CORR., THE IMPACT OF EDUCATION AND EMPLOYMENT ON RECIDIVISM (2011), available at http://www.in.gov/idoc/files/Impact_of_Education_and_Employment_on_Recidivism.pdf.

²² Form 583 is used to report significant incidents to the FBOP Central Office. The form is an electronic version of the Report of Incident form. Issues reported to the Central Office generally include deaths, suicides, escapes, serious assaults and other serious acts of misconduct by inmates, and uses of force, chemicals, or restraints by staff.

²³ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 1330.18, ADMINISTRATIVE REMEDY PROGRAM (Jan. 6, 2014), available at http://www.bop.gov/policy/progstat/1330_018.pdf. An inmate may only submit a request or appeal on behalf of that inmate, although other inmates may assist the inmate with preparing a request or an appeal, and former inmates may use the program to address their former issues during incarceration. *Id.* Certain issues have specific statutorily-mandated procedures, including sexual abuse, tort claims, Inmate Accident Compensation claims, and Freedom of Information Act (FOIA) requests. *Id.*

²⁴ Administrative remedy requests and appeals are also referred to as grievances. Unless an inmate is in a contract facility or has been granted an individual exception, inmates are first required to attempt informal resolution by presenting an issue of concern, or grievance, to staff. FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 1330.18, ADMINISTRATIVE REMEDY PROGRAM (Jan. 6, 2014), available at http://www.bop.gov/policy/progstat/1330_018.pdf. Except for certain telephone-related issues, inmates have 20 days to complete the informal resolution and submit the initial request (BP-9) for formal review of the issue. *Id.* Requests can be rejected for incorrectly filling out the provided form, including multiple unrelated issues on the form, writing the request in obscene or abusive manner, or failing to meet any other requirement in the FBOP policies. *Id.* FBOP policy notes that facilities should be flexible in deciding whether to reject a submission, especially if it raises sensitive or problematic issues. *Id.* If an inmate's request is not rejected at the institution but the inmate is not satisfied with the Warden's response, the inmate may file an appeal to the Regional Office (BP-10) within 20 days of the date the Warden signed the response. *Id.* Inmates may submit initial requests directly to the Regional Office for DHO appeals or sensitive issues that the inmate believes would cause danger if known at the institution. *Id.* An inmate who is unsatisfied with the response from the Regional Director may file an appeal with the Central Office (BP-11) within 30 days of the date the Regional Director signed the response. *Id.* Inmates may be granted an extension for the filing times if they demonstrate a valid reason for the extension, including submission of a written verification from staff. *Id.* After a request or appeal is accepted and filed, the facility, Regional Office, and Central Office have specific time frames to answer the filing. *Id.*

²⁵ For most issues, inmates must exhaust their administrative remedy options prior to being able to pursue a complaint in court. FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 1330.18, ADMINISTRATIVE REMEDY PROGRAM (Jan. 6, 2014), *available at* http://www.bop.gov/policy/progstat/1330_018.pdf; *see also* Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, tit. VIII, 110 Stat. 1321 (1996), *available at* <http://www.gpo.gov/fdsys/pkg/PLAW-104publ134/pdf/PLAW-104publ134.pdf>. With respect to the administrative remedy process, the Prison Litigation Reform Act provides that:

No action shall be brought with respect to prison conditions under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

42 U.S.C. § 1997e(a) (2006).

²⁶ FBOP regulations direct inmates to submit initial appeals of DHO decisions to the Regional Office level (BP-10) instead of the facility level (BP-9). FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 1330.18, ADMINISTRATIVE REMEDY PROGRAM (Jan. 6, 2014), *available at* http://www.bop.gov/policy/progstat/1330_018.pdf.

²⁷ The Unit Disciplinary Committee (UDC) reviews incident reports after a staff investigation and can either impose sanctions on an inmate who committed a prohibited act or refer the incident to the DHO for further review. Unit Discipline Committee (UDC) review of the incident report, 28 C.F.R. § 541.7 (2011), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2011-title28-vol2/pdf/CFR-2011-title28-vol2-sec541-7.pdf>.

²⁸ General correspondence, 28 C.F.R. § 540.14 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2012-title28-vol2/pdf/CFR-2012-title28-vol2-part540-subpartB.pdf>; *see also* FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5800.16, MAIL MANAGEMENT MANUAL (Apr. 5, 2011), *available at* http://www.bop.gov/policy/progstat/5800_016.pdf; FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5265.14, CORRESPONDENCE (Apr. 5, 2011).

²⁹ The content and other material in the envelope of special mail correspondence may not be read or copied by prison staff if the sender is adequately identified on the envelope and the front of the envelope is appropriately marked as "Special Mail." Special mail, 28 C.F.R. § 540.18 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2012-title28-vol2/pdf/CFR-2012-title28-vol2-part540-subpartB.pdf>. The confidentiality of legal mail is protected by numerous court decisions as well as FBOP policy. *See, e.g.,* Lemon v. Dugger, 931 F.2d 1465 (11th Cir. 1991); Davidson v. Scully, 694 F.2d 50 (2d Cir. 1982); Jensen v. Klecker, 648 F.2d 1179 (8th Cir. 1981); Ramos v. Lamm, 639 F.2d 559 (10th Cir. 1980); Smith v. Shimp, 562 F.2d 423 (7th Cir. 1977); Taylor v. Sterrett, 532 F.2d 462 (5th Cir. 1976); Abu-Jamal v. Price, No. 95-618 1996 U.S. Dist. LEXIS 8570 (W.D. Pa. Jun. 6, 1996); Proudfoot v. Williams, 803 F. Supp. 1048 (E.D. Pa. 1992); *see also* FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5800.16, MAIL MANAGEMENT MANUAL (Apr. 5, 2011), *available at* http://www.bop.gov/policy/progstat/5800_016.pdf; FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5265.14, CORRESPONDENCE (Apr. 5, 2011). For legal mail to be processed under the special mail procedures, FBOP policy requires three forms of identification on the envelope: the attorney must be adequately identified on the envelope as an attorney by two means (e.g., use of "Esquire" after the attorney's name, the inclusion of "Attorney-At-Law" on the envelope, or having the attorney's name included in the return address of a law office), and markings must indicate that correspondence may only be opened in the presence of the inmate (e.g., "Special Mail — Open only in the presence of the inmate," "Attorney-Client — Open only in the presence of the inmate," "Legal Mail — Open only in the presence of the inmate," or similar markings). FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5800.16, MAIL MANAGEMENT MANUAL (Apr. 5, 2011), *available at* http://www.bop.gov/policy/progstat/5800_016.pdf.

³⁰ Special mail, 28 C.F.R. § 540.18 (2009), *available at* <http://www.gpo.gov/fdsys/pkg/CFR-2012-title28-vol2/pdf/CFR-2012-title28-vol2-part540-subpartB.pdf>; *see also* FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5800.16, MAIL MANAGEMENT MANUAL (Apr. 5, 2011), *available at* http://www.bop.gov/policy/progstat/5800_016.pdf; FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5265.14, CORRESPONDENCE (Apr. 5, 2011).

³¹ FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 5325.07, RELEASE PREPARATION PROGRAM (Dec. 31, 2007), *available at* http://www.bop.gov/policy/progstat/5325_007.pdf. The FBOP recently reorganized their internal structure to include a Reentry Services Division at Central Office. The Assistant Director of the Reentry Services Division reports directly to the Director of the FBOP. Given the importance of reentry preparation for successful transition back into the community, this is an important development at the FBOP.

³² The most updated program statement does not reflect the current changes in the administration of the program at the facility level, including the position of “Reentry Affairs Coordinator” as a dedicated executive position. *Cf.* FED. BUREAU OF PRISONS, U.S. DEP’T OF JUSTICE, PROGRAM STATEMENT NO. 5325.07, RELEASE PREPARATION PROGRAM (Dec. 31, 2007), *available at* http://www.bop.gov/policy/progstat/5325_007.pdf.

³³ Inmates must participate in the Release Preparation Program to receive placement time at an RRC.

³⁴ While the FBOP only contracts with Hope Village for male DC inmates, the DOC also contracts with Extended House and Efforts from Ex-Convicts. The only RRC for females in DC is The Fairview, located in Northeast DC.

³⁵ It was reported to the CIC that this one inmate did not receive RRC time because he was released after a pending charge was dropped. The CIC can only deduce that there might have been a detainer from another jurisdiction, and that this other jurisdiction dismissed its charge against the inmate, unexpectedly to FBOP.

³⁶ *See* Memorandum of Understanding Between the Social Security Administration and the United States Department of Justice Federal Bureau of Prisons to Process Certain Inmate Requests for Replacement Social Security Number Cards (Jan. 28, 2008), *available at* http://reentry.mplp.org/reentry/images/9/95/SSA-BOP_agreement.pdf.

Appendix A: FCI Bennettsville Demographics Overview

Facility Population		
Total inmates	1,597	
DC inmates ¹	66 (4.1.% of total population)	
Rated capacity	1,152	
Percent of capacity	138.6%	
Inmate-to-staff ratio*	6:1	
Race (n=66)*		
	Number of Inmates	Percentage of Population
Black	64	97.0%
White	2	3.0%
Other	0	0%
Ethnicity (n=75)		
Hispanic	2	3.0%
Non-Hispanic	64	97.0%
Sentence Information (n=66)		
Mean sentence	160.1 months	
Median sentence	129.0 months	
Offense Information (n=66)		
	Number of Inmates	Percentage of Population
Violent offenders ²	32	48.5%
Drug offenders	4	6.1%
Sex offenders	5	7.6%
Months Remaining to Release (n=66)		
	Number of Inmates	Percentage of Population
12 months or less	11	16.7%
13-59 months	24	36.4%
60-83 months	6	9.1%
84 months or more	25	37.9%

Source: Federal Bureau of Prisons. Statistics dated September 2014.

*The "n" refers to the number of inmates in the population for which data was available.

¹The phrase "DC inmates" refers to inmates at the facility who are sentenced under the DC Code.

² For the purposes of violent offenders, inmates with the following offense categories are included: Weapons, Explosives, Arson, Homicide, Aggravated Assault, and Kidnapping.

Appendix B: FCI Bennettsville Medical Indicators

Diseases		
HIV	Inmates diagnosed with HIV	0
	Highest number of HIV-positive inmates indicated in ACA audit	2
	Lowest number of HIV-positive inmates indicated in ACA audit	1
	Inmates on highly active antiretroviral treatment (HAART)	1
	Inmates who have been on antiretroviral treatment for at least 6 months with a viral load of less than 50 cps/ml	1
Tuberculosis	Inmates tested for TB outside of intake screening in the prior 12 months	1,858
	Inmates diagnosed with active TB in the prior 12 months	0
	Inmates who are new converters on a TB test indicating new infection within the prior 12 months	33
	Inmates treated for latent TB in the prior 12 months	5
	Inmates who completed treatment for latent TB in the prior 12 months	5
Diabetes	Diabetic inmates reviewed by ACA audit	9
	Diabetic inmates under treatment for at least 6 months with hemoglobin A1C level measuring less than 9%	1
Hepatitis C	Inmates diagnosed with Hepatitis C	0
MRSA	Inmates diagnosed with MRSA within the prior 12 months	4
Mental Health		
Inmates diagnosed with an Axis I disorder (excluding sole diagnosis of substance abuse)		52
Deaths by suicide		0
Suicide attempts		1
Other Indicators		
Completed dental treatment plans during the prior 12 months		72
Inmates transported off-site for treatment of emergency health conditions		61
Inmate admissions to off-site hospitals		9
Specialty consults ordered		127
Specialty consults completed		154

Source: ACA Audit conducted July 29, 2014 to August 1, 2014. Statistics dated May 20, 2014.
Total inmates at time of audit: 1,800. Average daily population: 1,794.

Appendix C: Federal Bureau of Prisons Response



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

JUN 21 2016

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 May 2, 2016, regarding the November 18, 2014, visit to FCI Bennettsville. 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 offenders. We hope to continue working closely to improve the Bureau facilities and raise awareness with regard to those offender's needs. I offer the following response to the questions and/or statements in the report:

Follow Up Questions:

General

1. Please provide the significant incidents report for October 2013 to September 2014.

This information was provided to the CIC on May 11, 2016, via e-mail.

2. Please provide the administrative remedies tracking data for October 2013 to September 2014, including BP-11 information. (See page 17 of the report for reference.)

This information was provided to the CIC on May 11, 2016, via e-mail.

Special Housing Unit

3. What is the average length of stay in the SHU?

This information was provided to the CIC on May 11, 2016, via e-mail.

Health Services

4. How many medical staff are currently employed? How many vacancies?

There are currently 14 medical staff employed and three vacancies.

5. How many chronic care patients are at FCI Bennettsville (total and from DC)?

There are currently 21 chronic care inmates at FCI Bennettsville. None of them are DC offenders.

6. Since the closure of Marlboro Park Hospital, to what hospital are inmates sent for urgent care that cannot be handled onsite at the facility?

FCI Bennettsville primarily uses Scotland Memorial, Chesterfield General, and McLeod Regional Medical Center.

Psychology Services

7. How many inmates participate in group therapy (total and from DC)?

In the past year a total of 220 inmates participated in group therapy. Four inmates were DC offenders.

8. Is individual therapy available for mental health care needs? If so, how many inmates participate (total and from DC)?

Individual therapy is available for mental health care needs. A total of 247 inmates received clinical intervention in the past year. Fourteen of those inmates were DC offenders. A total of 12 inmates received ongoing individual therapy and three of these were DC offenders.

Education and Programming

9. How many inmates (total and from DC) are currently enrolled in college correspondence classes?

There are four inmates currently enrolled in a college

correspondence class at FCI Bennettsville. One of them is a DC offender.

Jobs

10. What percentage of the facility is employed? What percentage of employed inmates are DC inmates?

93.8% of the inmate population is employed. There are 146 unemployed inmates, due to their recent arrival, pending completion of the Admission and Orientation Program, or placement in the Special Housing Unit. Two of the unemployed inmates are from DC.

Email, Phone, and Visitation

11. How many children's fairs have been held at the facility since Jan. 2014? How many DC inmates have participated since that time?

None of the inmates who participated were DC offenders.

12. How many "Professional Tuesdays" have been held since January 2014? How many DC inmates have participated since that time?

FCI Bennettsville has not held any "Professional Tuesdays" since January 2014.

Library

13. How much do copies cost? How much are indigent inmates given for copies each month?

The cost to make copies is 15 cents per page. Inmates determined to be indigent are provided free copies through their Unit Team. No specific limit is allotted for each month.

Release Preparation

14. How many hours is the RPP class?

The Release Preparation Program at FCI Bennettsville has a total of 88 separate courses. These courses range between one and 402 hours to complete.

15. What topics are covered in the RPP class?

The RPP is a variety of classes and courses varying in length and effort based on six separate core categories. These include:

Health and nutrition, courses include disease prevention, weight management, holistic health, mental health support/counseling groups, eating and shopping nutritionally, stress management, sexuality, AIDS awareness, and physical fitness. During this calendar year, FCI Bennettsville is offering 21 courses in this category which can be completed between one and 40 hours.

Employment, courses include resume submission/writing skills, mock Job Fairs, aptitude testing, dressing for success, job search techniques, interviewing techniques/skills, career choices, keeping a job, and relationships with co-workers. During this calendar year, FCI Bennettsville is offering 19 courses in this category which can be completed between one and 402 hours.

Personal finance/consumer skills, courses include balancing and maintaining a checkbook, developing savings accounts, buying or leasing a car or home, managing money/credit, and living on a budget. During this calendar year, FCI Bennettsville is offering two courses in this category which can be completed between one and 20 hours.

Information/community resources, courses include the role of the USPO and supervision requirements, Residential Reentry Center regulations, finding and using local social service agencies, Social Security resources, housing availability, legal requirements, and state employment services. During this calendar year, FCI Bennettsville is offering 10 courses in this category which can be completed between one and 12 hours.

Release requirements and procedures, courses include types of releases, releases to detainers, release gratuities, conditions of supervision, disposition of personal property, release clothing, trust fund account, inmate telephone system accounts, advanced pay requests, Inmate Financial Responsibility Program post-release obligation, and reporting procedures. During this calendar year, FCI Bennettsville is offering four courses in this category which can be completed between one and 16 hours.

Personal growth and development, courses include marriage enrichment, parenting, child development, discipline of children, activities for and with children, interacting with

school and child care, the effect of separation on children, positive self-image, anger control, cognitive skills, substance abuse treatment programs, drug education, speech or communication classes, education, victim awareness, life skills information, relapse prevention, and developmental psychology. During this calendar year, FCI Bennettsville is offering 32 courses in this category which can be completed between one and 40 hours.

16. Who teaches the RPP class?

RPP classes are instructed by various Bureau staff, representatives from local agencies, such as Social Security, U.S. Probation Offices, Child Support Services, Vocational Rehabilitation, Veterans Administration, and other social service/reentry agencies.

**17. How many inmates are enrolled at once time in the RPP class?
How many DC inmates are enrolled in the RPP class?**

Inmates are enrolled in RPP classes as early as upon their admission to FCI Bennettsville. They are sanctioned if they fail to enroll less than 30 months from their projected release date. The number of RPP class participants varies for each class. The RPP classes are offered several times a year to accommodate those with upcoming release dates.

There are currently 31 DC offenders enrolled in the RPP at FCI Bennettsville.

Factual Clarification:

The draft report indicates the CIC inspection took place from November 2014 through March 2016, with an onsite inspection occurring on November 18, 2014. The Bureau is not aware of any communication or inspection of FCI Bennettsville by the CIC since November 18, 2014.

The draft report indicates at the time of the onsite inspection, there were 66 DC offenders and the total population was 1597. There are currently 44 DC offenders and the total population is 1411.

The draft report states "Upon arrival at FCI Bennettsville, inmates are strip-searched and put through a metal detector...". All inmates initially committed to FCI Bennettsville are

visually searched and walk through a metal detector.

The draft report indicates case managers see their inmates every six months and for those within a year of release, every ninety days. Case managers formally see inmates assigned to their caseloads for review of their programs, long and short term goals, release planning, etc. along this same schedule, however, case managers are also available during daily open house hours, evening hours and weekends as scheduled.

The draft report states at the time of the inspection, the cells housed two and three inmates. The cells in the housing units are designed to house two and three inmates. There are no circumstances where three inmates are living in a cell designated to house only two.

The draft report states "The average wait time for sick calls is up to two weeks." Sick call at FCI Bennettsville is held from 6:30 a.m.-7:00 a.m. on Mondays, Tuesdays, Thursdays and Fridays, excluding holidays. Inmates who report to sick call are triaged and appointments scheduled according to triage guidelines. If urgent care is necessary, treatment is immediate.

Recommendations by CIC:

Monitor staff conduct to ensure fair treatment of DC inmates:

According to the draft report, less than a quarter (15 of 66) of the DC offenders believe they've experienced discriminatory treatment from staff because they are DC offenders. According to the report, staff show favoritism to non-DC inmates and DC inmates are perceived as disrespectful. The CIC further recommends the Executive Staff monitor staff treatment of inmates and ensure there is no disparate treatment based on race, ethnicity, or locality.

Response: The draft report does not point out any specific incidents or examples to demonstrate a claim of disrespectful or disparate treatment of DC offenders. The draft report eludes to a general consensus that DC offenders receive unfair treatment. The report also states some inmates are only allowed to work 20 hours a week, which is inaccurate. Additionally, the Bureau is unaware of any allegations or incidents of such disparate treatment of DC offenders. The Bureau believes cultural diversity training is a vital component to staff communication with inmates and the safe and orderly operation of its facilities. Cultural diversity is a part of the initial

training staff receive when they are hired and during annual refresher training. If an inmate believes his/her rights have been violated in any way they can follow the Administrative Remedy Process and or bring their concerns to supervisory or Executive Staff in a variety of capacities. Sustained claims against staff for disparate treatment or any other violation against an inmate would result in the staff member being disciplined according to Program Statement 3420.11 Standards of Employee Conduct.

Increase the number of days the contract ophthalmologist is onsite, and provide eyeglasses to the inmate in a timely manner:

According to the draft report, one inmate had to wait a year for glasses.

Response: In January 2015, FCI Bennettsville began a new contract with a new Ophthalmologist. Visits were weekly until a backlog was minimized. The Ophthalmologist is now visiting the institution on a bi-weekly basis. There is a short waitlist now that does not include any DC offenders. Wait times for glasses is usually no more than two to four months for regular prescription glasses. Bifocals, single vision, and transitional lenses may take a little longer.

Implement additional vocational and employment programming while facilitating new employment opportunities:

The draft report commends the facility on the quality and breadth of its vocational programming. The CIC believes additional vocational programs would cut down on the wait times and provide inmates an opportunity to work more than 20 hours a week.

Response: FCI Bennettsville currently has 18 vocational training programs and apprenticeships. The wait times are comparable to any other facility. In reviewing the work detail quotas and hours worked by inmates per week at FCI Bennettsville, the majority of the inmates are working 35 hours a week which is considered the normal work week. The Bureau found no evidence of inmates at FCI Bennettsville only working 20 hours a week.

Provide professional instructor for the education classes:

The draft report states several classes are taught by inmates rather than staff.

Response: Inmates at FCI Bennettsville and throughout the Bureau assist Bureau educational staff in instructing classes and work as tutors. These classes are always proctored by certified educational staff. The use of supervised inmates to augment the education of other inmates has proven to be very effective especially when there is a language barrier.

Ensure proper handling of inmate property:

The draft reports recommends FCI Bennettsville should ensure that the staff is trained on and act in compliance with policies regarding the proper handling and confiscation of inmate property.

Response: The CIC offered three instances of complaints where property was taken during a shakedown. According to the complaint, a newspaper and a family photo were taken. The Admission and Orientation Handbook and policy on Inmate Personal Property outline the specific time frames newspapers can be maintained and the limited number of photographs which can be possessed by an inmate. The Bureau reviewed tort claims and administrative remedies specific to inmate property at FCI Bennettsville and didn't find any evidence to support a claim that property is being handled improperly.

Ensure that inmates are provided adequate release planning and reentry resources:

The draft report states FCI Bennettsville should ensure that the RPP covers all necessary areas and the length of the program is sufficient to ensure successful reentry. The report also recommends all inmates releasing obtain a social security card.

Response: The Bureau encourages all inmates begin their reentry planning on their first day of incarceration. FCI Bennettsville has an RPP that offers 88 separate courses that require between one and 402 hours to complete. Staff work with and encourage inmates to participate in the RPP and to voluntarily obtain personal/identification documents such as birth certificates, driver licenses, etc..

The Bureau completes Social Security card applications for inmates with U.S. citizenship according to the Memorandum of Understanding the Bureau has with the Social Security Administration (SSA). There is a list of conditions where the SSA does not issue the cards from the applications the Bureau sends them. In most cases they will not process the

applications if the individual is a naturalized citizen. Those cases require an in-person visit to the SSA office. Not all inmates receive them and are instructed to report to their nearest Social Security office upon release in order to apply in person. The Social Security Administration (SSA) determines who they issue cards to, not the Bureau.

Ensure all eligible men receive a minimum of six months of RRC time:

Response: Every inmate in Bureau custody is reviewed for placement in a Residential Reentry Center (RRC) when they are within 17-19 months from their projected release date. The purpose of the review is to determine what the releasing inmate's needs are and how much time in an RRC would lead to the least likelihood of recidivism. This is an individual evaluation process and the Bureau sees no reason to summarily limit the DC offenders to any specific minimum amount of RRC placement or grant RRC placement to inmates longer than determined by the evaluation.

Of the 44 DC offenders currently incarcerated at FCI Bennettsville, seven will be releasing within the next 12 months. Two have already been approved for seven months RRC placement. One was recommended for a six to nine month placement but was only approved for four months. Another was only recommended for a 30 day RRC placement based on his history of being a habitual supervised release violator. Another did not release to an RRC because he recently had a pending charge dropped and released in May. Another inmate refused RRC placement. One DC offender arrived in the last week of April 2016, and is currently pending RRC placement.

Summary of responses to other inmate concerns:

The Bureau does not find credibility in many of the inmate concerns listed in the draft report. The mission of the Bureau is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, appropriately secure, and provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. All Bureau policies are centered on this mission. Without providing specific examples to reference, the Bureau attempted to follow up on several of the concerns brought forth by the DC offenders interviewed.

- Inmate hasn't seen a dentist in three years.
- Inmate put in a cop-out for a cleaning two years ago but still has not received a cleaning.

FCI Bennettsville recently added another dentist to their facility bringing their complement to two dentists and two hygienists. With the additional staff, the wait times are decreasing.

- There is no X-ray technician...

There was a period during the time of the CIC inspection where the contact X-ray technician was vacant. This position was filled in 2015.

- No programs apply to DC inmates.

FCI Bennettsville offers nearly 200 classes, courses, and programs that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizen and all of them apply to the DC offender population.

- Stigma against DC inmates.

This is a very broad statement without any examples offered. The Bureau has not found any evidence to support this statement.

- Cups and trays are dirty
- Not enough food and trays are too small. Bad quality of food.
- Receive food cold almost every day.
- The food is trash.

The Bureau believes these statements are false. Inmates at FCI Bennettsville have not filed any grievances regarding these areas in the last year. Food Service complaints would warrant immediate action due to the impact they have on the entire inmate population.

- Inmate is being denied e-mail access because of his conviction. Staff tells him the policy is to deny e-mail access when used to facilitate commission of a crime, but his offense did not involve the Internet.

Inmates with a predatory sex offense require additional review before being granted e-mail access. In accordance with policy, not all email requests can be granted.

- Mold in units C3 and C4 that smells.

There were no documented cases of mold at FCI Bennettsville in 2014 or 2015.

The Admission and Orientation Handbook outlines many of the processes by which an inmate can navigate successfully through FCI Bennettsville. Many of the concerns mentioned in the draft report can be explained by referring to the guidance in the Admission and Orientation Handbook.

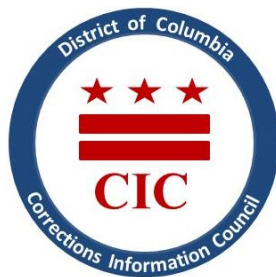
I appreciate the opportunity to review and provide comments to your inspection report of FCI Bennettsville. I hope to continue working closely with the CIC to improve the operations of Bureau facilities and ensure we are meeting the needs of the inmate population.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Finley' or similar, with a stylized flourish.

Scott Finley, Administrator
Correctional Programs Branch



**District of Columbia
Corrections Information Council**

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