

# **District of Columbia Corrections Information Council**

## **Inspection Report**

### **FCI Otisville**

January 7, 2016



## **District of Columbia Corrections Information Council (CIC)**

Katharine A. Huffman, Board Member

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### ***About the District of Columbia Corrections Information Council***

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where inmates from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (FBOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to 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 does not provide legal representation or advice, individuals are still encouraged to contact the CIC.

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

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# FCI Otisville

Otisville, New York

Date of Inspection: August 5, 2014

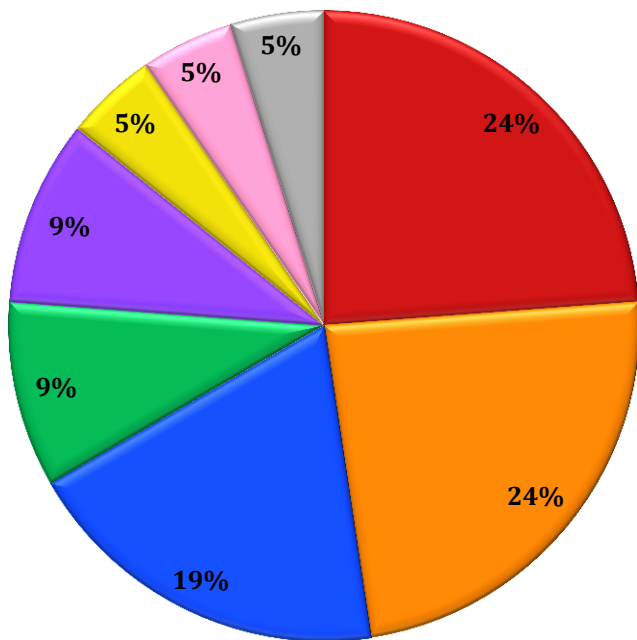
297 Miles from DC: 5 Hours by Car / 7 Hours by Public Transit

## Demographics

- Security Level: Medium
- Rated Capacity: 891
- Occupancy: 1,065 (119.5% capacity)
- DC Inmates (May 2014): 42 (3.9% of total population)
- Average Age of DC Inmates: 41.5 years old
- Average Sentence of DC Inmates: 171.2 months
- Inmate-to-Staff Ratio: 3.14:1

## Inmate Concerns

The CIC interviewed ten DC inmates on the inspection date and heard approximately 21 concerns and 6 positive comments. A summary of the inmate concerns is below.



Health Services  
(5)

Communication /  
Visitation  
(5)

Staff Conduct  
(4)

DC Specific Issues  
(2)

Education /  
Programming  
(2)

Sentence / Parole  
Issues  
(1)

Facility Issues  
(1)

Other Issues  
(1)

Release / Pre-  
Release Services  
(0)

Daily Life Issues  
(0)

SHU / DHO  
(0)

Institutional  
Safety  
(0)

## Best Practices

### Inmate and Staff Safety and Security

*Low rate of significant incidents.* FCI Otisville has the lowest number of significant incidents—including inmate assaults, attempted assaults, and staff use of force—of all the facilities the CIC has inspected to date.

*Low occupancy in the Special Housing Unit.* At the time of the CIC inspection, 41 inmates were in the SHU—11 in disciplinary segregation and 30 in administrative detention, including five in protective custody.

### Strong Focus on Reentry

*Programming opportunities.* FCI Otisville offers a variety of apprenticeships and vocational training programs focused on employable skills for reentry. The facility offers 27 apprenticeship programs and a Master Gardener Program certified through Cornell University College of Agriculture and Life Sciences. Vocational training programs include horticulture, aquaponics, textiles, flooring, upholstery, and more.

*Computer access.* Computers are used in all education classes, and each classroom is equipped with five computer terminals for use by inmates. Education also has a computer lab and offers a Technical and Media Software Class. The class utilizes Windows 7, Microsoft Office 2010, and Microsoft Outlook.

*Education as a priority.* FCI Otisville had 12 inmates enrolled in college correspondence classes. The Education Department offers parenting programs, and over 400 Otisville inmates participated in Universal Children's Day.

### Recreation Department

The Recreation Department offers a large outdoor area and a wide variety of recreation activities, classes, and intramural leagues. Music, yoga, spinning, cardio, and wellness classes are available. Inmates are able to obtain National Federation of Personal Trainers (NFPT) certification. The wellness center partners with NFPT-certified inmates and the Medical Department to provide workout and diet instruction for inmates with health issues, including diabetes and high blood pressure.

### Strongest Facility the CIC Has Inspected to Date

This is the most beneficial facility the CIC has inspected to date. The CIC commends the staff at FCI Otisville and recommends the best practices and rehabilitative atmosphere embodied at FCI Otisville be expanded to other FBOP facilities.

## Recommendations

### Reentry Services

FCI Otisville should increase its work and communication with agencies and organization providing reentry services in DC, including the Office on Returning Citizen Affairs.

### Construction Programming in UNICOR Factory

The FCI Otisville UNICOR factory is no longer in use and still owned by UNICOR. The CIC recommends the FBOP and Otisville work to acquire the UNICOR factory and convert the space into a programming area utilized for construction vocational programs.

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# I. Facility Overview

## Demographics

Facility Population		
Total inmates	1,065	
DC inmates <sup>1</sup>	42 (3.9% of total population)	
Rated capacity	891	
Percent of capacity	119.5%	
Inmate-to-staff ratio (active staff)	3.14	
Inmate-to-staff ratio (custody staff)	6.21	
<b>Race</b> (36 DC inmates with data available)		
	<b>Number of Inmates</b>	<b>Percentage of Population</b>
Black	35	97.2%
White	1	2.8%
Other	0	0%
<b>Ethnicity</b> (36 DC inmates with data available)		
	<b>Number of Inmates</b>	<b>Percentage of Population</b>
Hispanic	1	2.8%
Non-Hispanic	35	97.2%
<b>Sentence Information</b> (36 DC inmates with data available)		
Mean sentence	171.2 months	
Median sentence	149.0 months	
<b>Offense Information</b> (36 DC inmates with data available)		
	<b>Number of Inmates</b>	<b>Percentage of Population</b>
Violent offenders <sup>2</sup>	22	61.1%
Drug offenders	2	5.6%
Sex offenders	3	8.3%
<b>Months Remaining to Release</b> (36 DC inmates with data available)		
	<b>Number of Inmates</b>	<b>Percentage of Population</b>
12 months or less	6	16.7%
13-59 months	9	25.0%
60-83 months	2	5.6%
84 months or more	19	52.8%

Source: Federal Bureau of Prisons. Statistics dated June 2013 to May 2014.

## **General Information**

The CIC inspected FCI Otisville in Otisville, New York on August 5, 2014. FCI Otisville is a medium security facility for male inmates. The CIC was escorted by the Executive Assistant and other members of the executive staff during the inspection. The inspection consisted of a facility tour, discussions with staff, and interviews with 10 DC inmates.

DC residents constitute 3.9% of the population at FCI Otisville, with 42 DC inmates. The rated capacity of the facility is 891. At the time of the CIC inspection, the total population was 1,065, which represents 119.5% of capacity. The inmate-to-staff ratio was 3.14:1, and the inmate-to-staff ratio for custody staff was 6.21:1.<sup>3</sup>

Based on FBOP facilities that the CIC has inspected to date, FCI Otisville is the strongest facility in terms of its capacity to care for the well-being of inmates and support rehabilitation and reentry preparation, as well as its commitment to these priorities. The facility resembles a college campus more than a federal prison. The CIC commends the facility for its relatively safe environment and low rates of significant incidents, as well as its strong focus on reentry, extensive programming, and prioritization of education.

## **General Population Housing Units**

The CIC inspected two housing units during the on-site visit: Unit D and Unit EA. The facility contains four units of 154 inmates each, as well as a satellite camp. Each unit contains two, four, or 12-person cells. Most units are staffed by one case manager; however, Unit D has two case managers. Cells with 12 individuals have a TV, living room, and separate bathroom with doors. Inmates have access to email and can download music onto MP3 players. Laundry service is performed weekly.

## **Special Housing Unit (SHU)**

The Special Housing Unit (SHU), often referred to as segregated housing, is a unit designed to securely separate inmates from the general inmate population.<sup>4</sup> 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. Inmates are also permitted to receive non-contact visitors every Friday, providing it does not fall on a federal holiday, and make one 15-minute phone call per month. Inmates may be allowed to make additional calls in the event of an emergency or death.

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.<sup>5</sup> Administrative detention can be 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.<sup>6</sup>

The SHU at FCI Otisville is designed to house 80 inmates. At the time of the CIC inspection, 41 inmates were in the SHU, representing 51.2% capacity. Out of the 41 inmates, 11 were in

disciplinary segregation and 30 were in administrative segregation. For inmates in administrative segregation, five were in protective custody. A total of two DC inmates were in the SHU, with one in administrative segregation and one in disciplinary segregation. The average stay in the SHU is 30 days.

Unit team staff conducts rounds in the SHU several times per day. A member of the medical staff conducts rounds twice per day, the health services administrator makes rounds through the SHU weekly and a physician's assistant conducts sick call twice per week. Mental health staff conducts rounds twice per week. Commissary conducts rounds two times a week, and all other departments conduct rounds once per week. Inmates in the SHU have access to educational programming. Packets for programming are provided to inmates when the Education Department does rounds.

## II. Health Services

### Medical Indicators

Diseases		
<b>HIV</b>	Inmates diagnosed with HIV	18
	Highest number of HIV-positive inmates indicated in ACA audit	16
	Inmates on highly active antiretroviral treatment (HAART)	18
	Inmates who have been on antiretroviral treatment for at least 6 months with a viral load of less than 50 cps/ml	13
<b>Tuberculosis</b>	Inmates tested for TB outside of intake screening in the last 12 months	1,004
	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	0
	Inmates treated for latent TB in the prior 12 months	42
	Inmates who completed treatment for latent TB in the prior 12 months	20
<b>Diabetes</b>	Diabetic inmates reviewed by ACA audit	51
	Diabetic inmates under treatment for at least 6 months with hemoglobin A1C level measuring less than 9%	12
<b>Hepatitis C</b>	Inmates diagnosed with Hepatitis C	44
<b>MRSA</b>	Inmates diagnosed with MRSA within the prior 12 months	39
Mental Health		
Inmates diagnosed with an Axis I disorder (excluding sole diagnosis of substance abuse) <sup>7</sup>		308
Deaths by suicide		0
Suicide attempts		1
Other Indicators		
Completed dental treatment plans during the prior 12 months		606
Inmates transported off-site for treatment of emergency health conditions		70
Inmate admissions to off-site hospitals		37
Specialty consults ordered		824
Specialty consults completed		448

Source: ACA Audit conducted May 22-24, 2012. Statistics dated January 1, 2012.  
Total inmates at time of audit: FCI 1,206 / Camp 123. Average daily population: FCI 1,223 / Camp 127.



## **Medical Care**

FCI Otisville is a Medical Care Level II facility.<sup>8</sup> The Health Services Department includes seven doctors, one nurse practitioner, three physician assistants (with one vacancy), two EMTs (with one vacancy), one pharmacist, and two health information technicians. An X-ray technician comes in once per week. Medical staff is on-site from 5:30 AM to 10:30 PM on weekdays and 6:30 AM to 10:00 PM on weekends. After these hours, medical care is provided for inmates with medical emergencies.

Health Services can accommodate routine procedures including X-rays, routine examinations, medication, and chronic care concerns. All staff members are trained yearly in the use of automated external defibrillators and CPR. Lab work is sent to a private medical facility for testing. Medical records are stored electronically.

Pursuant to FBOP policy, inmates submit a cop-out request to receive medical care.<sup>9</sup> 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.<sup>10</sup> Emergent or emergency care is addressed the day the concern arises. The average wait time for non-emergent care can be up to 21 days; however, typically care is provided within a 14-day period.

## **Medication**

FCI Otisville has one pharmacist. The majority of inmates self-carry non-psychotropic medication. For inmates who are not able to self-carry medication and inmates on psychotropic medication, the pill line is available twice per day.

## **Dental Care**

Dental care is provided on-site at the facility and is available on Monday, Tuesday, Thursday, and Friday, beginning at 6:30 AM. FCI Otisville has one dentist, one dental hygienist, and one dental assistant. Dental staff sees and performs procedures on 24 to 25 inmates per week. New inmates receive a dental screening within 14 days of arrival. The wait time for ordinary procedures such as check-ups and routine cleanings is two to four days. The wait time for dentures is between 16 and 24 months. This time frame depends on the amount of preparation needed to fit the inmate for dentures. Once the preparation is complete it can take four to six months.

## **Mental Health Care**

FCI Otisville is a Mental Health Care Level II facility.<sup>11</sup> Psychology Services consists of a Chief Psychologist and two additional psychologists. The facility plans to hire a fourth psychologist.

New inmates are given mental health screening within two weeks of arrival at the facility. If an inmate transfers from another facility, the inmate is given a mental health screening within one month of arrival.

Staff reported that around 100 inmates have mental health care needs and approximately 120 inmates are on psychiatric medication.<sup>12</sup> Individual therapy is also available.

FCI Otisville does not have a Residential Drug Abuse Program (RDAP). Inmates who want to participate in RDAP must apply for transfer to a facility with an RDAP unit. The facility offers several non-residential substance abuse treatment programs, including a Drug Education Program, Alcoholics Anonymous and Narcotics Anonymous, and the non-residential drug treatment program.

## **Suicide Prevention**

FBOP policy requires facilities to implement suicide prevention practices.<sup>13</sup> During the mental health screening conducted upon intake, inmates are screened for suicide risk. Inmates may also be referred by staff or refer themselves to Psychology Services for a psychological evaluation. Inmates who pose a suicide risk are placed on Suicide Watch, which requires constant visual surveillance. Only the Program Coordinator may take an inmate off Suicide Watch, and follow-up evaluation and care is required.

The suicide prevention program and Suicide Watch at FCI Otisville operate in accordance with FBOP guidelines. Inmates placed on Suicide Watch are monitored constantly. They are placed in observation cells and provided with a suicide-proof mattress, smock, and blanket. After an inmate leaves Suicide Watch, follow-up care is provided by Psychology Services.

FCI Otisville has an inmate companion program as part of its suicide prevention policies. The inmate companion program trains inmates to monitor fellow inmates who are on Suicide Watch.

### III. Education and Programming

#### Education Indicators

Education Program Enrollment (FY 2013)		
	Total Enrolled	Total Completed
GED Programs	132	26
ESL Programs	14	4
Parenting Programs	56	85
Post-Secondary Education	0	0
Occupational/Vocational Programs	142	130

*Source: Federal Bureau of Prisons. Statistics dated as fiscal year 2013 (October 2012 to September 2013).*

#### Education Services

Education is a significant factor in reducing recidivism.<sup>14</sup> The FBOP requires that all inmates who enter FBOP custody without a GED or high school diploma enroll in education classes and participate in 240 hours of instruction towards their GED.<sup>15</sup> FCI Otisville had 132 inmates enrolled in GED classes last year, with 26 completions.

FBOP-wide, within 60 days of arrival, an inmate must demonstrate that he has a high school diploma or GED to be exempt from the GED requirement. If the inmate is unable to prove this, he will be tested using the Tests of Adult Basic Education (TABE). The TABE score allows for placement in an appropriate class level. Inmates who test below a fifth grade level are placed in special education classes.

FCI Otisville offers three education curriculum levels—K-5, pre-GED, and GED—in accordance with FBOP standards curriculum. The facility also offers GED classes in Spanish and English as a Second Language (ESL) classes. Computers were used in all education classes, and each classroom was equipped with five computer terminals for use by inmates.

On the date of the CIC inspection, 12 inmates were enrolled in college correspondence courses. Relative to other facilities inspected by the CIC, the number of inmates at FCI Otisville enrolled in college courses is fairly high.

Education also has a computer lab and offers a Technical and Media Software Class. The class utilizes Windows 7, Microsoft Office 2010, and Microsoft Outlook. Students in the class complete 100 hours of programming in a three to five month period.

FCI Otisville offers four separate parenting courses, including Fathers Behind Bars and Parenting of Teens, with a parenting graduation ceremony at the end of each course. Additionally, 400 inmates at the facility participated in a Universal Children's Day event arranged through the Education Department.

## **Vocational Programming**

Vocational training provides individuals with marketable skills that increase the likelihood of obtaining employment after release and decrease the likelihood of recidivism. Notably, employment after release is the greatest indicator of recidivism.<sup>16</sup> FCI Otisville offers numerous vocational training opportunities, including:

- Horticulture and aquaponics using a greenhouse, where tilapia are raised for food and also as plant fertilizer;
- Master gardener program apprenticeship through the Cornell University College of Agriculture and Life Sciences;
- Floor care technician certification through a private company;
- Computer skills;
- Upholstery, including seats, handbags, and furniture; and
- Textiles.

For the floor care certification program, inmates are treated the same as non-incarcerated individuals participating in the program outside of the facility, including using the inmate's name during the certification process rather than the inmate's Federal Register Number. As of the date of the inspection, 24 inmates had attained employment upon release as a result of this certification.

Overall, FCI Otisville offers 23 apprenticeships certified through the U.S. Department of Labor (DOL). All inmates who complete these programs receive a DOL certification. At the time of the CIC inspection, up to 20 students were participating in each of these programs. Additionally, two apprenticeship programs are currently being implemented. This will bring the total number of programs to 25.

## **Federal Prison Industries (UNICOR)**

Federal Prison Industries, also known by its trade name UNICOR, is a government-owned corporation that employs inmates to manufacture products and provide services to government agencies and private sector partners.<sup>17</sup> UNICOR offers valuable vocational skills and employment training. UNICOR has been praised for successfully reducing recidivism rates, and research shows the reduction can be substantial.<sup>18</sup> In 2014, 62 FBOP facilities had a UNICOR program, for a total of 78 factories employing over 12,000 inmates.<sup>19</sup>

FCI Otisville previously had a UNICOR program, but the factory is no longer used. Per FBOP, the factory is owned by UNICOR, and currently not available for other Bureau purposes.

## IV. Discipline and Administrative Remedies

### Disciplinary Hearing Officer (DHO)

The Disciplinary Hearing Officer (DHO) handles serious disciplinary infractions as well as any matters referred by the Unit Disciplinary Committee (UDC). Disciplinary measures may include revocation of an inmate's visiting privileges, revocation of phone privileges, forfeiture of good time credit, or placement in disciplinary segregation within the SHU, among others. Staff at FCI Otisville indicated that the average wait time to see the DHO for a hearing is 24 hours. The most frequent infractions at the facility are phone-related infractions, refusal to work, drugs and alcohol, and fighting.

### Significant Incidents

Significant Incident History <sup>20</sup>	
Institution locked down	0
Inmate suicides	0
Inmate homicides	0
Inmate deaths from natural causes	0
Assault on inmate, with weapon	1
Assault on inmate, without weapon	2
Assault on staff, with weapon	0
Assault on staff, without weapon	2
Attempted assault on inmate, with weapon	1
Attempted assault on inmate, without weapon	0
Attempted assault on staff, with weapon	1
Attempted assault on staff, without weapon	2
Escape from secure facility	0
Escape from non-secure facility	1
Sexual act, non-consensual, on inmate	0
Sexual assault on staff	0
Sexual contact, abusive, on inmate	1
Uses of chemicals	0
Uses of force	8
Uses of restraints	4
Form 583 reports filed (reports to Central Office) <sup>21</sup>	30

Source: Federal Bureau of Prisons. Statistics dated July 2013 to June 2014.

## Administrative Remedies

The Administrative Remedy Program allows inmates to seek formal review of issues related to their confinement.<sup>22</sup> 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.<sup>23</sup> 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.<sup>24</sup> The tables below provide an overview of the categories with the most numerous administrative remedy filings submitted at each level regarding FCI Otisville, as well as filings related to the SHU.

Facility Level (BP-9s)					
	Submitted	Rejected	Filed	Answered	Granted
Staff	46	14	32	0	0
Medical	27	3	24	1	0
Sentence Computation	18	2	16	4	0
Jail Time	17	1	16	8	0
Regional Office Level (BP-10s)					
	Submitted	Rejected	Filed	Answered	Granted
DHO Appeals <sup>25</sup>	24	18	6	2	2
Medical	21	8	13	3	1
Sentence Computation	17	3	14	6	5
Staff	17	4	13	0	0
Jail Time	11	5	6	10	3
Central Office Level (BP-11s)					
	Submitted	Rejected	Filed	Answered	Granted
Medical	11	7	4	0	0
Sentence Computation	11	5	6	0	0
Food	8	6	2	1	0
Staff	7	2	5	0	0

Source: Federal Bureau of Prisons. Statistics dated June 2013 to May 2014.

Administrative Remedies Related to the SHU					
	Submitted	Rejected	Filed	Answered	Granted
BP-9s (facility level)	1	0	1	4	0
BP-10s (Regional Office)	2	1	1	0	0
BP-11s (Central Office)	0	0	0	0	0

Source: Federal Bureau of Prisons. Statistics dated June 2013 to May 2014.

## V. Visitation and Communication

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### Visitation

FCI Otisville is 297 miles from DC. It is five hours from DC by car, six hours by train, and seven hours by bus.

### 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. At FCI Otisville, an inmate is charged \$0.05 per minute to use CorrLinks.

### Mail

Pursuant to FBOP policy, ordinary mail may be opened and inspected for contraband and content outside of an inmate's presence. Special mail, including legal mail, must be opened in the recipient inmate's presence and inspected only for contraband.<sup>26</sup> For outgoing mail, an inmate may seal the envelope prior to giving it to staff and the mail is not subject to inspection.

FCI Otisville follows FBOP policy for mail services, and inmates did not report issues with special or legal mail being opened outside of their presence.

### Phone

Phones are located within the housing units at a cost of \$3.45 for a 15-minute call.

## **VI. Daily Life Services**

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### **Religious Services**

FCI Otisville has four dedicated Religious Services staff including three chaplains. The head of Religious Services is a rabbi, and is one of less than five full-time rabbis employed by the FBOP. There are 20 different faith groups represented at the facility. The facility has an indoor chapel and outdoor worship area. Baptisms are offered by an ordained minister. There are 77 Religious Services volunteers who run various faith groups, reentry programs, and educational classes within the facility.

### **Recreation**

The Recreation Department at FCI Otisville is open from 6:00 AM until 9:30 PM and offers a wide variety of recreation activities and intramural leagues. Outdoor recreational space available for inmates includes areas for volleyball, tennis, soccer, hockey, softball, football, basketball, horseshoes, handball, a track, and free weights.<sup>27</sup> Indoor activities include pool, foosball, and a band room. The facility offers many classes, including ceramics, painting, advanced painting, drawing, t-shirt design, leather craft, music, yoga, spinning, cardio camp, calisthenics, plyometrics (jump training), abdominal workout, and wellness. There is also a wellness center on-site where inmates compete in body fat competitions and are able to earn a National Federation of Personal Trainers (NFPT) certification. The wellness center partners with NFPT-certified inmates and the Medical Department to provide workout and diet instruction for inmates with health-related issues, including diabetes and high blood pressure.

Inmates have access to music, including guitars and MP3 files. Inmates are able to watch movies on DVDs or videotapes in one of the activity rooms, and the facility has over 1,000 DVDs available for inmate use.

### **Library**

FCI Otisville has a library where inmates are able to check out magazines, newspapers, and books. The library is open seven days and five nights per week. Library books are rotated on a yearly basis, and books are also available through the interlibrary loan. Inmates in the SHU have access to book carts that provide reading options. The library is located in what used to be the law library, and inmates now have access to legal research by computer.

Inmates may also make copies at the library. Copies cost \$0.05 per page. Education staff members copy the appropriate amount of legal documents for the purpose of inmate legal action, once the unit manager verifies the actions and the indigent status of the inmates.

### **Meals**



Food Service at FCI Otisville employs 129 inmates. The dining hall can seat up to 250 inmates. Staff stands main line during lunch to answer questions and address concerns that inmates may have. The facility follows standard FBOP menu guidelines. The approximate expense per inmate for meals is \$3.00 a day.

FCI Otisville offers vegetarian and religious meal options. Religious meals are prepared off-site according to certified religious diet standards. They arrive sealed at the facility and are stored in a separate kitchen area. A total of 23 inmates are on religious diets. 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**

There are 14 inmates employed in the Commissary. Each inmate in general population is allowed to make purchases at the commissary once per week, with a maximum spending limit of \$350 per month. As per FBOP policy, all products are marked up 30%, except for religious items.<sup>28</sup>

## **VII. Reentry Services**

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### **Release Preparation Program**

All FBOP facilities follow a Release Preparation Program (RPP), intended to prepare inmates for community reentry upon release.<sup>29</sup> 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), a dedicated position within the executive staff.<sup>30</sup>

RPP at Otisville includes the following topics: health and nutrition, personal growth, release requirements, community resources, employment, and personal finance. The total number of hours for the combined classes is 20. The classes are taught by staff most familiar with the topics.

The inmate's case manager and the RAC coordinate placement in a Residential Reentry Center (RRC, also known as a halfway house) as an inmate nears the end of his sentence.<sup>31</sup> For male DC inmates in FBOP custody, the RRC is Hope Village, in Southeast DC.<sup>32</sup>

### **MOU with Social Security Administration**

The FBOP has a nationwide Memorandum of Understanding (MOU) with the Social Security Administration to facilitate the process of inmates obtaining Social Security Number (SSN) cards prior to release.<sup>33</sup> FCI Otisville participates in this program. Inmates are ineligible to receive Social Security benefits while incarcerated, but the SSN card is an important form of documentation that is crucial to successful reentry. This is an FBOP-wide best practice.

### **CSOSA Outreach**

FCI Otisville participates in the quarterly Community Resource Day for DC inmates in FBOP custody offered by the Court Services and Offender Supervision Agency of Washington, DC (CSOSA). 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 is an important service for ensuring that returning citizens receive information and connection to services necessary for successful reentry, and a best practice.

## VIII. Inmate Concerns

The CIC collects inmate concerns and positive comments through a variety of sources, including phone conversations, mail and email correspondence, and inmate interviews during on-site inspections. The inmate concerns and comments delineated below are compiled from all these sources. Efforts are made to reproduce concerns and comments in the words used by the inmate. However, information may be summarized or paraphrased when the concern or comment cannot be reported directly. All names, identifying information, and confidential information is removed from published concerns and comments.

### Total Concerns Reported: 21

<b>Health Services</b> (Total Concerns: 5)	
<b>Medical</b>	<ul style="list-style-type: none"> <li>Inmate hasn't had a physical in 10 years, and has been at FCI Otisville for 30 days.</li> <li>\$2.00 copay is too expensive.</li> <li>Medical is too slow to respond to sick calls; wait time is one week.</li> <li>Medical is overloaded, especially dental.</li> </ul>
<b>Dental</b>	<ul style="list-style-type: none"> <li>Inmate says he needs a teeth cleaning, and had to wait one year to get his wisdom teeth pulled.</li> </ul>
<b>Communication and Visitation</b> (Total Concerns: 5)	
<b>Visitation</b>	<ul style="list-style-type: none"> <li>Inmate would like to be closer to home.</li> <li>Inmate wants to be closer to home.</li> <li>FCI Otisville is too far from home.</li> <li>Inmate said it was too expensive to stay in touch with loved ones in DC.</li> <li>Visits from family cost too much.</li> </ul>
<b>Staff Conduct</b> (Total Concerns: 4)	
<b>Unit Team</b>	<ul style="list-style-type: none"> <li>Case managers aren't trained.</li> <li>Case managers are slow; they take forever.</li> <li>Case managers respond "on their own time."</li> </ul>
<b>Staff Attitude</b>	<ul style="list-style-type: none"> <li>Staff tests new inmates by mixing races.</li> </ul>
<b>DC Specific Issues</b> (Total Concerns: 2)	
	<ul style="list-style-type: none"> <li>DC inmates are treated differently and called a "gang."</li> <li>DC guys are treated differently. They are treated like a gang.</li> </ul>
<b>Education and Programming</b> (Total Concerns: 2)	
	<ul style="list-style-type: none"> <li>Inmate says he can't pay his restitution because he has no job, and there is a long waiting list for jobs.</li> </ul>

<ul style="list-style-type: none"> <li>Inmate reported being unable to get a job.</li> </ul>
<p align="center"><b>Sentence Computation, Designation, and Parole</b> (Total Concerns: 1)</p>
<ul style="list-style-type: none"> <li>Inmate says his sentence computation is inappropriate due to how prior convictions have been applied to his current sentence, which resulted in his current designation.</li> </ul>
<p align="center"><b>Facility Issues</b> (Total Concerns: 1)</p>
<p><b>Other Inmates</b></p> <ul style="list-style-type: none"> <li>Inmate has issues with his cellmate.</li> </ul>
<p align="center"><b>Other Issues</b> (Total Concerns: 1)</p>
<ul style="list-style-type: none"> <li>Inmate reported that some inmates were not allowed to speak with the CIC.</li> </ul>

## IX. Inmate Positive Comments

**Total Positive Comments Reported: 6**

<p align="center"><b>Education and Programming</b> (Total Comments: 4)</p>
<ul style="list-style-type: none"> <li>Inmate has participated in programming for learning Spanish, computer skills, and about victim impact.</li> <li>Inmate says he plays all the sports available at FCI Otisville.</li> <li>Inmate participates in victim impact and drug programming.</li> <li>Inmate has participated in drug education, victim impact, typing, and anger management programming.</li> </ul>
<p align="center"><b>Health Services</b> (Total Comments: 2)</p>
<p><b>Medical</b></p> <ul style="list-style-type: none"> <li>Inmate reported the medical service is good.</li> <li>Inmate says medical is alright.</li> </ul>

## IX. FBOP Response

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After the CIC inspection process was complete, the CIC provided the FBOP with a draft version of the FCI Otisville inspection report for review of factual information and requested responses to several follow-up questions. The FBOP responses to the CIC requests are incorporated throughout the report when relevant, and the additional response regarding the inmate concerns and CIC observations and recommendations is below.

FBOP Response
<p><u>Reentry Services</u></p> <p>The CIC recommended FCI Otisville should increase its work and communication with agencies and organizations providing reentry services in DC.</p> <p>Response: FCI Otisville is participating in quarterly video teleconferences with CSOSA. In preparation for the video teleconference, the reentry affairs coordinator identifies DC offenders within a year of release and provides them with information packets sent to the facility from CSOSA. DC information is also made available on the TRULINCS Electronic Bulletin Board.</p> <p><u>Construction Programing in UNICOR factory</u></p> <p>The CIC recommended FCI Otisville convert the former UNICOR factory into a programming area for the construction vocational training program.</p> <p>Response: The former UNICOR factory is still owned by UNICOR and is not available for Bureau purposes. This status could change as UNICOR decides what to do with the former factory area.</p> <p><u>Vacancies on the Medical Staff</u></p> <p>The CIC recommended the FBOP and FCI Otisville provide more competitive salaries to fill vacancies in the Health Care department.</p> <p>Response: The Health Services department is currently operating with full complement.</p>

## Endnotes

<sup>1</sup> The phrase “DC inmates” refers to inmates at the facility who are sentenced under the DC Code.

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

<sup>3</sup> 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](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.*

<sup>4</sup> 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](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.”).

<sup>5</sup> 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.*

<sup>6</sup> 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;

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- (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.*

<sup>7</sup> Under the fourth version of the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), Axis I disorders included all psychological diagnoses except personality disorders and intellectual disability. Common Axis I disorders included depression, bi-polar disorder, post-traumatic stress disorder, anxiety disorders, alcohol and substance abuse disorders, eating disorders, and schizophrenia. The DSM-5 removed the multi-axial system for diagnostic classification and combined all diagnoses from Axis I, Axis II, and Axis III into a single axis. For more information, see AM. PSYCHIATRIC ASSOC., PERSONALITY DISORDERS FACT SHEET (2013), *available at* <http://www.dsm5.org/Documents/Personality%20Disorders%20Fact%20Sheet.pdf>; AM. PSYCHIATRIC ASSOC., FREQUENTLY ASKED QUESTIONS ABOUT DSM-5 IMPLEMENTATION—FOR CLINICIANS (rev. Aug. 1, 2013), *available at* <http://www.dsm5.org/Documents/FAQ%20for%20Clinicians%208-1-13.pdf>; and Espen Røysamb et al., *The Joint Structure of DSM-IV Axis I and Axis II Disorders*, 120 J. ABNORMAL PSYCHOL. 198 (2011), *available at* <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3081882>.

<sup>8</sup> 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](http://www.bop.gov/resources/pdfs/legal_guide.pdf).

*See also*, 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>.

<sup>9</sup> 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-A-148 ("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](http://www.bop.gov/policy/forms/BP_A0148.pdf).

<sup>10</sup> 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

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JUSTICE, PROGRAM STATEMENT NO. 6031.02, INMATE COPAYMENT PROGRAM (Aug. 15, 2005), *available at* [http://www.bop.gov/policy/progstat/6031\\_002.pdf](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](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.*

<sup>11</sup> 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:
  - a. Shows no significant level of functional impairment associated with a mental illness and demonstrates no need for regular mental health interventions; and
  - b. 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:
  - a. Routine outpatient mental health care on an ongoing basis; and/or
  - b. 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:
  - a. Enhanced outpatient mental health care (i.e., weekly mental health interventions); or
  - b. 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](http://www.bop.gov/policy/progstat/5310_016.pdf).

<sup>12</sup> 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).

<sup>13</sup> 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](http://www.bop.gov/policy/progstat/5324_008.pdf).



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<sup>14</sup> 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](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").

<sup>15</sup> 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](http://www.bop.gov/policy/progstat/5350_028.pdf).

<sup>16</sup> 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](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](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](http://www.in.gov/idoc/files/Impact_of_Education_and_Employment_on_Recidivism.pdf).

<sup>17</sup> UNICOR products and services are mainly sold to executive agencies in the federal government, with the majority of sales going to the U.S. Department of Defense. In 2011, Congress granted increased authority for UNICOR to partner with private companies. See NATHAN JAMES, CONG. RESEARCH SERV., CRS REPORT TO CONGRESS: FEDERAL PRISON INDUSTRIES (Dec. 8, 2011), available at <http://www.ndia.org/Divisions/Divisions/SmallBusiness/Documents/Federal%20Prison%20Industries.pdf>; see also NATHAN JAMES, CONG. RESEARCH SERV., CRS REPORT TO CONGRESS: FEDERAL PRISON INDUSTRIES (July 13, 2007), available at <http://fas.org/sgp/crs/misc/RL32380.pdf>.

<sup>18</sup> Research studies show that UNICOR can substantially reduce recidivism rates. See WILLIAM G. SAYLOR & GERALD G. GAES, U.S. DEP'T OF JUSTICE, POST-RELEASE EMP'T PROJECT, PREP: TRAINING INMATES THROUGH INDUSTRIAL WORK PARTICIPATION, AND VOCATIONAL AND APPRENTICESHIP (Sept. 24, 1996), available at [http://www.bop.gov/resources/research\\_projects/published\\_reports/recidivism/orepreprep\\_cmq.pdf](http://www.bop.gov/resources/research_projects/published_reports/recidivism/orepreprep_cmq.pdf) ("Inmates who worked in prison industries were 24 percent less likely to recidivate throughout the observation period"); see also WILLIAM G. SAYLOR & GERALD G. GAES, U.S. DEP'T OF JUSTICE, POST-RELEASE EMP'T PROJECT, PREP STUDY LINKS UNICOR WORK EXPERIENCE WITH SUCCESSFUL POST-RELEASE OUTCOME (Sept. 23, 1994), available at <https://www.ncjrs.gov/pdffiles1/Digitization/150221NCJRS.pdf>.

<sup>19</sup> FED. PRISON INDUS., INC., FISCAL YEAR 2014 ANNUAL MANAGEMENT REPORT (Nov. 12, 2014), available at [http://www.unicor.gov/information/publications/pdfs/corporate/2014%20FPI%20Annual%20Management%20Report\\_C.pdf](http://www.unicor.gov/information/publications/pdfs/corporate/2014%20FPI%20Annual%20Management%20Report_C.pdf); see also UNICOR, FACTORY LOCATIONS (Jan. 2014), available at [http://www.unicor.gov/information/publications/pdfs/corporate/CATMC3816\\_C.pdf](http://www.unicor.gov/information/publications/pdfs/corporate/CATMC3816_C.pdf).

<sup>20</sup> Information regarding significant incidents is provided directly by the FBOP.

<sup>21</sup> 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.

<sup>22</sup> 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](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.*

<sup>23</sup> Administrative remedy requests and appeals are also referred to as grievances. 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](http://www.bop.gov/policy/progstat/1330_018.pdf).

<sup>24</sup> 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](http://www.bop.gov/policy/progstat/1330_018.pdf);

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*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>. 42 U.S.C. § 1997e(a) (2006).

<sup>25</sup> 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>.

<sup>26</sup> 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](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).

<sup>27</sup> "Grandfathered in" at Otisville, free weights are prohibited at almost all FBOP facilities. FCI Otisville has special dispensation from the Bureau to retain and use the original equipment with the understanding that it will not be replaced when worn or broken and will be removed upon occurrence of abuse. Staff noted that inmates take excellent care of the equipment as a result.

<sup>28</sup> FED. BUREAU OF PRISONS, U.S. DEP'T OF JUSTICE, PROGRAM STATEMENT NO. 4500.11, TRUST FUND/DEPOSIT FUND MANUAL (Apr. 9, 2015), *available at* <http://www.bop.gov/policy/progstat/4500.11.pdf>.

<sup>29</sup> 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](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.

<sup>30</sup> 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](http://www.bop.gov/policy/progstat/5325_007.pdf).

<sup>31</sup> Inmates must participate in the Release Preparation Program to receive placement time at an RRC.

<sup>32</sup> 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.

<sup>33</sup> *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](http://reentry.mplp.org/reentry/images/9/95/SSA-BOP_agreement.pdf).



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