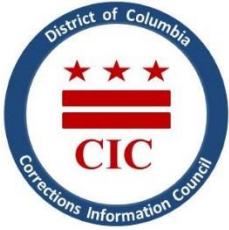


Rivers Correctional Institution Inspection Report



**District of Columbia
Corrections Information Council**

August 17, 2017



CIC | DC Corrections Information Council

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About the District of Columbia Corrections Information Council

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

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the FBOP, the Director of the DOC, and the community.

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

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Executive Summary

Rivers CI

Date of Onsite Inspections: September 26-27, 2013 and September 24, 2014

Date of DC Inmate Survey: Summer 2016

Location: Winton, North Carolina

Distance from DC: 212 miles

Transportation: 3.5 hours by car

INSTITUTION PROFILE

Security Level: Low (private contract facility)

Maximum Occupancy: 1,450 (as of Sept. 2013)

DC Inmates: 289 (as of May 31, 2017)

Average Length of Stay: 1.5 years (as of Sept. 2013)

Inmate-to-Staff Ratio: 1 : 4*

Inmate-to-CO Ratio: 1 : 9*

** DOJ Office of the Inspector General 2016 Report on Contract Prisons.*

FINDINGS

This report contains findings and recommendations based on data from both the onsite CIC inspections in 2013 and 2014 and the survey conducted in 2016. The summary of our **key findings** are as follows:

- Rivers Correctional Institution (Rivers CI) is a low security facility owned and operated by the GEO Group, Inc. DC inmates reported that Rivers CI is not run as a low security institution but is more similar to FBOP high security facilities.
- In response to the 2016 survey, DC inmates identified food as the most negative aspect of Rivers CI. The majority of DC inmates focused on three key problems regarding food: poor quality, small quantities, and lack of variety.
- Quality of medical care was also a concern of DC inmates, particularly for chronic care inmates.
- A relatively high number of DC inmates participate in the Residential Drug Abuse Program (RDAP) at Rivers CI.
- A reported positive aspect of Rivers CI is the ability of families to visit based on the relatively close distance and free transportation service provided by GEO Group, Inc.
- Rivers CI has a stricter policy on use of Ion Scanner results to refuse visitation, without safeguards against use of false positives that are contained in FBOP Ion Scanner policy.
- Rivers CI does not provide CorrLinks email system access for inmates to communicate with loved ones, lawyers, service providers, and others, which is available in FBOP facilities.
- Rivers CI participates in quarterly CSOSA Reentry Resource Day videoconferences and has partnered with DC agencies for informational visits with DC inmates at the facility.

RECOMMENDATIONS

- 1.** Provide a Halal religious diet that accommodates religious dietary restrictions.
- 2.** Ensure commissary prices are commensurate with FBOP facilities.
- 3.** Allow restroom access on the recreation yard.
- 4.** Increase quality and quantity of inmate meals.
- 5.** Recruit additional healthcare professionals to improve the medical and dental healthcare at Rivers CI and to minimize treatment delays.
- 6.** Improve quality of medical care and use performance measures to track improvement.
- 7.** Improve medical and dietary care for inmates with diabetes.
- 8.** Decrease inmate wait time in the pill line.
- 9.** Complete routine disciplinary investigations within seven working days of the filing and all other disciplinary investigations within 30 days of the issuance of an incident report (absent compelling circumstances).
- 10.** Ensure inmates are able to file grievances, by making forms available, and without retaliation by staff.
- 11.** Verify compliance with FBOP SHU policies on a frequent basis.
- 12.** Increase staff training on effective forms of communication and cultural sensitivity.
- 13.** Monitor staff conduct towards inmates and hold staff members accountable for inappropriate comments and conduct.
- 14.** Facilitate improved relations between Black and Hispanic inmates to reduce racial tensions.
- 15.** Ensure Rivers CI is operating at a low security level.
- 16.** Endeavor that all eligible men receive a minimum of six months of RRC time.
- 17.** Establish a standardized curriculum for the Release Preparation Program (RPP) consistent with FBOP facilities.
- 18.** Ensure that computerized GED testing fee for inmates remain waived.
- 19.** Improve quality of educational programming and provide special education services.
- 20.** Increase vocational training programming opportunities.
- 21.** Implement FBOP procedures on use of the Ion Spectrometry devices to reduce use of false positives in denial of visitation.
- 22.** Arrange with the FBOP to bring CorrLinks into the facility.
- 23.** Ensure that legal mail is opened only in the presence of the inmate.

I. Facility Profile

Rivers Correctional Institution (CI) is an all-male, low security level facility located in Winton, North Carolina. It is 212 miles from DC and three and a half hours from DC by car. The facility is privately operated by GEO Group, Inc. (GEO), a private corporation. During the CIC onsite document review on September 26 to 27, 2013, the CIC reviewed the contract between the FBOP and GEO for a four-year base period with three two-year option periods. The contract was signed in June 2010 and awarded GEO over \$143 million over the four-year period with a guaranteed 90% occupancy rate.¹ As stated in the Performance Work Statement between the FBOP and GEO, which details the operation requirements under the contract, GEO agreed to provide “1,380 beds for adult males with a low security designation and criminal aliens.” GEO also agreed to operate the facility within a 500-mile radius of DC and provide at 48 beds for the Residential Drug Abuse Program (RDAP). Rivers CI houses primarily three populations: individuals sentenced under the DC Criminal Code (DC inmates), inmates sentenced in federal court, and U.S. Immigrations and Customs Enforcement (ICE) detainees.

At the time of the CIC onsite inspection on September 26 to 27, 2013, the maximum occupancy of Rivers CI was 1,450 inmates and the actual occupancy was 1,426 inmates. Rivers CI houses the largest concentrated number of DC inmates in FBOP custody. According to the latest census data from May 31, 2017, Rivers CI had 289 DC inmates in custody.²

II. Methodology

The CIC conducted onsite inspections of Rivers CI on September 26 to 27, 2013, and September 25, 2014. Prior to the onsite inspections, the CIC communicated with DC inmates at Rivers CI, informing them of the upcoming inspection and offering them the opportunity for a confidential interview with a member of the CIC. During the onsite inspections, the CIC was escorted by the Warden and members of the executive staff. The onsite inspections consisted of a tour of the facility, dialogue with facility staff, and confidential interviews with DC inmates. The 2013 inspection also included an onsite document review. During the 2013 inspection, the CIC interviewed 48 DC inmates. During the 2014 onsite inspection, the CIC interviewed 42 DC inmates.

Per the Memorandum of Understanding between the CIC and FBOP for announced inspections, when the CIC requests to inspect FBOP facilities, the FBOP forwards information in response to the CIC document request, which includes general inmate and facility data, significant incidents, administrative remedies data, education and programming data, an ACA report (if available), and other information. Since Rivers CI is a private facility, its owner (GEO), is not beholden to the

¹ GEO Group, Inc., “The GEO Group Awarded Bureau of Prisons Contract for the Continued Management of the Rivers Correctional Institution in Winton, North Carolina” (Jun. 16, 2010), <http://www.businesswire.com/news/home/20100616005972/en/GEO-Group-Awarded-Bureau-Prisons-Contract-Continued>.

² Court Services and Offender Supervision Agency for the District of Columbia (CSOSA), Monthly Inmate Census Roster.

FBOP MOU and did not provide information in advance. However, the CIC was able to conduct onsite document review during its 2013 inspection. The CIC reviewed general inmate and facility data, as well as staffing, significant incidents, urine surveillance, and disciplinary records. The CIC also reviewed an education report, dining menus, the most recent American Correctional Association (ACA) audit, and administrative remedy filings and responses at the facility, Regional Office, and Central Office levels.

In fiscal year 2016, the District of Columbia issued a travel ban to North Carolina.³ In lieu of another inspection, the CIC sent a comprehensive survey to DC inmates at Rivers CI concerning various aspects of the facility: daily life, health services, discipline and administrative remedies, staff, institutional safety, reentry, education and programming, communication and visitation, DC-specific issues, and the Segregated Housing Unit (SHU). The CIC collected surveys from May to July 2016 and received a total of 58 responses. The CIC also attended the Court Services and Offender Supervision Agency for the District of Columbia's (CSOSA) Release Planning Seminar on December 7, 2016, and spoke to six DC inmates.

The CIC provided the FBOP with a draft version of the inspection report for an opportunity to respond and requested responses to follow-up questions. The FBOP responses to the CIC draft report are included at the end of this report.

III. Inmate Feedback Summary

A. September 26-27, 2013 Onsite CIC Inspection

In 2013, the largest concern reported to the CIC by DC inmates was the poor quality of medical care, especially a general lack of care and inadequate care for chronic care inmates and inmates with serious medical concerns. Several inmates spoke about the death of an inmate in the gym a few years before the inspection and stated that staff did not provide CPR. The second most common concerns at the facility were daily life issues. In particular, inmates were unsatisfied with the small quantities and lack of variety of food as well as favoritism towards Hispanic inmates. The third most common concern was the lack of educational and vocational programming opportunities.

B. September 25, 2014 Onsite CIC Inspection

In 2014, the most frequent concern reported to the CIC was disrespectful and unprofessional staff conduct, particularly regarding how staff members speak to inmates. Several inmates stated that the staff needs to be better trained. The second most reported concern was the poor quality of the health services, which mirrored the concerns received in 2013. Daily life issues were the

³ The DC travel ban to North Carolina was issued in opposition to the state's enactment of the Public Facilities Privacy & Security Act that bars individuals from using restrooms that are inconsistent with the gender stated on their birth certificates. *See* Ban on Travel to the State of North Carolina, Mayor's Order 2016-040 (Mar. 31, 2016), <https://mayor.dc.gov/publication/ban-travel-state-north-carolina>.

third most common type of concern reported to the CIC, and the issues continued to be the poor quality and small quantities of food.

C. 2016 DC Inmate Surveys

The responses to the 2016 surveys sent to DC inmates at Rivers CI largely mirrored the concerns reported to the CIC in previous years, with large numbers of comments regarding medical care, staff conduct, programming, and food. When DC inmates were asked to share the most negative aspects of Rivers CI, nearly half of all respondents reported problems with the food, including poor quality, small quantities, and lack of variety in the diet. The second most common concern was unprofessional and disrespectful staff, especially those at higher ranks. DC inmates also reported that Rivers CI is not run as a low security institution but is more similar to high security facilities in its operations. Other negative aspects reported to the CIC include a lack of educational, vocational, and other programming opportunities as well as inadequate and inaccessible medical services, insufficient employment opportunities, and the lack of computers and email. A common concern in several areas was that Rivers CI is a “prison for profit” and is “all about money.”

For the most positive aspects of Rivers CI, the top three responses included the ability of families to visit based on the close distance and free transportation service, the newness and cleanliness of the facility, and a number of helpful staff. One DC inmate stated that Rivers CI has “less fighting and stabbing” compared to other facilities, and another DC inmate remarked that the facility allows inmates to get their GEDs. Two DC inmates commented that the most positive aspect of Rivers CI is the Residential Drug Abuse Program (RDAP).

The CIC also asked DC inmates who have been incarcerated at other low security institutions to compare Rivers CI to these institutions. The majority of these DC inmates reported that Rivers CI is worse than other low security institutions with regards to treatment of DC inmates, safety, staff, communication and visitation, employment, education and programming, and the SHU. Respondents were evenly split between “worse” and “the same” regarding health services at Rivers CI as compared to other low security institutions.

IV. Housing

The facility is comprised of four housing units, each containing four pods, with a capacity for 356 inmates per unit and between 60 to 78 inmates per pod. Each unit has a unit control room, which is located in the center of the four pods and has visual surveillance of all pods in the unit. Each general population unit is staffed by one unit manager, two case managers, and two counselors.

General population housing units have televisions, phones, computers, and microwaves for inmate use located in the common area. In 2014 and 2016, the CIC received reports that inmates were sleeping on beds in the common areas rather than in cells due to facility renovations to accommodate additional vocational classes. These areas are commonly referred to as “bus stops”

among inmates in the FBOP. Inmates at Rivers CI noted the negative effect of this arrangement to their safety and privacy.

In April 2017 staff reported that Housing Unit A was no longer being used because of a lower overall population at the facility.

Hygiene

In response to the 2016 survey, the majority of DC inmates reported that their units are clean, that they have enough clean clothes for the week, that they are normally able to shower five days a week, and that they normally have cleaning chemicals. Only half of DC inmates, however, reported having the opportunity to change clean sheets every week. One individual reported that clothes come back from the laundry “dingy and half dried,” and another reported that it can take up to four weeks to have damaged clothing replaced. One individual also noted that access to cleaning supplies is limited to certain times of the day, which restricts access for inmates who participate in programming or are employed during those times. Another individual reported water leaks in cells.

V. RDAP

The Residential Drug Abuse Program (RDAP) Unit at Rivers CI is run in accordance with the FBOP Program Statement. RDAP is treatment program requiring a minimum of 500 hours with a duration of nine to 12 months. The program is available to inmates with a verifiable substance abuse disorder who have signed an agreement acknowledging program responsibility and are able to complete all three components of the program. Ordinarily, inmates have 24 months or more remaining on their sentence.⁴ Inmates admitted to RDAP must not have a cognitive impairment or learning disability precluding participation nor be unable to participate in the language in which it is conducted.⁵ Inmates must also be eligible for halfway house placement.

The requirements for RDAP participation do not account for the state-level offenses and sentencing of DC inmates, which differ from federal laws. As a result, DC inmates are less likely to be eligible for RDAP, including those who are serving indeterminate sentences (split sentences with possibility of parole) and thus do not know the exact date when they will be released. Moreover, due to the nature of their local offenses, some DC inmates do not qualify to receive the incentives for RDAP participation, including early release.

The RDAP Unit at Rivers CI has a capacity of 60 inmates. During the September 2013 onsite inspection, 44 DC inmates were enrolled in RDAP, 16 RDAP graduates were residing on the RDAP Unit, and two inmates were on the waiting list. All inmates participating in RDAP and the recently graduated inmates assisting with RDAP were from DC. The RDAP unit has only two-person cells. The RDAP Unit at Rivers CI is staffed by one unit manager, two case managers, and two counselors, one RDAP program coordinator, and three drug treatment specialists.

⁴ Fed. Bureau of Prisons, U.S. Dep’t of Justice, Program Statement No. 5330.11, Psychology Treatment Programs (May 26, 2016).

⁵ Id.

The CIC did not receive any inmate feedback regarding RDAP during its onsite inspection in 2013. In 2014, one DC inmate reported that he came to Rivers CI for RDAP but was supposed to go back to his previous facility after completion.

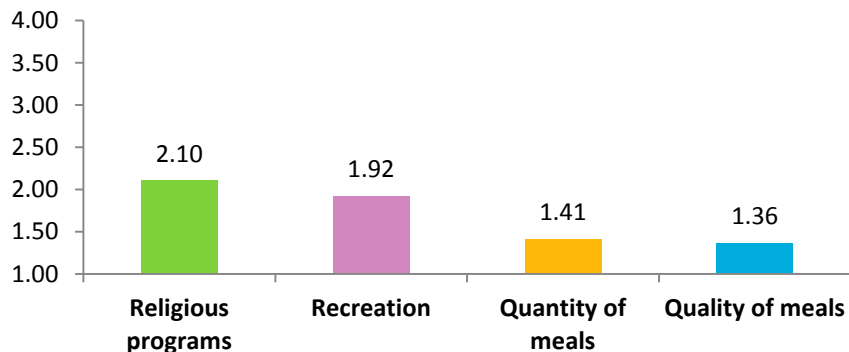
In response to the inmate survey in 2016, DC inmates stated that inmates were selected arbitrarily for RDAP and that most inmates in the RDAP Unit have already graduated. A few inmates believed that Rivers CI keeps inmates in the RDAP unit to occupy bed space that will allow the facility to continue receiving financial compensation from the FBOP. One DC inmate stated that “RDAP is very traumatizing” and certain counselors “do not listen.”

VI. Daily Life

Daily life issues are a top concern among DC inmates at Rivers CI, especially meals, recreation, religious services, and the commissary. In particular, DC inmates were dissatisfied about the quality and quantity of the food, a lack of recreation opportunities and religious services, and growing racial tensions between the Black and Hispanic populations (see further details in the “Institutional Safety” section of this report).

In response to the 2016 survey, DC inmates rated their satisfaction regarding religious services, recreation programs, the quality of meals, and the quantity of meals. On a scale from 1 to 4 (with 4 as the most satisfied), religious programs were rated at 2.10, which equates to the majority of inmates reporting “unsatisfied.” The quality of meals was ranked lowest at 1.36, indicating that most inmates were “very unsatisfied” with meals.

Figure 1
Inmate Satisfaction: Daily Life
(Out of 4 points)



A. Religious Services

During the September 2013 onsite inspection, Rivers CI had 12 different faith groups represented at the facility. The Religious Services department offers baptisms through outside clergy and Bible study with group leaders.

DC inmates have consistently reported concerns with religious services for Muslim inmates, including several concerns about the Head Chaplain. In particular, inmates have stated that Rivers CI does not provide a religious diet for Muslims and the Head Chaplain will not allow Muslim inmates to have the Kosher diet that is provided for Jewish inmates. Instead, Muslims are only offered the vegetarian option at meals, which may not conform to Halal standards. In response to the 2016 survey, the CIC also heard that Rivers CI does not have a chaplain for the Islamic community and that one inmate is not able to go to the chapel to make his prayers at a certain time. Another inmate, however, provided a contrasting opinion that religious programming is poor unless an inmate is Muslim or Jewish.

B. Commissary

As stated in the Performance Work Statement (PWS) between the FBOP and GEO, GEO agreed to provide commissary to inmates at least once a week and to limit an inmate's monthly spending to no more than the FBOP national spending limits. Furthermore, the PWS specified the maximum markup on items at the commissary.⁶ In each year the CIC received reports from inmates, DC inmates expressed concerns regarding high prices at the commissary and claimed that prices are higher than those at FBOP-run institutions.

C. Recreation

The recreation areas at Rivers CI include a recreation yard, a soccer field, an outdoor wellness area, and an indoor gymnasium. The gym is used by two housing units each day on a rotating schedule, and each inmate has access to the gym two to three times per week. Hobby crafts are also done in the gym area. The facility offers intramural leagues for flag football, basketball, and soccer. In the basketball league, local teams from outside the facility come to compete against the Rivers CI teams. A big screen projector also is available for events.

Since 2013, DC inmates have consistently reported limited recreational time and activities, including a lack of equipment and programming beyond painting, drawing, and a few selected sports. Inmates continue to state concerns about only having access to the gym a few times a week, and several inmates reported being able to use the recreation areas only on days when their housing unit is assigned to the gym. DC inmates also complained of having no access to a bathroom when using the recreation yard. Two DC inmates provided positive feedback, indicating that they have enough time for recreation and "all sports have their time and space to play."

⁶ "The selling price of each item ordered and sold in the commissary shall be calculated based on the cost of each sellable unit. The markup of merchandise shall be no more than the following: 0% for postage stamps, religious items, education course/resource requirements; 5% for Special Purchase Orders (SPO) purchased at retail cost; 30% on standard/SPOs purchased at non-retail cost; preprinted sales prices printed on packaging will be sold at the preprinted price. Once an item is marked up, any applicable sales tax will need to be added and the total price rounded to the next highest nickel." U.S. Department of Justice, Federal Bureau of Prisons, Solicitation for Contract, RFP-PCC00016 (Mar. 20, 2009), <https://www.fbo.gov/index?s=opportunity&mode=form&id=169c390edde168128af32034428121e8>.

D. Meals

During the 2013 onsite inspection, Rivers CI had a dietician from GEO who wrote the menus to conform to FBOP national standards. Religious diet meals arrive sealed at the facility already prepared in accordance with Kosher standards and are stored in a separate kitchen area. At the time of the 2013 inspection, 29 inmates were on a Kosher diet and 27 inmates were on the vegetarian diet. According to staff during the 2014 inspection, Rivers CI conducted a food survey once every three months and made changes based on inmate preferences.

At Rivers CI, breakfast is served from 6:00 to 8:00 AM, lunch is served from 11:00 AM to 1:00 PM, and dinner is served from around 4:30 to 8:00 PM. CIC received information in 2014 that Rivers CI spends between \$0.88 and \$0.91 per meal on each inmate.

All inmates arriving at the facility are assigned to food service duty on “pending” status until medically cleared. During the 2013 onsite inspection, Rivers CI reported that all food service inmate staff is ServSafe certified and paid \$0.12 to \$0.40 per hour. The Food Services facility is cleaned regularly and has a monthly full cleaning by a special inmate cleaning crew. At that time, staff informed the CIC that the Hertford County Health Department had conducted nine unannounced kitchen inspections in the prior seven years, and Rivers CI scored 98% or better on each audit.

Since 2013, DC inmates have consistently reported concerns with the meals at Rivers CI, including poor quality and small quantities. During the onsite inspections in 2013 and 2014, DC inmates had concerns about the facility failing to accommodate diets with food allergies or religious restrictions. Several Muslim inmates reported that they were unable to have the Kosher diet and instead were only provided the vegetarian option, which does not conform to Halal standards. Another Muslim inmate reported that the meals for Ramadan are not provided at the appropriate time. DC inmates have also stated that the facility caters to the Hispanic population and the meals frequently consist almost exclusively of rice and beans.

In response to the 2016 survey, DC inmates identified food as the most negative aspect of Rivers CI. The majority of DC inmates focused on three key problems regarding food: poor quality, small quantities, and lack of variety. More than one inmate stated that the food is not fit for human consumption. According to several accounts, rocks are often found in the lentil beans, and the food is often undercooked. One DC inmate noted that “there is not a single day that goes by without the need to cook in the pod, without which you would sleep hungry.” Another DC inmate stated that food is not “diabetic friendly.”

Although two DC inmates noted in the 2016 survey that food portions are adequate, the majority of comments regarding portions indicate that they are too small (e.g., “kid sized”). DC inmates also commented on the lack of variety in the food. Many DC inmates noted that beans and rice are served every day and that the menu and quality of the items are inferior to those found in FBOP-run facilities. One inmate reported that meals for holidays are not provided, and another was told he could only receive a vegetarian diet if he changes his religion.

Recommendations

1. Provide a Halal meal option to accommodate religious dietary restrictions.

- In 2013, 2014, and 2016, DC inmates reported that the religious diets offered at Rivers CI do not include Halal meals and that Muslim inmates are unable to receive the Kosher diet, which would comply with the dietary restrictions of their faith. The CIC recommends that Rivers CI provide certified Halal diets to inmates with religious dietary restrictions or otherwise make available meals to Muslim inmates that satisfy Halal standards in accordance with the Religious Land Use and Institutionalized Persons Act (RLUIPA).⁷

2. Ensure commissary prices are commensurate with FBOP facilities.

- DC inmates consistently stated that commissary prices higher at Rivers CI than at FBOP facilities. The CIC recommends that Rivers CI ensure commissary prices are commensurate with prices at FBOP-run facilities and that markup prices are no higher than the designations provided in the contract between GEO and the FBOP.

3. Allow restroom access on the recreation yard.

- No restroom is available to inmates on the recreation yard. The CIC recommends Rivers CI provide a restroom for use by inmates on the recreation yard so that inmates can most fully utilize their recreation time.

4. Increase quantity and quality of inmate meals.

- Rivers CI spends a lower amount per average inmate meal than other facilities inspected by the CIC, and DC inmates consistently reported food as one of the largest concerns at the facility. The CIC recommends Rivers CI improve the quality of food provided, provide an increase in the quantity of meals, and provide more variety in food offerings. The FBOP has a national menu for its facilities; Rivers CI can use that as a guide.

VII. Health Services

Rivers CI is a Medical Care Level II facility.⁸ During the 2013 and 2014 inspections, Health Services was one of the two largest concerns for DC inmates. DC inmates reported that medical

⁷ See 42 U.S.C. § 2000cc-1(a) (2000). The protection of the religious exercise of institutionalized persons provides that “[n]o government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in section 1997 of this title, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that interest: (1) is in furtherance of a compelling government interest; and (2) is the least restrictive means of furthering that compelling government interest.” Federal case law recognizes the denial of a religiously-mandated diet as a “substantial burden” on the free exercise of religion.

⁸ The FBOP assigns inmates a Medical Care Level based on their medical history and health condition, and classifies facilities based on the level of medical care they are able to handle based on staff and equipment. Inmates classified as Medical Care Levels I and II are generally under 70 years of age and healthy or else stable outpatients

care at Rivers CI is worse than at FBOP-run facilities. DC inmates repeatedly cited cost as the main factor for whether the facility would provide medical care, rather than inmate need.

The CIC received fewer negative views of medical and dental care at Rivers CI in 2016, but inmates still voiced areas for improvement. In response to the 2016 survey, DC inmates rated their satisfaction with both the quality and the wait times of Health Services. Approximately 41% of DC inmates reported being “very satisfied” or “satisfied” with the quality of mental health care, while 35% of DC inmates were at least satisfied with medical and dental care (Figure 2). DC inmates were most unsatisfied with wait times for dental care and most satisfied with wait times for mental health care (Figure 3).

Figure 2
Quality of Care

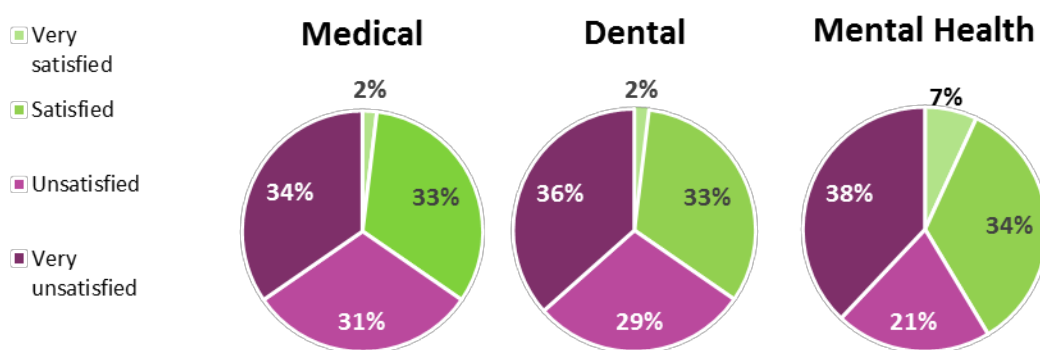
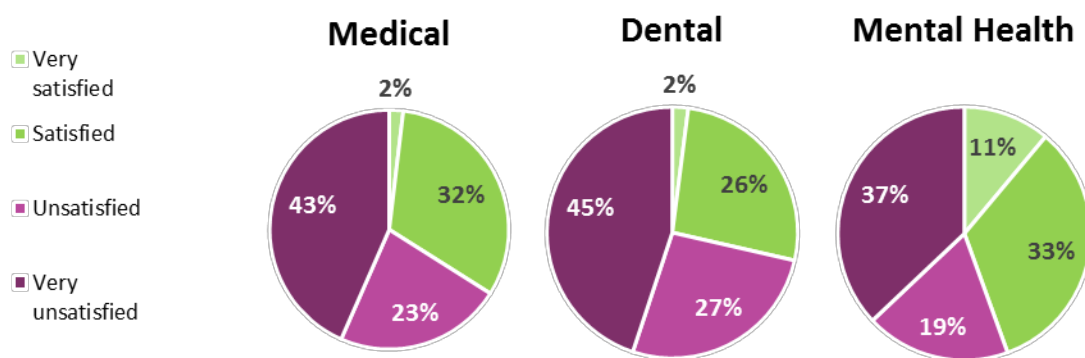


Figure 3
Wait Times



requiring no more than monthly or quarterly clinical evaluations, such as medication-controlled diabetes, epilepsy, or emphysema. See 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.

A. Medical Care

Health Services at Rivers CI can accommodate routine examinations, X-rays, medication management, and chronic care. As of September 2014, annual doctor visits were required by approximately 800 chronic care patients at the facility. The infirmary at Rivers CI has nine beds, two of which are in isolation.

During the 2014 onsite inspection, the Health Services Department included one doctor, one physician assistant (PA), and 16 nurses. The doctor was available onsite Monday through Thursday, the PA was available Tuesday through Friday, and the nurses were available onsite full-time every weekday and on-call during weekends and holidays. Medical records are stored electronically, and a medical “open house” is offered every weekday from 11:00 AM until noon. Inmates are treated at Roanoke-Chowan Hospital or Southampton Memorial Hospital for urgent health concerns that cannot be handled onsite at Rivers CI. On average, one to two inmates per month are brought off-site to the emergency room at one of the hospitals listed above. If an inmate’s health is not in immediate danger, then the inmate will be triaged on the next business day to receive care.

An inmate must submit a sick call request in a drop-box to receive medical care. Inmates who appear to be in life-threatening condition are given immediate medical care. Sick calls cost inmates \$2.00 per FBOP policy, and chronic care patients are not to be charged for those visits. During the 2013 inspection, the average wait times were two weeks to see a physician, one week to see a PA, and two to three weeks for X-rays and most other procedures.

Medical care was the most common concern reported by the 65 DC inmates interviewed or contacted by the CIC in 2013. DC inmates reported longer wait and response times and less adequate care at Rivers CI than at FBOP facilities, and several inmates reported denials of treatment for serious medical issues or changes or denials of prescription medication. Serious medical issues that had not received timely care include an individual who waited several years to get hernia surgery, an individual who could not get surgery for a torn ACL, and an individual who could not get a necessary follow-up exam for a surgical procedure he underwent at an FBOP facility. Several DC inmates also reported an inmate death that they believe could have been avoided with timely and appropriate medical treatment, and stated that the inmate did not receive CPR by staff.

Several DC inmates noted issues with medication, including ineffective diabetes medication and receiving Motrin or ibuprofen in place of necessary prescription drugs. Numerous reports commented that the pill line can take multiple hours. One DC inmate reported that the pill line takes so long that he regularly must choose between getting his medication and getting a meal since the pill line is during meal times. In 2016, several DC inmates commented that the pill line wait is still too long and that “distribution of medication is hectic to the point where some just give up.” According to one DC inmate, however, inmates are threatened with an incident report if they do not show up for pill line, resulting in many inmates waiting in sometimes extreme cold or heat for long periods of time.

In 2016, 26 of the 58 DC inmates surveyed were chronic care patients, with nine who reported receiving timely follow-up care and 17 who reported they did not. One DC inmate noted that the

staff lack experience with addressing chronic care issues and emergency situations are often left unaddressed. Another inmate reported that the facility delayed the transfer of a cancer patient whose tumors had spread to other areas, and the inmate died shortly after the transfer. Another inmate indicated that there are “enormous wait times” to see the chronic care doctor, resulting from the facility’s lack of a full-time chronic care doctor. The individual noted that patients have to “start all over again” to explain their case to the temporary doctors instead of receiving continuity of care.

In response to the 2016 survey, DC inmates provided specific examples to support their general dissatisfaction with medical care. Several inmates commented on the unprofessionalism and rudeness of medical staff, and one stated that “they treat us like animals and often express themselves with immature outbursts like sucking teeth, rolling eyes, and sighs.” Several DC inmates commented that the Health Services Department is “very careless in the handling of records and files.” According to one DC inmate, the medical and mental health departments expose medical information to non-medical personnel.

Other concerns reported to the CIC include long waits to have medical equipment replaced (e.g., CPAP masks, knee brace), and one inmate stated that batteries for hearing aids are not provided or replaced in a timely manner.

B. Dental Care

The Dental Clinic is staffed by one dentist, one dental assistant, and one dental hygienist. The dental assistant is available onsite Tuesday through Friday, and the dental hygienist is available onsite twice a week. In 2013 and 2014, the average wait time for routine procedures, such as check-ups and cleanings, and X-rays was two to three weeks. During the 2014 onsite inspection, Rivers CI reported that, on average, the Dental Clinic saw approximately 13 inmates per day.

During the 2013 inspection, one DC inmate stated that he waited more than four months to fix a broken tooth, and another inmate claimed that he was turned away by dental staff and could not get his tooth removed. In response to the 2016 survey, the CIC received concerns from two DC inmates about long wait times to receive dental care. One DC inmate commented that, although it is difficult to schedule dental work, “the dental care is excellent.”

C. Mental Health Care

The Psychology Services Department is responsible for providing comprehensive mental health services. Programs offered by the department include Pathway to Manhood, Doing Time with the Right Mind (DTRM), Stress Management, Anger Management, and Therapeutic Film Group. Rivers CI offers additional substance abuse resources for inmates including psychoeducational classes, a non-residential drug education program, and weekly Alcoholics Anonymous and Narcotics Anonymous meetings.

The suicide prevention program at Rivers CI operates similarly to the FBOP guidelines. An inmate is placed on suicide alert status if there is concern of potential self-harm or harm to others based on written, verbalized, or observed thoughts and behaviors. The inmate will be placed in

one of two isolation cells in the infirmary with a bed, mattress, and blanket. Inmates on suicide alert status are monitored closely, with a male officer outside the door. Camera monitoring is also in place. In 2013, there were 21 suicide alert admissions to the infirmary, with the shortest alert lasting one day and the longest lasting 109 days. Most inmates average from two to seven days on suicide alert status.

During the 2013 and 2014 inspections, a few DC inmates reported concerns about mental health care and inadequate treatment, as well as one DC inmate who stated that the psychologist has a “bad attitude.” In response to the 2016 survey, nine of the 26 DC inmates who required mental health services felt they had adequate access to these services while seven felt they did not. DC inmates who require mental health services commented that there are long wait times to access care, that the department does not readily address trauma and post-traumatic stress disorder (PTSD) issues, and that counseling is unavailable.

Recommendations

5. Recruit additional healthcare professionals to improve medical and dental care and minimize treatment delays.

- Rivers CI has only one dentist, one medical doctor, and one mid-level medical practitioner. With approximately 1,450 inmates and 800 chronic care patients, the facility does not have adequate level of staffing in the Health Services Department. The CIC recognizes the serious challenges faced by the FBOP and its contract facilities to recruit medical health care professionals.⁹ However, the CIC recommends that Rivers CI hire additional physicians and dentists to improve response time, medical follow-up after a surgery or procedure, and overall quality of care.

6. Improve quality of medical care and use performance measures to track improvement.

- The CIC recommends that Rivers CI improve the quality of medical care at the facility, including providing adequate follow-up care and specialty referrals when needed. Medical decisions should be made based on the inmate’s medical need rather than cost. In addition, the CIC recommends that Rivers CI track the number of patients seen by physicians and mid-level practitioners as well as the patient outcomes for each visit. The facility should use this monitoring to assist in improving quality of care and helping identify high-performing and low-performing medical staff.

7. Review medication for inmates with diabetes and have medical staff works with Food Services to implement appropriate diets for those with diabetes.

- Inmates reported poor care for those with diabetes, especially regarding less effective medication and a lack of appropriate food options during meals. The CIC recommends that all patients with diabetes receive quarterly chronic care appointments and that medication be assessed at each appointment. The CIC also

⁹ Office of the Inspector General, U.S. Dep’t of Justice, Review of the Federal Bureau of Prisons’ Medical Staffing Challenges (March 2016).

recommends that medical staff consult with staff in the Food Services department to modify the food served at meals and ensure that appropriate options for diabetic individuals are available at all meals.

8. *Decrease the amount of time that inmates spend waiting for medication in the pill line.*

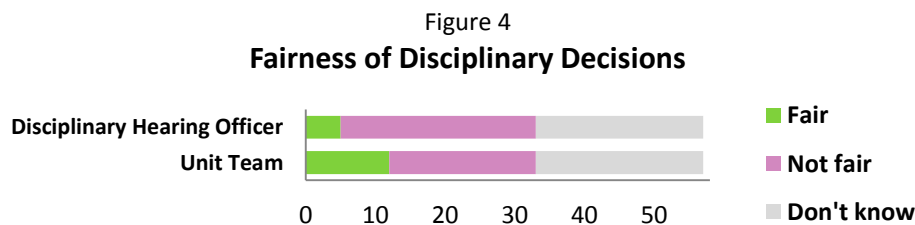
- The CIC recommends that Rivers CI decrease the length of the pill line by increasing the number of medical staff operating the pill line and offering medication at an alternative time to meal times. The CIC also recommends that Rivers CI review its formulary to determine which medications are not susceptible to abuse and then provide up to a 30-day self-carry supply to eligible inmates.

VIII. Discipline and Administrative Remedies

A. Discipline

The Disciplinary Hearing Officer (DHO) adjudicates serious disciplinary infractions. The Chief DHO at Rivers CI is a GEO Group employee trained by the FBOP. Rivers CI uses a “Unit Drop Team” to review incidents before the DHO, and, depending on the severity of an offense, an inmate may not need to go before the DHO. In 2013, DC inmates reported long wait times to see the DHO. During the 2014 inspection, staff at Rivers CI indicated that DHO hearings are held once per week and the average wait time to see the DHO for a hearing is two weeks.

In the 2016 survey, the CIC asked DC inmates about the fairness of disciplinary decisions by the DHO and the unit team (Figure 4). Many cases are first handled by the inmate’s unit team before referral to the DHO. Twelve DC inmates responded that the unit team’s decisions are fair, 21 that they are unfair, and 24 did not know. Five DC inmates responded that the DHO’s decisions are fair, 28 that they are unfair, and 24 did not know.



Rivers CI exercises strict control over the use of incapacitating agents by staff. Mace and pepper spray are kept in the armory, and correctional officers must obtain permission to use them. According to staff, chemicals are used two to three times per year at the facility. At the time of the September inspection in 2013, the CIC did not hear any concerns from DC inmates relating to excessive use of force or incapacitating agents by staff.

9. *Complete routine disciplinary investigations within seven working days of the filing and all other disciplinary investigations within 30 days of the issuance of an incident report (absent compelling circumstances).*

- The CIC received reports from DC inmates who waited long periods of time before seeing the DHO, often spending long periods of time in the Special Housing Unit (SHU) until the disciplinary investigation was completed.¹⁰ The CIC recommends that Rivers CI promptly complete disciplinary investigations to reduce time spent in the SHU by inmates under administration detention. Routine investigations beyond seven days and other investigations beyond 30 days should include documented evidence of compelling circumstances for the delay. The CIC recommends that Rivers CI maintain logs of all investigation and administration detention lengths, and review these logs on a monthly basis to ensure investigations are completely promptly and inmates are released from administrative detention.

B. Administrative Remedy Program

The Administrative Remedy Program at Rivers CI follows the facility's own internal administrative remedy procedures as stated in RCI Policy 12.006.¹¹ The process provides for four levels of review with corresponding filing forms: Facility (Step 1 and Step 2 Forms, reviewed by associate wardens and facility warden, respectively), FBOP Privatization Management Branch (BP-10), and FBOP Central Office (BP-11). At each level, an inmate submits a request or appeal, which is reviewed by GEO staff at the facility or FBOP officials and then either rejected or filed. All requests or appeals must be submitted within specific time frames.

According to data provided by Rivers CI during the 2013 onsite inspection, the most common categories of administrative remedy submissions, also known as "grievances," at Rivers CI from September 2012 to August 2013 were related to medical concerns, food, and complaints against staff. During the September 2013 onsite inspection, the CIC received two concerns from DC inmates regarding the administrative remedy process. One indicated that administrative remedy forms are not available to inmates, and another that there is no response after filing a request.

Approximately 40% of DC inmates who responded to the 2016 survey have used the grievance process at Rivers CI (Figure 5). While the vast majority reported having access to cop outs and sick call slips, 42% of respondents reported that they did not have access to administrative remedy forms. Among all DC inmates surveyed, one reported that informal complaints are treated fairly and one that grievance submissions at the facility level are treated fairly. No DC inmate reported that the grievance appeals process is fair (Figure 6). Reasons given for why they think the administrative remedy process is unfair include that inmates do not receive a response or staff does not investigate complaints ("waste of time"), and that staff protects each other even when they are wrong ("a buddy system").

¹⁰ Long waits in the SHU while awaiting a disciplinary investigation or a DHO hearing are an issue throughout the FBOP. While the FBOP reduced its overall SHU population by almost 25% between 2012 and 2016, the number of inmates in the SHU on administrative detention pending an investigation for disciplinary violation rose 3.45%. See U.S. Dep't of Justice, Report and Recommendations Concerning the Use of Restrictive Housing, Executive Summary (Jan. 2016) ("After extensive study, we have concluded that there are occasions when correctional officials have no choice but to segregate inmates from the general population, typically when it is the only way to ensure the safety of inmates, staff, and the public. But as a matter of policy, we believe strongly this practice should be used rarely, applied fairly, and subjected to reasonable constraints.").

¹¹ Information received from the September 2013 onsite inspection at Rivers CI.

Figure 5
Have you ever used the grievance process at this facility?

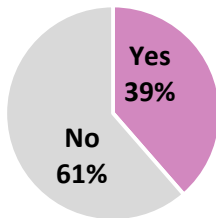
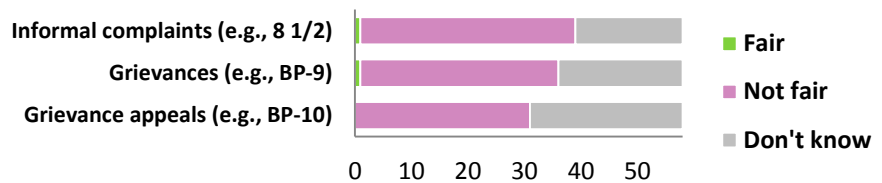
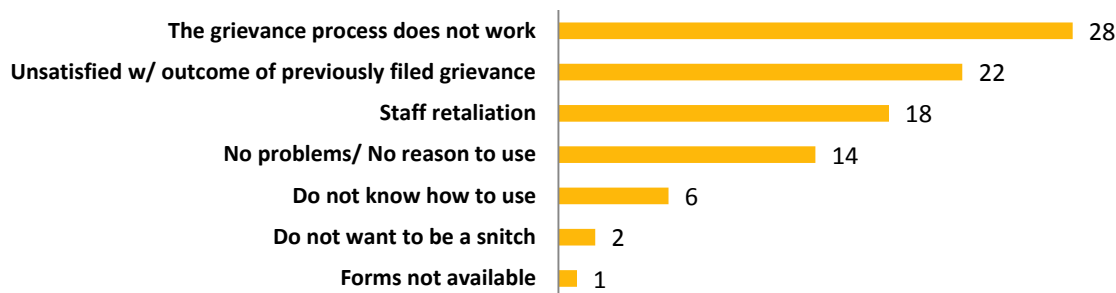


Figure 6
Fairness of Administrative Remedy Process



The CIC also asked DC inmates why they have chosen not to use the grievance process (Figure 7).¹² Half of respondents answered that the grievance process does not work. Twenty-two inmates reported that they have not used the grievance process because they were unsatisfied with the outcome of a previously filed grievance, and 18 abstained from reporting due to staff retaliation. Fourteen of the DC inmates surveyed reported that they have not had any problems and thus had no reason to use the grievance process.

Figure 7
If you have chosen not to use the grievance process, why?



Commentary from respondents regarding discipline and administrative remedies focused on staff retaliation for filing complaints. According to DC inmates, filing grievances results in extra cell shakedowns, general mistreatment, and possible placement in the SHU. One DC inmate stated that he has witnessed officers obstructing the grievance process to retaliate against an inmate for past events. Another inmate attributed the ineffectiveness of the administrative remedy process to staff turnover and lack of training, with new recruits being unfamiliar with the process and not able to respond appropriately.

Recommendations

10. Ensure inmates are able to file grievances, by making forms available, and without retaliation by staff, and enforce a zero tolerance policy for staff retaliation or intimidation with meaningful consequences for staff who violate the policy.

¹² Respondents were able to provide more than one answer to this question.

- A large number of inmates reported to the CIC that staff retaliation and intimidation discourage inmates from using the Administrative Remedy Program. Rivers CI needs to implement a zero tolerance policy for staff members who impede or interfere with the ability of inmates to file grievances or have their grievances redressed.¹³ The policy should include methods for confirming inmate access to the grievance process as well as meaningful consequences for staff who violate the policy. The FBOP should use the onsite FBOP monitors to ensure the policy is implemented and followed at the facility.

IX. Special Housing Unit (SHU)

The SHU, often referred to as segregated housing, is designed to securely separate inmates from the general inmate population.¹⁴ The two categories of Special Housing are administrative detention (AD)¹⁵ and disciplinary segregation (DS).¹⁶ According to FBOP policy, an inmate may be placed in administrative detention for the following reasons:

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

The SHU at Rivers CI is designed to house 130 inmates, and staff informed the CIC that inmates in DS and AD are kept separate from each other. At the time of the 2013 inspection, 109 inmates were in the SHU, representing 84% capacity, with 45 in DS and 64 in AD. The average stay in the SHU was 57 days. At the time, an inmate in the SHU stated he was only housed in the SHU due to overcrowding at the facility. After discussing this situation with the Warden, the Warden agreed that might be the case. As stated in the OIG report on the contract prisons in the FBOP, placing an inmate in the SHU who is waiting for a bed in general population is inconsistent with FBOP policies.¹⁷ At the time of the 2014 inspection, 66 inmates were in the SHU, representing 51% capacity. In both 2013 and 2014, the majority of inmates in the SHU were from DC.

Staff assignments in the SHU are rotated. During the 2014 inspection, the facility reported that medical and mental health staff conducted rounds once a day. The facility further reported that no educational programming classes were available to inmates in the SHU, but that packets were

¹³ Several courts have held that when a prison official's threats or intimidation inhibits an inmate from using the administrative remedy process, the inmate's administrative remedies at the facility are unavailable. See *Turner v. Burnside*, 2009 U.S. Dist. LEXIS 89488; *Tuckel v. Grover*, U.S.D.C. (D. Col.), Case No. 1:10-cv-00215-KLM-MEH; 2012 WL 5904209.

¹⁴ Fed. Bureau of Prisons, U.S. Dep't of Justice, Program Statement No. 5270.10, Special Housing Units (August 1, 2011).

¹⁵ Administrative detention removes an inmate from the general population for "non-punitive" reasons.

¹⁶ Disciplinary segregation is imposed as a sanction for rule violations or other prohibited acts.

¹⁷ Office of the Inspector General, U.S. Dep't of Justice, Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons (Aug. 2016).

available upon request. To receive access to library materials, inmates are required to submit a request to the librarian. The Warden, executive staff, and two onsite FBOP employees hold weekly SHU meetings to review the status of each inmate in the unit. A counselor is also assigned to the unit. Staff at Rivers CI informed the CIC that they work to limit the time each inmate spends in SHU.

Inmates in 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.¹⁸ The facility has two recreation cages for SHU inmates, and low custody inmates are allowed to have recreation together. During the 2013 inspection, inmates in SHU were receiving five hours a week for recreation or less.

Inmates in the SHU under DS are permitted to make one 15-minute phone call per month, and inmates under AD are permitted to make one 15-minute phone call per week. Visitation in the SHU is conducted only through non-contact video visitation.

In 2013, several DC inmates expressed concerns regarding the poor treatment of inmates in the SHU, including a lack of education or programming available. DC inmates also expressed concerns regarding the facility's practice of putting inmates under DS in cells with inmates under AD. Furthermore, the CIC spoke with one DC inmate housed in the SHU under DS who was under 21 years old for four months but did not have access to educational programming. In 2014, several inmates reported that the SHU was "fine." The CIC, however, also heard concerns about an inmate death in the SHU, and a few individuals reported that they were in the SHU for false or exaggerated reasons.

In response to the 2016 survey, over half of DC inmates surveyed have been in SHU at Rivers CI between one and three times, and none have been in SHU more than three times (Figure 9). Of the 29 inmates who reported time spent in the SHU, 65% spent over 30 days in SHU at one time, 7% spent between six and 15 days, and 28% spent between one and five days (Figure 10).

Figure 9
How many times have you been in the SHU at this facility?

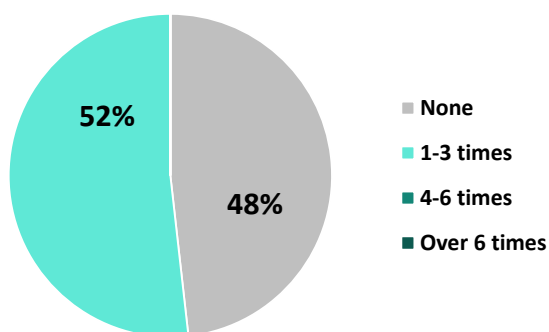
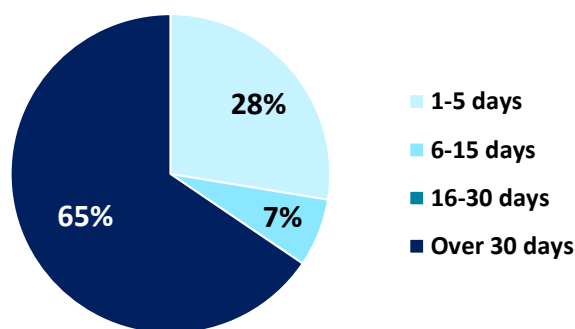


Figure 10
What is the maximum time you have spent in the SHU at one time?



¹⁸ Fed. Bureau of Prisons, U.S. Dep't of Justice, Program Statement No. 5270.11, Special Housing Units (August 1, 2011)

The majority of DC inmates who responded to the survey reported that medical staff conducts regular rounds in SHU, and less than half reported that mental health staff, the Education Department, or the chaplain make regular rounds. The least accessible department was education, with only five DC inmates reporting that the Education Department makes regular rounds. The majority of DC inmates reported access to recreation, the telephone, and writing materials. All inmates reported access to the shower except for one individual, although two inmates commented that the showers are too hot and keep the cells moist with fog. The least accessible resource was library and reading materials, with 12 inmates reporting a lack of access.

The most common complaint from DC inmates regarding the SHU was the general lack of hygiene, particularly with regards to dirty sheets and clothing that cause rashes. According to one DC inmate, inmates in the SHU are given blankets and sheets to cover dirty floors, and the same linens are then given to another inmate. The CIC also received two reports of mold on the walls and one of rust in the water.

Five DC inmates noted that the staff is generally unresponsive and that wait times to see the DHO are long. Inmates also reported that they are unable to sleep in the SHU due to a constantly beeping security system.

Recommendations

11. Verify compliance with FBOP SHU policies on a frequent basis as part of improving the monitoring of Rivers CI compliance with contractual agreements.

- In 2013, an inmate claimed he was in the SHU due to overcrowding, which the Warden agreed might be the case. FBOP policy prohibits use of the SHU for an inmate who is waiting for a bed in general population.¹⁹ According to the Director of the FBOP, all contracts with private prisons prohibit placing an inmate in SHU unless there is a need and policy-based reason to house an inmate in either disciplinary segregation or administrative detention.²⁰ While the BOP reports that the facility has since added 84 beds to general population capacity since 2013, the CIC recommends that the FBOP use onsite compliance monitors to verify compliance with FBOP SHU policies by ensuring that all inmates are placed in the SHU for reasons consistent with FBOP policy.

X. Staff

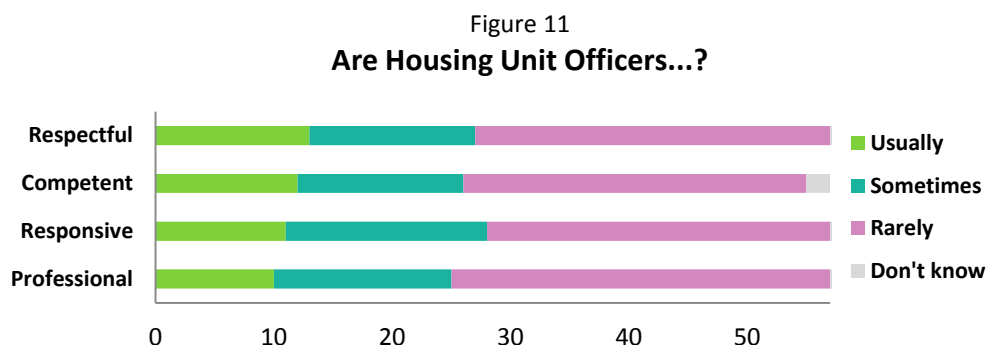
Staff conduct towards inmates is a serious concern at Rivers CI. In 2013, the CIC received dozens of reports of inappropriate staff conduct, including disrespectful comments and attitude, unresponsiveness, and inadequate training. In 2014, the CIC received even greater concerns with staff conduct. In addition to reports of unit team and other staff members being poorly trained

¹⁹ Office of the inspector General, U.S. Dep't of Justice, Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons (August 2016).

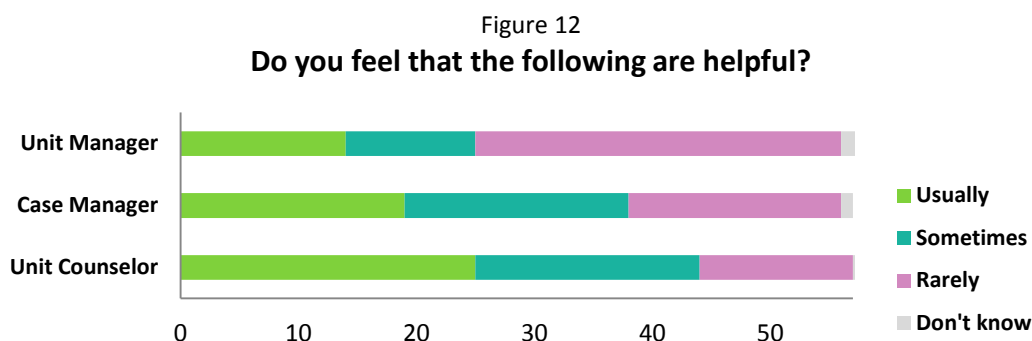
²⁰ Id.

and unwilling to assist inmates, the CIC also received reports of staff retaliation for filing grievances, including one DC inmate who believed he was falsely sent to the SHU.

In response to the inmate survey in 2016, the CIC received mostly negative feedback from DC inmates about the staff at Rivers CI. Over half of respondents indicated that housing unit officers are “rarely” respectful, competent, responsive, or professional (Figure 11).



DC inmates were also asked about the helpfulness of their unit manager, case manager, and unit counselor. The unit counselor received the most positive feedback, with nearly all respondents rating helpfulness as “usually” or “sometimes.” DC inmates rated their case managers as the second most helpful, and over half of all respondents reported that the unit manager is rarely helpful (Figure 12).



In response to the 2016 survey, nearly half of all DC inmates who responded had been harassed, threatened or abused by staff. Comments from DC inmates regarding staff focused heavily on staff’s unwillingness to help inmates and lack of professionalism. One DC inmate described staff as “rude, standoffish, and inconsiderate,” and another stated that officers fail to intervene when there is a possibility of physical confrontation. DC inmates reported staff retaliation when inmates file grievances, and one DC inmate stated that staff threatens inmates with SHU “over everything.” Several DC inmates also expressed dissatisfaction with the female staff who “do not know how to talk to grown men.” The CIC also received reports that the facility has high turnover and is understaffed as a result.

Several DC inmates noted positively that certain staff members are more helpful than others. For instance, one respondent indicated that the unit team is good, but that the officers are “extremely

unprofessional.” Another noted that staff is “50/50” such that the facility has both “great” and unprofessional officers.

Recommendations

12. Increase staff training on effective forms of communication and cultural sensitivity, and include these topics in annual training for all staff members.

- Based on the reports of disrespectful and inappropriate communication by staff members, the CIC recommends that all staff members receive training on effective and respectful communication, which will decrease tension and increase institution safety.

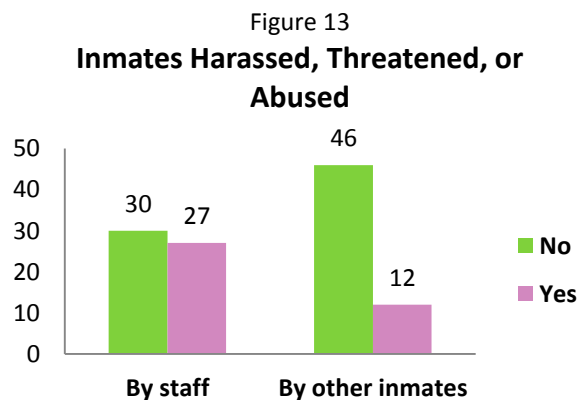
13. Monitor staff conduct towards inmates and hold staff members accountable for inappropriate comments and conduct.

- The CIC recommends that executive staff monitor treatment towards inmates, including holding staff members accountable for inappropriate conduct, and mandating refresher trainings on effective communication and cultural sensitivity.

XI. Institutional Safety

DC inmates have reported major concerns about their safety at Rivers CI, especially regarding racial tensions with Spanish-speaking inmates. In 2013, the CIC received reports of increasing racial tension between Black and Hispanic inmates, especially caused by a perceived favoritism towards Hispanic inmates regarding jobs, food, and recreation. The new soccer field that was under construction was seen as “not for everyone” since inmates were told it could only be used for soccer. In 2014, the CIC received additional reports about racial tension, specifically that jobs were unfairly given to Hispanic inmates.

In response to the 2016 survey question of whether one had been harassed, threatened or abused by another inmate, 12 inmates responded “yes,” and 46 responded “no” (Figure 13).²¹



The top three types of staff harassment reported in 2016 were insulting remarks, discrimination due to DC residency status, and discrimination based on race or ethnic origin (Figure 14). Ten DC inmates indicated that they have reported harassments, threats, or abuse by staff, but none were satisfied by how the reports were handled. The top three types of harassment by other inmates were insulting remarks, discrimination based on race or ethnic origin, and physical abuse (Figure 15). Of the five DC inmates who reported these incidents, only one was satisfied with the outcome.

²¹ There was one “no response” to this question regarding staff conduct, and so there are 57 responses, as opposed to 58 responses regarding inmate conduct.

Figure 14 Types of Staff Harassment	
TYPE	#
Insulting remarks	24
DC residency status	9
Race or ethnic origin	9
Religion/religious beliefs	7
Sexual orientation	3
Physical abuse	2
Offense/crime	2
Sexual Abuse	1
Gang related issues	0
Other	4

Figure 15 Types of Inmate Harassment	
TYPE	#
Insulting remarks	9
Race or ethnic origin	6
Physical abuse	5
DC residency status	4
Religion/religious beliefs	3
Offense/crime	2
Sexual orientation	1
Sexual Abuse	1
Gang related issues	1
Other	0

Multiple DC inmates reported that staff members are not well-trained on how to handle institutional safety issues. According to several DC inmates, officers often do not observe and sometimes blatantly ignore inmate-on-inmate assaults, which allow these incidents to quickly escalate. DC inmates indicated that they fear reporting instances of abuse because of potential retaliation from both staff and inmates. According to three DC inmates, staff will expose inmates' complaints to the general population, which puts inmates who report abuse at risk.

Regarding other inmates, DC inmates focused on racial tensions between Black and Hispanic inmates. Inmates from DC reported often feeling marginalized and discriminated against in a facility they perceived to be geared towards housing Immigration and Customs Enforcement (ICE) detainees. One DC inmate stated that "there will be a race riot" because "signs are already here," and another DC inmate reported that Rivers CI is a "time bomb waiting to explode and when it does, DC inmates being the minority will be the worst of the outcome." One example of tension is Hispanic inmates dominating recreational space and equipment, leaving inmates from DC with few options for activities. In some cases, these clashes lead to the recreational yards being shut down.

As for sexual abuse, the majority of inmates were aware of how to report incidents to staff, to outside service agencies or rape crisis centers, and through hotlines. Less than half knew how to report through family members or anonymously. Approximately 23% responded that they were not told how to report sexual abuse. Several inmates reported that female staff members pat down male inmates and sometimes inappropriately touch them.

Numerous inmates reported to the CIC that a large amount of contraband is at the facility, including knives, tobacco and other drugs, and cell phones. In 2014, the CIC also received three reports of handguns being found in a warehouse shipment. These reports by DC inmates align with the OIG's findings in 2016, where they stated that Rivers CI had the highest incidents per capita of contraband finds (excluding cell phones), inmate assaults on staff, uses of force, guilty

findings on inmate discipline cases, inmate grievances, positive drug tests, and inmate-on-inmate sexual misconduct, and the lowest rate of phone monitoring among the FBOP contract prisons.²²

A common report made by DC inmates is that Rivers CI is not operated as a low security institution. For instance, DC inmates cited locked doors, controlled movement, separated recreational times, barbed wire fencing, and gun towers as more resembling high security institutions. During the 2013 inspection, approximately 97% of the inmates at Rivers CI had a low security classification, while only 0.1% of the inmates had a high security classification. At that time, more than a dozen DC inmates expressed concerns regarding Rivers CI being run as a high or medium security facility. In 2016, the CIC received a similar number of concerns.

Recommendations

14. Facilitate improved relations between Black and Hispanic inmates to reduce racial tensions.

- DC inmates reported many concerns regarding racial tension and disparate treatment between Black and Hispanic inmates at Rivers CI. The CIC recommends that facility staff take steps to reduce animosity between different racial and ethnic groups, including fostering discussion between groups and leaders and ensuring the needs of all inmates are met. Staff should ensure that DC inmates are provided the same opportunities for employment as other inmates at the facility through more transparent job placement practices. Staff should also ensure that DC inmates have the same recreational opportunities as other inmates, including access to sports fields.

15. Adjust security measures at Rivers CI to operate the facility at a low security level.

- The FBOP program statement on security designation indicates that a low security facility should have strong programming and work components. Numerous DC inmates have spent years at higher security levels working toward designation at a low security facility to increase participation in programming, institutional freedom, and employment opportunities. As of 2016, approximately 60% of inmates at Rivers CI will be released to the community within two years, with 45% released within 12 months. Inmates who will be released within two years require a low security setting to ensure they are provided the skills and release planning needed for successful reentry into the community. The CIC recommends that Rivers CI take steps to provide the programming and atmosphere of a low security facility while maintaining a safe and secure facility as done in FBOP-operated institutions.

²² Office of the Inspector General, U.S. Dep't of Justice, Review of the Federal Bureau of Prisons' Monitoring of Contract Prisons (Aug. 2016).

XII. Reentry

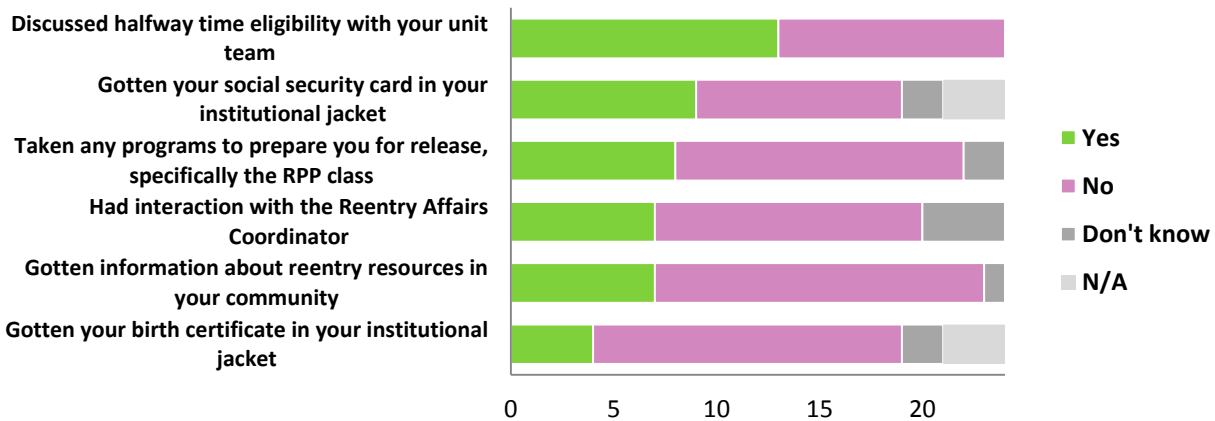
At Rivers CI, the Release Preparation Program (RPP) class is ten hours long and consists of topics that include health, nutrition, employment, personal finance, community skills, community resources, other information resources, release requirements and procedures, and personal growth. Rivers CI also facilitates the process by which an inmate is able to obtain a Social Security card prior to release pursuant to an FBOP agreement with the Social Security Administration. Additionally, Rivers CI participates in the Community Resource Day for DC inmates in FBOP custody that is presented quarterly by the Court Services and Offender Supervision Agency for the District of Columbia (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 inmates who are within 90 days of release. On April 17, 2017, the facility invited returning citizens from several DC organizations to discuss reentry with returning DC residents who are within 18 months of release. Some of the topics that were discussed included resources for housing, education, mental health, and other resources.

In 2013, three DC inmates reported to the CIC that they wanted a transfer to be able to participate in more programming at other facilities, and three other inmates reported concerns with DC inmates not receiving halfway house time. In 2014, four inmates reported concerns about not being able to receive a transfer or halfway house time, including two inmates who were denied due to a detainer (therefore, likely ineligible for halfway house placement). The CIC also received two concerns from DC inmates about not being able to see the United States Parole Commission (USPC) on time.

In 2016, 24 of the DC inmates who responded to the survey were within 18 months of release. Over half of these inmates have discussed halfway time eligibility with their unit teams, and nine have taken RPP classes. For vital documents, 11 have Social Security cards, and four have birth certificates. Nine have interacted with the Reentry Affairs Coordinator, and nine have received information about reentry resources in DC (Figure 16).

Figure 16

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



The majority of these DC inmates reported knowing how to obtain education, employment, food, medical care, drug treatment, and state identification after release. Less than 30% knew how to obtain housing, therapy, or disability assistance (SSI/IDA).

Recommendations

16. Prioritize efforts to secure a minimum of six months of halfway house time for all eligible DC inmates.

- Halfway houses, also known as Residential Reentry Centers (RRCs), are a critical part of successful reentry because they provide individuals with the opportunity to return to their communities prior to release. The CIC recommends that Rivers CI prioritize efforts to secure a minimum of six months for each eligible individual and work to remove barriers to halfway house time for individuals who are not currently eligible.

17. Establish a standardized curriculum for the Release Preparation Program (RPP) consistent with FBOP facilities.

- According to the FBOP Reentry Services Division, RPP is developing a standardized curriculum. The CIC recommends that the FBOP establish a standardized curriculum for the RPP across all FBOP facilities and contract prisons to ensure inmates are adequately prepared for reentry.

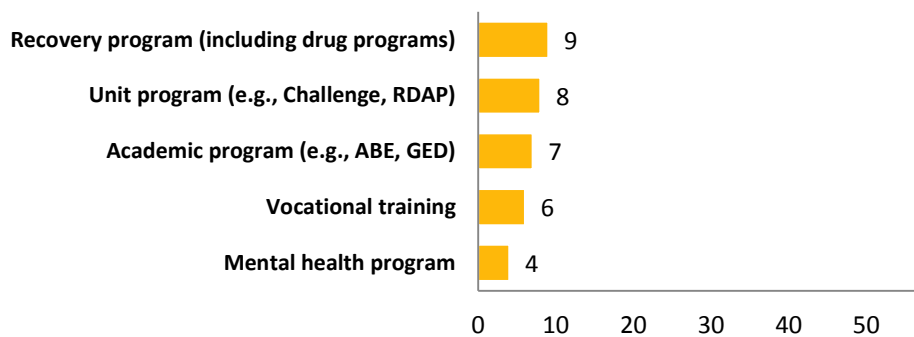
XIII. Employment, Education & Vocational Programming

Rivers CI offers onsite computerized GED testing and a range of academic programs, including a special adult learning program for Mexican nationals. Although the facility was in the process of expanding programming opportunities in 2013, the CIC continues to receive reports from inmates of insufficient opportunities for educational and vocational programming as well as employment. DC inmates also continue to report favoritism towards Spanish-speaking inmates for both programming and employment.

In 2016, nearly three in four DC inmates who responded to the survey indicated that they have a job at Rivers CI. Participation numbers are reportedly much lower in other areas, based on surveys from 58 inmates (Figure 17).²³

²³ Further details on RDAP and other mental health and drug treatment programs are provided in the “Health Services” section of this report. Information in this section on these programs is for comparative purposes.

Figure 17
Inmate Participation in Education and Programming



DC inmates reported that it was most difficult to receive vocational training or a job at the facility and least difficult to enroll in an academic program (Figure 18). DC inmates reported low levels of satisfaction across these different areas, with recovery and mental health programs rated the highest and vocational training rated the lowest (Figure 19). Respondents commented that the quality of programming is low, that programs are understaffed, and that participation in these programs does not actually help inmates upon release.

Figure 18
Difficulty of Access (ranked in order)

TYPE	Difficulty Rating (highest = 4)
Vocational training	2.38
Job	2.38
Mental health program	2.31
Unit program	2.27
Recovery program	2.20
Academic program	2.03

Figure 19
Satisfaction (ranked in order)

TYPE	Satisfaction Rating (highest = 4)
Recovery program	2.09
Mental health program	2.09
Job	2.04
Academic program	2.00
Unit program	1.88
Vocational training	1.75

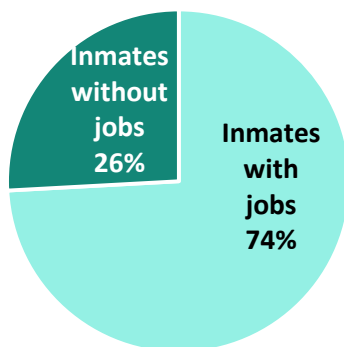
A. Employment

Inmates at Rivers CI contribute to Wheels for the World, a Christian nonprofit organization that collects used wheelchairs and refurbishes them for distribution to developing countries. Through the program, around 16 to 17 inmates help refurbish wheelchairs and ship them to a regional distribution center in Charlotte, North Carolina. Participation is considered a job assignment. Preference is given to inmates with a GED or high school diploma, and they are paid \$0.40 an hour. If an inmate does not have his GED or high school diploma, his pay is restricted, as per policy.

During the onsite inspections, the CIC heard concerns from DC inmates that the facility gives “all the good jobs” to Hispanic inmates. Two DC inmates also reported that they were being paid far less at Rivers CI than at other FBOP facilities.

In response to the 2016 survey, approximately 74% of DC inmates had jobs at the facility (Figure 20). Several DC inmates noted that they were still waiting to receive a job. Those who have jobs commented that the pay is too low and that certain jobs are forced on inmates, such as those in the kitchen. When the CIC was at Rivers CI in December 2016, DC inmates stated that every inmate is forced to serve 90 days working in the kitchen, even if they are elderly or sick, and that they are not provided with the policy statements that staff says mandates this work.

Figure 20
DC Inmate Employment



B. Education

During the 2014 onsite inspection, Rivers CI had 14 teachers and offered three education curriculum levels (elementary, pre-GED, and GED). In January 2014, Rivers CI transitioned from its GED testing partnership with Roanoke Chowan Community College to onsite electronic testing to comply with the transition to computer-based testing for the national GED program. The Education Department has its own Pearson-Vue Testing Center., and all official GED testing is completed under the supervision of an onsite Testing Coordinator. The facility has 12 computers available for GED testing; and the facility also offers GED classes in Spanish. During the 2014 inspection, CIC was informed that inmates would have to pay a \$6.00 fee for each computerized GED test attempt. The BOP has since reported that the facility has never charged inmates any fee for any computerized GED test or practice.

During the 2014 inspection, staff stated they work one-on-one with inmates with special education needs. Staff further indicated that there were currently no inmates who required Individualized Education Program (IEP).

Rivers CI offers classes for English as a Second Language (ESL) classes, Life Skills, and computer skills. At the time of the 2014 inspection, six inmates were enrolled in college

correspondence courses, five of whom were from DC. Staff indicated that inmates have difficulty obtaining access to college courses because of the cost.

In June 2014, Rivers CI began partnering with the Mexican Consulate of Raleigh, North Carolina to bring the National Institute for Adult Education (INEA) onsite. This program provides resources to promote and operate educational services for Mexican nationals.

In 2013, nine DC inmates reported concerns about education, particularly regarding the lack of education programming and the low quality of educational opportunities available. DC inmates stated that the Education Department staff was unproductive and that the facility does not provide educational services to inmates with special education needs. In 2014, one DC inmate expressed the need for more college level courses for inmates.

In response to the 2016 survey, DC inmates commented that few education opportunities are offered other than GED classes and that college courses should be offered, such as through a partnership with a local community college. According to one DC inmate, the instructors at the facility are not helpful, and inmate tutors are instead the ones helping inmates succeed with their education. Another DC inmate commented that there are no educational opportunities in the SHU. One DC inmate stated that he received his GED at Rivers CI and that the education program is good.

C. Vocational Programming

Rivers CI offers limited opportunities for vocational programming, which is a common concern reported by DC inmates. Although the facility offers a construction program developed specifically for DC inmates, the facility has also discontinued several programs in recent years.

During the 2013 inspection, staff at Rivers CI discussed a construction program developed specifically for DC inmates, and focused on teaching skills in masonry, plumbing, wall construction, roofing, and flooring. The construction program at Rivers CI was certified by the National Center for Construction Education (NCCER), an independent construction standards certification organization. DC construction companies have hired several inmates from this program. At the time of the 2013 inspection, the class was full and inmates were on a waiting list to participate.

Rivers CI offers a Commercial Driver's License (CDL) course which includes book work and time practicing with a simulator of a Commercial Vehicle. The course lasts two months and results in a CDL Certification. Individuals do not have to have a GED to qualify for the course.

In recent years, Rivers CI has discontinued HVAC (Heating, Ventilation, and Air Conditioning) training as well as several other vocational programs. From 2004 to 2009, Rivers CI offered inmates instruction in HVAC through a partnership with Roanoke Chowan Community College. Due to changes in North Carolina legislation, Roanoke Chowan Community College was forced to issue a statement that they will no longer be able to provide instruction at Rivers CI in any format that is not self-supporting, which would raise tuition to a rate only affordable by a low number of inmates. As a result, the program was cancelled.

The CIC received a large number of concerns from DC inmates regarding a lack of programming at Rivers CI. During the onsite inspections, many DC inmates focused on the lack of programs that help inmates with successful reentry and employment upon release. Several DC inmates requested transfers to facilities where more programming is available. DC inmates also reported that the programming at Rivers CI is worse than at FBOP-run facilities.

In response to the 2016 survey, DC inmates also commented on the lack of vocational programming opportunities. Individuals stressed the need for certification programs such as welding, HVAC, electrical, and plumbing that will increase their chances of employment upon release. According to one DC inmate, the classes are “not up to par with federal facilities.” Another DC inmate reported that inmates in the construction classes are simply watching videos and wasting much of the time. In December 2016, an inmate reported that he was having problems getting the certification card after completing the construction program at Rivers CI.

Recommendations

18. Ensure that computerized GED testing fee for inmates remain waived.

- In 2014, Rivers CI transitioned to computerized GED testing. In 2014 staff stated that each computerized GED test would cost \$6.00, and that this fee would be covered by the inmate. However, BOP reports that the facility has not charged inmates this fee. Given that education is a major factor in reducing recidivism, the CIC recommends that Rivers CI continues to waive the \$6.00 GED testing fee to ensure that the fee does not become a barrier to inmates receiving their GED.

19. Improve quality of educational programming and provide special education services.

- Inmate feedback at Rivers CI shows the need for increased educational opportunities offered by the Education Department. The CIC recommends that Rivers CI expand the number of education programs available. The CIC recommends that Rivers CI expand special education services to inmates who may require assistance beyond the standard pre-GED and GED classes.

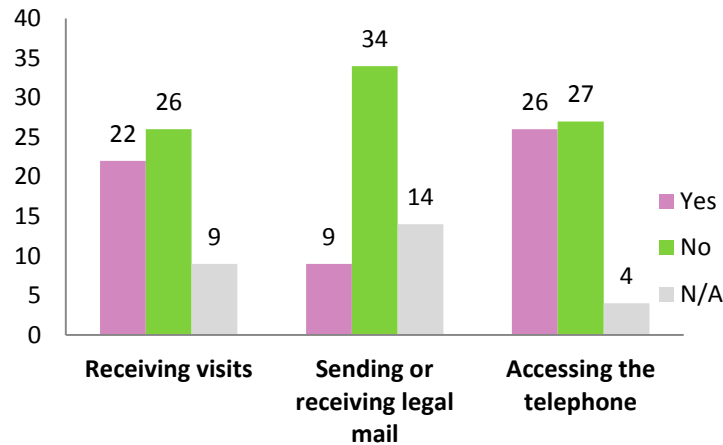
20. Increase vocational training programming opportunities.

- Rivers CI offers few vocational training programs, which was exacerbated by the discontinuation of HVAC training and other vocational programs. The CIC recommends that Rivers CI introduce additional vocational programs to provide at least 50% of the population the opportunity to enroll in vocational training each year.

XIV. Visitation & Communication

Rivers CI is the closest FBOP facility to DC and has a free bus service to family members of DC inmates. During the onsite inspection, many inmates commented positively on the distance and

Figure 21
Problems with Visitation and Communication



bus service, as well as on a program called Hope House that connects children with their incarcerated parents. Many inmates, however, noted that a visitor drug screening practice discourages visitation and also expressed concerns about the lack of access to email at the facility.

In response to the 2016 survey, DC inmates expressed varying levels of difficulty regarding visitation and communication. Accessing the telephone was the most difficult, followed by receiving visits, and then sending or receiving legal mail (Figure 21).

A. Visitation

Visiting hours are Thursday to Sunday from 8:30 AM to 3:00 PM. On visiting days, Rivers CI provides a free bus service from DC to family members of DC inmates, which is paid for by GEO. The bus leaves Union Station in the early morning and returns from the facility late that same evening. The bus service is free and has no limit on the number of times that family members can use the service.

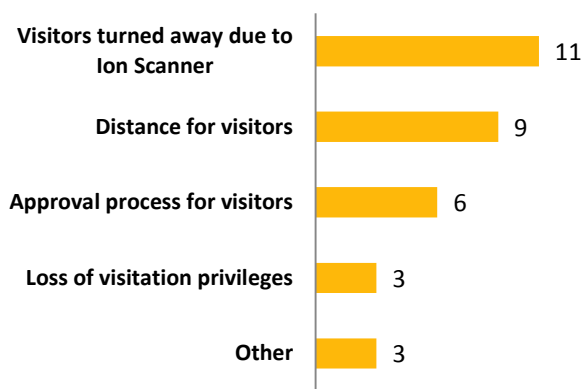
Rivers CI also has a working relationship with Hope House, a nationally-recognized nonprofit organization that focuses on strengthening connections between incarcerated DC fathers and their children. Hope House provides teleconferencing equipment four days a week that allows inmates to communicate with their children. Inmates may also record themselves reading bedtime stories, and Hope House mails the book and recording to the inmates' children. Over 10,000 stories have been read to children through the program.

Every summer, Hope House holds a four-day summer camp at Rivers CI to connect fathers with their children in person. The summer camp runs from Sunday to Wednesday, and 15 children

participate each year. Hope House counselors guide the families through activities such as arts and crafts, music, games, drama, and creative writing. Additionally, Hope House conducts activities and classes for Black History Month each year. Hope House noted that the organization receives great support from the staff and administration at Rivers CI.

In response to the 2016 survey, the most common problem with visitation was the Ion Spectrometry Device (Ion Scanner), which tests for contact with illegal substances. Prior to 2016, the CIC heard several reports from both DC inmates and their family members in DC that visitors were being turned away due to false positives from the Ion Scanner. In 2016, nearly 20% of the 58 DC inmates surveyed indicated that they had visitors turned away due to positive drug screening tests on the Ion Scanner (Figure 22). According to reports received from DC inmates and their families, the Ion Scanner is highly sensitive and detects not only drugs but also non-illegal substances such as inhalers. Individuals are not permitted to be retested after an initial positive alert, and a positive alert remains on a visitor's record indefinitely. In some cases, young children and infants are turned away because they test positive for illegal substances. One DC inmate stated that his family has reduced visits due to the "unpredictable Ion Scanner" that causes them "anxiety and stress."

Figure 22
Types of Visitation Problems



Other problems with visitation included the distance for visitors, the approval process for visitors, and loss of visitation privileges. One DC inmate reported that visitation can be cut short due to overcrowding.

B. Communication

1. Mail

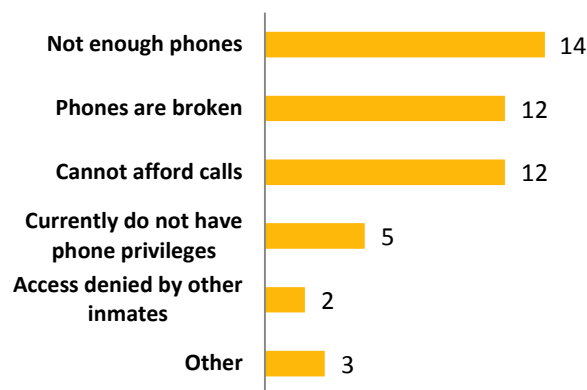
During the onsite inspections, DC inmates reported that mail was frequently returned instead of being delivered to them. In response to the 2016 survey, nine inmates said they had problems with sending or receiving legal mail, while 34 said they did not. One DC inmate stated that approximately 60 DC inmates sent mail to Congresswoman Eleanor Holmes Norton, but all were returned un-mailed 30 days later because the facility never sent out the complaints.

2. Telephones

Phones are located within the housing units. During the 2013 onsite inspection, Rivers CI charged a flat \$5.00 fee for a 15-minute phone call that was assessed regardless of call duration. In February 2014, Rivers CI replaced this policy with a new rate of \$0.21 per minute for prepaid calls and \$0.25 per minute for collect calls.

In 2016, the most common problems identified by DC inmates regarding the telephone were not enough phones, broken phones, and being unable to afford calls (Figure 23). One DC inmate noted that it took 15 days to add a phone number to his call list, and another inmate reported that phones are so close together that inmates can hear each other's conversations. One DC inmate reported that the phone is difficult to access in the SHU because requests may "disappear."

Figure 23
Types of Phone Problems



3. Email

Unlike FBOP-operated facilities, Rivers CI does not provide inmates with access to email. The Warden responded to a CIC inquiry in 2014 by stating that the facility is not contractually required to have the TRULINCS email system, which is available in all FBOP-run facilities. During the onsite inspections, numerous inmates reported concern over the lack of email access, including the negative effect on their ability to both communicate with their families and prepare for reentry into the community. In response to the 2016 survey, inmates continued to note the lack of email and its effect on their ability to communicate with their family and loved ones. One inmate stated, "I feel dead to the world with no computer to get information or to communicate."

4. Attorney Client Communication

As stated in the "GEO – Rivers CI Programs Department Overview 2013," legal correspondence from attorneys is treated as "Special Mail" if the envelope is marked "Legal Mail To Be Opened Only In The Presence Of The Addressee," contains the attorney's name in address, and indicates that the attorney is an attorney such as through the use of the title "Esq." In order to visit, attorneys are required to make an appointment in advance through Unit Management staff. Attorney visits will be subject to visual monitoring but not audio monitoring. While the transfer of legal

material from an attorney to an inmate is permitted, it is subject to an inspection for contraband.

In response to the 2016 survey, DC inmates indicated that legal mail is often opened prior to receipt and that staff often retaliates against inmates by sending their mail to the wrong places. One DC inmate reported that his unit team would not allow him to make legal calls. The CIC also received a report in 2016 from a DC inmate that staff remained in the room during a confidential legal call with the inmate's attorney.

Recommendations

21. Implement FBOP procedures on use of the Ion Spectrometry devices to reduce use of false positives in denial of visitation.

- DC inmates and visitors continue to report false positive drug tests from the Ion Scanner at Rivers CI. The CIC recommends that Rivers CI adhere to the FBOP program statement on Ion Spectrometry devices (PS 5522.02), including implementing a separate, confirmation test after an initial positive alert and allowing for an appeal process after a confirmed positive test result.²⁴ The FBOP policy also provides for operational and maintenance requirements. The CIC also recommends that Rivers CI implement pat downs to verify confirmed positive test results. Given concerns over Ion Spectrometry devices by the U.S. Department of Justice's National Institute of Justice, this additional safeguard would help evaluate the continued use of the device at the facility.²⁵

22. Arrange with the FBOP to bring CorrLinks into the facility as a secure email system for inmate use.

- Communication with loved ones and a connection to the community are an important part of successful reentry. All general population inmates in FBOP-run facilities have access to email through CorrLinks, the email server on the TRULINCS software platform used in FBOP facilities. Although not contractually required, the CIC recommends that Rivers CI work with the FBOP to implement CorrLinks at the facility. The CIC also recommends that the facility acquire sufficient computers to enable reasonable inmate use.

23. Ensure that legal mail is treated as Special Mail by staff and opened only in the presence of the inmate.

- DC inmates have indicated that legal mail is opened prior to receipt by the inmate. In accordance with the facility's policy, staff should ensure that legal mail is treated according to "Special Mail" procedures and opened only in the presence of the inmate.

²⁴ Fed. Bureau of Prisons, U.S. Dep't of Justice, Program Statement No. 5522.02, Ion Spectrometry Device Program (April 1, 2015).

²⁵ The agency issued a report evaluating contraband drug detectors and found the technology cannot distinguish between two different substances composed of ions with a similar size and mass, leading to false positives from harmless substances such as perfumes and body lotions. National Institute of Justice, U.S. Dep't of Justice, NIJ Guide 601-00, Guide for the Selection of Drug Detectors for Law Enforcement Applications (2000).

XV. DC Specific Issues

During both onsite inspections, interviews with DC inmates indicated worse treatment of DC inmates compared to the treatment of other inmates. In particular, DC inmates reported favoritism towards Hispanic inmates and racial discrimination against DC inmates, who are mostly African American. DC inmates also reported a lack of interest in helping inmates from DC (“DC inmates don’t matter”). According to one DC inmate, “When anything goes wrong, staff points at DC inmates.” Another inmate noted that the education and other programming provided at Rivers CI do not help DC inmates when they are released.

In response to the 2016 survey, DC inmates were nearly unanimous in expressing their desire to move closer to home if given the opportunity. The overwhelming majority cited being able to see family as the primary reason for wanting to move, as visitation will allow family bonds to stay intact during an inmate’s incarceration. Another key reason for wanting to move closer to DC is the ability to access better reentry resources, such as those for employment and housing. Several DC inmates noted that simply being moved out of the private prison system would be sufficient, including one DC inmate who stated that “location is not as important as returning back to the federal system.”

The vast majority of survey respondents stated that staff treats DC inmates worse than other inmates (Figure 24). When asked whether DC inmates are treated better or worse by other inmates, a majority reported equal treatment (Figure 25).

Figure 24

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

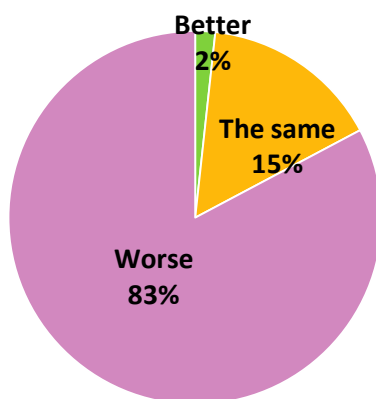
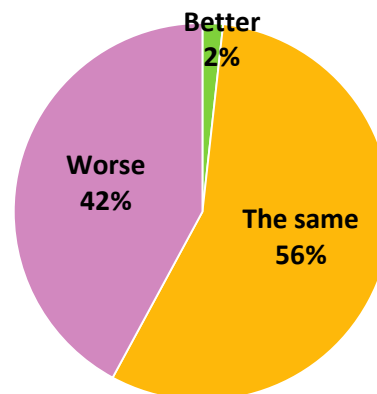
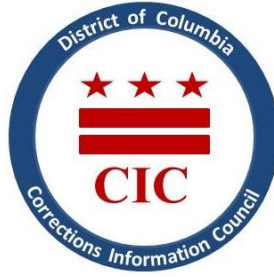


Figure 25

Compared to other inmates, how are DC inmates treated by other inmates?



DC inmates reported that they are stereotyped by both staff and other inmates, including one inmate who stated, “DC inmates are carrying a stigma of being liars and the worst of the worst.” Race was also cited as a major reason for discrimination. Since inmates from DC are almost entirely Black and the rest of the Rivers CI population is largely Hispanic, DC inmates believe they are often passed over for institutional jobs and unable to access the same resources, such as recreational equipment. A few inmates have reported that the discrimination and racial tensions continue to grow worse over time.



**District of Columbia
Corrections Information Council**

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



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20534

JUL 27 2017

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

Dear Ms. Bonner,

This letter is in response to the draft inspection report received on June 28, 2017, regarding the visit on September 26-27, 2013, and September 24, 2014, and survey conducted in the summer of 2016 at the Rivers Correctional Institution. The Rivers Correctional Institution is a privately owned and operated correctional institution contracted by the Bureau of Prisons to house federal inmates. The Bureau of Prisons (Bureau) recognizes the value of the Corrections Information Council (CIC) inspections of its facilities and the voice it provides the D.C. Superior Court inmates. The Bureau forwarded your draft report to the contractor who has provided the following response:

Recommendations by CIC: Provide a Halal religious diet that accommodates religious dietary restrictions. In 2013, 2014, and 2016, DC inmates reported that the religious diets offered at Rivers CI do not include Halal meals and that Muslim inmates are unable to receive the Kosher diet, which would comply with the dietary restrictions of their faith. The CIC recommends that Rivers CI provide certified Halal diets to inmates with religious dietary restrictions or otherwise make available meals to Muslim inmates that satisfy Halal standards in accordance with the Religious Land Use and Institutionalized Persons Act (RLUIPA).

Response: The general menu at Rivers Correctional Institution (RCI) meets the dietary requirements for Islam, as it does not contain any forbidden (Haram) foods. The first of the basic principles differentiating Halal from Haram is that "everything is Halal unless explicitly forbidden (Dr. Yusuf Al-Qardawi, The Muslim Standard, 1977)." Muslims are enjoined by their religion to abstain from eating certain foods. This is in the interest

of health and cleanliness, and in obedience to God. In the Qur'an (2:173, 5:3, 5:90-91, 6:145, 16:115), the following foods and drinks are strictly prohibited by God (haram):

- dead meat (i.e. carcass of an already-dead animal)
- blood
- flesh of swine (pork)
- intoxicating drinks
- meat of an animal that has been sacrificed to idols
- meat of an animal that died from strangulation or blunt force
- meat from which wild animals have already eaten

The RCI Menu does not contain any of these items and meets the equivalent of Halal.

Recommendations by CIC: Allow restroom access on the recreation yard. No restroom is available to inmates on the recreation yard. The CIC recommends Rivers CI provide a restroom for use by inmates on the recreation yard so that inmates can most fully utilize their recreation time.

Response: On March 6, 2017, the RCI Building Schedule was adjusted for Recreation yard #1 adding ten-minute restroom breaks every half-hour. This allows inmates the opportunity to return to their units for bathroom breaks. Recreation Yard #2 has an existing inmate restroom area.

Recommendations by CIC: Increase quality and quantity of inmate meals. Rivers CI spends a lower amount per average inmate meal than other facilities inspected by the CIC, and DC inmates consistently reported food as one of the largest concerns at the facility. The CIC recommends Rivers CI improve the quality of food provided, provide an increase in the quantity of meals, and provide more variety in food offerings. The Federal Bureau of Prisons (FBOP) has a national menu for its facilities; Rivers CI can use that as a guide.

Response: The Master Menu/Regular Diets have been planned and are referenced in accordance with the Food Plate created by the U.S. Department of Agriculture and the U.S. Department of Health and Human Services Dietary Reference Intakes. All Master Menus/Regular Diets have been analyzed to ensure nutritional adequacy. RCI's Diet for Health Menu was developed to meet the requirements for a diabetic diet. All portion sizes are served as specified on the menu. The menu is reviewed annually by a

qualified Dietitian to ensure that they meet nationally recommended allowances for basic nutrition. Additionally, RCI offers the population an all you can eat rice and bean bar as well as the all you can eat salad bar for both the lunch and dinner meals.

Recommendations by CIC: Recruit additional healthcare professionals to improve the medical and dental healthcare at Rivers CI and to minimize treatment delays. Rivers CI has only one dentist, one medical doctor, and one mid-level medical practitioner. With approximately 1,450 inmates and 800 chronic care patients, the facility does not have adequate level of staffing in the Health Services Department. The CIC recognizes the serious challenges faced by the FBOP and its contract facilities to recruit medical health care professionals. However, the CIC recommends that Rivers CI hire additional physicians and dentists to improve response time, medical follow-up after a surgery or procedure, and overall quality of care.

Response: The current RCI Staffing Plan calls for one Doctor (MD), one Physician's Assistant (PA), and one Dentist. This approved staffing model for the Health Services Department is based on a population of 1,450 inmates. As of June 2016, RCI was fully staffed with a full time MD, PA, and Dentist. Scheduled appointments follow the FBOP clinical practice guidelines for chronic problems and dentistry's priority levels. The interval of time that lapses between each chronic clinic visit is determined by the FBOP's clinical practice guidelines, which RCI follows. These intervals can range from 3-6 months depending on the clinic (Diabetic, Hypertension, HIV, Hepatitis C, Asthma, etc.) in question, laboratory findings, and/or the severity of the current diagnosis documented by the providers. For example, the provider will see a Diabetic inmate with an A1C over 7.0 every 3 months in chronic clinic until his A1C is below 7.0; where an inmate with an A1C less than 7.0 will be seen every 6 months in chronic clinic. Although the dentist has no defined time frames for providing dental services, a priority system is in place to categorize each inmate's dental care plan. The dental treatment priorities are categorized as priority 1 - emergency, priority 2 - urgent, priority 3 - interceptive, priority 4 - rehabilitative, and priority 5 - complete. The priority system is determined by the FBOP and followed by RCI.

Recommendations by CIC: Improve quality of medical care and use performance measures to track improvement. The CIC recommends that Rivers CI improve the quality of medical care at the

facility, including providing adequate follow-up care and specialty referrals when needed. Medical decisions should be made based on the inmate's medical need rather than cost. In addition, the CIC recommends that Rivers CI track the number of patients seen by physicians and mid-level practitioners as well as the patient outcomes for each visit. The facility should use this monitoring to assist in improving quality of care and helping identify high-performing and low-performing medical staff.

Response: RCI follows the FBOP Program Statement Patient Care 6031.04, when making clinical decisions for specialty referrals, as well as the necessary follow-ups. Decisions are not based on cost, but on the category in which the inmate falls. A system that includes medically necessary (emergent), medically necessary (non-emergent), medically acceptable (not always necessary), and limited medical value are used to determine if the requested services are needed. FBOP clearly states that inmates with less than 12 months to serve are ineligible for health services in the last two categories. The providers are required to perform a thorough exam and categorize each individual case. Currently 12-15 inmates are escorted out of the facility per week for services deemed medically necessary. RCI conducts Healthcare Performance Measures quarterly for specific chronic clinics and conducts a quarterly Performance Improvement Meeting.

Recommendations by CIC: Improve medical and dietary care for inmates with diabetes. Inmates reported poor care for those with diabetes, especially regarding less effective medication and a lack of appropriate food options during meals. The CIC recommends that all patients with diabetes receive quarterly chronic care appointments and that medication be assessed at each appointment. The CIC also recommends that medical staff consult with staff in the Food Services department to modify the food served at meals and ensure that appropriate options for diabetic individuals are available at all meals.

Response: The Health Services Department at RCI follows the most current FBOP Clinical Guidance for Management of Diabetes for all Diabetic inmates. Chronic clinic visits range from every 3 month to every 6 months depending on the presenting laboratory values and severity of the current condition. Clinic visits are timely and by policy and procedure. A review of medications is performed at every chronic clinic visit and adjusted as needed based on the client-approved formulary.

The Master Menu/Regular Diets have been planned and are referenced in accordance with the Food Plate created by the U.S. Department of Agriculture and the U.S. Department of Health and Human Services Dietary Reference Intakes. All Master Menus/Regular Diets have been analyzed to ensure nutritional adequacy. RCI's Diet for Health Menu was developed to meet the requirements for a diabetic diet. All portion sizes are served as specified on the menu. The menu is reviewed annually by a qualified Dietitian to ensure that it meets nationally recommended allowances for basic nutrition. Additionally, RCI offers the population an all you can eat rice and bean bar as well as the all you can eat salad bar for both the lunch and dinner meals.

Recommendations by CIC: Decrease inmate wait time in the pill line. The CIC recommends that Rivers CI decrease the length of the pill line by increasing the number of medical staff operating the pill line and offering medication at an alternative time to meal times. The CIC also recommends that Rivers CI review its formulary to determine which medications are not susceptible to abuse and then provide up to a 30-day self-carry supply to eligible inmates.

Response: There are two nurses administering medications during pill call on the majority of shifts at RCI. The lines are divided evenly in alphabetical order and started based on the approved building schedule in correlation with inmate dining schedules. Every inmate has the opportunity to receive his medication and eat his meal without exception. Inmates are issued a 30-day supply of keep on person medication, regardless of the number of cards required, as long as it is not a narcotic, anti-retroviral, anti-tuberculosis or latent tuberculosis medication, classified as "high risk" medication, psychoactive medication, an injectable, or deemed inappropriate by the prescribing provider. This is correlation with GEO Policy 708-A.

Recommendations by CIC: Complete routine disciplinary investigations within 7 working days of the filing and all other disciplinary investigations within 30 days of the issuance of an incident report (absent compelling circumstances). The CIC received reports from DC inmates who waited long periods before seeing the DHO, often spending long periods in the Special Housing Unit (SHU) until the disciplinary investigation was completed. The CIC recommends that Rivers CI promptly complete disciplinary investigations to reduce time spent in the SHU by inmates under administration detention. Routine investigations

beyond seven days and other investigations beyond 30 days should include documented evidence of compelling circumstances for the delay. The CIC recommends that Rivers CI maintain logs of all investigation and administration detention lengths, and review these logs on a monthly basis to ensure investigations are completely promptly and inmates are released from administrative detention.

Response: RCI is in full compliance with Federal Bureau of Prisons Program Statement 5270.09, "Inmate Discipline Program." Routine disciplinary investigations are completed within 24 hours. Inmate incidents requiring criminal prosecution referral to local or federal law enforcement agencies are suspended locally pending declination or acceptance and release back to RCI for local disciplinary investigations. The criminal referral process normally is completed within 30 days, absent compelling circumstances. Once a criminal referred incident is released for local disciplinary action, the local investigation and subsequent Unit Disciplinary Committee and/or Disciplinary Hearing Officer action can proceed according to policy.

Recommendations by CIC: Ensure inmates are able to file grievances, by making forms available, and without retaliation by staff. A large number of inmates reported to the CIC that staff retaliation and intimidation discourage inmates from using the Administrative Remedy Program. Rivers CI needs to implement a zero tolerance policy for staff members who impede or interfere with the ability of inmates to file grievances or have their grievances redressed. The policy should include methods for confirming inmate access to the grievance process as well as meaningful consequences for staff who violate the policy. The FBOP should use the onsite FBOP monitors to ensure the policy is implemented and followed at the facility.

Response: The procedures for the Administrative Remedy Program are explained to inmates during their Admissions and Orientation session and are outlined in the Inmate Handbook. The forms necessary to file an Administrative Remedy are available from the Inmate's Unit Counselor during open house hours, the Administrative Remedy Clerk who is available to all inmates during normal business hours and by the Restricted Housing Unit (RHU) Counselor / RHU staff for inmates housed in the RHU. An Administrative Remedy Clerk is available to inmates during normal business hours to discuss any issues the inmates may have with the program. The Administrative Remedy Clerk also speaks to the inmates about the Administrative Remedy Program, which includes information about reporting allegations of retaliation

or harassment for using the Administrative Remedy Program, during the inmates Admissions and Orientation session. RCI has a zero tolerance program in place as RCI Policy 12.006 states, "Inmates shall NOT be subject to retaliation, reprisal, harassment, or discipline for the use of or good faith participation in the Administrative Remedy Program, nor shall employees who participate in the resolution of a complaint or appeal. All allegations are thoroughly investigated. An inmate will be entitled to pursue resolution, through the Administrative Remedy Program, any allegations of this nature." The importance of the Administrative Remedy Program is discussed at staff Pre-Service Training and at least once a quarter during the Department Head meeting. All staff are provided Annual Refresher Training in Professionalism and Ethics. All Administrative Remedies are assigned a remedy number and are searchable.

Recommendations by CIC: Verify compliance with FBOP SHU policies on a frequent basis. In 2013, an inmate claimed he was in the SHU due to overcrowding, which the Warden agreed might be the case. FBOP policy prohibits use of the SHU for an inmate who is waiting for a bed in general population. According to the Director of the FBOP, all contracts with private prisons prohibit placing an inmate in SHU unless there is a need and policy-based reason to house an inmate in either disciplinary segregation or administrative detention. The CIC recommends that the FBOP use onsite compliance monitor to verify compliance with FBOP SHU policies by ensuring that all inmates are placed in the SHU for reasons consistent with FBOP policy.

Response: In December 2013, RCI added 84 beds to increase the total general population capacity to 1450. Subsequently, the use of the Restricted Housing Unit to house general population inmates pending general population bed space was eliminated.

Recommendations by CIC: Increase staff training on effective forms of communication and cultural sensitivity. Based on the reports of disrespectful and inappropriate communication by staff members, the CIC recommends that all staff members receive training on effective and respectful communication, which will decrease tension and increase institution safety.

Response: RCI provides mandatory Core Correctional Practices (CCP) training in addition to Annual In-Service Training to all staff. CCP is a 16-hour program from the University of Cincinnati that targets Effective Use of Authority, Cognitive Restructuring, and Effective Reinforcement among other topics.

During Annual In-Service Training RCI staff receive 40 hours of training that includes Communication Skills, Professionalism and Ethics, and Cultural & Ethnic Sensitivity.

Recommendations by CIC: Monitor staff conduct towards inmates and hold staff members accountable for inappropriate comments and conduct. The CIC recommends that executive staff monitor treatment towards inmates, including holding staff members accountable for inappropriate conduct, and mandating refresher trainings on effective communication and cultural sensitivity.

Response: All reported allegations of RCI Staff misconduct are referred to the GEO Group Inc., Office of Professional Responsibility and the Federal Bureau of Prisons, Office of Internal Affairs for investigation. These matters are thoroughly investigated and administered through the internal staff discipline process. Staff are initially and annually trained in communication techniques and cultural sensitivity. Starting in 2016 and continuing into the present, RCI has added a Core Correctional Practices curriculum for all staff that provides more in depth communication and diversity training.

Recommendations by CIC: Facilitate improved relations between African-American and Hispanic inmates to reduce racial tensions. The draft report states that DC inmates reported many concerns regarding racial tension and disparate treatment between African-American and Hispanic inmates at Rivers CI. The CIC recommends that facility staff take steps to reduce animosity between different racial and ethnic groups, including fostering discussion between groups and leaders and ensuring the needs of all inmates are met. Staff should ensure that DC inmates are provided the same opportunities for employment as other inmates at the facility through more transparent job placement practices. Staff should also ensure that DC inmates have the same recreational opportunities as other inmates, including access to sports fields.

Response: RCI continually monitors equal treatment of inmates in all aspects of institution operations. To date, all inmates at RCI have integrated well with each other into housing, work, education, and recreational programs as evidenced by the lack of racially motivated incidents at the institution. There is no disparate treatment also evidenced by robust participation of both populations in all education and recreation programs.

Recommendations by CIC: Ensure Rivers CI is operating at a low security level. The FBOP program statement on security

designation indicates that a low security facility should have strong programming and work components. Numerous DC inmates have spent years at higher security levels working toward designation at a low security facility to increase participation in programming, institutional freedom, and employment opportunities. As of 2016, approximately 60% of inmates at Rivers CI will be released to the community within two years, with 45% released within 12 months. Inmates who will be released within two years require a low security setting to ensure they are provided the skills and release planning needed for successful reentry into the community. The CIC recommends that Rivers CI take steps to provide the programming and atmosphere of a low security facility while maintaining a safe and secure facility as done in FBOP-operated institutions.

Response: RCI operates as a low security level facility. The facility building schedule provides for inmate movement from 6:00 a.m. until 9:00 p.m. RCI inmates are afforded a large variety of education and vocational opportunities. The opportunities include National Institute for Adult Education (INEA), English as a Second Language (ESL), Adult Basic Education (ABE), Pre-GED and GED, Thinking for a Change (T4C), Release Preparation Program (RPP), Life Skills, and Moral Recognition Therapy (MRT). RCI also offers learning opportunities for inmates on all academic and vocational levels. An equitable balance is constantly maintained between an inmate's programming and security needs.

Recommendations by CIC: Endeavor that all eligible men receive a minimum of six months of RRC time. Halfway houses, also known as Residential Reentry Centers (RRCs), are a critical part of successful reentry because they provide individuals with the opportunity to return to their communities prior to release. The CIC recommends that Rivers CI prioritize efforts to secure a minimum of six months for each eligible individual and work to remove barriers to halfway house time for individuals who are not currently eligible.

Response: All eligible inmates, in accordance with their release needs, have the opportunity to participate in Residential Reentry Center programs to assist with their reintegration into the community. Staff make recommendations for placements based on the assessments of inmates in accordance with the Second Chance Act and FBOP Policy. Eligibility and appropriateness are evaluated in each case. RCI consistently maintains a utilization rate of 80% or above which is higher than the required 70%.

Recommendations by CIC: Establish a standardized curriculum for the Release Preparation Program (RPP) consistent with FBOP facilities. The draft report states that the FBOP Reentry Service division is developing a standardized curriculum. In addition, the CIC recommends that the FBOP establish a standardized curriculum for the RPP across the all FBOP facilities and contract facilities to ensure inmates are adequately prepared for reentry.

Response: Rivers CI's Release Preparation Course outline continues to parallel the current FBOP guidelines (BOP Policy 5325.07). All inmates releasing in the United States, that are within 30 months of release are offered the opportunity to participate in the Release Preparation Program, and thereby benefit from all the information and resources provided.

Recommendations by CIC: Waive computerized GED testing fee for inmates. The draft report states that in 2014, Rivers CI transitioned to computerized GED testing. Each computerized GED test now costs \$6.00, and this fee is covered by the inmate. Given that education is a major factor in reducing recidivism, the CIC recommends that Rivers CI waive the \$6.00 GED testing fee to ensure that the fee does not become a barrier to inmates receiving their GED.

Response: It is unclear where this erroneous information came from. RCI conducts on-site GED testing through Pearson-VUE. Inmates are given the opportunity to complete both GED Ready® practice tests and real GED® subject tests, at absolutely no cost. In fact, RCI has never charged an inmate student a fee to take GED® or GED Ready® practice tests. Testing is available in both English and Spanish.

Recommendations by CIC: Improve quality of educational programming and provide special education services. The draft report states that inmate feedback at Rivers CI shows the need for increased educational opportunities offered by the Education Department. The CIC recommends that Rivers CI expand the number of education programs available. The CIC recommends that Rivers CI expand special education services to inmates who may require assistance beyond the standard pre-GED and GED classes.

Response: The Education Department at RCI is currently providing a large variety of educational programs to include National Institute for Adult Education (INEA), English as a Second Language (ESL), Adult Basic Education (ABE), Pre-GED and

GED, Thinking for a Change (T4C), Release Preparation Program (RPP), Life Skills, Moral Recognition Therapy (MRT) RCI also offers learning opportunities for inmates on all academic and vocational levels. Inmates needing additional accommodations are provided additional assessments and learning opportunities.

Recommendations by CIC: Increase vocational training programming opportunities. The draft report states Rivers CI offers few vocational training programs, which was exacerbated by the discontinuation of HVAC training and other vocational programs. The CIC recommends that Rivers CI introduce additional vocational programs to provide at least 50% of the population the opportunity to enroll in vocational training each year.

Response: Rivers CI continues to provide innumerable opportunities for growth and learning including vocational programs which are specifically designed to prepare inmates, by providing necessary skills and knowledge, for entry-level employment in areas of the community that have demonstrated greater margins of opportunity and employability for ex-offenders. These programs include Computer Skills, Commercial Driver's License, a Custodial Maintenance course certified by Spartan Cleaning Systems®, and a Building Construction Technologies course certified through the National Center for Construction Education and Research. RCI continually researches additional programming and is currently collaborating with Roanoke Chowan Community College to bring an HVAC class to the inmate population. RCI is dedicated to providing vocational classes and programs that will enhance skills sets as well as meet the needs of individuals returning to the work world.

Recommendations by CIC: Implement FBOP procedures on use of the Ion Spectrometry devices to reduce use of false positives in denial of visitation. DC inmates and visitors continue to report false positive drug tests from the Ion Scanner at Rivers CI. The CIC recommends that Rivers CI adhere to the FBOP program statement on Ion Spectrometry devices (PS 5522.02), including implementing a separate, confirmation test after an initial positive alert and allowing for an appeal process after a confirmed positive test result. The FBOP policy also provides for operational and maintenance requirements. The CIC also recommends that Rivers CI implement pat downs to verify confirmed positive test results. Given concerns over Ion Spectrometry devices by the U.S. Department of Justice's National Institute of Justice, this additional safeguard would help evaluate the continued use of the device at the facility.

Response: To establish and operate a drug free environment conducive to meeting the rehabilitation needs of offenders, RCI has a long established policy and practice of using an Ion Spectrometry Device Program to deter illegal drugs from entering the facility consistent with Federal Bureau of Prisons Program Statement 5522.02, "Ion Spectrometry Device Program". RCI does not conduct a second confirmation test for an initial positive test but does afford the visitor a non-contact visit with the inmate. The recommendation for a pat search option of the visitor with a positive Ion Scan result would not suffice to deter illegal drugs from entering the facility. Visitors with positive Ion Scan results are given instructions on how to appeal the finding to the Warden. Maintenance and operational requirements are also consistent with manufacturer guidelines and Federal Bureau of Prisons' policy.

Recommendations by CIC: Arrange with the FBOP to bring CorrLinks into the facility. Communication with loved ones and a connection to the community are an important part of successful reentry. All general population inmates in FBOP-run facilities have access to email through CorrLinks, the email server on the TRULINCS software platform used in FBOP facilities. Although not contractually required, the CIC recommends that Rivers CI work with the FBOP to implement CorrLinks at the facility. The CIC also recommends that the facility acquire sufficient computers to enable reasonable inmate use.

Response The TRULINCS software platform is not an option for RCI; however, the institution is currently negotiating an agreement with Access Secure Mail to provide an electronic messaging service to the inmate population. Target date for implementation is September 2017.

Recommendations by CIC: Ensure that legal mail is opened only in the presence of the inmate. DC inmates have indicated that legal mail is opened prior to receipt by the inmate. In accordance with the facility's policy, staff should ensure that legal mail is treated according to "Special Mail" procedures and opened only in the presence of the inmate.

Response: Legal Mail is only opened in the presence of the inmate. In accordance with FBOP Program Statement, 5265.14, Correspondence and RCI Policy 20.001 Special Mail is identified as Correspondence received from the following: President and/or Vice President of the United States, Attorneys, U.S. Department of Justice (excluding the Bureau of Prisons (BOP) but including U.S. Attorneys), members of the U.S. Congress, Embassies and

Consulates, other Federal Law Enforcement Offices, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts. Incoming correspondence will be processed under the special mail procedures. The sender must be adequately identified on the envelope and the front of the envelope must be marked "Special Mail - Open only in the presence of the inmate." All incoming legal and special mail will be signed for and issued by the Unit Counselors. Counselors will ensure the inmate signs a receipt when receiving legal mail. All legal mail will be opened in the presence of inmates and inspected for contraband by the Counselors. Legal mail will not be read by the Counselors. A log will be maintained in the mailroom for all legal and special mail. Outgoing legal mail procedures will allow for sealed letters to specified classes of individuals and organizations according to correspondence regulations.

I appreciate the opportunity to review and provide comments to your inspection report of Rivers Correctional Institution. 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 dark ink, appearing to read 'John Dunkelberger', with a large, stylized initial 'J' and a long, sweeping horizontal line extending to the right.

John Dunkelberger,
Assistant Administrator
Correctional Programs Branch