GOVERNMENT OF THE DISTRICT OF COLUMBIA
CORRECTIONS INFORMATION COUNCIL

Report to: Director, Federal Bureau of Prisons
Mayor of the District of Columbia
The Council of the District of Columbia
Director, District of Columbia Department of Corrections

November 21, 2002.

Subject: First Annual Report on the Conditions of Confinement of District of Columbia Sentenced Felons

The District of Columbia Corrections Information Council ("CIC") has completed its first year of operations and hereby forwards its first annual report and three reports on the three facilities inspected during the year. The first year was a frustrating one for the CIC, though progress was made toward the goal of being equipped to conduct a full-scale inspections program of facilities housing District of Columbia sentenced felons.

The CIC met for the first time on June 6, 2001, before any of the Mayor's or Council appointees had been officially appointed or sworn in, in the office of the Deputy Mayor for Public Safety and Justice. A liaison officer in the Deputy Mayor's office was appointed. The CIC requested assignment of a lawyer from the Corporation Counsel's office and one was named in July. On June 13, the CIC wrote a letter to the Deputy Mayor requesting assistance in obtaining stationary, office space and accessing the funds made available to the CIC. On June 26 the Mayor appointed his appointees and on August 16 the last of the CIC members were sworn in. In conversations with the liaison officer, the CIC requested help in hiring an employee as authorized in the D.C. Council's implementing legislation.

While waiting for answers posed to the office of the Deputy Mayor, the CIC drafted a checklist of matters to be inspected when visiting an inspection site and By-Laws governing the deliberations of the CIC. On Augusts 15 and September 14 the CIC received training in how to conduct prison visits and how to inspect medical records.

The CIC met with Kathleen Hawk Sawyer, Director, Federal Bureau of Prisons ("BOP") and staff on October 22, 2001. The checklist was delivered to Ms. Sawyer at that meeting with a request that BOP give the CIC their comments. BOP appointed a person to act as liaison with the CIC. On November 8 the CIC sent a letter to the BOP liaison person setting forth a list of federal and private prisons the

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CIC would like to visit in the upcoming year. In November the liaison officer for the Deputy Mayor's office, the liaison person for the BOP and the lawyer assigned by the Corporation Counsel's office all changed assignments and had to be replaced.

In December, the CIC met with Councilwoman Kathy Patterson and D.C. Delegate Eleanor Holmes Norton to exchange ideas on the mission of the CIC. In late December, the CIC learned that Congress had appropriated funds for the CIC as part of the D.C. Budget.

The BOP notified Corporation Counsel that they wished to conclude a Memorandum of Understanding ("MOU") with the CIC and not simply proceed on the basis of the Checklist. On January 3, 2002, Corporation Counsel mailed a list of items the CIC would like incorporated into an MOU to the BOP. The BOP responded that before negotiating an MOU they would like the CIC to tour one of their facilities. A tour by the CIC of the federal prison in Petersburg, Virginia, was carried out on February 5.

Since no effective response to telephone calls or guidance had been received from the Office of the Deputy Mayor on the questions posed in the letter of June 13, an e-mail was sent by the CIC to the Deputy Mayor's office again requesting advice on how to access CIC funds, hire an employee, and obtain office space.

The CIC held its first open public meeting in Room 123 of the Wilson Building on February 21 at which it adopted By-Laws and elected Officers and received suggestions and information and answered questions from the public audience.

On February 25 the CIC testified before the D.C. Council's Judiciary Committee on activities to date and then met with staff in the Deputy Mayor's office. At that meeting, the unanswered questions were reviewed and a new liaison person was appointed. Despite repeated telephone calls, no call or response or form of assistance was ever received from this new individual. On March 22, some 9 months after the questions were first posed, the Deputy Mayor's office referred the CIC to the D.C. Department of Corrections ("DOC") for answers as to how the CIC could access the appropriated monies and locate office space. On April 11, the Deputy Mayor's office sent an e-mail to the CIC with the first detailed guidance on how CIC should go about hiring an employee, who would help in doing this, and who at DOC would assist in finding an office space. On April 25 the CIC met with DOC staff and reviewed the questions. Since CIC members are not city employees, they cannot have a D.C. Purchase or Travel Card and would have to make all purchases through individual requisitions, a very cumbersome process. It was decided that hiring an employee, who could have D.C. Purchase and Travel cards, should be treated with priority, as should finding office space for that employee. DOC put the CIC in contact with persons at the Office of Personnel who, after many weeks and after talking with three different individuals, determined the status of the employee and the procedures that had to be followed.

After a search of several D.C. office buildings, office space was located at DOC and made available to the CIC in June. Candidates for employment were received from DOC, and elsewhere, and interviews were conducted in May and June. An

employee was retained over the summer, and reported for the first day on the job on October 7. In response to a request from the DOC, the CIC prepared a tentative budget and a preliminary list of equipment and office items to be procured. As of the date of this report the CIC has been unable to purchase any equipment or supplies and is still expending personal funds to make mailings. The CIC did not spend any of the $100,000.00 appropriated for it in 2001.

Negotiations with BOP on an MOU moved forward slowly until after a meeting on May 10, it became apparent that BOP was quite hostile to the idea of CIC inspecting their facilities and that if the CIC were to do so, it would be at the sufferance of BOP. BOP would not agree to commit itself to any agreed set of procedures; it did not want the CIC to have any rights in the inspection process. BOP insisted on maintaining the right to change the inspection arrangements unilaterally and at any time; The CIC disagreed with this position. In June 2002, BOP announced that it was drafting a set of Procedures to be distributed to all the wardens in the federal system, under which the inspections would be conducted and invited the CIC to join in the process. The CIC declined to do this saying the MOU had to be resolved first since the Procedures should be a document implementing the MOU. At a meeting on July 24, the CIC did discuss some of the provisions of the Procedures with BOP, but made it clear that this was a BOP document which the CIC did not agree was appropriate at that time. Since that date, BOP and CIC have exchanged new drafts of the MOU but have not been able to agree on a text which contains any real substance.

In the meantime, CIC set out to inspect the three main facilities in the District, which house felons: the Correctional Treatment Facility, the Central Detention Facility (D.C. Jail) and the Hope Village Half-way House. The Correctional Treatment Facility was inspected on May 20-21, the D.C. Jail on July 22-23 and August 1 and Hope Village on July 31. A report of each of these inspections is attached. Each report contains a number of findings and recommendations.

Many people complain that too many of the federal facilities are too distant from the District of Columbia for families to visit their incarcerated relatives. BOP claims that over 80% of D.C. prisoners are now within 500 miles of the District. This continues to be a significant problem and D.C. prisoners should be given priority at the federal facilities closest to the District.

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Columbia Corrections Information Council