

# District of Columbia Corrections Information Council (CIC) Bulletin July 15, 2016

The CIC would like to thank its summer legal interns, Danielle Berezney and Apoorva Deshmukh, who have each contributed to the items below.

## Excessive Heat Suspected in Death at DC Jail

Today [News 4 Washington reports](#) that an inmate at the Central Detention Facility (CDF), or "DC Jail" has died; and it is suspected that excessive heat might have contributed to his death. An autopsy had not been conducted at the time of this report.

The summer heat waves in DC have long been a concern among inmates, DC residents and advocates who have complained about the lack of air conditioning in the aging jail last year and this summer. The heat is especially dangerous for those who have medical conditions, the elderly, and those taking heat sensitive medications. The lack of air conditioning in the facility requires that other steps are taken to ensure the safety of incarcerated individuals during the sweltering heat of the DC summer.

There is a significant amount of attention surrounding the lack of air conditioning and appropriate heat protocols in prisons and jails around the country. Daniel W.E. Holt, in "[Heat in US Prisons and Jails: Corrections and the Challenge of Climate Change](#)," writes about this growing problem for corrections agencies around the country. Some states, such as Maine, Kentucky, Iowa, and Virginia, require that facilities take remedial action when temperatures exceed 85 degrees Fahrenheit. Other states, such as Alabama identify individuals who are prone to heat sensitivity and provide them additional showers and air ventilation when the temperature exceeds 90 degrees Fahrenheit (F).

In Louisiana, in the [Ball v. Leblanc](#) case, inmates in Angola prison challenged the excessive heat and lack of air conditioning by claiming they were subjected to cruel and unusual punishment. The 5th U.S. Circuit Court of Appeals found that the conditions of excessive heat in the prison were unconstitutional, but the court did not order air conditioning to be legally required. Instead, the court stated that there are other acceptable remedies that facilities can use to combat the excessive heat, such as providing access to ice and additional showers.

The DOC provided the CIC with its warm weather protocol in a June 8, 2016 email, which includes:

1. Purchasing from Aramark ice that will be made available on all units when the temperatures in the housing units increase.
2. Inmates are allowed to purchase plastic cups from canteen to drink water as needed. For indigent inmates (defined as less than \$5 in their account for 30 days), a plastic cup will be provided to them like other basic necessities such as soap, etc.
3. Inmates are allowed to wear shorts and to remove their orange tops and wear only their tee shirts.
4. Large industrial fans are placed in the common areas of units as needed.
5. Out of cell time is increased as staffing permits.
6. Temperatures are monitored. For those inmates that have specific concerns regarding the temperatures of their cell, a reading will be made and if necessary, the inmate will be moved to a cooler cell, if possible.
7. Medical will identify those inmates who have special issues due to heat and they will be accommodated as

medically necessary, which may include transfer to the Correctional Treatment Facility (CTF) Medical Unit.

However, inmates, loved ones and advocates have expressed that these provisions are not enough. Complaints have included excessive heat in cells, with fans being inadequate to cool cells down; and out-of-cell time is limited, with some inmates in sweltering cells during the heat of the day. Also, the above-listed practices lack specificity that could better ensure uniformity of action and safety by the facility. For instance, some states have determined a temperature range in which facilities should be kept of 65 to 85 degrees Fahrenheit. Some also do scheduled monitoring (as often as hourly) of cell as well as unit temperatures during the heat of the day and set a temperature for mandated action. This still allows for staff to act even if the temperature has not reached the mandated temperature. Those with chronic care issues are monitored even more, especially in light of such cases as [Rikers' inmate Jerome Murdough](#), whose death was accelerated by a combination of excessive heat and heat-sensitive psychotropic medication.

The Correctional Treatment Facility (CTF), the jail operated by the Corrections Corporation of America (CCA) through Jan. 31, 2017, has air conditioning; and, with [601 inmates](#), is only at 43% capacity. There is the hope that DOC can work with CCA to use more of this available space by identifying more inmates to be moved to protect them from the dangers of excessive heat, and that our city can do more to protect those who remain at the DC Jail.

### ***“Reentry and the Road Home”, June 24, 2016***

On June 24, 2016, the Center for American Progress presented an exciting event titled “Reentry and the Road Home” featuring Attorney General Loretta Lynch, Department of Labor Secretary Thomas Perez , Department of Housing and Urban Development Secretary Julián Castro, and Department of Education Secretary John B. King . The conversation was moderated by Daryl Atkinson, Second Chance Fellow at the U. S. Department of Justice. Many federal initiatives addressing the barriers to successful reintegration were announced, including housing access, employment, education, and family reunification support.

**[Identification Cards](#)** - Attorney General Lynch reiterated her call to governors and state officials from Reentry Week to help former inmates acquire identification necessary for applying for jobs, housing, and schools. The call asked that identification cards issued by the Bureau of Prisons be a predicate to obtaining state-issued identification upon an individual’s release from incarceration.

Returning citizens to the District of Columbia, released within the last six months, are eligible to receive a [non-driver identification card free of charge](#). In order to receive the card citizens must submit proof of: 1) identity, 2) Social Security number, 3) DC residency, 4) release papers. Returning citizens may “submit an authorized letter from the DC Department of Corrections (DC DOC), Court Services and Offender Supervision Agency (CSOSA), or DC Parole and Probation Agency in place of the proof documents.”

**[Safeguarding Children of Incarcerated Parents](#)** - Attorney General Lynch emphasized the hardships faced by the over 2.7 million children of incarcerated parents. In an effort to create and sustain strong parent-child relationships, a \$1 million solicitation was announced through the partnership of the National Institute of Corrections, the Bureau of Justice Assistance at the US Department of Justice, and the US Department of Health and Human Services. Nonprofit organizations, for-profit organizations, and institutions of higher education will develop and implement policies addressing case assessment and management for incarcerated parents; visitation policies and procedures; visiting room and waiting room environments; parenting; family reunification; and identification of local services. The recipient of the solicitation must also waive any profit or fees for services created through the funds.

**[One Stop Employment Centers](#)** - Secretary Perez announced a grant of \$64.5 million that would be provided to organizations creating “one stop” employment centers in jails, prisons, and penitentiaries. One-Stop Employment Centers, sometimes called “American Job Centers”, are locations designed to provide training referrals, career counseling, job listings, and employment-related services for individuals, all under one roof. The Department of Labor is awarding grants to forty organizations through four programs; Reentry Demonstration Projects for Young Adults, Training to Work, Pathways to Justice Careers, and Linking to Employment Activities Pre-Release. Grant funding will provide job training and a path to meaningful employment through mentoring, apprenticeship, family reunification, case management and career pathways.

**[Pay for Success Permanent Supportive Housing Demonstration](#)** - Secretary Castro announced the awarding of 8.7 million to reduce homelessness and recidivism for returning citizens. The Department of Justice’s and Department of Housing and Urban Development’s Pay for Success, Permanent Supporting Housing Demonstration puts housing first in an effort to provide permanent housing and stabilize returning citizens. The demonstration strives to increase permanent supporting housing, allowing grantees to use funding to assess the feasibility of a Pay for Success project through partnership building, capital-raising activities, program design for the target population, managing contracts with service providers, making Success Payments on behalf of the government entity, and managing third-party evaluators.

**[Juvenile Reentry Assistance Program \(JRAP\)](#)** - Secretary Castro also announced an award of \$1.75 million to housing authorities and nonprofit organizations through the Juvenile Re-entry Assistance Program, JRAP. The grant will provide guidance to housing providers in evaluating criminal records as well as providing legal assistance for individuals, up to the age of 24, with criminal records. JRAP helps adults and children in public housing with, among other things, “expunging, sealing, and/or correcting records; collateral consequences; counseling; guidance for schooling; and family law services” When critiquing blanket policies denying housing based on criminal records Secretary Castro asked, “How can you give a second chance when you don’t even give them a second look?”

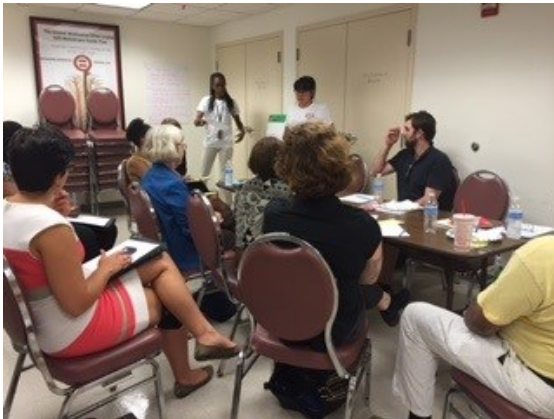
**[Second Chance Pell Pilot Program](#)** - The Second Chance Pell Project restores Pell Grant access to students who otherwise meet Title IV eligibility requirements and are eligible for release, particularly within the next five years, to pursue postsecondary education and training. Secretary King cited “[Evaluating the Effectiveness of Correctional Education](#),” a RAND research report showing a 43% reduction in recidivism after participation in education programming, when emphasizing the project’s goal of increasing access to educational opportunities and supporting successful reentry. Secretary King announced that 67 universities, across 37 states, will receive \$30 million per year to support over 12,000 students. Correctional facilities, such as FCI Otisville (NY) and FCI Gilmer (WV), will partner with local colleges and universities to award certificates, associates degrees, and bachelor’s degrees through new and existing programs. For a list of universities and correctional institutions, see the [press release](#).

**[Beyond the Box Toolkit for Universities](#)** – Secretary King announced a new resource guide, [Beyond the Box: Increasing Access to Higher Education for Justice-Involved Individuals](#). The resource guide helps colleges and universities to provide higher education to citizens with criminal records. Along with strategies for increasing student engagement, the resource guide articulates promising practices and recommendations, including: delaying the consideration of criminal justice, transparency in how to respond to inquiries, narrowly focusing questions, and providing the opportunity for explanation. Secretary King asked for a pledge from universities to commit to “Beyond the Box”, to which 25 universities have agreed so far. Twenty-one mayors have also committed to a similar pledge.

## CIC Pop-Up Think Tank: Reimagining CTF, July 14, 2016

The CIC thanks all who participated in the *CIC Pop-Up Think Tank: Reimagining CTF*, which was held last night at the Greater Washington Urban League Building. In working groups, participants worked through two scenarios and then created their own scenarios to think through their proposed ideas. It was a productive, informative event.

The CIC staff will compile the information and issue a report in August, while it still has the great assistance of its summer legal interns, Apoorva and Danielle, and The Washington Center undergraduate interns Kara Ganyer and Acacia Towers.



CIC Program Analysts Lashonia Thompson-El and Laura de las Casas facilitate a working group at the CIC Pop-Up Think Tank, July 14, 2016.

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*The Corrections Information Council (CIC) is an independent agency mandated to inspect, monitor, and report on the conditions of confinement at facilities where DC residents are incarcerated. This includes facilities operated by the Federal Bureau of Prisons, the DC Department of Corrections, and private contract facilities. The CIC does not handle individual complaints, provide legal representation or provide legal advice.*