



**CIC | Corrections Information Council
1400 I Street NW, Suite 400
Washington, DC 20005**

District of Columbia Corrections Information Council (CIC) Testimony on Conditions of Confinement

Delivered by Donald L. Isaac, Sr., Executive Director, DC CIC to the Judiciary and Public Safety Committee Public Oversight Roundtable on November 10, 2021

To Chairman Allen and members of the Committee,

I am Donald Isaac, Director of the Corrections Information Council (CIC). The CIC and our board members thank you for the opportunity to share our insight regarding the recent report findings of the US Marshalls service at the DC Department of Corrections. Over the years, multiple agencies and individuals have voiced concerns regarding the experiences of DOC residents and the physical plant conditions. We recognize that every human being deserves humane conditions for living, regardless of whether they are confined or not. It is my personal belief and that of the CIC that clean and safe environments are appropriate and absolutely essential for all incarcerated persons within all District facilities.

The CIC has continued its mandate to report on conditions of confinement regarding DC Code offenders, despite any pandemic related obstacles. All government operations were impeded or altered due to the onset of COVID-19. For the CIC, on-site institutional visits were cancelled due to the local and federal level policies to implement lockdowns and halt visitations for medical and safety reasons. During this time we have continued to conducted inspections when possible. We have also found new ways to report on conditions of confinement, such as conducting virtual visitations with residents at a residential reentry center, surveying samples of the federal population of DC code offenders, and writing letters to inquire about specific policies or publicize recommendations for issues affecting the DC incarcerated or newly released populations.

Since the inception of the CIC, our agency has sought to report on all areas regarding conditions of confinement at the DOC facilities. These reports have encompassed both the negative and positive attributes of the facilities. There are both areas of challenge and innovative practices within the institution. Over time, we have reported on general operational practices, the physical conditions of the facilities, the grievances of population, as well as the new undertakings and promising practices regarding education and programming.

In line with our mandate, the CIC has conducted inspections and issued reports on DOC facilities annually since 2017. Our office recently signed a Memorandum of Agreement with the DOC on March 3, 2020. The MOA provided for quarterly inspections of the facility and quarterly meetings with DOC staff to discuss issues. This is not without its limitations, based on parameters of the MOA, like announcing and scheduling visits. The CIC's most recent inspection was conducted in early May and resulted in a report issued to the DOC on September 30, 2021, which identified many of the same issues reported by the US Marshall Service concerning the conditions on Housing Units North 1 and South 1.

The most recently reported problems at the DOC are the result of longstanding infrastructure problems within an aging facility that requires updated systems, and an apparent need for a greater system of accountability when grievances from the inmate population are vocalized. There is a need for greater oversight and enforcement of recommendations. Although our agency is statutorily required to inspect, monitor, and report on conditions of confinement within the DOC, our agency does not have enforcement power, nor can we conduct unannounced inspections. We believe that the incarcerated population would benefit from the following suggestions: 1) a regular and consistent presence within the facility; and 2) enforcement measures by the DOC in response to CIC recommendations.

The CIC recommends that a regular and consistent presence within the facility be established by granting the CIC access to every part of the facility and the ability to inspect without prior notice. The ABA has adopted a resolution that has set forth this "golden key access" as essential to effective oversight. This new level of access would also provide the CIC with administrative space within the DOC facilities.

The CIC also recommends that the DOC be required to provide updates on the actions taken in response to recommendations on a quarterly basis. We currently receive responses to the

reports we publish, but the timeliness of both report production and responsiveness to those reports are areas of improvement from which the incarcerated population would benefit.

Finally, we would endeavor to continue the quarterly meetings required by the MOA at a minimum to developing and maintaining effective and ongoing communications between DOC and CIC staff.

The CIC is a small agency with a critical mission. Our agency has operated before and during the challenges of the current pandemic, and we continue to progress with a goal of reporting on the conditions of confinement for not only the approximately 1,600 residents within the DC Department of Corrections, but for all of the approximately 2,600 DC Code Offenders currently in the federal custody the Bureau of Prisons. We seek to continue our mission to provide information necessary to empower those with an ability to effectuate change.

Thank you for the opportunity to provide our testimony on this very important issue. We welcome the opportunity to discuss these issues with you and members of the Committee in the future.