



CIC | DC Corrections Information Council

October 22, 2018

To: Acting Director Hugh Hurwitz, Federal Bureau of Prisons

From: Michelle Bonner, Director, Corrections Information Council (CIC)

RE: CIC Visit to Federal Correctional Complex (FCC) Hazelton, October 3, 2018

We appreciate the opportunity to visit USP Hazelton on October 3, 2018. In particular we would like to thank Warden Joe Coakley and his executive team for facilitating our visit, in particular Executive Assistant Mark King who organized the visit with CIC staff beforehand, as well as John Dunkelberger. With their assistance we were able to interview 58 DC residents currently incarcerated at USP Hazelton, including 12 individuals housed in the secure housing unit (SHU).

As you are aware, this trip was motivated by concerns for the physical safety of incarcerated DC residents at this facility in light of the recent violent death in September 2018, after another stabbing death in April of this year, both DC residents incarcerated at USP Hazelton. Below are some observations and recommendations based on the October 3rd visit and information from others since the CIC visit.

September 17, 2018 Stabbing Death

At least six DC inmates reported witnessing the incident that lead to the September 17, 2018, death, which occurred in the dining hall. These individuals confirmed reports that the decedent was stabbed, and they raised serious concerns about how staff handled the aftermath of the assault. Inmates reported that staff prioritized restraining the stabbing victim over getting him medical attention. They reported that he was on the floor with an officer's knee in his back from five to ten minutes (range based on various accounts) before he was taken to receive medical attention.

Recommendation:

That the September stabbing death occurred only five months after the stabbing death of another DC resident incarcerated at USP Hazelton shows that additional evaluation and corrective action are needed to better ensure the safety and security of all those incarcerated at the facility. The CIC recommends that the facility, complex, and agency review the actions of staff and their response to these fatal incidents to determine and implement the corrective

action necessary to both prevent such incidents from occurring again and to improve the staff response to stabbings should they occur again.

Violence at USP Hazelton

While most inmates were unable to estimate how often physical assaults occur at USP Hazelton, 25% of the individuals we spoke with indicated that a physical assault such as a beating or stabbing occurs at least once per day at the facility. Individuals said that “it’s nothing for you to see someone get stabbed or hit with a padlock from the foot lockers,” and that two or three stabbings occur every other day. An inmate previously on unit F-2 indicated that four stabbings had occurred on that unit between February and August 2018. This individual said that, “this kind of stuff happens on the regular.”

Inmates expressed several common concerns with security practices within the facility including that security protocols are typically not followed with regard to entry into the dining hall until a violent incident occurs. (For instance, interviewees reported that metal detector alarms are frequently ignored by facility staff.) Immediately after a violent incident, security protocols are observed again for a period of a few weeks after which the lack of security resumes. Several inmates also mentioned that detached padlocks used to secure foot lockers in cells are commonly used as weapons, often placed in a sock and swung at the head or body of another individual.

A few inmates also mentioned that individuals do not pass through any security screening on the way out to the recreation yard, and that staff are not physically present in the yard during recreation periods, only observing inmates from towers. With over 100 inmates in the yard at a time, this presents a clear risk of violent assaults during recreation.

Also, many of those interviewed mentioned that there are non-security personnel who frequently act as security staff when a given unit is short a security staff member. As you know, staff augmentation has been publicly mentioned in the media as a particular security concern; and some DC men incarcerated at USP Hazelton expressed this concern as well. Individuals also referenced the frequent lockdowns, noting that the entire facility was often locked down for an isolated incident, or units were locked down due to insufficient staffing. They expressed that frequent lockdowns interfere with programming and increases frustration throughout the facility.

Recommendations:

It is the responsibility of the facility, complex, and agency to ensure the safety and security of all persons incarcerated in their physical plants. From classification and designation, to in-facility housing and program placement, the Bureau should endeavor to evaluate and take corrective action where necessary to increase security at USP Hazelton.

The CIC also recommends that the facility staff consistently uses the equipment, resources, and protocols at their disposal (such as metal detectors, removing security threats such as detachable locks) to improve safety and reduce the opportunities for violence.

The use of detached padlocks as weapons on the units is a clear security issue, and one that could be remedied by providing foot lockers with embedded locks. This is but one corrective action/improvement that the CIC recommends for increased safety while keeping security of individuals' belongings.

Reports of the lack of presence of security staff and frequent facility-wide lockdowns are concerning as well, as these deficiencies can exacerbate frustration and lead to more violence within the facility. That there has been fatal violence in the facility should indicate to the agency that more trained security staffers required, not less.

Reports of Violence by Committed by Staff

Many inmates expressed that they are much more concerned about violent assaults from staff than from inmates, particularly upon admission to SHU. "SHU is the main problem," said one individual, "because DC guys go back there and get assaulted." Inmates reported that staff beat, punch, kick, choke, and stomp individuals in SHU, and hit inmates "where they know it won't show." Several individuals also mentioned officers putting restraints including waist chains on so tight that they left marks, and specified that officers leave inmates in their cells all day while fully restrained. Individuals also expressed concern about assaults while being searched in the Lieutenant's office prior to admission to SHU, and reported being beaten or "shoved around" by several officers at once, slammed into the wall or floor, and one reported that he was given a full cavity search in which he stated, "COs took it a little too far."

The CIC has also received reports of at least two men in the SHU in FCI Hazelton being beaten and remaining in tight restraints for days within their cells. The CIC did have an opportunity to meet with one man at FCI Hazelton, and CIC staff did observe marks around wrists left by tight restraints. The CIC has since learned of another incarcerated DC resident in FCI Hazelton with similar complaints of physical abuse by facility staff in the SHU and use of restraints punitively rather than for gaining physical control.

Recommendation:

Congresswoman Norton's office and the CIC have reported these complaints to the Bureau, along with a request for a full investigation, and we understand that the Bureau is looking into staff actions in the FCI Hazelton SHU. The CIC recommends that this staff evaluation extends to the SHU at USP Hazelton and throughout the complex. The CIC also recommends that there be frequent and random review of camera surveillance by senior staff to monitor the physical actions of security staff in secured housing and other complex units.

Treatment by Facility Staff:

Many, if not most of the individuals we spoke with at USP Hazelton expressed that they experience regular racial epithets from the facility staff, both in SHU and on the units. Inmates reported being told, “I don’t fucking like you black people,” called “nigger,” and “boy,” and asked if “any monkeys wanted bananas.” Several individuals reported feeling that staff assume they will be aggressive simply because they are from DC, and provoke them through taunting. Individuals also mentioned that officers will frequently create conflict between inmates or intentionally place inmates with existing conflicts in the same cells so as to provoke violence.

Individuals also expressed that staff treat visiting family members in a dehumanizing and degrading manner, making family members wait long periods of time, and limiting visiting hours unexpectedly after family members have made the long trip from DC to USP Hazelton. Incarcerated interviewees also reported being subjected to invasive strip searches when families visit.

Other notable complaints included failure to provide medical attention to inmates after they are physically assaulted by staff, housing inmates in SHU cells smeared with fecal matter and refusing to provide cleaning supplies, and failing to provide recreation to inmates in SHU.

Recommendations:

The CIC recommends that the agency and facility leadership reiterate that there is zero tolerance for any racism, expressed or implied, by any Bureau staff in any capacity. The CIC further asks that the facility and agency look into any reports of unprofessional and disrespectful treatment given to loved ones as well as to incarcerated persons in their care. The CIC recommends that refresher professional training and bias training always be prioritized, regardless of the number or nature of complaints.

Recommendations from Interviewees:

We asked interviewees what they thought might reduce the violence at USP Hazelton, and the most common answer was more jobs, recreation, and programming opportunities. Individuals noted the need to keep people busy and give them something to look forward to, and that at present there is nothing to do which leads to people acting negatively. Individuals also referenced the frequent lockdowns, and that fewer of them would increase these opportunities to engage in positive programming. They also advocated for more professional and diverse staff.

Recommendation:

The above recommendations from incarcerated persons directly experiencing the present conditions at USP Hazelton seem reasonable, realistic, and conducive to safe and effective prison operations. The CIC recommends that the Bureau take these recommendations and,

indeed, all of the expressed concerns listed in this letter, into consideration as it develops and implements corrective action to make USP Hazelton a safer correctional facility.

Again, thank you for making the CIC's visit with incarcerated DC men at USP Hazelton and FCI Hazelton possible on October 3, 2018. We hope that the information we gathered will be helpful to the facility and to the Bureau in its endeavor to improve the safety and security of all persons – the incarcerated and staff. If you have any questions of the CIC regarding the information and recommendations reported above, please contact us at the number below or via email (michelle.bonner@dc.gov and chrisiant.bracken@dc.gov).

Sincerely,

Michelle Bonner

Michelle Bonner
Director, CIC



Department of Justice
Federal Bureau of Prisons

Washington, DC 20534

March 21, 2019

Donald Isaac,
Executive Director
441 4th St NW, Suite 270N
Washington, DC 20001

Dear Mr. Issac,

This letter is in response to the recommendations from the report dated October 22, 2018, regarding the October 3, 2018, visit to FCC Hazelton. The Federal Bureau of Prisons recognizes the value of the Corrections Informational Council (CIC) and the voice it provides to the D.C. Superior Court inmates. We hope to continue to work closely with the CIC to improve Bureau facilities and raise awareness with regard to those inmates' needs.

Throughout the report, unsubstantiated allegations are made without direct observation by the CIC or supported by facts, which can be corroborated. The Federal Bureau of Prisons takes allegations of staff misconduct seriously. If provided with specific case information, the Bureau will investigate any matter that warrants review.

Recommendation: "That the September stabbing death occurred only five months after the stabbing death of another DC resident incarcerated at USP Hazelton shows that additional evaluation and corrective action are needed to better ensure the safety and security of all those incarcerated at the facility. The CIC recommends that the facility, complex, and agency review the actions of staff and their response to these fatal incidents to determine and implement the corrective action necessary to both prevent such incidents from occurring again and to improve the staff response to stabbings should they occur again."

Response: The Federal Bureau of Prisons currently has a multi-step, multi-level review process for all fatal incidents to determine if there is a need for corrective action, if necessary. An after action review was conducted on both incidents. Based on a review of all documentation and video surveillance, staff responded to both incidents in an appropriate and timely manner. Specifically, staff called for assistance as soon as they became aware of the incidents. Medical staff provided quick, appropriate, and complete care.

Recommendation: "It is the responsibility of the facility, complex, and agency to ensure the safety and security of all persons incarcerated in their physical plants. From classification and designation, to in-facility housing and program placement, the Bureau should endeavor to evaluate and take corrective action where necessary to increase security at USP Hazelton. The CIC also recommends that the facility staff consistently uses the equipment, resources, and protocols at their disposal (such as metal detectors, removing security threats such as detachable locks) to improve safety and reduce the opportunities for violence. The use of detached padlocks as weapons on the units is a clear security issue, and one that could be remedied by providing footlockers with embedded locks. This is but one corrective action/improvement that the CIC recommends for increased safety while keeping security of individuals' belongings. Reports of the lack of presence of security staff and frequent facility-wide lockdowns are concerning as well, as these deficiencies can exacerbate frustration and lead to more violence within the facility. That there has been fatal violence in the facility should indicate to the agency that more trained security staffers required, not less."

Response:

The safety of staff, inmates, and the public is the highest priority for the BOP. When an insufficient number of correctional officers are available to cover correctional posts, the BOP may assign non-custody staff as officers to reduce the need to vacate posts deemed critical for the safety and security of the institution. Staff assigned to correctional facilities are law enforcement officers and are considered correctional workers first, regardless of their occupation. All staff receive the same amount of training as correctional officers, and all staff are informed at the time of hiring they are expected to perform law enforcement functions, during routine and non-routine situations. Staff correctional responsibilities precede

all others. Accordingly, all staff receive law enforcement pay and law enforcement benefits.

Agency-wide, the inmate-to-correctional officer ratio is roughly 9 to 1; at United States Penitentiaries (USPs), the average inmate-to-correctional officer ratio is 5 to 1; at USP Hazelton, the inmate-to-correctional officer ratio is nearly 5 to 1 (4.77), better than the average ratio found at like facilities. Rates of inmate-on-staff member serious assaults and inmate-on-inmate serious assaults at USP Hazelton are lower than the average rate compared to other USP's.

The decision to place a facility on limited operations status (commonly referred to as "lockdown") is done to provide for the safety and security of the institution, the staff, the inmate population, and the public. It allows time for investigations into incidents that have the potential to result in further acts of inmate violence, and with that, the potential for greater injury to inmates and to responding staff. What may first appear to be a simple fight between two (2) inmates may have wider implications if these inmates are members of rival gangs or differing races or from opposing geographical locations. Limited operations allows staff the opportunity to search all areas of the facility for weapons and other forms of contraband which could compromise the safety and security of the facility.

Recommendation: "Congresswoman Norton's office and the CIC have reported these complaints to the Bureau, along with a request for a full investigation, and we understand that the Bureau is looking into staff actions in the FCI Hazelton SHU. The CIC recommends that this staff evaluation extends to the SHU at USP Hazelton and throughout the complex. The CIC also recommends that there be frequent and random review of camera surveillance by senior staff to monitor the physical actions of security staff in secured housing and other complex units."

Response: The Bureau of Prisons is committed to ensuring the safety and security of all inmates in our population, our staff, and the public. Humane treatment of the men and women in our custody is a top priority. Allegations of misconduct are thoroughly investigated and appropriate action is taken if necessary.

Recommendation: "The CIC recommends that the agency and facility leadership reiterate that there is zero tolerance for any racism, expressed or implied, by any Bureau staff in any capacity. The CIC further asks that the facility and agency look into any reports of unprofessional and disrespectful treatment given to loved ones as well as to incarcerated persons in their care. The CIC recommends that refresher professional training and bias training always be prioritized, regardless of the number or nature of complaints."

Response: Every employee of the Federal Bureau of Prisons completes Annual training that focuses on "Standards of Employee Conduct."

Recommendations from Interviewees:

We asked interviewees what they thought might reduce the violence at USP Hazelton, and the most common answer was more jobs, recreation, and programming opportunities. Individuals noted the need to keep people busy and give them something to look forward to, and that at present there is nothing to do which leads to people acting negatively. Individuals also referenced the frequent lockdowns, and that fewer of them would increase these opportunities to engage in positive programming. They also advocated for more professional and diverse staff.

Recommendation:

The above recommendations from incarcerated persons directly experiencing the present conditions at USP Hazelton seem reasonable, realistic, and conducive to safe and effective prison operations. The CIC recommends that the Bureau take these recommendations and, indeed, all of the expressed concerns listed in this letter, into consideration as it develops and implements corrective action to make USP Hazelton a safer correctional facility.

Response: FCC Hazelton provides opportunities for inmates to program in Recreation, Psychology, Religious Services, and Education. USP Hazelton is secured after incidents involving the inmate population. This is done to ensure the safety of staff, inmates and the security of the institution. It also gives Hazelton staff an opportunity to investigate the incident.

USP Hazelton's Challenge Program is a residential, evidence-based, cognitive-behavioral program, which utilizes a modified therapeutic community model. It is intended for men who wish to make positive lifestyle changes, which begins to occur through participation in-group and individual therapeutic activities.

The program typically requires nine (9) months to one (1) year for the inmate to complete, and is a means to begin to challenge criminal thinking errors, personal beliefs, and assumptions in order to make pro-social decisions.

Unit Team staff are available to the Challenge Program Unit inmates, and meet with the inmates every three (3) to six (6) months (depending upon their release date) to monitor program participation (to include programs outside of Challenge such as Education programs). Release Preparation courses, such as the Release Orientation Program (ROP), are mandatory for the majority of the inmate population (excluding inmates with Life sentences). As indicated previously, the decision of the Warden to "lockdown" is made with the safety and security of all inmates, including inmates from the D.C. area, and staff in mind. Challenge Program participants may continue to work on various writing and workbook assignments during instances of "lockdown."

The Diversity Advisory Team at USP Hazelton works to have an environment which embraces and encourages diversity, they understand diversity is a tool which we can strengthen the institution and help manage the inmate population.

I appreciate the opportunity to review and provide comments to your report of USP Hazelton. I hope to continue working closely with the CIC to improve the operations of Bureau facilities and to ensure we are meeting the needs of the inmate population.

Please contact me at (202) 353-3638 if I can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Brewer", with a large, stylized initial "D" and a horizontal flourish extending to the right.

David Brewer
Administrator, Correctional
Programs Branch