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United States General Accounting Office
Washington, D.C. 20548

General Government Division

B-283078

July 21, 1999

The Honorable Eleanor Holmes Norton
House of Representatives

Subject: Women in Prison: Transition of District of Columbia Female Felons to the Federal Bureau of Prisons

Dear Ms. Norton:

As you requested, this letter addresses two questions about the transition of female felony offenders from the District of Columbia (D.C.) Department of Corrections to the federal Bureau of Prisons (BOP), a transition that was required by the National Capital Revitalization and Self-Government Improvement Act of 1997:¹

- What is the status of the transition (e.g., how many D.C. female felony offenders are in BOP's custody and in which BOP facilities)?
- What types of parenting, educational, and job-training programs² does BOP offer to D.C. female offenders in BOP facilities?

Results in Brief

As of June 1999, 218 D.C. female felony offenders were in BOP's custody, of which 143 (or 66 percent) had been designated to the BOP prison in Danbury, Connecticut—approximately 300 miles from Washington, D.C. According to BOP officials, to help address distance-from-home and related parenting and family issues, parenting programs are offered at all BOP facilities. BOP also offers female and male inmates a variety of educational and job-training programs. For example, BOP's Danbury facility offers a course on long-distance parenting, a high school credential program, and 12 job-training programs (e.g., business management and dental assistant) that can lead to certification or accreditation.

¹ The National Capital Revitalization and Self-Government Improvement Act of 1997 was enacted as Title XI of the Balanced Budget Act of 1997, P.L. 105-33. The act requires the transition of both female and male D.C. felony offenders to BOP.

² Job-training programs include occupational or vocational programs (e.g., business management and culinary arts) and apprenticeship programs (e.g., carpentry and dental assistant).

In the future, BOP plans to house all D.C. female felony offenders, including those already housed in BOP facilities, in a private correctional facility to be built in Philipsburg, Pennsylvania—approximately 210 miles from Washington, D.C. According to BOP officials, the contractor will be required to provide parenting, educational, job-training, and other programs and services that address female-specific needs. At the time of our review, the contractor was developing specific information on its proposed policies, programs, and services. The private facility is scheduled to open in 2000.

Background

For several decades, the D.C. Department of Corrections has functioned as both a local and state-like system. As a typical municipal system, it detains pretrial, presentence, and other inmates for the local Superior Court; probation and parole violators; and those misdemeanor or felony offenders sentenced to relatively short terms. For the most part, these inmates have been held at two secure high-rise urban facilities, the D.C. Central Detention Facility (often referred to as the D.C. Jail) and the adjacent Correctional Treatment Facility. Some of these offenders have also been housed in community facilities operated or contracted for by the D.C. Department of Corrections. The department has also performed the state-like function of housing convicted felons. These inmates primarily have been held in a 3,000-acre prison complex located on federally owned land in Lorton, Virginia, about 20 miles south of Washington, D.C.

In 1997, Congress and the administration completed a review of the organization and management of the District of Columbia's public agencies. In August 1997, Congress passed the National Capital Revitalization and Self-Government Improvement Act of 1997. Among other things, the act requires the following:

- By October 1, 2001, BOP must designate all D.C. felons to a penal or correctional facility operated or contracted for by BOP after sentencing.
- By December 31, 2001, the Lorton Correctional Complex must be closed and felony inmates transferred to a penal or correctional facility operated or contracted for by BOP.
- By December 31, 1999, BOP must house at least 2,000 D.C. sentenced felons in private contract facilities.

The act does not contain gender-specific provisions or requirements. For example, it does not specifically require that BOP house any female inmates in private contract facilities.

In September 1997, the D.C. Department of Corrections requested that BOP assume custody of all sentenced female felons then-currently housed in D.C. facilities. The department also requested that the acceptance be ongoing to allow all future female D.C. felons to be designated to BOP institutions immediately after sentencing. In October 1997, BOP agreed to take all of the female felony offenders and agreed to work with the D.C. Department of Corrections to develop procedures for accepting direct commitments from the courts. Based upon subsequent discussions, BOP and the D.C. Department of Corrections agreed to not transfer female inmates who had imminent release or parole dates, were pregnant, or had pending court actions or open cases. BOP and the department also agreed to wait until January 1998 to begin transitioning D.C. female felony offenders to BOP facilities. In January

1998, the portion of the Lorton Complex that housed D.C. female felony inmates was closed and these inmates were transferred to BOP facilities or other D.C. Department of Corrections facilities (i.e., the D.C. Jail or Correctional Treatment Facility). Also, in January 1998, BOP began accepting D.C. female-inmate direct commitments from the courts.

Most D.C. Female Felons Were Assigned to BOP's Connecticut Facility

To curtail hardships the transfers and direct designations may impose on inmates, BOP and the D.C. Department of Corrections agreed to attempt to place D.C. female felony inmates in federal facilities located within 500 miles of the inmates' legal residences. According to BOP, this agreement is consistent with BOP's philosophy of keeping inmates as near home as possible.

As of June 1999, BOP had accepted 290 sentenced D.C. female felons, of which 218 remained in BOP's custody and 72 had been released.³ As table 1 shows, 143 (or 66 percent) of the 218 female offenders in BOP's custody as of June 1999 were assigned to a BOP facility in Danbury, Connecticut—approximately 300 miles from the District of Columbia.⁴

Table 1: Number of D.C. Female Inmates in BOP Custody and the Receiving BOP Facility (as of June 1999)

Location of receiving BOP facility	BOP facility name	Miles from D.C. (approximate) ^a	Number of inmates
California	Federal Correctional Institution Dublin	2,840	1
Connecticut	Federal Correctional Institution Danbury	300	143
Florida	Federal Correctional Institution Tallahassee	890	11
Texas	Federal Medical Center Carswell	1,400	15
Washington, D.C.	Washington Halfway House for Women-Fairview ^b	0	8
West Virginia	Federal Prison Camp Alderson	280	40
Total			218

^aInternet-based roadmap software was used to calculate highway mileage from D.C.

^bThe Washington Halfway House for Women-Fairview is a private facility contracted for by BOP.

Source: BOP.

Twenty-seven of the 218 D.C. female felons were assigned to BOP facilities more than 500 miles from the District of Columbia—i.e., to BOP facilities in California (1 inmate), Florida (11 inmates), and Texas (15 inmates). The D.C. Department of Corrections concurred with these assignments because they were based on medical, security, or safety concerns.

According to BOP officials, as of January 1998, BOP had received all transfers from D.C. facilities that BOP and the D.C. Department of Corrections initially agreed should be

³ According to BOP data, of the 218 D.C. female felons in BOP custody, 127 were transferred from D.C. facilities, 85 were initial designations (i.e., direct commitments from the courts), and 6 were in BOP's custody prior to the time the National Capital Revitalization and Self-Government Improvement Act of 1997 required the transition of D.C. felony inmates to BOP.

⁴ Federal Correctional Institution Danbury is a low-security facility housing approximately 1,000 female inmates. Adjacent to this facility is a minimum-security facility housing approximately 200 female offenders.

transferred. The officials noted that since January 1998, BOP has and will continue to receive additional transfers from D.C. facilities (e.g., inmates who no longer have pending court actions or open cases)⁵ and direct commitments from the D.C. courts.

As of June 1999, the D.C. Department of Corrections retained custody of 263 female offenders.⁶ According to D.C. Department of Corrections officials, in spite of the transfer of D.C. female felony offenders to BOP, there has not been a significant decrease in the D.C. female inmate population due to an increase in both pretrial and misdemeanor commitments. The officials noted that this is consistent with the overall inmate population growth at the D.C. Department of Corrections.

BOP Offers a Variety of Parenting, Educational, and Job-Training Programs

In May 1999, BOP officials responsible for the transition of D.C. offenders to BOP visited BOP's Danbury facility and conducted interviews with correctional staff and D.C. female inmates. BOP officials told us that the inmates were primarily concerned about their distance from home and related parenting and family issues. According to BOP, parenting programs are offered at all BOP prisons to help inmates maintain and strengthen relationships with their children, learn to handle responsibility, and become more prepared to rejoin their families after release. Parenting programs' components include (1) mother/child visitation activities and (2) parenting skills classes. For example, the children's visitation center at BOP's Danbury facility—located adjacent to the general visitation area— has child-size furniture, toys, games, and books. According to Danbury officials, children's center activities include reading, storytelling, board games, puppetry, arts and crafts, and birthday and holiday celebrations.

According to Danbury officials, parenting skills classes are offered in both English and Spanish and include anger management, how to interpret children's behavior, how to administer positive discipline, and how to "parent" from a distance. The long-distance parenting course addresses issues such as understanding the role of a parent, the effects of incarceration on the family and child, answering children's questions about incarceration, and steps toward fostering a healthy family. Other classes are intended to teach inmate-parents how to communicate with their children through letters, pictures, and telephone calls. Danbury officials noted that inmates are able to demonstrate and apply what they learn when visiting with their children in the children's visitation center.

BOP said it recognizes the importance of education as both an opportunity for inmates to improve their knowledge and skills and as a correctional management tool that encourages

⁵ According to BOP officials, as of June 1999, 32 D.C. female felony inmates were scheduled to be transferred from D.C. facilities to BOP during the summer of 1999.

⁶ The D.C. Department of Corrections generates monthly audit reports on the D.C. female inmate population. According to the June 1999 report, of the 263 female offenders in D.C. Department of Corrections' custody, 64 were in the referral process to BOP, 131 had pending court actions, 40 had pending parole actions, 14 were misdemeanants, 8 had mandatory release dates before December 1999, and 6 were D.C. Youth Rehabilitation Act offenders.

inmates to use their time in a constructive manner. In May 1991, BOP raised its mandatory literacy standard to a high school diploma or a General Educational Development credential. According to BOP, with limited exceptions, an inmate who does not have a diploma or credential must participate in a literacy program for a minimum of 240 instructional hours or until a credential is earned. Inmates involved in work programs must have a high school diploma or credential to receive job pay promotions above the entry level. Federal law mandates that non-English proficient inmates participate in an English as a second language program until they function at the equivalent of the eighth-grade level in competency skills. In addition, BOP's Danbury facility offers continuing education classes (e.g., foreign languages, bookkeeping, history, and speed reading), advanced occupational (college level) courses, and release readiness programs.

BOP also offers female inmates a variety of job-training programs that are intended to enhance job skills during incarceration and increase the employability of offenders upon release. For example, according to BOP program documentation, BOP's Danbury facility offers five occupational training programs (i.e., business management, business education training, building trades, culinary arts, and horticulture) and seven apprenticeship programs (i.e., carpenter, cook, dental assistant, electrician, painter, stationary engineer, and tool machine set-up operator). All of these occupational and apprenticeship programs can lead to certification or accreditation.

Contract Facility for D.C. Female Inmates Scheduled to Open in 2000

As previously mentioned, the National Capital Revitalization and Self-Government Improvement Act of 1997 requires BOP to house at least 2,000 D.C.-sentenced felons in private contract facilities by December 31, 1999. BOP has chosen to house all D.C. female felony offenders in a private contract facility.

In April 1999, BOP awarded a performance-based⁷ contract to Cornell Corrections, Incorporated, for the management and operation of a contractor-owned and contractor-operated secure correctional institution. The facility will be located in Philipsburg, Pennsylvania, which is about 210 miles from Washington, D.C. The facility is to house 300 D.C. female felony offenders of various security levels. Separate areas are to house 350 minimum-security D.C. male offenders and 350 D.C. Youth Rehabilitation Act male offenders.⁸

The contract requires that inmates be offered (1) a comprehensive parenting education program to promote and build family relationships; (2) educational programs, including literacy programs, General Educational Development testing, and an English as a second language program; and (3) job-training programs. The contract also contains requirements

⁷ The contract has both fixed-price and award-fee components. The amount of the award fee will be based on BOP's assessment of the contractor's performance.

⁸ A separate facility for 1,200 low-security male D.C. sentenced felons is planned, but a contract had not been awarded at the time of our review.

applicable only to the female-inmate population. Among other things, the contractor is required to

- ensure that female offenders have access to programs and services that meet their different needs, prepare them to function in an institution environment, and prepare them to assimilate back into the community;
- address female health care issues in health care plans and procedures; and
- refer pregnant inmates for participation in the Mothers and Infants Together program as appropriate and in accordance with BOP procedures.⁹

According to the contractor's proposal, among other things,

- vocational training programs will include food service, laundry service, general construction, landscaping, and general maintenance;
- the contractor will provide a Washington, D.C.-based video visitation system;
- sexual assault and abuse programs will include topics such as recognizing behaviors that are inappropriate, harassing, or assaulting and how to seek protection; privacy rights; medical psychological programs for victims of abuse; and how to confidentially report sensitive issues to institution staff and BOP; and
- life skills programs will include anger management, problem solving, interpersonal relationships, parenting classes, personal financial management, employment readiness, and interviewing skills.

At the time of our review, Cornell Corrections, Incorporated, was developing specific information on its proposed policies, programs, and services. Regarding staff training and staff development, BOP plans to make its self-study course entitled "Working With Women Offenders" available to the contractor.

In June 1999, BOP issued Cornell Corrections, Incorporated, a stop work order on the Philipsburg contract pending BOP's efforts to reevaluate environmental documentation used to support the contract award. According to BOP officials, it will take at least 45 days to perform the reevaluation. Although a specific date for opening the new private facility had not been determined at the time of our review, BOP officials noted that the contractor should begin accepting inmates and assuming full responsibility for the operation, maintenance, and security of the institution during calendar year 2000. Further, according to BOP officials, all D.C. female felony offenders housed in BOP facilities will be transferred to the new contract facility, although exceptions may be made on a case-by-case basis (e.g., inmates with special medical or programming needs).

⁹ The Mothers and Infants Together program is an alternative residential program for pregnant inmates. Generally, low-risk female inmates who qualify and agree to participate in the program are placed in a community-based facility 2 months before expected delivery and remain there for 3 months after delivery to promote maternal bonding and parenting skills.

Scope and Methodology

To meet our objectives, we contacted officials in (1) BOP's Community Corrections and Detention Division and BOP's Correctional Programs Division and (2) the D.C. Department of Corrections and the D.C. Office of the Corporation Counsel (Special Litigation Division). We reviewed statistics provided to us by BOP on the status of D.C. female felony inmates transitioned to BOP but did not independently verify the number of inmates transitioned or at the receiving BOP facilities. We also reviewed the applicable federal law requiring the transition and documents that describe the programs and services offered at BOP facilities. While visiting the Federal Correctional Institution Danbury, we interviewed correctional officials and observed female inmates participating in various parenting, educational, and job-training programs; however, we did not assess the quality of the programs. We also reviewed BOP's April 1999 contract for the management and operation of the contractor-owned and contractor-operated secure correctional institution in Philipsburg, Pennsylvania. We conducted our work from December 1998 to June 1999 in accordance with generally accepted government auditing standards.

Agency Comments and Our Evaluation

On July 1, 1999, we provided a draft of this letter for review and comment to BOP and the D.C. Department of Corrections. In its written comments dated July 15, 1999, BOP noted that it has issued a stop work order on the Philipsburg contract pending BOP's efforts to reevaluate environmental documentation used to support the contract award. BOP also provided technical comments and clarifications. This information has been incorporated in this report where appropriate.

In its written comments dated July 9, 1999, the D.C. Department of Corrections provided technical comments and clarifications, which have been incorporated in this letter where appropriate.

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We are sending copies of this letter to The Honorable Janet Reno, Attorney General; The Honorable Kathleen Hawk Sawyer, Director, BOP; Mr. Odie Washington, Director, D.C. Department of Corrections; and other interested parties. Copies will also be made available to others upon request.

B-283078

Please contact me on (202) 512-8777 if you or your staff have any questions about this letter. Key contributors to this letter were Dan Burton, Eric Erdman, and Mary Hall.

Sincerely yours,

A handwritten signature in black ink that reads "Norman Rabkin". The signature is written in a cursive style with a large, looped initial "N".

Norman J. Rabkin
Director, Administration of Justice Issues

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