



Department of Justice

STATEMENT
OF
HARLEY G. LAPPIN
DIRECTOR
FEDERAL BUREAU OF PRISONS

BEFORE THE
FEDERAL WORKFORCE, POSTAL SERVICE, AND
THE DISTRICT OF COLUMBIA SUBCOMMITTEE
OF THE
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

CONCERNING
INMATE PROGRAMS AT RIVERS CORRECTIONAL INSTITUTION

PRESENTED ON
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Good Morning Chairman Davis and Members of the Subcommittee.

I appreciate the opportunity to appear before you today to discuss the role of the Bureau of Prisons in the confinement, care, and treatment of offenders from the District of Columbia.

The Bureau of Prisons (BOP) is responsible for the care and custody of more than 200,000 inmates in 114 Federal institutions and a number of contract facilities throughout the United States. We are responsible for the incarceration of inmates who have been sentenced to imprisonment for Federal crimes and the detention of individuals awaiting trial or sentencing in Federal court. In addition, based on a 1997 Federal law, our agency is also responsible for the District of Columbia's sentenced felon inmate population.

The National Capital Revitalization and Self-Government Improvement Act of 1997 (Title XI of the Balanced Budget Act of 1997 (P.L. 105-33)) required the BOP to assume responsibility for the incarceration of District of Columbia (D.C.) sentenced felons

by December 31, 2001. The law also requires us to treat D.C. Superior Court inmates as much like Federal inmates as possible, stating: "Such persons shall be subject to any law or regulation applicable to persons committed for violations of laws of the United States consistent with the sentence imposed."

Immediately after passage of the Act, the BOP began working with the D.C. Department of Corrections to ensure that the transfer of inmates would be orderly and efficient. Our ambitious construction schedule and our use of some State correctional institutions and some privately-operated facilities allowed us to meet the Act's requirement prior to the deadline; the transfer was completed in November 2001.

The Act further required the BOP to house at least 2,000 D.C. sentenced felons in privately-operated facilities by December 31, 1999, and to confine 50 percent of D.C. sentenced felons in private facilities by September 30, 2003.

The privatization requirements of this Act were superceded by a provision in Public Law 106-553 (enacted on December 21, 2000) which provides that, beginning in fiscal year 2001 and thereafter, the BOP may confine in privately-operated prisons only those D.C. inmates who are determined to be appropriate for

such placement based on Federal classification standards and any threat they may pose to public safety.

After the Revitalization Act passed in 1997, we initiated a process to procure private contract beds as required by the statute. We divided the procurement into two phases for two separate contract facilities. The first phase of the procurement resulted in a 1999 contract award for a facility in Philipsburg, Pennsylvania. Originally, the facility was slated to confine and manage 300 female D.C. inmates of various security levels, 350 minimum-security male D.C. inmates, and 350 D.C. Youth Reform Act inmates of various security levels. The contract experienced some delays due to environmental and legal challenges. We reassessed our needs and our decision regarding the population that would be confined at the Philipsburg facility. We determined that the population should consist of 1,300 low-security male inmates -- primarily low-security Federal criminal aliens and D.C. inmates. Construction of the Moshannon Valley Correctional Center began in October 2004, and the facility opened in April 2006.

The second phase of the procurement resulted in a contract with the Rivers Correctional Institution in Winton, North Carolina. The original contract for this facility called for the

confinement and management of approximately 1,200 low-security D.C. inmates. The Statement of Work for the Rivers facility allows for the designation to this institution of other low-security inmates. The contract was awarded in March 2000, and the facility opened in March 2001. Rivers Correctional Institution began receiving inmates in April 2001.

In February of this year, based partly on tensions between the criminal aliens and D.C. inmates at the Moshannon Valley Correctional Center, we transferred all of the D.C. inmates out of that facility. The vast majority of these D.C. inmates were redesignated to Rivers Correctional Institution.

Currently, Rivers Correctional Institution confines approximately 1,300 inmates -- approximately 700 D.C. inmates and approximately 600 criminal aliens. The Moshannon Valley Correctional Center now confines approximately 1,500 low-security Federal criminal aliens.

Inmate Programs

The mission of the Bureau is to provide safe, secure, humane, and cost-effective confinement of inmates, and to provide opportunities for offenders to gain the skills that they will need to return to society as productive and law-abiding citizens.

Our programs stress the development of the work skills and life skills needed to enhance employment upon release and to help inmates maintain a crime-free lifestyle.

Our inmate programs include work, education, vocational training, substance abuse treatment, opportunities for religious observance, counseling, and other programs that impart essential life skills and pro-social values. We also provide a variety of other structured activities that are designed to teach inmates productive ways to use their time. Preparation for reentry begins in the first days of an inmate's incarceration. The vast majority of our inmate programs and services are geared toward helping inmates prepare for their eventual release.

The core inmate programs at all BOP facilities include:

- Work Programs -- which includes work in institution jobs and in the Federal Prison Industries Program.
- Education -- including literacy classes (to obtain a General Educational Development certificate), English as a Second Language, adult continuing education, parenting classes, recreation activities, wellness education, and library services.
- Occupational Training
- Vocational Training (VT)

- Substance Abuse Treatment -- including drug education, nonresidential treatment, residential treatment, and community transition treatment.
- Observance of Faith and Religion
- Psychology Services and Counseling
- Visiting, Telephone, and Correspondence Privileges
- Release Preparation -- which includes institution-based programs and use of residential reentry centers.

In addition, many institutions offer additional pro-social values programs to address a variety of needs among certain segments of the inmate population (including younger offenders and high-security inmates). These programs focus on inmates' emotional and behavioral responses to difficult situations and emphasize life skills and the development of pro-social values, respect for self and others, responsibility for personal actions, and tolerance.

We also continue the implementation of our Inmate Skills Development initiative. This is a strategy the BOP has undertaken to unify our inmate programs and services into a comprehensive reentry strategy. The three principles of the Inmate Skills Development strategy are: (1) inmate participation in programs must be linked to the development of relevant inmate

reentry skills; (2) inmates should acquire or improve a skill identified through a comprehensive assessment, rather than simply completing a program; and (3) resources are allocated to target inmates with a high risk for reentry failure.

D.C. inmates confined in the Rivers Correctional Institution are offered the opportunity to participate in programs; however, we now believe that the vocational training and residential drug abuse treatment programs are inadequate. We have identified a need to expand vocational training programs, and we intend to enhance and certify the residential substance abuse treatment program so that more low-security D.C. inmates can receive such treatment at a location that is closer to the District.

In November 2006, we evaluated the range of programs at Rivers Correctional Institution and identified a specific need for enhanced vocational training. In December, we asked the GEO Group Inc., the company that operates the facility, to submit proposals to increase programming that these facilities.

We received three proposals from the GEO Group to implement a plumbing vocational training program, a carpentry VT program, and an electrical VT program; and in February 2007 we focused our efforts on these proposals. In March, we sent the three

proposals to the Court Services and Offender Supervision Agency (CSOSA) for their review. CSOSA's review is to help to ensure the programs will meet appropriate national curriculum standards and will provide D.C. offenders with marketable skills. CSOSA will also help ensure that links to continuing vocational, apprenticeship, or on-the-job training will be in place for inmates who do not complete the program during incarceration.

Residential Drug Abuse Treatment and Reduction in Term of Imprisonment

The BOP has provided some form of substance abuse treatment to inmates for decades. The Violent Crime Control and Law Enforcement Act of 1994 mandates that the BOP provide residential substance abuse treatment to all eligible prisoners with priority based on proximity to release date and allows the BOP to reduce the term of imprisonment for nonviolent offenders who successfully complete the residential program.

While the statute applies only to inmates convicted in Federal court, in our effort to treat D.C. Superior Court inmates as much like Federal inmates as possible, we offer residential drug abuse treatment to D.C. Superior Court inmates as well. These offenders have participated in residential treatment, and they have been eligible for many of the incentives we offer -- the exception is the possible reduction in their term of

imprisonment. However, changes to that exception are forthcoming.

On May 24, 2005, the D.C. City Council passed the Omnibus Public Safety Ex-Offender Sufficiency Reform Amendment Act of 2004. Among its several provisions, this law allows non-violent, D.C. Code offenders to receive a reduction of up to 1 year off their term of imprisonment upon successful completion of the residential substance abuse treatment program. We published a proposed rule to implement this law on November 2, 2006. We have composed a final rule and will publish the rule in conjunction with issuing our own updated policy, which is currently in the final review and clearance process.

Conclusion

Mr. Chairman, this concludes my formal statement. I would be pleased to answer any questions you or other Members of the Subcommittee may have.