
V. Core Function: Detention and Incarceration

Three Department components—BOP, USMS, and INS—have responsibility for confining persons convicted of Federal crimes and sentenced to prison, as well as those charged with Federal offenses who are detained while awaiting trial or sentencing, a hearing on their immigration status, or deportation. In 1998, BOP's total inmate population grew by more than 10,000—the largest 1-year increase in the history of the agency—and the average daily USMS prisoner population was approximately 14 percent higher than in 1997.

Goal 5.1: Provide for the Safe, Secure, and Humane Confinement of Persons Who Are Detained While Awaiting Trial or Sentencing, a Hearing on Their Immigration Status, or Deportation.

During 1998, the populations of Federal inmates and detained aliens mushroomed. To help provide for USMS detention needs and those of other Federal law enforcement agencies, BOP operated 11 detention centers and 19 other facilities with designated jail bed-space for these prisoners. BOP also assisted the INS in housing some of its criminal alien detainees.

At the end of 1998, the USMS maintained custody of approximately 31,000 prisoners, who were housed in approximately 1,000 state, local, and Federal detention facilities throughout the country. To more effectively manage its prisoner population, the USMS operated videoconferencing systems in eight locations nationwide. This enabled the USMS to reduce security risks by decreasing the number of prisoners transported to court for interviews and hearings. The USMS also signed a \$1 million reimbursable agreement with the Administrative Office of the U.S. Courts to provide home confinement/electronic monitoring, halfway house placement, and substance abuse testing as alternatives to detention. The USMS worked diligently with state and local governments to ensure that sufficient detention space was available to house violent and repeat offenders. In 1998, the USMS acquired more than 1,500 additional guaranteed detention beds through the Cooperative Agreement Program.

Keeping Drugs out of Our Prisons

Through a \$1.6 million grant from the Office of National Drug Control Policy, the Bureau of Prisons purchased and installed 28 ion spectrometry drug detection systems at various Federal prisons to test visitors for trace amounts of drugs. Those who test positive are not permitted to visit inmates. During a 90-day pilot at two institutions, approximately 4,000 visitors were tested, and about 200 tested positive. An additional 450 potential visitors departed the institutions upon learning that the device was in use—without being tested.

The INS used additional funding to increase bedspace capacity throughout 1998 for a year-end use rate of 16,096 beds, up from 13,491 the year before. Criminal aliens occupied about 62 percent of available detention space. To manage a detention population requiring longer stays and more coordination for removal, the INS used the Justice Prisoner Alien Transportation System (JPATS) to transport more than 52,200 aliens—an increase of 26 percent over the year before.

The INS also achieved improvements in the overall quality of its detention facilities in 1998. To protect the rights of aliens detained while awaiting trial, sentencing, immigration hearing, or deportation, standards that define safe, secure, and humane detention conditions were promulgated to all INS and contract detention facilities. In addition, the INS is taking steps towards accreditation for its detention facilities through participation in the American Correctional Association Accreditation Program.

During 1998, BOP housed approximately 1,000 Mariel Cuban detainees in its facilities, providing substance abuse treatment and release programming for INS detainees with release notices. An additional 900 non-Mariel INS detainees requiring secure confinement were also housed in BOP facilities. Finally, BOP accepted an additional 30 nonreturnable criminal aliens who had caused significant disruptive behavior in INS facilities.

Management Challenge: Detention Facilities

Space to detain the Federal jail population has been a material issue for years. The Department has struggled with providing enough detention space to house the expanding jail population near Federal courts where their cases are held. The Department has a Federal Detention Plan, which is regularly updated, and the Bureau of Prisons and U.S. Marshals Service use construction of new detention space, cooperative agreements, intergovernmental transfers with state and local governments, and private jail contracts to provide housing for the jail population. This is an extremely difficult issue that will require persistent effort as long as the jail population keeps growing.

Goal 5.2: Ensure that Sufficient Prison Capacity Exists so that Violent and Other Serious Criminal Offenders are Imprisoned to the Fullest Extent of the Law.

Prison Bedspace Capacity

Through its ongoing construction and expansion program, the Bureau added 3,029 beds at facilities it operates, for a total rated capacity of 86,051. However, the growth of the inmate population outstripped the increase in bedspace, and BOP's crowding rate increased for the first time in several years, from 22 percent in FY 1997 to 26 percent in FY 1998. The number of offenders in community corrections centers increased to 6,765 at the end of 1998, an 8-percent rise from 1997. Nineteen facilities were under some phase of development at fiscal year's end; these will provide an additional 21,163 beds by the year 2003.

BOP used intergovernmental agreements to house a significant number of sentenced illegal aliens. Of the 3,600 beds under such an arrangement, 2,600 were at institutions operated by private companies. BOP also had contracts for more than 3,300 secure beds for Federal inmates, including 750 beds for INS detainees.

Management Challenge: Prison Overcrowding

Prison overcrowding has been a material issue for years and likely will continue to be. In 1985, the Bureau of Prisons reported that its facilities were substantially overcrowded, which is a danger to inmates, staff, and the surrounding communities. Over the years, with funding support for new and expanded facilities and alternatives to incarceration, the overcrowding rate dropped steadily. However, in 1998, prisons became 4 percent more overcrowded, up from 22 percent to 26 percent over the capacity standards of the American Correctional Association. While the Department has increased its prison capacity steadily, it has not increased it as much as planned, and the inmate population continues to grow faster than our projections and our capacity to

National Capital Revitalization and Self-Government Improvement Act of 1997

During 1998, BOP began its efforts to comply with the National Capital Revitalization and Self-Government Improvement Act of 1997, a part of which mandates that all sentenced felony offenders (approximately 7,000 inmates) be transferred from facilities operated by the District of Columbia Department of Corrections (DC DOC) to correctional facilities operated or contracted by BOP. BOP also initiated the process of procuring 2,200 private sector beds to meet the mandates of the Act.

During 1998, BOP accepted all 173 female inmates, 40 minimum-security male inmates, 200 low-security male inmates, and 30 special management cases from DC DOC. BOP agreed to confine 200 high-security inmates until contract beds in Virginia Department of Corrections facilities become available. With the approximately 450 DC offenders that it previously agreed to accept at the request of DC DOC, BOP now has more than 1,000 DC offenders in its custody.

The Department coordinated the transition from the DC Parole Board to the U.S. Parole Commission (USPC) of all DC offenders eligible for parole or reconsideration as of August 5, 1998. It also managed the scheduling of eligible prisoners at Lorton facilities, private prisons, and BOP in a coordinated effort to provide fair and prompt hearings for DC prisoners. To help reduce violent crime by DC parolees, USPC devised an improved point score system to replace the system used by the DC Parole Board. This system went into effect on August 5, 1998, when the USPC took over the parole release function for DC offenders. The USPC believes that the improved scoring system will identify and thwart those offenders with a high probability of serious recidivism.

Goal 5.3: Maintain and Operate the Federal Prison System in a Safe, Secure, Humane, and Efficient Manner.

Despite a big jump in the prisoner population in 1998, there were no escapes from secure BOP institutions (low, medium, high, and administrative security categories) during the year, no serious disturbances at any of BOP's 92 institutions, and no staff deaths or serious injuries suffered in the line of duty.

On recommendation of the Attorney General's Advisory Committee, the Attorney General formed a working group in 1998 to examine the adequacy of juvenile detention facilities for youthful offenders convicted in the Federal system. The group met several

times to discuss educational opportunities and rehabilitation efforts for juveniles in Federal facilities, as well as issues such as cultural sensitivity to the placement of juveniles in detention facilities. At the working group's recommendation, BOP adopted a goal of housing 50 percent of all newly sentenced Federal juveniles within 250 miles of home by the end of 1998. BOP exceeded this goal, placing about 75 percent within this radius.

Goal 5.4: Provide Productive Work, Education, Medical, and Other Programs to Meet Inmate Needs and Facilitate their Successful Reintegration into Society, Consistent with Community Expectations and Standards.

Inmate Services

During 1998, Federal Prison Industries (FPI) employed approximately 20,000 inmates, representing about 25 percent of the sentenced Federal inmate population. On a typical day, 35 percent of the inmate population was involved in education programs such as literacy, occupational and vocational training, English-as-a-Second-Language, parenting, health promotion/disease prevention, release readiness, and adult continuing education. In 1998, 6,190 Federal inmates passed the General Education Development (GED) test, an increase of almost 25 percent from the previous year. The Post Release Employment Project (PREP), a 12-year comprehensive study on the long-term impact of prison industries and vocational training, updated in 1998, found that FPI training programs improve institutional behavior, lower recidivism rates, and increase job related success for prisoners after their release.

BOP provides essential medical, dental, and mental health care to all inmates in Federal prisons. In 1998, three BOP institutions received initial accreditation from the Joint Commission on Accreditation of Healthcare Organizations, bringing total accredited facilities to 90.

Also during 1998, BOP provided residential drug abuse treatment to 10,006 inmates. An interim report from an ongoing evaluation of BOP residential drug abuse treatment showed that individuals who completed residential treatment were less likely to be arrested for a new offense. Drug treatment program graduates were also less likely to test positive for drug use during the first 6 months after release. A total of 6,951 inmates participated in community-based drug treatment programs during the year, representing a 31-percent increase over the 1997 figure of 5,315.

The USMS continued its efforts to contain prisoner medical costs by expanding its managed care medical network in the New York City area. This move generated a cost savings of \$3.4 million through pre-authorization of outside medical trips and medical claim review by USMS headquarters. As a result of USMS network expansion efforts, the agency successfully negotiated an interagency agreement with the Department of Veterans Affairs (VA) to implement medical specialty clinics for outpatient care inside the BOP's Metropolitan Correctional Center in New York City and the Metropolitan Detention Center in Brooklyn, New York. Not only were the VA specialty clinics less expensive than community health care (cutting medical and security costs by as much as 74 percent), they also enhanced prisoner security significantly by reducing the number of outside medical trips.

The USMS also saved approximately \$3.3 million in prisoner medical costs by reviewing medical claims referred from the other 92 USMS district offices throughout the nation. Therefore, total savings in prisoner medical costs was \$6.7 million in 1998.