

Summary of Material Weakness and Corrective Actions

A summary of the material weakness identified in the Department's FY 2010 assessment of the effectiveness of internal control over programmatic operations (FMFIA § 2) follows, along with details regarding corrective actions. The associated Corrective Action Plan is available in Section IV of this document.

Programmatic Material Weakness and Corrective Actions – Prison Crowding

As of September 30, 2010, the inmate population housed in BOP operated institutions exceeded the rated housing capacity by 37 percent. The BOP's Long Range Capacity Plan relies on multiple approaches to house the increasing federal inmate population, such as contracting with the private sector and state and local facilities for certain groups of low-security inmates; expanding existing institutions where infrastructure permits, programmatically appropriate, and cost effective to do so; and acquiring and constructing new facilities as funding permits. The Long Range Capacity Plan details the acquisition, expansion, and construction necessary to maximize the BOP's ability to keep pace with the increasing inmate population, thereby striving to maintain safe and secure operations in facilities housing federal inmates.

To address this material weakness, the BOP will continue implementing its Long Range Capacity Plan, making enhancements and modifications to the plan, as needed, commensurate with funding. The formal Corrective Action Plan includes utilizing contract facilities, expanding existing institutions, and acquiring and constructing new institutions as funding permits. The BOP will continue to validate progress on construction projects at new and existing facilities through on-site inspections or by reviewing monthly construction progress reports.

The Department's corrective action efforts are not limited to the BOP alone. The Department has begun considering an innovative array of crime prevention, sentencing, and corrections management improvements that will focus on accountability and rehabilitation, while protecting public safety. The Department recognizes that the BOP's capacity management efforts must be teamed with targeted programs that are proven to reduce recidivism and promote effective re-entry.

This material weakness was first reported in 2006. Remediation of the weakness through increasing prison capacity is largely dependent on funding, while other correctional reforms and alternatives may require policy and/or statutory changes. Other initiatives notwithstanding, if the acquisition, expansion, and construction plans detailed in the BOP's Long Range Capacity Plan are funded as proposed, the over-crowding rate for FY 2014 is projected to be 38 percent. Without the utilization of contract facilities and the BOP's other mitigating actions, the projected over-crowding rate would be 45 percent.