

## ***Reforming and Strengthening the Federal Bureau of Prisons 2021-2025***

*“The Bureau is charged with ensuring public safety through the safe and humane housing of adults in custody and—just as importantly—ensuring that those adults in custody return to their communities fully prepared to be good neighbors.*

*I know you all work every day to uphold that mission. Your leadership of our nation’s federal correctional institutions is mission critical. I also know that you share my deep concern when we fail to live up to that mission. And we have come up short too frequently in recent years.*

*I know the complexity of the mission you carry out. That’s why early in my tenure, I recognized the need to bring both reform and resources to the Bureau of Prisons.” - Deputy Attorney General Monaco addressing federal wardens in April 2023*

The Federal Bureau of Prisons (FBOP) has a dual mission of safely and humanely caring for those in its custody while also preparing them to successfully reenter society. Under the leadership of the Office of Deputy Attorney General Monaco (ODAG), FBOP underwent sweeping, essential reforms to reinvigorate its commitment to this mission and institute core values to guide the work of the Bureau into the future. The reforms ODAG championed to ensure constitutional conditions of confinement are outlined below.

- Appointed experienced and dedicated leadership – from Director Colette Peters to her senior staff – to institute dynamic and critical reforms across the Bureau.
- Designated the first-ever Associate Deputy Attorney General – a senior counselor in the Deputy Attorney General’s office– focused solely on FBOP management and reform.
- **Rooting Out Sexual Assault and Increasing Accountability:** Undertook an enterprise-wide effort to root out sexual assault and increase accountability at the FBOP by:
  - Launching a working group of Justice Department experts to examine the problem of sexual assault by FBOP personnel. The group identified over 50 comprehensive reforms that to improve prevention, investigation, and prosecution of sexual assault in federal prisons.
  - Conducted a Bureau-wide assessment and installation of security cameras to increase coverage, starting with women’s facilities. In the past three years, FBOP has installed 1,737 additional cameras, including 206 in women’s facilities, to reduce blind spots. FBOP also upgraded 5,985 of its existing cameras from analog to digital, improving reliability and quality. This included 1,039 camera upgrades in women’s facilities.
  - Launching Sexual Abuse Facility Evaluation & Review (SAFER) teams to visit FBOP facilities and ensure compliance with all the new reforms. The SAFER teams visited 10 FBOP women’s facilities of all security levels and purpose,

including pre-trial facilities and medical centers.

- Advocated to the Sentencing Commission and to increase the sentencing guidelines for sexual abuse of a ward, to bring them into parity with the far more stringent guidelines that apply to comparable sex offenses.
- Prioritized accountability for sexual misconduct in FBOP institutions through prosecutions by the U.S. Attorney community leading to over 24 convictions of FBOP personnel for sexual assault or sexual misconduct of those in their care, including the conviction of leadership at the former FCI Dublin.
- Supported the use of compassionate release, where appropriate, for victims of sexual abuse while in BOP's custody.
- Formed a standing Advisory Group to bring together Department leaders across FBOP, the Office of the Inspector General, the Office of Violence Against Women, and other components to continue to address these issues.
- **Ensuring Access to Counsel in FBOP Facilities:** Launched a comprehensive review and implemented over 30 transformative recommendations to ensure consistent, timely access to counsel at FBOP pretrial facilities, including:
  - Published the first ever Pretrial Detention Legal Access Handbook, and translating into 24 languages, to ensure counsels are informed of legal access procedures for a pretrial facility.
  - Revised FBOP policies to allow defense counsel to bring laptops and other electronics into FBOP pretrial facilities so they can review discovery with their clients.
  - Installed privacy phonebooths so clients can confidentially communicate with counsel via a direct line on their housing unit.
  - Deployed teams to visit every pre-trial facility to inventory discovery equipment, test discovery productions, and recommend improvements.
  - Directed FBOP to expedite software initiatives for scheduling legal visits and confidential email communications.
  - Established the Discovery Work Group in partnership with Access to Justice and FBOP, which developed best practices for prosecutors and defense attorneys to ensure discovery productions are accessible and compatible.

- **Strengthening Efforts to Prevent Deaths in Custody:** Brought together Department leaders to identify and implement over 50 actions to prevent suicide by individuals in custody, including:
  - Ensuring that FBOP and pre-trial facilities receive up-to-date and accurate mental health and information related to suicide risk.
  - Improving access and delivery of suicide prevention related care through appropriate mental health treatment.
  - Reducing opportunity for and lethality of incidents of self-directed violence by tracking and reporting to leadership on the use of restrictive housing, lockdowns, single-celling, and illicit substances and contraband.
  - Using data and research to refine suicide prevention policies by developing data-driven recommendations for analyzing suicide risk and encouraging institutional reviews after an inmate death or suicide attempt.
- **Expanding Programs to Support Reentry Efforts by Adults in Custody:**
  - Developed the Civil Legal Empowerment and Reentry (CLEAR) Program to help adults in custody navigate civil legal challenges that affect their reentry, such as family law, government benefits, debt, finances, and more. To date, the CLEAR Program has served over 250 adults in custody.
  - Piloted the first-ever Medical Legal Partnership in a federal or state prison system, which helps adults in custody develop and file pre-release Supplemental Security Income applications to receive mental health services and benefits after reentry.
- **Addressing the Institutional Crises of Staffing and Aging Facilities by:**
  - Taking swift action to address inadequate FBOP facilities, including:
    - In 2021, after personally viewing its intolerable conditions, the Deputy Attorney General ordered the closure of MCC New York.
    - Supported the creation of an Urgent Action Team to address facilities with the most urgent needs, including MDC Brooklyn, where the team quickly addressed staffing, health services, and other urgent needs at the facility.
    - Strategically realigning operations by closing FCI Dublin and deactivating six other federal facilities with staffing challenges and aging infrastructure for further review.

- Developing a five-year facilities plan to address a \$3 billion facilities deficit and working with Congress to get the resources necessary to support the plan. In 2024, the Department secured a \$64 million investment in the Bureau of Prisons that will help address critical infrastructure issues, including those exacerbated by recent natural disasters.
- Advocated for a nationwide Special Salary Rate to make BOP's pay scale competitive.
- In 2024, the Department welcomed the enactment of the bipartisan Federal Prison Oversight Act, which will help further the reform efforts led by ODAG to support appropriate oversight of the Federal Bureau of Prisons.
- **Droving Implementation of the First Step Act and Recidivism Reduction Programming by:**
  - Creating a new rule to allow eligible adults in custody to earn credits toward pre-release custody or toward their supervised release.
  - After implementing the rule, engaging with external stakeholders and Congressional officials to revise the rules to maximize the ability for individuals to earn credits, consistent with the safety considerations enumerated under the FSA.
  - Improving the FBOP's ability to deliver in-house medically assisted addiction treatment to those in custody, increasing enrollment five-fold.