

**Senate Homeland Security & Governmental Affairs Committee**

**Permanent Subcommittee on Investigations**

**July 26, 2022 Hearing**

***Corruption, Abuse, and Misconduct at U.S. Penitentiary Atlanta***

**Written Testimony of Terri Whitehead**

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**Federal Bureau of Prisons**

**U.S. Department of Justice**

Chairman Ossoff, Ranking Member Johnson, and members of the Subcommittee.

Thank you for inviting me to testify today.

I am here to testify about the many abuses and gross mismanagement I personally witnessed while serving at United States Penitentiary (USP) Atlanta from August 2020 until I retired in December 2021 – earlier than I had planned.

Introduction

I am especially saddened to be testifying about USP-Atlanta. I held USP-Atlanta near and dear to my heart -- it was my homestead facility where I started work as an intern in 1990 and I became a part of the Bureau Family. I became a member of a small group of people who helped me understand what it means to be a “correctional worker first,” to know the Bureau of Prisons (BOP) as a policy-driven agency.

I learned and practiced BOP policy, and how following policies and procedures made for safety and security of all involved to include staff, inmates, and the surrounding communities. During my 30 years at BOP, I was promoted to positions of increasing authority, including Unit Manager, Case Management Coordinator, Executive Assistant, Camp Administrator, and Jail Administrator.

When I was offered the opportunity to return to the facility, after working at many different level and security facilities, I initially thought I had been blessed to be selected Jail Administrator, an upper-management position.

I arrived at USP-Atlanta on August 17, 2020. It is an understatement to say I was disappointed and saddened by the conditions and practices I found.

Day-One Problems

From my very first day onwards, I confronted appalling conditions. Sanitation levels were far below what I experienced at other BOP facilities over three decades. There were obvious safety violations. Staff accountability was minimal. The facility looked as if building repairs had not been made for an exceptionally long time.

At end of my first day, I sat in my car in the parking lot for several minutes to make real what I had just saw. As a seasoned correctional worker, all I could come up with was “what the hell.” For the next 16 months, I said this daily.

### No Basic Supplies

When I arrived, I had no office equipment, a broken desk, and no office chair. According to the earlier Jail Administrator, the office had been fully functional upon his departure, but someone must have gotten its keys and “robbed” it. Another staff member shared office supplies with me. New office furniture and a printer was ordered. They were delivered about three months later. Another staff member, who transferred to USP Atlanta from a facility in Pennsylvania, told me he did not have a desk for at least a year.

Especially shocking was the absence of COVID-19 masks. At my earlier facility, masks were supplied at least twice a week to staff. At USP-Atlanta, masks were not provided to staff until September 2020 – six months after the start of the pandemic.

### The “Atlanta Way”

I quickly encountered the “Atlanta Way.” It was shorthand to justify the status quo and provide cover to bureaucrats.

For instance, in early 2021, while serving as Acting Associate Warden, I was appalled to learn of USP-Atlanta’s repeated bureaucratic failures to deal with infestations of rodents in food preparation areas. I was contacted, via email, by the Southeast Regional Office Food Service Administrator who indicated someone had reported cats and rats inside of inmate food preparation areas. I then met with the food service staff management who told me rat infestation had been a recurring problem and food service staff intentionally left doors open so that cats could catch the rats. Rats were getting into inmate food!

I was told USP-Atlanta had no professional pest control program because two management officials did not agree which department budget would pay for the pest control service. I tried to schedule a meeting with the responsible officials to solve the problem. But the meeting never happened. When I followed-up, I was told “it was taken care of.” I am not positive about that. I *am* positive that the staff involved behaved as if I had made a big deal of a normal situation. That was the “Atlanta Way.”

On more than one occasion, I smelled the distinct odor of marijuana in the facility, including in USP-Atlanta’s main corridor. I immediately reported it to the Captain on duty. I was told nothing could be done, the smell was not abnormal and they probably could not tell who was smoking. That too was the “Atlanta Way.”

At the BOP institutions where I worked, the detection of cigarette smoke in a prohibited area would trigger immediate administrative action. That was what “being a correction officer first” meant to me and my BOP colleagues.

The “Atlanta Way” is the wrong way. But I was greatly outnumbered. Even at least one of the Acting Wardens understood and adopted it. I quickly learned that the staff who knew better went along with the “Atlanta Way” to not become an outcast or being viewed as going against the grain. A federal prison can be an extremely dangerous place, and staff, as correctional workers first, have a duty to keep a safe and secure facility. At USP-Atlanta, where security cameras do not properly operate and inmate negative behavior is unchecked, you do not want to be outcast. Although I had worked at USP-Atlanta in the past, I was viewed as an outsider.

### Security Failures

In August 2020, one week after my return to USP-Atlanta, BOP conducted an unannounced or surprise security assessment of the facility. The results confirmed the reason for my disappointment and sadness.

In my career, I’ve seen a lot but reading the assessment report shocked the hell out of me. I just could not believe a federal institution charged with housing inmates and keeping safety and security was in such disarray. The assessment report showed no evidence of correctional work. The most shocking part was that *the same issues were found in prior assessments and had not been corrected.*

On the Friday of my second week at USP-Atlanta, the Warden informed the senior staff he would not be returning to USP-Atlanta the following Monday. I never saw him again. For the next 14 months, there were “Acting Wardens” who rotated through three-week “tours.” Of course, this caused significant confusion and increased lack of accountability.

Following the security assessment, additional supervisors were added. Instead of two Associate Wardens and Captains, three were assigned. But the safety and security issues were not corrected. According to the assessment: one-half of the security cameras did not work, and the other half were “off by three hours;” numerous safety and security equipment (keys, hand cuffs, pepper spray) was “missing.” Nude images taped to cell walls demonstrated that staff were not addressing negative inmate behavior. In 30 years, I have never been afraid of inmates or to work in a federal prison. But because of these and other failures, I was nervous when working in less populated areas of USP-Atlanta.

### No Staff Training

Following the August 2020 security assessment, there were no trainings to control contraband, effective communication, incident report writing, unit searches or key storage and usage.

For example, according to BOP policy, newly selected Case Managers must be trained within 90 days of assuming a caseload. That was not being done. An Associate Warden told me that was the “Atlanta Way.” The official in charge of training, who began working shortly after I arrived, was, like me, appalled and very frustrated.

### Problems in the DCU

The Detention Center Unit (DCU) at USP-Atlanta contains nearly 600 beds for pre-sentenced inmates and transit inmates. Its many problems, exemplified USP-Atlanta’s many failings. It was the “Atlanta Way.”

Upon my arrival, there were obvious signs of mold on the ceilings and walls, an infestation of roaches and rats, cats roaming the hallways, holes in the ceiling (ceiling tiles and drywall missing), graffiti on the walls, elevators not working, three inmates sleeping in two-man cells, inadequate food portions, not enough laundry (jump suits, towels, rags, underwear, socks), standing water on the floor, and no assigned COVID-19 Isolation or quarantine areas.

It was a daily struggle to get enough clean laundry for the inmates, repairs done, or decent food. According to the Facilities Manager, there was no money to make the repairs, and the DCU was not a priority. According to the Health Services staff, setting up COVID-19 isolation and quarantine areas were not their responsibilities. According to the Food Service Administrator, he could not control the food carts once they left Food Service. Prior to my arrival, a dryer in the DCU Laundry caught fire, which resulted in the DCU Laundry being closed. The USP Laundry did a poor job of keeping the USP Laundry and the DCU Laundry on a regular basis.

Daily, the DCU was severely understaffed by correctional officers, which is a safety and security issue. Usually, if there were staff available, they were newly hired staff with less than six months on the job. Because of COVID-19, BOP staff did not attend the Introduction to Techniques Training. Therefore, new untrained staff were routinely assigned to the DCU.

### Assaults and Contraband

In the DCU alone, there were at least three staff assaults, one inmate assault resulting in death, and numerous inmate fights. Newly assigned staff, who have not been professionally trained, will not properly respond to emergencies. They do not know how. The DCU staff did not conduct pat searches, cell searches, or unit searches. This results in hard contraband -- including cell phones and illegal drugs.

A Warden that I had worked with prior to USP-Atlanta, contacted me several times to say that arriving inmates to his facility from USP-Atlanta, arrived with cell phones and drugs on almost every bus. I informed USP-Atlanta's then-Acting Warden, she questioned the Warden's information and said a complaint call would be made to that Warden's Regional Director.

The receiving institution was able to detect the contraband because a scanner chair was used at that facility. I tried, unsuccessfully, to use a scanner chair at USP-Atlanta. My effort ended with the Receiving and Discharge staff and the Lieutenants pointing fingers at which staff were supposed to conduct the search. Again, it was the "Atlanta Way."

### Staff Misbehavior

BOP has a policy on staff conduct and ethics. Reports of unethical behavior are investigated and if warranted, discipline is imposed.

That was not always so at USP-Atlanta. Here are a few examples.

- In 2020, a staffer was disciplined for physically fighting with another staff member inside the prison. Six months later the staffer was promoted to management. BOP policy requires two years between discipline and promotion.
- In 2017, another staff member was accused of beating an inmate. The Office of Internal Affairs sustained the case in 2020. However, in the interim that staff member was promoted twice.

- In 2021, a staff member racked up more than 300 hours of absences without leave. Yet at the time I retired (in 2021), no action had been taken.
- I reported at least three problem staff cases to the USP-Atlanta Acting Warden for failure to follow supervisor's instructions, breach of security, inattention to duty, and refusing to wear a mask for COVID-19 purposes. As of today, I have not been interviewed about any of those cases.

In July 2021, over 700 cell phones, and numerous hard contraband items and illegal drugs, were found inside USP-Atlanta. Most of the inmates were moved to other prisons and approximately 40 management officials (who had been at Atlanta less than five years) were involuntarily transferred to other facilities. Even though USP-Atlanta has a staff compliment of approximately 432 there were no staff discipline cases connected to the July 2021 incident. The staff members not transferred are still at USP Atlanta or the BOP's Southeast Regional Office.

All BOP facilities employ staff members who do not always follow the rules. At each facility where I have worked, I have known staff members to be disciplined, and at times even arrested. But staff at USP-Atlanta were not held accountable. It was the "Atlanta Way."

As USP-Atlanta's Jail Administrator, I tried to change staff behavior in part through guiding and mentoring. I modeled best practices by showing up early and staying late, to work with staff assigned to all shifts. I worked closely with the union and voluntarily trained management staff on the collective bargaining agreement. I wrote discipline memorandums for investigation. I supplied templates from other institutions, to show how BOP policies and procedures are followed at other facilities.

Sadly, nothing seemed to work. But I was determined to keep trying. As a "reward" for my efforts, I was dismissed. I received a Management Directed Relocation to Texas, which forced me to retire earlier than I had planned.

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This is outrageous. I never expected to be here today. Now that I am I ask for your immediate help. I truly believe the problems can be fixed with the right people and programs.

Please also continue the kind of oversight you are doing today. It may stop the abuses you are hearing about.

Thank you.