

# Congress of the United States

Washington, DC 20510

July 12, 2016

Thomas R. Kane  
Acting Director  
Federal Bureau of Prisons  
320 First St., NW  
Washington, D.C. 20534

Dear Acting Director Kane:

Unlike each of America's fifty states, the elected leaders of the District of Columbia are vested with control over its local affairs but their decisions are subject to review and oversight by the United States Congress. In addition, pursuant to the National Capital Revitalization and Self-Government Improvement Act of 1997, various local responsibilities of the District government were transferred to the federal government, including certain state criminal justice functions. Consequently, individuals convicted of a felony and sentenced to a year or more of imprisonment under local laws are not placed in local correctional facilities but are instead transferred into federal custody and placed at Federal Bureau of Prisons (Bureau) facilities.

Since there are no federal prisons located in the Washington, D.C. metropolitan area, D.C. residents serving felony sentences (also known as D.C. Code offenders) are often placed at facilities located a considerable distance away from their home and families. A 1998 Memorandum of Understanding executed between the Bureau and the District of Columbia provides that the Bureau will seek to place D.C. Code offenders within 500 miles of the District. While a variety of factors affect placement decisions, the Bureau has sent D.C. Code offenders to 115 facilities in 33 states with one in five individuals placed more than 500 miles from the District.<sup>1</sup>

This unique incarceration arrangement for D.C. Code offenders may have negative consequences for rehabilitation, reintegration, and recidivism. As you know, family visitation is an essential component of successful reentry for most ex-offenders. Studies examining the impact of family visitation on post-release outcomes have found that both general and private family visitation reduced incidents of recidivism.<sup>2</sup> In particular, researchers have found that close family relationships may improve a person's ability to find and maintain jobs after leaving prison and that one of the greatest challenges for those striving to stay connected to an incarcerated relative or spouse is the distance between prison and home.<sup>3</sup>

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<sup>1</sup> House Committee on Oversight and Government Reform, *Housing D.C. Code Felons Far Away From Home: Effects on Crime, Recidivism and Reentry*, 111<sup>th</sup> Cong. (May 5, 2010) (H. Rept. 111-17).

<sup>2</sup> Charles Colson Task Force on Federal Corrections, *Transforming Prisons, Restoring Lives: Final Recommendations of the Charles Colson Task Force on Federal Corrections* (2016) at 39.

<sup>3</sup> *Id* at 40.

The impact of distant placement is particularly concerning for young offenders and those who enter the federal prison system before reaching adulthood.<sup>4</sup> Researchers have found that programs are most effective at reducing recidivism among young offenders when they emphasize and employ active parental involvement.<sup>5</sup>

Bureau of Prison placement far from the District may also hinder the ability of young offenders to connect with locally-relevant support networks and job training opportunities. While correctional facilities generally offer programs to help residents gain education and job skills, juveniles and young adults have a particular need for these programs because most enter prison with significant educational deficits and little employment experience. Once placed into the Bureau's custody at a facility far from the District, young offenders can lose access to local employment resources, which will likely place them at greater risk for recidivism.

Congress has a responsibility to ensure that the residents of the District of Columbia are given fair and equitable treatment and that Bureau's policy toward D.C. Code offenders encourages successful reintegration and reduced instances of recidivism. To better understand how the Bureau manages D.C. Code offenders within its custody, we ask that you please provide the following information by August 12, 2016:

1. For each of the past five years, please estimate the number of D.C. Code offenders in BOP custody, including those placed in Bureau of Prison custody before reaching the age of 18.
2. For each of the past five years, please estimate the number of D.C. Code offenders placed within 250 miles, within 500 miles, and greater than 500 miles from their release residence.
3. The Bureau of Prisons assesses a variety of factors to determine placement of D.C. Code offenders, including the availability of beds, security concerns, and individual prisoner medical needs. Please describe how the Bureau balances these factors while maintaining its commitment to place the D.C. Code offenders within 500 miles of the District?
4. What efforts does the Bureau make to connect D.C. Code offenders with locally-relevant transitional programs and vocational training? Are special considerations provided to inmates that were convicted before reaching age 18?

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<sup>4</sup> While the BOP previously sent D.C. code-offending minors to facilities outside the District of Columbia, the BOP now contracts with the D.C.-based Correctional Treatment Facility to house juveniles until they reach age eighteen.

<sup>5</sup> Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie Schuck, *Reforming Juvenile Justice: A Developmental Approach* (2013) at 125.

5. The Correctional Treatment Facility in Washington, D.C. is authorized to house up to 200 Bureau of Prison-sentenced prisoners. How many Bureau prisoners were held in the Correctional Treatment Facility as of July 1, 2016?
6. The D.C. Mayor's Office on Returning Citizen Affairs (the Office) coordinates and monitors social service delivery to the approximately 8,000 people a year that return to the District after serving a sentence in prison or jail. Does the Bureau share with the Office the names, release residences, and other information regarding soon-to-be-released D.C. Code offenders in Bureau custody?
7. The Court Services and Offender Supervision Agency (the Agency) attempts to provide a range of practical information for D.C. residents who are nearing release from federal prison. How does the Bureau work with the Agency to provide information about D.C. resources for returning residents? Does the Bureau also share this information with the Agency?
8. Finally, has the Bureau considered designating an existing Bureau facility for male and female D.C. Code offenders? Please identify the necessary steps for re-designating one of the Bureau facilities that is closest to the District.

[REDACTED]

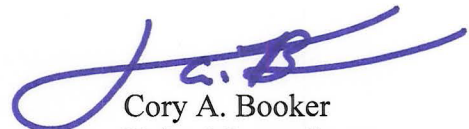
[REDACTED] Thank you very much for your attention to this matter.

With best personal regards, we are

Sincerely yours,



Tom Carper  
Ranking Member  
Committee on Homeland Security and  
Governmental Affairs



Cory A. Booker  
United States Senator



Eleanor Holmes Norton  
Member of Congress

cc: The Honorable Ron Johnson  
Chairman