

Senate Homeland Security & Governmental Affairs Committee

Permanent Subcommittee on Investigations

July 26, 2022 Hearing

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

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Chairman Ossoff, Ranking Member Johnson and members of the Subcommittee. It is my professional and personal honor to participate in this hearing.

I consider it imperative that you understand the shocking situation at U.S. Penitentiary (USP) Atlanta that has brought me here today. I repeatedly reported ongoing and uncorrected gross mismanagement of suicide prevention practices which I believe were allowing needless inmate suicides to happen. I was then retaliated against for my reporting – I was involuntarily transferred at the end of 2021 from USP-Atlanta to the Federal Correction Institution (FCI) in Seagoville, Texas. That retaliation was illegal.

About Me

I have been an employee of the Federal Bureau of Prisons (BOP) for 15 years at four BOP duty stations. I am now the Chief Psychologist at FCI-Seagoville.

For three and one-half years, from 2018 through 2021, I was the Chief Psychologist of USP-Atlanta. There, I provided oversight for mental health services, including Non-Residential Drug Treatment and the Secure Mental Health Step Down Program (SMH-SDP).

SMH-SDP is a residential Psychology Treatment Program developed as a result of litigation connected to federal supermax or Administrative Maximum Security (ADX) prisons, *Cunningham v Department of Justice*. The federal class action case concerned treatment of maximum-security male inmates with serious mental illness, a history of violence, and lack the skills to function in a general inmate population. I was responsible for integrating standardized procedures on inmate mental health issues, including: the provision of sound clinical care to inmates; developing and implementing mental health treatment best practices and policies; tracking and analyzing program adherence to policy; and ensuring that management complies with agreed upon programmatic and policy changes.

For my first 11 years, I was assigned to the psychology departments of high or maximum-security male prisons. From 2015-2018, I was posted to ADX-Florence, Colorado as the ADX Psychologist. I was a member of the multidisciplinary team that worked on the *Cunningham* settlement. Our goal was to improve the mental health treatment of inmates across BOP.

My Two Roles

My position at each duty station has been in the Psychology Services department, and my focus has been and always will be providing the best possible mental health treatment to inmates. But

I also am, like most BOP employees, a federal law enforcement officer. In addition to providing mental health care, I am responsible for ensuring the safety and security of the community, the staff, and the inmate population. I, too, routinely pat down inmates, search cells and other areas, respond to institution emergencies and, at times, have taken on the role of Correctional Officer.

Though this may seem unorthodox for a licensed psychologist, I have found the two roles complement each other. I have used my professional psychology skills to assist in deescalating violent situations, providing inmates with skills for successful re-entry and decreasing future criminal behavior by treating underlying causes.

Daily Challenges

Working in a correctional facility can be and often is dangerous, extremely stressful and unpredictable. Once you enter a prison and step into a prison yard, there may be several hundred violent offenders surrounding you. It is a life changing event. Staff have much higher rates of PTSD, depression and suicide. During my career, I have buried far too many co-workers who committed suicide.

Each day we leave the outside, everyday world. When there is an emergency inside, we do not go home -- we are required to run toward the situation. Our families are left waiting for us, often without notice. Far too often we witness the worst in mankind -- then return home attempting to put aside the emotional pain and acting as if everything is fine (it's not).

The regular violence my husband (also serving in the BOP) and I encountered led us to apply for a transfer to USP-Atlanta. We thought it would be better for our mental and physical health. We were wrong.

About USP-Atlanta and Early Warnings

USP-Atlanta was once the flagship of the BOP. It is now a penitentiary in name only. When I was there it was actually a medium security facility, with a separate jail, Special Housing Unit (SHU), SMH-SDP, and a satellite camp. It housed around 1,800 inmates and approximately 425 staff.

Before I started, I was told USP-Atlanta had a variety of issues – most recently deficient/failing Program Review ratings in numerous departments. The problems in the psychology department were so bad that the Program Review had been halted prior to completion. That only happens when the reviewers conclude they cannot feasibly proceed with the review because the department is so deeply broken.

I also knew from the news about the very serious problems at the USP-Atlanta satellite camp. Reportedly, “escorts” were brought into the facility; through a hole in the fence contraband like alcohol, cellphones, drugs and cigarettes was easily obtained by inmates. Investigations of corrupt staff had led to criminal convictions for introduction of contraband, sexual assault of inmates and acceptance of bribes.

Yet even with this advance information, I and other managers could never have been prepared for what was actually going on.

First Day Problems

When I first arrived, I discovered my new office had been “searched” by staff (inmates do not carry keys). Basic office items were either missing or inoperable. There was a computer on the desk but an inoperable scanner and printer. I had a dilapidated desk with inoperable drawers, the desk chair had only part of one arm, and you were sure to tip over if you leaned back. I asked for replacements.

None were forthcoming. I asked about the procedures for getting replacements. Often, I got no answers, or was told, “we’ll take care of it.” But nothing was ever done. It took over six months to get replacements – and only after I personally carried heavy furniture to my office.

Shocking Conditions

Deteriorating Physical Plant

The infrastructure throughout USP-Atlanta was in serious disrepair. The problems had been obviously ignored for many years. Elevators were inoperable for months at a time; phones and computers were regularly inoperable; and sanitation needed significant improvement. The walls contained mold and, even with the Georgia heat, offices had broken air conditioning.

Rain caused havoc. Almost any amount would cause the sewer to back up and overflow onto the recreation yard -- sometimes leaving a foot or more of human waste behind. To this day the sewer overflows. Each day I passed a gaping hole in the ceiling that poured water into a bucket every time it rained; it was often referred to as the building’s “water feature.” That hole and bucket remained for my entire time at USP-Atlanta.

Contraband

Inmate living areas were dirty. Cells were packed with impermissible property far outside of BOP policy. It was obvious that cell searches were impossible, neglected and not frequently conducted. For instance, I found a microwave in a cell during a search. I confiscated it as major contraband. Two days later I found the *same* microwave in another cell (it had the same serial number).

I was astonished. During my career I have searched many cells. At other institutions, major inmate contraband is usually hidden or disguised. Not so at USP-Atlanta. Contraband was out in the open. Inmates knew from experience that longstanding, complacent staff were not going to search them.

No or Little Education in the Education Department

USP-Atlanta’s education department was fully staffed. Over eight months, I passed by its classroom multiple times each day. In all that time I almost never saw a class being taught. The records will confirm that. Teaching was so nonexistent that I was shocked when one day I saw a teacher at the white board teaching inmates Spanish. I believe the department is still fully staffed yet there are no general education classes, no First Step Act classes (required by law), and very limited vocational programming.

“That’s Not the Atlanta Way”

Often, when a change in staff procedure was suggested, staff would refuse to follow the change because, “that’s not the way we [(Atlanta)] do it.”

Staff Refuse to Abide by Needed Change to Daily Schedule

For instance, from the day I started I could not figure out USP-Atlanta’s daily schedule. At every BOP institution there is a daily workday schedule that includes, at the bottom of each hour, 10 minutes to allow for inmates to move from one location to the next. It allows inmates to arrive on time to, among other appointments, psychology treatment and medical visits. It is important for accountability, structure and the safety and security of the institution.

The 10-minute period was not included in USP-Atlanta’s daily schedule. Management held meetings, gathered staff input, added the period to the daily schedule, and set the date for implementation. Nothing happened. Staff ignored the change because “that’s not the way we do it.” Worse, staff that followed the change were treated as outcasts. Even when non-cooperating staff were counseled and written up for misconduct, the schedule change had not taken effect before I left USP-Atlanta.

Staff Repeatedly Fail to Correct Cited Deficiencies

Here are other examples of the “Atlanta Way.” In January 2020, a Program Review team found that staff had broken the machine intended to detect traces of drugs and that it had not been used for more than one year. Even after repairs were made, the machine was damaged again. The team wrote in their report: “The refusal of staff to utilize, and their purposeful destruction of drug detection equipment is not acceptable behavior.”

The 2020 review team also noted that staff assigned to gun towers, an armed post, were unaware of proper weapon loading and unloading procedures. Despite efforts to train staff to correct this problem, I understand a 2022 review team identified the same deficiencies.

Unchecked Violence Among Staff

Workplace violence occurred frequently. In one instance, I witnessed an employee yelling threats and obscenities, and aggressively approaching a member of the executive staff. Though I was five-months pregnant and terrified, I stepped between them and pushed the employee away. I reported the employee to management. Nothing was done. This same employee has had no less than seven other similar incidents over four years yet remains at BOP.

Another time, my husband was repeatedly hit by another staffer and required immediate medical attention. Notwithstanding this misconduct, the attacker remained at work, and I was warned to stay away from him because I was a mid-level supervisor and had no protections.

Inmates were well aware of staff-on-staff violence and divisiveness. Some inmates were far too comfortable, too familiar with some of the staff. The typical boundaries seemed extremely blurred; inmate workers were seen almost as a peer to some staff. The inmates knew about their families, upcoming vacations, house projects.

Failures to Prevent Suicides

During my time at USP-Atlanta six inmates died from suicides. There were two more inmate suicides just prior to my arrival. Per BOP policy, a team -- typically consisting of two psychologists and a regional administrator -- is sent to the institution to conduct a Suicide Reconstruction. The team looks at, among other areas, the inmate's background, medical history, antecedent circumstances, institution dynamics, and mental health history.

A report is prepared and sent to the institution and other BOP offices detailing findings and making personnel, programmatic and policy recommendations in an effort to prevent recurrences. The institution must provide a written response to any recommendation. Each department head is expected to provide written responses related to their area of responsibility.

While at USP-Atlanta, I reviewed seven Suicide Prevention reports. In all seven, 30-minute unit rounds were not done in accordance with policy, each inmate suffered from on-going substance abuse and had easy access to narcotics. There were three suicides that occurred in the SHU. All three reports stated that the SHU inmate orderlies were unsupervised and were observed passing contraband. As of January 2022, these deficiencies remained.

A November 2020 report summarized the problem as follows:

Past [suicide] reconstruction teams have made many of the same recommendations noted below in this report: the need for attention to detail, adherence to BOP policy, and regard for human life among Correctional Services staff and, at times, other departments.

A June 2021, report stated:

Once again this reconstruction revealed complacency, indifference inattentiveness and lack of compliance with BOP policies and procedures. These lapses contribute to a dangerous and chaotic environment of hopelessness and helplessness.

I repeatedly expressed my concerns about these and other systemic failings to management. Nothing was done.

Involuntary Transfer and Retaliation

In August 2021, I and 43 other mid-level supervisors, were told we were being transferred to BOP institutions around the country. We were essentially given "take it or leave it" notices: "If you do not report to this position, you will be subject to administrative action up to and including removal." I was devastated, as were my colleagues. Our families had set down roots in Atlanta for the long haul. At the time, I was building an addition to my home.

We asked why this was being done and why – out of 425 staffers – us. We were given varying answers. An Assistant Regional Director said, "the media and DOJ were putting pressure on the

BOP to take some action.” USP-Atlanta was in the spotlight – and not in a good way.¹ We were told someone in “the Central Office” had decided who would stay and who would go.

All 43 of us were initially involuntarily transferred to institutions requiring family relocation. Later, five were offered positions in the Atlanta area. I was not one of them. I relocated at considerable expense to me, my family and BOP -- in my case alone the estimated move/relocation expense is more than \$250,000. Much more importantly, my family and I will never recover from the damage BOP has caused. To date, none of the managers forced to move have been reimbursed for any of their out-of-pocket relocation costs; BOP has advised us it may take as long as eight months before we are reimbursed. Many of the managers, including myself, now find themselves struggling to make minimum payments, fees and interest accumulating daily on debts caused by the BOP’s actions.

I believe BOP’s actions against me are tied to my reports of ongoing gross mismanagement at USP-Atlanta. Under the federal whistleblower laws, BOP will eventually have to demonstrate to a judge and jury by clear and convincing evidence – a high evidentiary standard – that it would have taken the same action even without my whistleblowing. They cannot and will not meet that burden.

My Requests to You

I am here to advocate for those dedicated hard-working BOP law enforcement professionals I have had the privilege and the honor to work with over the past 15 years. The vast majority of staff are doing the right thing every day; they want to work in a safe environment where people are professional, treated fairly and held accountable.

But the current BOP employee discipline system is so complicated and convoluted it is ineffective. Staff discipline should be fair, swift, and corrective. It wasn’t at USP-Atlanta. Please push BOP to streamline the process.

Please also work to ensure that mid-level managers like me have tools and meaningful support to address misconduct and deficiencies. We have tremendous responsibilities but little authority. As reflected by these involuntary transfers, we merely get the blame. Hold all responsible individuals accountable. That has not happened here.

Lastly, provide our institutions with the necessary funding and resources. Fund our institutions to 100%; right now we are funded for staffing at 93%, even though we handle far more programs and paperwork than just a few years ago.

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What was happening at USP-Atlanta is in some ways still happening at USP-Atlanta. There must be greater accountability all around.

Thank you.

¹ See, e.g., Atlanta Journal Constitution, *Atlanta Federal Pen Nearly Vacant Amid Corruption Investigation* (Aug. 20, 2021), available at <https://www.ajc.com/news/crime/exclusive-atlanta-federal-pen-nearly-vacant-amid-corruption-investigation>.