



December 21, 2015

Alix M. McLearen, Ph.D.
Administrator, Female Offender Branch
Federal Bureau of Prisons
400 First Street, NW
Washington, D.C. 20534

Re: NAWJ Responses on Suggestions for BOP Policies for Incarcerated Women

Dear Dr. McLearen:

Thank you for your November 2015 inquiry as to what NAWJ's Women in Prison Committee recommends the Bureau of Prisons (BOP) consider as priorities in developing policies for treating female offenders. In consultation with Women in Prison Committee Co-Chairs Judge Brenda Murray and Judge Betty Williams, here are NAWJ's responses to the following questions that you posed:

1. What should be the top five priorities of the female offender branch?
2. What does the Bureau do best in regard to female inmates?
3. What area of the Bureau's work with female inmates needs the most improvement?

1. Priorities of BOP's female offender branch:

- A. Appropriate placement of women offenders in BOP facilities.
 - i. First and foremost, BOP should act quickly to remedy the situation of the many women transferred from the women's prison in Danbury, CT to the Metropolitan Detention Center (MDC) in Brooklyn, NY in December 2013. The situation of these women: confinement in one room in a high rise with no outside recreation, sunlight, or fresh air, is untenable. It is unacceptable that BOP does little to remedy the situation because the women will be transferred back to Danbury on its scheduled reopening in late Fall 2016. The women should not have to spend another twelve months in the MDC. Innovation could devise an improved solution.
 - ii. BOP needs to examine its definition of "reasonable proximity" used in housing prisoners as being within 500 miles of a person's anticipated released area, and should not continue building mega institutions in inaccessible locations, e.g., Aliceville, Alabama, and Hazleton, WV. The Bureau needs to maximize opportunities for continuing relationships with children and family members by having non abusive correctional officers, user-friendly visiting areas, generous visiting hours, and transportation to isolated facilities. *See, The Liman Report, 22, 23 (Fall 2015).*

B. Administration and Structure within BOP for Women Offenders

BOP should include one or more persons with gender sensitivity expertise at the highest level of its policy making and administrative structures.

C. Classification of Women Offenders by BOP

BOP urgently needs to examine its classification system for women. According to its website:

In 1993, the BOP developed and implemented a new designation and classification system for female offenders to take into account the fact that female offenders are less likely to be violent or attempt escape. As a result of this classification system, the missions of several facilities were changed to provide more low and minimum security bed space for female offenders.

https://www.bop.gov/inmates/custody_and_care/female_offenders.jsp

Thirteen years is a long time for criteria to be unexamined. Moreover, we understand that in 2013, BOP lowered the classification of many Danbury women as part of their relocation, which raises the question about their initial classification.

D. Assessing Addiction and Trauma Issues in Women Prisoners

The Bureau needs to assess its physical and mental health services to assure that addiction and trauma are being addressed. We are operating on the assumption that in 2015 BOP has in place system-wide anti-shackling directives.

E. Development of Re-Entry Programming for Incarcerated Women

- i.** In economic times that make it very difficult for felons to find employment, BOP should question whether its policies effectively address the primary concern most women prisoners have - how to survive on release. BOP's insistence that it begins preparing women for re-entry when they enter the system is not supported by women prisoners.
- ii.** Each incarcerated woman needs an assessment on what she has to do to prepare for re-entry. There are two parts. One is what the institution offers that can benefit the person during incarceration. This includes education and vocational training services, which would permit being hired to family-sustaining employment, not precluded by a criminal conviction. We are aware that the Bureau faces restrictions in offering in-prison employment

opportunities (UNICOR), but we believe that BOP should work publicly to remedy that situation.

- iii. The second part of the assessment should focus on the release by preparation of a release plan that covers available housing, establishing Medicaid eligibility, personal identification documentation, work skills, employment possibilities, location of addiction assistance, and financial literacy. The release plan should identify community organizations that can assist when the woman is first released; each woman should have a designated person who liaisons with BOP and the community that she can contact for assistance when things do not go according to the release plan.

2. What does the Bureau do best in regard to female inmates?

The Bureau appears to operate clean, safe facilities with professionally trained staff. The BOP's leadership has always been willing to discuss how it conducts its operations.

3. What area of the Bureau's work with female inmates needs the most improvement?

This is covered in the first subject.

Again, thank you, Dr. McLearen, for inviting these responses. NAWJ and the leaders of the Women in Prison Committee are keen to work with you in addressing these concerns.

Yours sincerely,



Hon. Lisa Walsh, President
National Association of Women Judges
Circuit Court Judge
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