



Department of Justice

STATEMENT OF

**HUGH J. HURWITZ
ACTING DIRECTOR
FEDERAL BUREAU OF PRISONS**

BEFORE THE

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES**

FOR A HEARING ON

MANAGEMENT OF THE FEMALE INMATE POPULATION

PRESENTED

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Statement of Hugh J. Hurwitz
Acting Director, Federal Bureau of Prisons
U.S. Department of Justice
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Good afternoon, Chairman Gowdy, Ranking Member Cummings, and Members of the Committee. I appreciate the opportunity to discuss the mission and operation of the Federal Bureau of Prisons (Bureau), and particularly our programs and management of our female inmates.

We also appreciate the considerable work of the Department of Justice's Office of Inspector General (OIG) on its September 2018 report entitled, "Review of the Federal Bureau of Prisons' Management of Its Female Inmate Population" (Report). We concurred with all 10 recommendations in the Report and provided the OIG, as outlined in our August 30, 2018 response, proposed resolutions to the findings, which were ultimately accepted. Our first status report on the audit will be provided to the OIG by December 31, 2018. As the Bureau implements the recommended resolutions, we look forward to continuing to work with the OIG on this matter.

I am honored to speak on behalf of the nearly 39,000 Bureau staff – law enforcement professionals who are "correctional workers first" and support the agency's mission and core values of respect, integrity, and correctional excellence. Every day that staff go to work at Bureau facilities around the country, they put the safety of the American people above their own. These dedicated public servants are committed to the highest standards of professionalism. Their courage, their bravery, and their sacrifice are essential to keeping our communities safe and our institutions secure.

OUR MISSION – A HISTORY OF PUBLIC SAFETY AND REENTRY

As our Nation's largest correctional agency, the Bureau houses approximately 181,000 federal inmates in 122 federal prisons, 11 private prisons, and more than 200 community-based facilities nationwide. Of those, 12,652 are women. This figure represents approximately seven percent of the total federal inmate population, and this percentage has remained stable for many years. In the Bureau, women are housed in 29 of 122 federal facilities. Sentenced women are classified as only low or minimum security (approximately 45 percent and 52 percent of the female population, respectively) with the exception of a single high-security unit housing fewer than 20 women.

Similar to our male population, about one-half of the females in our custody are serving sentences for drug offenses. Another approximately 18 percent are serving sentences for fraud, extortion, or bribery; approximately 5 percent sentences for weapons offenses; approximately 4 percent immigration offenses; slightly above 3 percent for sex offenses; and slightly below 3 percent are serving sentences for homicide or aggravated assault. The majority of women are

serving terms of 120 months or less, but we do house 79 females serving life sentences and there is one female in BOP custody sentenced to death. The vast majority of female inmates have no history of violence, with only about 4.5 percent with a history of serious violence.

Like many other correctional systems, the agency has adopted a centralized approach to ensuring women's needs are considered in all actions the agency undertakes. The Reentry Services Division (RSD) includes a Women and Special Populations Branch (WASPB), which ensures the provision of services to meet the needs of federally incarcerated women, and provides national guidance on the classification, management, and intervention programs and practices for female offenders in Bureau custody. As the agency's primary source for subject matter expertise on women, WASPB ensures new initiatives and national policy address gender-specific needs. One of my first acts when I was named Assistant Director for RSD in July 2017 was to double the staffing complement in WASPB. This increased staffing has led directly to enhanced services delivered by the branch, and we will continue to monitor the duties and staffing to ensure that the branch is appropriately sized. The office provides guidance to six regional coordinators focused on delivering best practices guidance to institution staff about evolving trends and evidence related to managing female offenders. Because of heightened trauma histories and mental health needs, staffing ratios are different at female facilities than at those housing male inmates. Female facilities have additional doctoral-level psychologists to provide treatment, and they are allocated social work positions as well.

In addition to staffing, the Bureau is engaging in a number of efforts to increase our gender-responsive practices that can serve as models for other systems. We divide these initiatives into four key areas: policy and management, training, programs and services, and stakeholder engagement.

POLICY AND MANAGEMENT

The Bureau has adopted a management style that recognizes how important gender is in daily operations. In 2016, we issued the comprehensive Female Offender Manual (encapsulated in Program Statement 5200.02) that addresses responsibilities of leadership staff at the headquarters and field level. This document makes the agency's position regarding female offender management clear to all staff and delineates management requirements and rationale for them. The agency recently adopted a series of audit steps to ensure compliance across all 29 institutions housing women. We are moving forward with comprehensive, in-person Program Reviews of each of these programs to ensure compliance with the aforementioned policy.

The Female Offender Manual also addresses pregnancy and child placement, with heightened referral requirements for this segment of the population. This document is not the only place where policy addresses the requirements for women – every single Bureau policy is reviewed for potential differential applicability to the female population before it is issued. We also allow women to nurse infants during visits, and require children's centers be placed in all visiting areas. These centers include child-friendly materials, such as books and toys.

A major initiative that was issued in 2017 as an addendum to the Female Offender Manual pertains to accessing feminine hygiene products. The Bureau has always given female offenders access to products at no personal cost. However, examination of the issue revealed

inconsistency amongst product types across sites. The Bureau believes women's sanitary items are a necessity, and therefore should not result in a charge to the inmate. Our updated policy mandates all sites make five types of feminine hygiene items be available to all women in sufficient quantity to meet their individual needs.

TRAINING

With regard to training, all staff working with incarcerated women are required to complete specialized female offender training in addition to the basic correctional training taught at our facilities nationwide. A two-hour instructor-led session on managing female offenders provides insight into the best programs and practices for incarcerated women and dispels myths about female prisoners. The training walks staff through the experiences from the pathway into prison to successful reentry strategies. Throughout, the training is interspersed with the real-life experiences of inmates and practical exercises to help staff expand on what they learned. Staff also complete training on trauma-informed approaches to treating female inmates, which includes statistical background on the incredibly high rates of trauma in the lives of female offenders. Annually, all Bureau staff complete refresher training on the key principles of gender-responsive management.

In addition to this mandatory training for staff at all levels, the agency has hosted two conferences for all Wardens supervising females. These multi-day events combined informational sessions with small group discussions led by national experts on issues affecting incarcerated women. These Wardens also participate in quarterly video meetings to ensure they stay abreast of the most current legal and programmatic information applicable to the female population.

PROGRAMS AND SERVICES

All Bureau inmates have access to a wide range of self-improvement programs intended to impact daily living and reentry success. These programs, such as high school equivalency classes or vocational programs, are available to both male and female inmates. We also offer programs specific to women's needs. One of the Bureau's flagship residential programs which has been empirically proven to reduce relapse and recidivism is the Residential Drug Abuse Program (RDAP). RDAP provides treatment for substance abuse issues and has been updated to be gender-responsive. Women's RDAP allows for more discussion time, in deference to women's more verbal communication styles, and also includes examples based on women's experiences.

Another higher-dosage treatment program designed for women's needs is Resolve, the Bureau's trauma treatment program. This multi-phase program is led by psychologists and hosted at 13 female facilities. Women initially participate in a psychoeducational workshop to understand trauma and learn about self-guided and staff-led treatment options. Those who continue in the program move into the evidence-based Seeking Safety program, a cognitive-behavioral therapy program conducted in group format. Some women will require additional services, and may continue in cognitive behavioral therapies as appropriate. Any participant may also remain in a maintenance phase where services continue to be available on a less frequent phase to decrease the likelihood of symptom resurgence. We agree with the OIG that

staffing these programs has been a challenge, and we are committed to work toward increasing staffing through targeted and aggressive recruitment initiatives.

Recently, the Bureau launched its newest program for women – FIT: Female Integrated Treatment – at the low security female facility in Danbury, Connecticut. The FIT Program builds on research showing that addressing multiple psychological or life problems at the same time can provide greater benefit than offering services to address these problems in a sequential order. FIT allows women to obtain trauma treatment at the same time they are addressing substance use, mental disorder, and vocational deficiencies, with the entire facility operating as one large modified therapeutic community. Every woman is assessed upon arrival at the facility and placed into intervention groups that meet her treatment needs. Treatment is provided by psychologists, but all staff take part in community meetings and even intervention services – including the unit officer.

Beyond intensive services like RDAP, Resolve, and FIT, the Bureau offers more than 10 different outpatient programs designed specifically for female offenders. For example, all facilities housing women offer Foundation, a skills-building program addressing reentry planning from the perspective of a female offender’s most common need areas. The Bureau also provides numerous self-guided programs specifically for women.

Women who are pregnant in prison represent a small, but important segment of the female population. Two programs are offered to assist these mothers before, during, and after childbirth: Mothers and Infants Together (MINT) and the Residential Parenting Program (RPP). The MINT Program is a community residential program that aims to assist offenders during the last two months of pregnancy. Eligible inmates are transferred to a Residential Reentry Center (RRC) – or halfway house – and remain there for up to six months after birth to bond with their children before returning to the institution to complete their sentence. Some women release directly from the program without any separation from their children.

RPP is offered to pregnant inmates through a partnership with the Washington Department of Corrections (WADOC). RPP allows minimum security inmates the opportunity to reside with their babies after birth in a supervised environment for up to 30 months. During this time, the mothers also receive a variety of services such a mental health, medical care, vocational training, and child care. Again, in concurrence with the OIG’s recommendation, the Bureau will improve communication about these programs to ensure eligible offenders have the opportunity to request participation.

STAKEHOLDER ENGAGEMENT

In our programs, our training, and all of our work, the importance of staying abreast of current developments cannot be overstated. The Bureau encourages dialogue with stakeholders, which may include lawmakers, academics, and victims and/or families. From these contacts, we learn of innovative practices that may impact our service delivery. We also obtain feedback about our work, and are able to make modifications when necessary due to specific concerns.

One critical source of feedback that cannot be overlooked is the inmate population themselves. In addition to information obtained via general climate profiles at all sites, the

agency sends sentenced women an anonymous annual survey that assesses program satisfaction and access, reentry needs, and other issues. Through this survey, we have learned, for example, that female offenders believe they have greater access to many services in our facilities than they did in the community. We have also learned the incredible value placed on vocational programs, and have been able to prioritize the funding of additional programs as a future initiative.

Creating a gender-responsive system, especially in such a large agency with multiple missions and populations, is not an easy task. Much of corrections policies and practices were developed for the “typical” prisoner, who is male. With support at the highest level, a centralized management office directing and coordinating policy and guidance, and directed training that assists staff in understanding this special population, the Bureau can continue to promote the successful adjustment and eventual reentry of female offenders.

CONCLUSION

I am proud of the work the Bureau does to support the treatment and reentry needs of the women in our custody. I also agree we can do more, and I am committed to working closely with the OIG to further improve our operations. Chairman Gowdy, Ranking Member Cummings, and Members of the Committee, this concludes my formal statement.