

U.S. Department of Justice

Federal Bureau of Prisons

PROGRAM REVIEW DIVISION

Washington, DC 20534

September 11, 2023

MEMORANDUM FOR [REDACTED]
ASSISTANT INSPECTOR GENERAL
INVESTIGATIONS DIVISION

FROM: [REDACTED], Section Chief
External Auditing Branch

SUBJECT: Status Update to the Office of Inspector General's (OIG)
Final Report dated June 26, 2023: Investigation and Review of the Federal
Bureau of Prisons' Custody, Care, and Supervision of Jeffrey Epstein at the
Metropolitan Correctional Center in New York, New York

The Bureau of Prisons (BOP) appreciates the opportunity to provide a response to the Office of the Inspector General's above referenced memorandum received on June 26, 2023. The BOP has completed our review of the analysis and we offer the following status update regarding the analysis and its recommendations.

Recommendation One: The BOP should implement a process for assigning a cellmate following suicide watch or psychological observation, with criteria for exceptions based on the particular individual or security considerations.

BOP's Response: Reentry Services Division (RSD) and Correctional Programs Division (CPD) are collaborating on a CEO memo to provide guidance to the field on a process to ensure psychologists make recommendations regarding housing, including the presence of a cellmate, for individuals in custody following suicide watch or psychological observation. This process will include exemptions based on individual or security considerations.

Recommendation Two: The BOP should establish procedures to ensure inmates at high risk for suicide and for whom a cellmate is recommended will continue to have a cellmate until the recommendation is changed or rescinded, including establishing a contingency plan for cellmate

re-assignment, with criteria for exceptions based on the particular individual or security considerations.

BOP's Response: RSD and CPD are collaborating on a CEO memo to provide guidance to the field on procedures to ensure communication regarding the requirement of a cellmate for individuals following suicide watch or psychological observation when recommended by a psychologist. This will include a procedure for exemptions based on individual or security considerations.

Recommendation Three: The BOP should evaluate its current process for obtaining and documenting approval for social or legal visits while an inmate is on suicide watch or psychological observation, which allows for institution-specific variations in the process, and provide guidance on standard components that each institution should include in its process to mitigate security issues that can arise when an inmate is on suicide watch or psychological observation.

BOP's Response: The BOP is currently evaluating its process for obtaining and documenting approval for social and/or legal visits while an inmate is on suicide watch or psychological observation. This evaluation will inform future guidance on this issue.

Recommendation Four: The BOP should evaluate its methods of accounting for inmate whereabouts and wellbeing and make changes as may be appropriate to improve those methods through policy, training, or other measures.

BOP's Response: The BOP concurs with this recommendation. Program Statement 5500.14, Correctional Services Procedures Manual, is currently being updated to include additional inmate accountability aspects.

Recommendation Five: BOP policy should clarify what is required of a Lieutenant when conducting a round.

BOP's Response: The BOP concurs with this recommendation. Program Statement 5500.14, Correctional Services Procedures Manual, is currently being updated to include clarification on the requirements for conducting Lieutenant rounds.

Recommendation Six: The BOP should continue to develop and implement plans to address staffing shortages at its prisons.

BOP's Response: As of June 2023, the BOP has deployed an automated staffing tool for institution correctional services departments to be evaluated. The tool continues to be tested and evaluated as we prepare to move forward with additional disciplines/departments throughout the BOP. Other efforts to retain qualified personnel include but are not limited to the various recruitment and retention incentives the BOP currently offers that are available to staff to include staggered retention incentives for all who were retirement eligible as of December 31, 2022. In March 2023, the Director authorized a bureau-wide recruitment incentive of \$10,000 or 25% on initial salary (whichever is greater), for newly hired Correctional Officers who onboard between

March 26, 2023, through September 24, 2023. That incentive was recently extended to Correctional Officers who enter on duty with an effective date no later than December 17, 2023. Further, in July 2023, the Director approved a Bureau-wide retention incentive for all Lieutenants. Additionally, the BOP continues to seek other viable pay options for Correctional Officers in an effort to remain competitive and attractive to new applicants.

Recommendation Seven: The BOP should evaluate its cell search procedures and make changes as may be appropriate to improve those procedures through policy, training, or other measures.

BOP's Response: The BOP concurs with this recommendation. As such, our policies will be discussed with staff during regular rounds to ensure current procedures are followed where it relates to cell searches.

Recommendation Eight: The BOP should enhance existing policies regarding institutional security camera systems to ensure they specifically state that such systems must have the capacity to record video and that BOP institutions must conduct regular security camera system functionality checks.

BOP's Response: The BOP concurs with this recommendation. Policy will be updated to include the regular functionality checks.