September 18, 2017

Via First Class and Electronic Mail (ogc_efoia@bop.gov)

Freedom of Information Act/Privacy Act Section
Office of General Counsel, Room 924
Federal Bureau of Prisons
320 First Street, N.W.
Washington, DC 20534
202-616-7750

RE: Bureau of Prisons’ Administrative Practices, Policies, and Regulations for Preparing for and Responding to Prison Emergencies

To Whom It May Concern:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, the NAACP Legal Defense and Educational Fund, Inc. (LDF), requests copies of the following documents from the Bureau of Prisons (BOP), relating to administrative practices, policies, and regulations in place at public federal prison facilities and contract prisons in which BOP inmates are housed in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands, including but not limited to the Federal Complex Unit in Beaumont, Texas, and the Metropolitan Detention Center in Guaynabo, Puerto Rico, from January 2017 to present:

1. Any and all documents, including operations memoranda, program statements, policies, records, emails, and announcements, describing, referring to, or containing information related to prisoner care, such as housing, meals, medical and mental and behavior health, and safety during Hurricanes Harvey and Irma.

2. Any and all documents, including operations memoranda, program statements, policies, records, emails, and announcements, describing, referring to, or containing information related to prisoner care, such as housing, meals, medical and mental and behavior health, and safety during the pendency of severe heat, loss of power, and any other emergency situation.

3. Any and all documents, including operations memoranda, program statements, policies, records, emails, and announcements, describing, referring to, or containing information related to the evacuation of prisoners and staff during power outages, water entry or other physical damages to infrastructure.

4. Any and all documents, including operations memoranda, program statements, policies, records, emails, and announcements, describing, referring to, or containing information related to setting out any emergency procedures or practices undertaken during Hurricanes Harvey and Irma.
5. Any and all documents, including operations memoranda, program statements, policies, records, emails, and announcements, describing, referring to, or containing information related to setting out any emergency procedures or practices to be undertaken during the pendency of severe heat, loss of power, and any other emergency situation.

6. Any and all documents, including policies, records, memos, emails, and announcements describing, referring to, or containing information related to any disciplinary or restricted housing procedures adopted and imposed on prisoners.

7. Any and all documents, including logs, records, letters, and emails, describing, referring to, or containing information related to prisoner complaints filed against other prisoners and staff.

8. Any and all documents, including policies, records, memos, emails, and announcements describing how prison officials ensure that inmates had full access to the grievance filing process during the conditions that resulted from Hurricanes Harvey and Irma.

9. Any and all documents, including policies, records, memos, emails, and announcements describing how prison officials ensure that inmates have full access to the grievance filing process during natural disasters, severe heat, loss of power, water entry, damage to physical infrastructure, and any other emergency situation.

LDF seeks your response no later than 20 business days after receipt of this request. 5 U.S.C. § 552(a)(6)(A). Please provide the documents in an electronic format, and any data and statistical information in a format that is searchable and analyzable, such as a txt. or.csv file or an excel spreadsheet.

If the BOP provides photocopies of any records, then LDF respectfully requests a waiver of copying and other fees, because it is a 501(c)(3) non-profit organization, does not seek the records for a commercial purpose, and disclosure of the records is in the public interest as it will contribute significantly to the public’s understanding of both the conditions inside the prisons and the treatment of the incarcerated individuals residing in the facilities since Hurricanes Harvey and Irma made landfall. If the BOP declines LDF’s request for a waiver, and if the processing fee exceeds $25, please provide LDF with an invoice detailing additional reasonable standard charges prior to fulfilling this request.

If it is your position that responsive records exist, but those records or portions of those records are exempt from disclosure, please identify the records that are being withheld and state the basis for the denial for each record being withheld. Please also provide the nonexempt portions of the records. 5 U.S.C. § 552(b).
Thank you for your prompt attention to this matter. Please do not hesitate to contact Sam Spital or Todd A. Cox at (212) 965-2200 with any questions or concerns.

Sincerely yours,

[Signature]

Sam Spital
Director of Litigation

[Signature]

Todd A. Cox
Director of Policy