



September 25, 2015

Charles E. Samuels, Jr., Director
L. C. "Ike" Eichenlaub, Deputy Director
Federal Bureau of Prisons
320 First Street, NW
Washington, DC 20534

Re: **Visit to the Federal Correctional Institution, Cumberland, MD**

Dear Director Samuels and Deputy Director Eichenlaub:

On behalf of the undersigned members of the Justice Roundtable¹ and the NAACP Legal Defense and Educational Fund, Inc. (LDF),² we would like to thank the staff of the Federal Bureau of Prisons (BOP) for hosting a tour of the Federal Correctional Institution in Cumberland, Maryland (FCI-Cumberland) on June 11, 2015. We appreciated the opportunity to visit the facility to learn more about its reentry policies and practices. Our conversations with staff and persons held at FCI-Cumberland were informative. We write to offer feedback on what we learned during the visit and share several recommendations for improving the federal reentry process, including an expansion of prisoners' access to identification prior to their release.

FCI-Cumberland staff have taken steps to help prisoners prepare for their release and reentry into society. For example, during our visit to the facility's Career Resource Center, we observed a number of binders with information about governmental and nonprofit organizations that provide job training and other reentry supportive services in a number of states. However, several prisoners at FCI-Cumberland commented that the information in the Center is not widely publicized by staff and is sometimes outdated. Therefore, we respectfully urge you to collect and update annually information about

¹ The Justice Roundtable is convened by the Open Society Policy Center, a non-profit, non-partisan 501(c)(4) organization that advances policy reforms at the national and international levels in the areas of civil rights and liberties, criminal justice, health, and immigration. The Roundtable is a diverse coalition of over 100 national organizations that has worked to reform this country's criminal and juvenile justice systems for over a decade. The Justice Roundtable advances legislative and policy reforms through numerous working groups including: sentencing reform; commutations and pardons; and reentry.

² Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) uses litigation, policy advocacy, public education and community organizing strategies to achieve racial justice and equity in the areas of education, economic justice, political participation and criminal justice. In 2014, LDF began convening a federal reentry planning working group to explore and implement strategies for the seamless reintegration of individuals released from federal prisons through executive clemency or resentencing as a result of the U.S. Sentencing Commission's retroactive changes to federal sentencing guidelines. LDF has been a separate entity from the NAACP, and its state branches, since 1957.



community-based reentry supportive services and make these resources known to the prison population. To aid in that effort, LDF has already sent to BOP administrators and FCI-Cumberland staff contact information for reentry services programs in Baltimore, Maryland as one of the prisoners we met during the tour inquired about these programs.

Additionally, we encourage you to continue the development and maintenance of BOP's electronic community resource directory and expand access to the directory to both prisoners and their families, so that prisoners may identify needed community services before they are released from prison. This database should be updated annually and reflect any changes in state and federal laws that may impact the reentry process, such as information on whether individuals may: register to vote upon release from prison; and access public benefits or live with their families in government-assisted housing, such as public or Section-8 housing.

During the tour, FCI-Cumberland staff discussed their strong working relationships with the departments of motor vehicles in Maryland and the District of Columbia, which facilitate assisting individuals with obtaining photo identification prior to their release from prison. Additionally, earlier this year, Patti Butterfield, Senior Deputy Assistant Director of the Reentry Services Division of BOP, shared that approximately 43 facilities have agreements with 12 state departments of motor vehicles to ensure that individuals receive photo identifications prerelease.³ For example, staff at a federal prison in Duluth, Minnesota make arrangements to transport prisoners to the local department of motor vehicles to clear up their driving records and to renew drivers' licenses prior to release.⁴ This is commendable given the fact that persons leaving prison need identification to open a bank account and apply for employment, housing and public benefits.⁵

Despite these efforts at FCI-Cumberland and the Duluth, MN facility, about 40 percent of individuals leaving federal prisons across the country do not have any form of identification, such as a birth certificate, social security card, driver's license or state-issued photo identification.⁶ Consequently, persons who are released to federal residential reentry centers must spend the first critical weeks of their lives after release working with case managers to obtain identification instead of exploring job training and employment

³ Email from Patti Butterfield to Monique Dixon, Deputy Director of Policy, LDF (April 15, 2015) (on file with LDF). The state departments of motor vehicles include: Virginia, Illinois, Pennsylvania, Rhode Island, Texas, Arkansas, Louisiana, Florida, Minnesota, Mississippi, California, and Arizona.

⁴ Telephone interview with C. Brent Kiser, National Reentry Affairs Administrator, Federal Bureau of Prisons (August 7, 2015).

⁵ Nancy La Vigne, *Release Planning for Successful Reentry: A Guide for Corrections, Service Providers, and Community Groups*, Urban Institute Justice Policy Center, 12-13 (Sept. 2008), <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/411767-Release-Planning-for-Successful-Reentry.PDF>.

⁶ Email from C. Brent Kiser, National Reentry Affairs Administrator, Federal Bureau of Prisons to Monique Dixon, Deputy Director of Policy, LDF (August 26, 2015) (on file with LDF).



opportunities or locating permanent housing. To address this problem, we urge you to require *all* BOP facilities to enter into agreements with willing state departments of motor vehicles so that persons leaving prisons may obtain photo identification prerelease.

Additionally, in an effort to ensure that all persons held in federal prisons leave with some form of identification, please consider revising any agreements the BOP has with the Social Security Administration (SSA) to create a central office where BOP staff could submit requests for social security cards. BOP's commitment to ensuring that persons obtain at least two forms of identification before leaving prison is stated in the FCI-Cumberland Admission and Orientation Handbook.⁷ Currently, it is our understanding that BOP staff submit requests to regional SSA offices, and the response rate ranges from rapid to none prior to prisoners' release. If a central SSA office receives requests from all federal prisons, then the response rate could increase drastically, ensuring that all individuals—particularly those who have very little notice of their release, such as persons receiving Presidential commutations—may receive their social security cards expeditiously.

If the Federal Interagency Reentry Council has not already considered this policy reform, we would be happy to support any effort the BOP undertakes to advance it. Ensuring that all federal prisoners leave BOP facilities with some form of identification is an attainable goal, and it would substantially improve the reentry process on many fronts.

Thank you for considering these suggestions. We would appreciate the opportunity to meet with you to discuss them further. Please do not hesitate to contact Monique Dixon, Deputy Director of Policy and Senior Counsel at the NAACP Legal Defense Fund at mdixon@naacpldf.org or Nkechi Taifa, Senior Policy Analyst at the Open Society Foundations at nkechi.taifa@opensocietyfoundations.org.

Sincerely yours,

NAACP Legal Defense and Educational Fund, Inc.

Open Society Foundations

American Civil Liberties Union

Legal Action Center

⁷ FCI-Cumberland's handbook states the following: "to make the transition back to the community go as smoothly as possible, inmates should obtain at least two forms of identification to include a social security card." Department of Justice, Federal Bureau of Prisons, *Inmate Admission and Orientation Handbook, Federal Correctional Institution, Cumberland, Maryland*, at 3, updated September 2014, http://www.bop.gov/locations/institutions/cum/CUM_aohandbook.pdf.



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cc: Judi Simon Garrett, Assistant Director Information, Policy & Public Affairs Division,
U.S. Department of Justice Federal Bureau of Prisons
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