

# United States Senate

WASHINGTON, DC 20510-4804

COMMITTEES  
APPROPRIATIONS  
ARMED SERVICES  
ENERGY AND NATURAL RESOURCES  
VETERANS' AFFAIRS

September 18, 2019

The Honorable William P. Barr  
Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Barr:

While I appreciate recent steps you have taken to address serious staffing issues within the Bureau of Prisons (BOP), I remain concerned about staffing levels and related policies which pose serious dangers to BOP staff and the inmates they are charged with protecting. Unfortunately, high staff turnover in key positions within BOP and the Department of Justice (DOJ) have made it incredibly difficult to make meaningful progress over the past few years. In addition to the transition you managed following the departure of Attorney General Sessions, BOP went almost a year without a full-time Director and the Mid-Atlantic Region which oversees West Virginia has had two different Directors. I hope to provide some important historical context around this issue and encourage you to work with me throughout the Fiscal Year 2020 appropriations process to build on the progress I have begun to see throughout the past year and address the backlog of hiring full-time correctional officers that built up before your tenure.

As you may know, West Virginia has seen firsthand the deadly consequences that can occur when there are not enough correctional officers or when non-custodial staff are put on the front lines in federal correctional facilities, a process known as augmentation. In April 2018, an inmate at FCC Hazelton in West Virginia was mortally wounded in a fight that erupted in one of the housing units and died shortly thereafter. At the time this incident occurred, there were two correctional officers supervising 115 inmates. Before the year was out, two more inmates were killed at the same West Virginia facility, including James Joseph "Whitey" Bulger who was murdered about 24 hours after arriving at the facility. That is unacceptable.

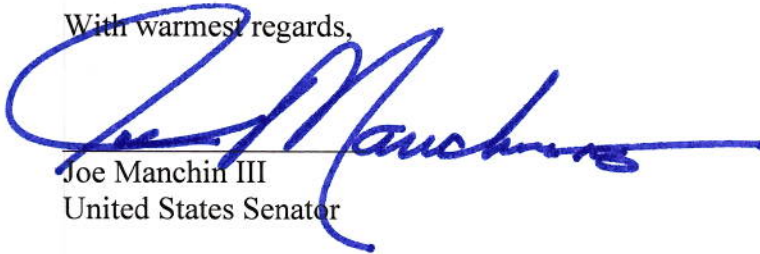
In the Fiscal Year 2018 appropriations package, BOP received \$7.114 billion in funding for salaries and expenses – about \$29 million more than was requested by the President's budget and an increase of about \$105 million from Fiscal Year 2017. In Fiscal Year 2019, Congress provided \$7.250 billion for salaries and expenses, an increase of another \$136 million above the previous fiscal year. Congress also repeatedly directed BOP to curtail its overreliance on augmentation and instead hire more full-time correctional staff. Additional provisions were included requiring BOP to submit quarterly reports to the Committee on Appropriations on the inmate-to-correctional officer ratios at each facility. While the reporting is being done, it is not currently required to be made public. In the Fiscal year 2020 appropriations process, I plan to

request that this data both be made public and be more granular to cover all facilities within a complex. I request your commitment to work with me to ensure that both of those occur.

I am pleased to report that significant progress is being made at FCC Hazelton in West Virginia. Thanks to multiple job fairs, extensive recruitment efforts, and a 10% recruitment incentive, the institution is on track to be fully staffed by the end of the month. I want to ensure BOP has the resources it needs to replicate this success elsewhere. I seek to work in collaboration with you and newly appointed BOP Director Dr. Kathleen Hawk Sawyer to address staffing issues nationwide and ensure that the brave men and women who serve in the BOP never have to worry about their safety or safety of the inmates they are charged with protecting.

As a Member of Congress representing the great state of West Virginia, I am proud to have BOP facilities in my state. I look forward to your response and remain committed to working with the leadership at BOP to solve these problems.

With warmest regards,

A handwritten signature in blue ink, appearing to read "Joe Manchin III". The signature is stylized and fluid, with a large initial "J" and "M".

Joe Manchin III  
United States Senator