

0167

1 difficult to put into place, but the fact that
2 they're necessary indicates both the scope of the
3 threat to female prisoners from male officers and
4 the appeal of the blanket prohibition on male
5 officers holding contact positions in female
6 institutions.

7 Thanks.

8 CHAIRMAN WALTON: Thank you very much for
9 your testimony.

10 Mr. Lowry.

11 MR. BRYAN LOWRY: Thank you, sir.

12 My name's Bryan Lowry. First, I would like
13 to thank the Commission for the opportunity to come
14 here and testify today.

15 I'm the current president of the Council of
16 Prison Locals, which represents 104 locals
17 throughout the United States in every federal
18 prison. We're affiliated with the American
19 Federation of Government Employees.

20 We have approximately 19,000 dues-paying
21 members throughout every federal prison or facility,
22 that actually belongs to our union. We are 70
23 percent organized as a prison council, which means
24 that of all the bargaining unit employees that are
25 employed by the Bureau of Prisons, 70 percent are

1 dues-paying union members. We have approximately
2 over 30,000 employees that work for the Bureau of
3 Prisons.

4 Our organization does not condone any type
5 or any instance of assault by inmate on staff or
6 inmate alike. It is the Council of Prison Locals'
7 position through negotiations of collective
8 bargaining agreements, local supplemental
9 agreements, memorandums of understanding, or any
10 forms of bargaining to always reduce the inherent
11 hazards of the correctional environment for both
12 staff and inmates. Not only for the sake of staff,
13 but inmates as well.

14 Our organization promotes a safe and secure
15 environment. Our belief is that all inmates should
16 be treated fairly in accordance with all provisions
17 of the law as well as in accordance with all
18 prescribed policies that are put in place by the
19 Bureau of Prisons.

20 Bureau of Prisons has recently, within the
21 last two years, eliminated 2300 paid positions of
22 employees, which has greatly decreased the number of
23 staff presence inside our institutions, which also
24 has eliminated positions.

25 The Bureau of Prisons two years ago and

1 prior to the last -- or within the last 20 years had
2 a policy in place that said one correctional officer
3 for every pod, wing, or cube. Two years ago the
4 Bureau of Prisons did a restructuring effort and in
5 every low and medium security level prison they
6 reduced the number of correctional officers per
7 housing unit.

8 In other words, a housing unit that was
9 rated to hold 125 to 150 inmates, which actually
10 holds about 150 to a hundred inmates. On day watch
11 shift, which is 8:00 a.m. to 4:00 in the afternoon,
12 you have one officer working two housing units. In
13 other words, one staff member, one correctional
14 officer responsible for overseeing 300-plus inmates.

15 The same practice occurs from midnight to
16 about 7:00 a.m. every night inside these prisons,
17 where two years ago and before you had one staff
18 member in each housing unit watching one staff to
19 about 150 to 170 inmates.

20 And now they're having to watch 300
21 inmates, which means they're having to leave the
22 housing units to go to another housing unit and make
23 rounds all night long. Which means it takes time to
24 make your rounds, to do your paperwork, to follow
25 the policies that are prescribed with the

0170

1 reorganization that they've done.

2 It's decreased the amount of presence that
3 we have not only on our compound to ensure that the
4 inmates are conducting theirselves in a proper
5 manner or obeying the policies, but it also is the
6 prevalence inside the units and decreases the amount
7 of responders should an emergency happen where staff
8 has to respond to any type of assault or activity
9 inside the prisons.

10 Training opportunities in the Bureau of
11 Prisons. I want to touch on that briefly.

12 I think the policies that are in place in
13 the Bureau of Prisons are sufficient. However,
14 because of the decreased staffing, which goes in
15 hand with annual leave that staff takes, sick leave
16 that comes into play, people transferring,
17 promoting, leaving, you're actually only staffing --
18 we're staffing the prisons now at about 90 percent.
19 That's been testified to and from the Science,
20 State, Justice, and Commerce Committee with Chairman
21 Wolf by the director, Harley Lappin.

22 With that said, our reorganization was
23 called Mission Critical. Positions that they
24 identified critical to the mission to operate a
25 prison on every day, 24 hours a day, seven days a

0171

1 week in most prisons are being vacated every single
2 day, which takes the presence of our staff out of
3 there and makes the prisons more dangerous not only
4 for inmates, but the staff who work in there as
5 well.

6 They have changed how they rate inmates
7 that go to different security levels. In other
8 words, when an inmate comes in to an institution,
9 they go and team the inmate. They determine his
10 point level to determine what security level of
11 prison that inmate's going to go to.

12 They have changed these levels where more
13 aggressive inmates have now dropped down to a medium
14 security level prison instead of being in a higher
15 secure prison. And the problem is we have more
16 staff presence in a higher security level than we do
17 a medium.

18 But these inmates, because we only have so
19 many prisons and we're already overrated capacity in
20 every single prison with bed space, then the numbers
21 are reducing down.

22 If you look, we have approximately 122
23 facility institutions within the structure of the
24 Bureau of Prisons. With that said, the majority of
25 our institutions are a medium security level; low

1 security level coming in second; and then
2 penitentiary, high security level, will be third.

3 We did have two administration facilities
4 which were considered supermax prisons, one being
5 Florence, Colorado, which has received a lot of
6 media lately because of their understaffing; and
7 number two was Marion, Illinois, which has been
8 around for probably 60 years.

9 If you don't know, Marion recently reduced
10 itself to a medium security level, so now we only
11 have one admax supermax prison within the structure
12 of the Bureau of Prisons.

13 UNICOR. UNICOR is an operation that is
14 self-sustaining. Of course, UNICOR, we believe, is
15 the backbone of our institutions. It is a factory
16 that's self-sufficient, that sells a product to
17 government agencies.

18 UNICOR has been under attack. Almost every
19 institution that has 1500 inmates or above usually
20 employs anywhere from 300 to 400 inmates in that
21 factory. We believe with UNICOR's assistance in
22 being able to do this, that it keeps all the
23 aggression down from the inmates who work in there.

24 They cannot maintain a job in there or the
25 amount of money that they're getting paid, which is

1 only about a dollar an hour, but it's more than 15
2 cents an hour for sweeping the sidewalk, and it
3 keeps these inmates more of a model-type inmate with
4 less aggression to stay out of trouble.

5 These inmates use that money to pay
6 restitution. They use the money to buy telephone
7 time to talk to their loved ones. They also use
8 that money to be able to send out, if they're not
9 paying restitution, like a child support to their
10 family.

11 Any loss from that program is a great loss
12 to the security of every single institution in the
13 Federal Bureau of Prisons.

14 I would also like to say that the Bureau of
15 Prisons has a program review that takes place in
16 every institution about every three years, unless
17 they get a deficient rating.

18 Program review guidelines in the last two
19 years, because of reorganization structure, the
20 Bureau of Prisons has been decreased. In other
21 words, policies that are currently in place in the
22 Bureau of Prisons that keep our prisons safe and in
23 an orderly running fashion are now overlooked. They
24 are not followed, they are not written up, and the
25 Bureau of Prisons does nothing about it.

1 The union has raised these issues to
2 management saying that this is making our prisons
3 more dangerous to not only to staff, but the inmates
4 as well.

5 My organization's goal is to educate the
6 public on the dangerous situation the Bureau of
7 Prisons has fell into. With the increase in the
8 assault ratio as determined by the Office of
9 Inspector General, we have insight to the increased
10 aggression that we attribute to the decreasing in
11 staffing levels. We have had more serious assaults
12 on staff and inmates alike in the last year than
13 ever before.

14 There have been more inmates shot -- not
15 only shot at, but shot from towers in this year,
16 '06, than any other time in the history of the
17 Bureau of Prisons.

18 Approximately two months ago in Big Sandy,
19 a United States penitentiary, within the same month
20 two inmates were murdered by other inmates,
21 homicides happening in the prisons.

22 And yet there has been a warden removed,
23 but that warden's still employed. And the fact of
24 the matter is, is that prison hasn't come under
25 control.

0175

1 Now I'm going to let my colleague,
2 Mr. Ortiz, who actually is a local president over a
3 federal complex which has three or four different
4 security level of inmates there, go into that much
5 further.

6 But with the decreasing in staffing that's
7 going on because we're not being properly budgeted
8 and we're being underfunded somewhere between 3- and
9 500 million a year, although our budget for the
10 Bureau of Prisons is about 4 billion a year, that is
11 causing us to have a decrease in our staffing level.

12 It is changing our policies. It is
13 changing the way we conduct business. And we
14 believe it is reducing our ability to supervise
15 these inmates, control contraband, control drugs and
16 everything else that can go wrong inside of a
17 prison.

18 Thank you.

19 CHAIRMAN WALTON: Thank you very much, sir.

20 Mr. Ortiz.

21 MR. ISAAC ORTIZ: Good afternoon.

22 Isaac Ortiz, local president, Beaumont,
23 Texas.

24 As he was saying, I represent a complex
25 that entails a United States penitentiary, medium