



NEW YORK  
CITY BAR

**COMMITTEE ON CORRECTIONS  
AND COMMUNITY REENTRY**

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September 24, 2013

The Honorable Charles E. Samuels, Jr.  
Director  
Federal Bureau of Prisons  
320 First Street, NW  
Washington, DC 20534

Dear Director Samuels:

On behalf of the Corrections and Community Reentry Committee of the New York City Bar Association (the "Association"), we write to urge the Federal Bureau of Prisons (BOP) to permanently reverse plans to convert FCI Danbury, the only federal facility for women post-sentencing in the entire Northeast, into a men's prison. For the reasons discussed below, we believe that converting FCI Danbury into a men's facility and relocating many of the current Danbury inmates to Aliceville, Alabama – a remote location with no easy access to visitation, programming, or community resources – would impose a significant hardship on female inmates from the City and State of New York and their families.

The Association is an independent, non-governmental organization of 24,000 lawyers, law professors, and government officials from the United States and 50 other countries. The conditions of confinement in our jails and prisons are a matter of long-standing concern for the Association.

**1. Converting FCI Danbury into a men's facility will create insurmountable barriers to visitation for female inmates.**

For women sentenced to a term of federal incarceration, it is of paramount importance to be near enough to their home communities for families and particularly children to visit. FCI

Danbury, which is 70 miles from New York City and is accessible by MetroNorth train and commercial bus services, is the closest female federal facility to New York City and the only women's prison that provides reasonable access for families of those women who are sentenced from our area. The next closest facility housing female inmates, SFF Hazelton, is five and a half hours away, and only accessible by car.

The facility's proximity to New York City enables inmates from the area to have regular in-person visits with their loved ones and maintain family ties. These visits are critical to the health and emotional well-being of the inmates as well as to the inmates' successful reintegration into society upon release. Women who have frequent contact with their families are less likely to suffer depression or to be subject to disciplinary action during their term of incarceration,<sup>1</sup> they have lower recidivism rates than the rest of the inmate population, and they are more likely to transition into productive law abiding lives following their release.<sup>2</sup>

Barriers to visitation also negatively affect inmates' children. Fifty-nine percent of women in federal prisons have minor children<sup>3</sup> and many of these women were primary caregivers prior to incarceration.<sup>4</sup> Research indicates that the incarceration of a parent can be associated with an increased risk of childhood mental health and antisocial behavioral issues due to the trauma, shame and stigma that often attaches to a parent's imprisonment.<sup>5</sup> Regular visitation helps alleviate many of these stresses by instilling continuity in the child's relationships and support structure, and reducing feelings of guilt, responsibility and concern for the parent's physical well-being.<sup>6</sup> And there is no substitute for in-person visitation: No other means of communication allows individuals to touch, read each other's body language, and discuss emotions freely. This type of interaction is particularly important to maintaining relationships with children, who may be unable to express emotions in words.

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<sup>1</sup> J. Poehlman, *Incarcerated Mothers' Contact with Children, Perceived Family Relationships, and Depressive Symptoms*, 19 J. FAMILY PSYCH. 350-57 (Sept. 2005). See also K.R. Evins, et. al., *A General Strain Theory of Prison Violence and Misconduct: An Integrated Model of Inmate Behavior*, 26 J. CONTEMPORARY CRIM. JUST. 148 (2010); K. Monahan, A. Goldweber & E. Cauffman, *The Effects of Visitation on Incarcerated Juvenile Offenders: How Contact with the Outside Impacts Adjustment on the Inside*, 35 L. & HUMAN BEHAVIOR 143-51 (2011).

<sup>2</sup> A. Mills & H. Codd, *Prisoners' Families and Offender Management: Mobilizing Social Capital*, 55 PROBATION J. 9-24 (2008).

<sup>3</sup> B. Bloom, B. Owen, & S. Convington, *Women Offenders and the Gendered Effects of Public Policy*, Review of Policy Research (2004).

<sup>4</sup> National Resource Center on Justice Involved Women, *Ten Truths that Matter When Working with Justice Involved Women*, at 9 (Ney, Ramirez, & Van Dieten, eds. Apr. 2012).

<sup>5</sup> J. Murray, *Effects of Parental Imprisonment on Child Antisocial Behaviour and Mental Health: A Systematic Review*, CAMPBELL SYSTEMATIC REVS. (Sept. 2009).

<sup>6</sup> T. Krupat, E. Gaynes & Y. Lincroft, *A Call to Action: Safeguarding New York's Children of Incarcerated Parents*, NEW YORK INITIATIVE FOR CHILDREN OF INCARCERATED PARENTS, OSBORNE ASSOCIATION (2011), available at <http://www.osborneny.org/NYCIP/ACalltoActionNYCIP.Osborne2011.pdf>.

Hundreds of women are sentenced in federal court in New York State each year. In 2012, of the 9,585 women sentenced in the federal system, 440 of them were from New York State and 285 from the Eastern and Southern Districts in New York City.<sup>7</sup> Moving female inmates from Connecticut to Alabama, therefore, would have particularly detrimental consequences on inmates from the New York City area. It is undoubtedly for this reason that New York Senators Gillibrand and Schumer were among the eleven United States Senators who wrote to you to share their concerns about Danbury's possible mission change.

## **2. Converting FCI-Danbury into a men's facility will threaten female inmates' access to effective and appropriate programming.**

We are also concerned about the impact that Danbury's conversion to a male facility will have on female inmates' access to effective and appropriate programming while incarcerated. Correctional programming, particularly educational programming, is critical to inmates' success upon their release from prison. A new RAND Corporation study reports that receiving correctional education while incarcerated reduces an individual's risk of recidivism by 13 percent.<sup>8</sup> Notably, correctional programming designed for men is not necessarily equally effective for women. There are valuable programs addressing gender-specific experiences, such as sexual or physical abuse and parenting.<sup>9</sup>

Because FCI Danbury is located near urban centers such as New York and Boston, the facility has access to community volunteers and resources that can help improve programming. We are concerned that the remote Aliceville facility will not have the same community support structure and that the quality of programming will necessarily suffer.

Moreover, our understanding is that the Danbury "camp," a minimum security facility adjacent to the main facility, will continue to house female inmates even after men are transitioned into the main facility. While we are pleased that some bed space for women will remain in the Northeast, we worry about the continued access to programming for the 200 camp residents, particularly programming that is tailored to women. We understand that the vast majority of programs in which these residents participate, including the residential drug program, the culinary program, and the puppy program, are conducted at the main prison facility. We fear that the conversion of the main facility could adversely affect these women's access to important and helpful programs.

For the reasons outlined above, we join with the eleven United States Senators from the Northeast, the American Bar Association, the National Association of Women Judges, *The New*

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<sup>7</sup> U.S. Sentencing Commission, 2012 Sourcebook of Federal Sentencing Statistics (17ed. 2102), available at, [http://www.ussc.gov/Research\\_and\\_Statistics/Annual\\_Reports\\_and\\_Sourcebooks/2012/sbtoc12.htm](http://www.ussc.gov/Research_and_Statistics/Annual_Reports_and_Sourcebooks/2012/sbtoc12.htm) (data covering fiscal year 2012, spanning Oct. 1, 2011 through September 30, 2012).

<sup>8</sup> L. M. Davis et al., *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs that Provide Education to Incarcerated Adults*, RAND Corporation xvi (2013).

<sup>9</sup> M. Morash, T.S. Bynum, & B.A. Koons, WOMEN OFFENDERS: PROGRAMMING NEEDS AND PROMISING APPROACHES, National Institute of Corrections Research in Brief 1 (1998).

*York Times* editorial board, the Osborne Association, and the New York Initiative for Children of Incarcerated Parents, among others, in urging you to maintain FCI Danbury as a women's facility.

Sincerely,

  
Allegra Glashausser