



NEW YORK  
CITY BAR

**COMMITTEE ON CORRECTIONS  
AND COMMUNITY REENTRY**

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Hon. Charles E. Schumer

United States Senate

322 Hart Senate Office Building

Washington, D.C. 20510

Hon. Kirsten Gillibrand

United States Senate

478 Russell Office Building

Washington, DC 20510

Dear Senators Gillibrand and Schumer:

On behalf of the Corrections and Community Reentry Committee of the New York City Bar Association (“the Association”), we write to thank you for your advocacy on behalf of women prisoners from the Northeast and their families, and to congratulate you on your victory in halting the move of women out of the Danbury Federal Correctional Institution (“FCI Danbury”). We also ask you to persist in holding the Bureau of Prisons (“BOP”) accountable for its promise to continue housing women prisoners from the Northeast at Danbury and urge you to encourage the BOP to accommodate all women inmates from the Northeast at Danbury, including those women currently housed elsewhere and those who are not United States citizens.

In his September 27, 2013 letter to you and your colleagues in the Senate, BOP Director Charles Samuels noted that there were more women from New York (92) incarcerated at FCI Danbury than from any other state.<sup>1</sup> However, given that data from the United States Sentencing Commission show that 440 women were sentenced, to prison and non-prison sentences, in the four districts of New York over the past year, it seems likely that there are many New York women still incarcerated in federal prisons far from home.<sup>2</sup>

We are also troubled by the BOP’s representation that women currently housed at Danbury who are noncitizens will be moved to prisons across the country (including to Aliceville, Alabama). Of the female New Yorkers who were incarcerated at Danbury, about a

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<sup>1</sup> Letter from Charles E. Samuels, Jr., Director, Federal Bureau of Prisons, to Senator Christopher Murphy at 6 (Sept. 27, 2013) [“BOP Letter”]. This total did not include women incarcerated at the minimum security camp that is adjacent to the FCI.

<sup>2</sup> Judith Resnik et al., Statement for the Record, Sen. Jud. Comm. Hearing, *Oversight of the Bureau of Prisons & Cost-Effective Strategies for Reducing Recidivism* (Nov. 6, 2013) (Eastern District of New York [126], Northern District of New York [63], Southern District of New York [159], Western District of New York [92]) [“Resnik Statement”].


third were noncitizens.<sup>3</sup> Of course, just like female inmates who are citizens, many who are noncitizens also have children in this country, and more must be done for these families. These women too need to be close to home and their families, and I hope that you will speak out on their behalf.

Our understanding is that many of the women who will ultimately be incarcerated at the new facility in Danbury will be moved to MDC Brooklyn while that facility is under construction. This means that we in New York have a special opportunity and obligation to ensure that the women are housed in good conditions during this interim period and that they are offered programming opportunities equivalent to those that were available to them at FCI Danbury. The continued availability of good programming is vitally important: individuals' "security points scores," which dictate the security level of incarceration in the federal system, are determined in part by participation in prison programming.<sup>4</sup> Additionally, providing quality programming to all incarcerated individuals has positive effects for public safety by reducing the risk of recidivism.<sup>5</sup>

Finally, our Committee was troubled that the BOP's solution to the problem of women's inadequate proximity to home will involve the construction of a new prison. As we understand it, after the BOP conducted individualized reviews of the females incarcerated at Danbury as part of the proposed move, it was discovered that some women were eligible to be transferred to lower-security prison camps or released to halfway houses.<sup>6</sup> Given that some women were over-incarcerated, building a new prison facility does not seem like the most logical response to keep women in the Northeast. The BOP should be encouraged to conduct similar reviews for men and women in its facilities throughout the country to determine how many other individuals are needlessly over-incarcerated at public expense.

Once again, thank you for everything you have done and will continue to do on behalf of New Yorkers who are incarcerated in the federal prison system. Your leadership on this issue is greatly appreciated.

Very truly yours,



Allegra Glashausser

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<sup>3</sup> BOP Letter at 11 (explaining that 32 of the 92 New York women housed at Danbury were noncitizens).

<sup>4</sup> Dep't of Justice, Federal Bureau of Prisons Program Statement No. 5100.08, ch. 1, p. 2 & ch. 6, p. 10 (Sept. 12, 2006).

<sup>5</sup> Lois M. Davis, Robert Bozick, Jennifer L. Steele, Jessica Saunders & Jeremy N.V. Miles, *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs that Provide Education to Incarcerated Adults* xvi (RAND Corporation 2013) (concluding that taking educational courses while incarcerated reduces an individual's risk of recidivism by 13 percent).

<sup>6</sup> Resnik Statement at 4.