

July 22, 2016

Hon. Muriel Bowser
Mr. Thomas N. Faust, Director Department of Corrections
Mr. Clifford T. Keenan, Director, Pretrial Services Agency
Mr. Karl A. Racine, Attorney General
Ms. J. Patricia Wilson Smoot, Chair, United States Parole Commission
Mr. David Harlow, Deputy Director, United States Marshals Service
Mr. Channing D. Phillips, United States Attorney for the District of Columbia

Dear Mayor Bowser and other Public Safety, Corrections and Law Enforcement Officials:

As temperatures are predicted to approach or exceed 100 degrees in the next few days, continuing into next week, we are concerned that temperatures inside the District of Columbia Jail will reach dangerous levels. The elderly, prisoners who are ill, and persons taking certain psychotropic or other medications are especially vulnerable. We appreciate the public statements we have seen from the Department of Corrections on the steps being taken, but given the extreme predicted heat, increased urgency is required. Specifically, we call upon the District, the Courts and the United States to immediately review all pre-trial detainees, sentenced misdemeanants and technical parole violators and determine which prisoners can be released immediately to community supervision.

The HVAC problems at the Jail are among the many that result from the fact that the Jail is more than 40 years old and is in poor repair. Last year, the Washington Lawyers' Committee for Civil Rights and Urban Affairs reported on the [crumbling infrastructure](#) and the failing air handling system and recommended replacement of the DC Jail. At the beginning of this week, there were approximately 1,300 men at the jail. Today, the Department of Correction has moved the numbers down to [below 1,200](#). This number must be lowered further.

Sixty-five percent of the men in custody are being held on non-violent, [non-dangerous offenses](#). Twenty-three percent are held as technical parole violators, meaning they stand accused of violating a non-criminal parole standard, like having missed meetings with their Community Supervision Officer or having failed to find a job.

There are other options for holding the men currently at the Jail. With no threat to public safety, men can be released to a halfway house, put on GPS monitoring, sent to the Correctional Treatment Facility, or released to the

community. Reportedly, the Federal Bureau of Prisons and US Marshals Service are already moving men at DC Jail who are in their control to safer locations.

The Department of Corrections cannot do this alone. We call on all the addressed stakeholders to begin today an emergency comprehensive review of every person in DOC custody to determine who can be held in a less restrictive environment. For example, the courts and the US Parole Commission can use their authority to immediately move men out of DOC custody.

As we reported last year, and as a number of DC officials have agreed, the ultimate solution to these and other problems is to replace the DC Jail with a new facility that more closely aligns with the District's needs and modern correctional practices. Work on that initiative should be accelerated. But right now, we face an emergency situation, and emergency action must be taken.

Sincerely,



Jonathan M. Smith
Executive Director



Deborah Golden
Director, DC Prisoners' Rights Project

CC: Hon. Lee F. Satterfield, Chief Judge, Superior Court
Hon. Eric T. Washington, Chief Judge, Court of Appeals
Dr. LaQuandra Nesbitt, Director, Department of Health
Mr. Phil Mendelson, Chair, Council of the District of Columbia
Mr. Kenyan McDuffie, Councilmember
Mr. Jack Evans, Councilmember
Ms. Mary M. Cheh, Councilmember
Ms. LaRuby May, Councilmember
Ms. Anita Bonds, Councilmember
Dr. Thomas R. Kane, Acting Director, Federal Bureau of Prisons