
Urgent Need for a New D.C. Jail

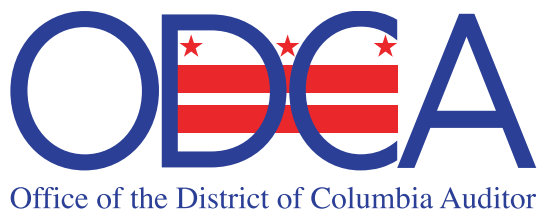
Summary of Recommendations

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A report by the Council for Court Excellence for the Office of the D.C. Auditor



Report by
The Council for Court Excellence



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Conditions of Jail Facilities

Recommendations:

- The Mayor and D.C. Council should make sufficient investments in a new jail facility so that the District can replace the CDF completely as soon as possible.
- DOC should ensure that the design of any new facility conforms to best practices in correctional design and complies with correctional standards and all relevant laws and regulations.
- DOC should develop, publish, and implement a corrective action plan to address failures in systematic maintenance, pest control, and cleaning of the jail.
- DOC must better ensure that residents have sufficient ancillary heating and cooling options when the standard HVAC system is not providing safe and healthy temperatures.
- DOC and DGS should ensure the design plans for the new jail include architectural elements to reduce the need for air conditioning.
- DOC should ensure that staff reports on physical conditions are electronic, utilizing data fields such that individual problems can be identified and addressed immediately.
- DOC should modify its policy so that resident reports of physical condition issues are sent immediately to facilities maintenance without having to go through the standard grievance process.

Staffing and Supervision

Recommendations:

- In collaboration with community stakeholders, DOC should model future jail population and staffing needs for the next ten years on current laws and policies and potential changes to the law or community investments.
- DOC should develop and implement, and D.C. should adequately resource, a plan to decrease the reliance on overtime and fill all vacant staff positions that directly interact with residents.
- DOC should eliminate penalties for staff who refuse to work requested overtime and update wellness offerings to support the psychological needs and well-being of staff.
- DOC should investigate all contraband identified in the jail during FY 2025, utilizing all available sources of evidence and information, publish findings, and develop an action plan to decrease contraband entering the jail.

- D.C. Council should enact legislation that expands the ability of the individuals and others to view DOC staff's Body-Worn Camera footage and creates reporting requirements on camera data consistent with existing Metropolitan Police Department requirements.
- DOC should create and utilize a digital system to track individual staff attendance at required trainings, allow analysis of overall training engagement and attendance, and establish protocols to evaluate staff comprehension, retention, and utilization of material covered in all mandatory trainings.
- DOC should ensure that mandatory staff trainings better cover or reinforce: a) contraband prevention, identification, and consequences; b) preventing and reporting discrimination or harassment; c) requirements for Body-Worn Cameras, e) cultural competency; and f) wellness, secondary trauma, and stress management.

Deaths in Custody

Recommendations:

- DOC should publish and post online an annual report identifying and analyzing the causes and contributing factors for all deaths in the prior four years and recommending any policies or procedures that should be revised. The first such report should also address ways that a new jail facility design could improve jail safety and support easier identification of individuals in crisis and should be shared with DGS and its design and architectural contractors.
- DOC should work with the Metropolitan Police Department any time a death in the jail occurs via homicide or an overdose to ensure their investigation considers whether any individuals – either staff or resident –should be charged with a crime.
- D.C. Council should ensure funding for the transparency requirements of the *Corrections Oversight Improvement Omnibus Amendment Act of 2022's* related to resident deaths.

Violence and Use of Force

Recommendations:

- DOC should provide additional resident programming and employ other evidence-based violence reduction measures. DOC should utilize formal evaluation tools to measure and report consistently on the impact of any violence reduction or prevention programs, activities, and strategies being utilized.

- DOC should ensure 100% compliance with Separation Orders to promote resident and staff safety without overreliance on administrative restrictive housing.
- DOC should strengthen the implementation and enforcement of Prison Rape Elimination Act standards by implementing the Sexual Assault Incident Review Team recommendations, improving staff training, ensuring confidential and multiple reporting, and enhancing oversight of investigations to prevent retaliation and underreporting.
- DOC and DGS should ensure that new jail facility plans utilize best practices in correctional design and include features like podular design, as well as increased natural light, calming spaces, sufficient healthcare spaces, and access to outdoor space and recreation.
- DOC should strengthen mandatory correctional officer training focused on building de-escalation knowledge and skills and then assess its impact on reducing the use of force one year afterwards.
- DOC should immediately reconvene its Violence Reduction Committee focused on reviewing use-of-force incidents and publish its findings and recommendations to improve policies, practices, and training opportunities.

Healthcare

Recommendations:

- DOC and its healthcare provider should develop a plan to fill all vacant behavioral health positions within the jail within 12 months.
- DOC should increase resident access to behavioral health programs equitably so that those services are accessible to all people regardless of sex, classification, or housing unit.
- DOC should sustain its national leadership in the provision of Medication Assisted Treatment, increase overall access to substance use disorder treatment, and expand Peer Recovery Support Services, across both CTF and CDF.
- DOC should stop the practice of removing residents from substance use disorder programming if they are found to have used or possessed drugs in the jail.
- DOC and its health care provider should develop, publish, and implement a corrective action plan to address inconsistent provision of medication and medical supplies to residents, resident transportation, missed external medical appointments, and pregnancy and post-partum care.

Visitation and Other Resident Communication Opportunities

Recommendations:

- D.C. Council should ensure that DOC has sufficient annual funding to a) repair or replace all video visitation monitors and b) purchase enough tablets so that every resident has a working tablet available to him or her.
- DOC should renegotiate its vendor contract for home video visits as soon as possible and, when able, solicit bids that may be able to reduce the cost to families.
- DOC should develop and implement a protocol that would automatically notify loved ones via text message or email when issues with in-person or virtual visitation are occurring and will prevent a resident from participating in a visit scheduled within the next 48 hours.
- DOC and DGS should ensure that new jail facility plans include sufficient space for both video and contact visits for all residents, with visitation rooms that are welcoming and appropriate for children and other visitors.

Restrictive Housing

Recommendations:

- DOC reports on restrictive housing should include the usage of safe cells, pre-hearing housing, and any other forms of housing where residents can be held in-cell for 22 hours or more per day.
- DOC should post monthly data on restrictive housing on its website which includes the number of individuals who have been held in each category of restrictive housing in the last month and those individuals' lengths of stay in restrictive housing.
- DOC should systematically review the use of restrictive housing, including reasons for its use and length of stay, determine whether alternatives can be used for certain disciplinary consequences and incidents, and change its practices accordingly.
- DOC should reduce the maximum days placement in disciplinary restrictive housing can last per the international standards, from its current level of 30 days to no more than 15 days.
- DOC should monitor staff compliance with requirements that they call for medical assistance immediately if they observe a resident in restrictive housing in distress.

- DOC should vet the design and number of restrictive housing units planned for the new jail facility, including safe cells, with the D.C. Council and key stakeholders in advance of any architectural plans being finalized.

The Grievance Process

Recommendations:

- DOC should simplify the resident grievance process by allowing a) someone to file a grievance on another person's behalf, b) a single grievance raising multiple issues, and c) an otherwise sufficiently detailed grievance being filed on the wrong form.
- DOC should increase the availability of individuals like case managers or peer navigators who are specifically trained to assist residents in completing and filing required grievance forms.
- DOC should establish a Grievance Improvement Committee that includes residents, advocates, and staff and is tasked with biannual (or more frequent) reviews of a set of randomly selected grievances and publishing a report with any findings and recommendations to improve policies, practices, and training opportunities.
- DOC should immediately provide residents with copies of and date- and time-stamped receipts for any physically or digitally submitted grievances in all circumstances.
- DOC should ensure physical grievance forms and pencils are available in common areas and the library and to service providers who meet with residents; case managers with supplies for filing grievances should make daily rounds in restrictive housing units.

Food

Recommendations

- D.C. Council should fund, and DOC should implement Section 32 of the Secure D.C. Omnibus Amendment Act of 2024 and the existing DOC Food Service Program policy.
- DOC should improve food quality and nutritional value by actively participating in the statutorily established Healthy Food Task Force and implementing food policies that meet up-to-date national nutritional standards and include adequate portions.

- DOC should direct kitchen staff and security and operations teams to reduce the holding time to ensure meals are served as quickly as possible. Food temperature should be recorded upon arrival at each housing unit, and food should only be served if it is within the standard acceptable range.
- DOC should standardize commissary spending limits across jail housing classifications to reduce disparities in food access.
- DOC should offer more healthy food options, including fresh fruit, lean proteins, and vegetables, and reduce the cost of bottled water available for purchase at the commissary.

Programming

Recommendations:

- The Mayor and D.C. Council should ensure that DOC has adequate funding to expand the availability of educational programming for both CDF and CTF residents.
- DOC should provide additional programming for women residents.
- DOC should ensure both CTF and CDF residents can regularly practice their religion.

Legal Access

Recommendations:

- DOC should ensure legal visitation rooms are always staffed and accessible during designated hours and that residents are brought to their visits timely.
- DOC should evaluate its current policy and practices regarding attorney entry to the jail to reduce delays in meeting with clients and maintain security.
- DOC should assess the effectiveness of current tablet-based legal resources for residents.
- DOC should provide all residents a tablet, including those in restrictive housing, and allow residents in restrictive housing to schedule and attend virtual visits with their attorneys via their tablets.
- DOC should adequately staff law libraries, allow residents to make appointments to conduct legal research, and provide residents with commonly requested legal forms and the ability to complete and submit them electronically or in print for free.