

# Congress of the United States

Washington, DC 20515

May 24, 2024

Colette Peters  
Director  
Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

Dear Director Peters:

We write to inquire about deeply concerning allegations made by the Department of Justice Office of the Inspector General (DOJ OIG) regarding conditions at the Federal Correctional Institute in Sheridan, Oregon (FCI Sheridan). We demand swift action to address staffing shortages, inmate medical needs, and other alarming shortcomings placing staff and inmates at significant risk.

The Inspector General's report, released on May 22, 2024, following two unannounced visits by DOJ OIG to FCI Sheridan in November and December of 2023, found "several serious safety and security issues at FCI Sheridan affecting both employees and inmates."<sup>1</sup> In particular, the report raised serious concerns about staffing levels, both for correctional officers and medical employees, leaving inmates untreated for serious medical conditions, locked in their cells for longer periods of time than appropriate, and without access to critical re-entry programs.

We are concerned about the ongoing employee shortage and its impact on inmates' health and safety. While we are pleased the Federal Bureau of Prisons (BOP) requested and was authorized to provide a 25% retention bonus for prison employees in October 2023, as of December 2023, FCI Sheridan had a total of 67 vacancies, meaning just 81 percent of positions were filled. This is simply unacceptable. FCI Sheridan comprises a medium security prison authorized to house 988 inmates, a minimum security prison camp authorized to house 384 inmates, and a detention center authorized to house 280 detainees. At the time of inspection, the three facilities were at 100%, 95%, and 97% capacity, respectively, clearly requiring more staffing.

DOJ OIG also found that because of the staff shortage, non-correctional officers – like librarians and cooks – were temporarily reassigned to augment existing correctional officers. This practice, alongside mandatory overtime for existing officers, resulted in 88,400 hours of work, the equivalent of 43 full-time correctional officer positions, and 15 more than the prison is currently authorized to staff. We understand that as of May 2024, the prison is staffed at 87.9% of capacity. However, we are deeply alarmed that BOP failed to address this issue in its response to DOJ OIG.

Especially worrying is the vacancy rate among Residential Drug Abuse Program (RDAP) employees, where less than one-third of positions were filled. We know this program has since been suspended entirely and the majority of inmates eligible for RDAP were transferred to other

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<sup>1</sup> U.S. Department of Justice Office of the Inspector General, "Inspection of the Federal Bureau of Prisons' Federal Correctional Institution Sheridan," May 22, 2024, <https://oig.justice.gov/sites/default/files/reports/24-070.pdf>.

facilities offering this programming. This is an important program for prisoners suffering from substance use disorder and we are concerned it is no longer available at FCI Sheridan.

Additionally, this report raises new questions about FCI Sheridan's certification as a Medical Care Level 2 institution. According to BOP regulations, Medical Care Level 2 institutions must be able to provide routine outpatient services to prisoners.<sup>2</sup> However, DOJ OIG found inmates frequently could not get timely outpatient care. Postponing medical treatment for an inmate can result in more severe health issues and, in the long run, significantly higher expenses for the facility. In one especially egregious case, one inmate at FCI Sheridan was seemingly forced to feign a suicide attempt solely to obtain medical treatment for a separate issue, something that could have been resolved easily but that subsequently required a five-day inpatient stay because of delayed treatment.

We are glad to see that as of May 2024 FCI Sheridan's backlog of laboratory tests has been reduced more than tenfold since December 2023, but it is shameful the backlog was allowed to rise as high as it did. Further, as a Medical Care Level 2 institution, FCI Sheridan is required to be accredited by the Accreditation Association for Ambulatory Health Care. However, with the difficulties faced here, it is not clear whether that is enough. Routine dentistry appears to have also fallen by the wayside at FCI Sheridan and, "as of October 2023 approximately 350 inmates were on a waitlist for routine dental care, 41 percent of whom had been on the waitlist for 2 years or more."<sup>3</sup>

We found it also alarming that employee misconduct allegations are taking far too long to investigate and address. In some cases, employee misconduct investigations have taken more than 1.5 years to complete. Given the concerns some of us raised in 2022 regarding correctional officer retaliation against inmates, timely investigation of misconduct is essential.<sup>4</sup>

Finally, it is deeply concerning to learn FCI Sheridan "did not centrally track the number of all allegations of inmate-on-inmate sexual misconduct reported to employees."<sup>5</sup> This is inconsistent with standards established by the Prison Rape Elimination Act of 2003 and, while we are glad to see FCI Sheridan is now tracking this, we are concerned this was not the case less than six months ago.

While we appreciate FCI Sheridan has enacted some changes in response to this report, we are concerned your written response to DOJ OIG's report does not effectively answer many of the troubling questions raised. Taken together, these deficiencies showcase a comprehensive failure by leadership at FCI Sheridan and BOP to protect both inmates and prison staff. With this in mind, please answer the following questions by June 14, 2024:

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<sup>2</sup> Federal Bureau of Prisons, "Care Level Classification for Medical or Mental Health Conditions or Disabilities," May 2019, [https://www.bop.gov/resources/pdfs/care\\_level\\_classification\\_guide.pdf](https://www.bop.gov/resources/pdfs/care_level_classification_guide.pdf).

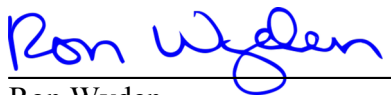
<sup>3</sup> U.S. Department of Justice Office of the Inspector General, "Inspection of the Federal Bureau of Prisons' Federal Correctional Institution Sheridan," May 22, 2024, <https://oig.justice.gov/sites/default/files/reports/24-070.pdf>.

<sup>4</sup> Letter from Senators Ron Wyden and Jeff Merkley to Federal Bureau of Prisons Director Colette Peters, August 18, 2022, [https://www.wyden.senate.gov/imo/media/doc/bop\\_sheridan\\_letter.pdf](https://www.wyden.senate.gov/imo/media/doc/bop_sheridan_letter.pdf).

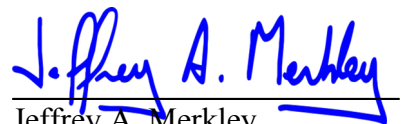
<sup>5</sup> U.S. Department of Justice Office of the Inspector General, "Inspection of the Federal Bureau of Prisons' Federal Correctional Institution Sheridan," May 22, 2024, <https://oig.justice.gov/sites/default/files/reports/24-070.pdf>.

1. How many current vacancies, broken down by position, are there at FCI Sheridan?
2. How many employees are currently under investigation for misconduct?
3. How does BOP plan to ensure there is a Special Investigative Agent on staff so that similar investigatory backlogs do not occur in the future?
4. Does BOP plan to authorize additional staff positions at FCI Sheridan? If so, how many?
5. How many inmates are currently waiting to receive routine dental care?
6. What does BOP plan to do to reduce the waiting time for dental care?
7. What plans does BOP have in place to ensure inmates needing supplemental oxygen are able to receive it in a timely manner?
8. When was FCI Sheridan most recently accredited by the Accreditation Association for Ambulatory Health Care?
9. What plans does BOP have in place to ensure a backlog of medical testing does not occur again?
10. Does BOP plan to maintain a phlebotomist on staff at FCI Sheridan?
11. Does BOP plan to restart the RDAP at FCI Sheridan? If so, when?
12. Does BOP plan to digitize all security cameras within FCI Sheridan? If so, by what date?
13. Does BOP plan to fund the estimated \$21.6 million in infrastructure upgrades needed at FCI Sheridan? If so, by what date?
14. Does BOP plan to adopt all of DOJ OIG's recommendations? If not, why?
15. What resources does BOP need from Congress to address these issues across the network of federal prisons?

Sincerely,



Ron Wyden  
United States Senator

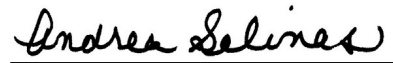


Jeffrey A. Merkley  
United States Senator



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Earl Blumenauer  
Member of Congress



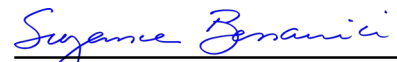
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Andrea Salinas  
Member of Congress



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Val Hoyle  
Member of Congress



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Suzanne Bonamici  
Member of Congress