



October 29, 2019

Director Kathleen Hawk Sawyer
Federal Bureau of Prisons
320 First St., NW
Washington, DC 20534

Dear Director Hawk Sawyer:

We recently became aware that leaders at numerous institutions within the Federal Bureau of Prisons (BOP) have announced new restrictions on mail. Most notably, people in prison will be allowed to receive only photocopies of the general correspondence and pictures sent to them, not the originals. FAMM is very concerned that these new restrictions will make it more difficult for families to stay in touch with their incarcerated loved ones and will do little to keep drugs out of prisons, which we assume is the purpose of the new policies.

For people incarcerated in BOP facilities, written correspondence with family and friends is one of the most common, important, and inexpensive means of communication. Maintaining family connections not only improves the emotional well-being of people in prison, it also has been associated with better public safety outcomes after people are released. We imagine these factors are among the reasons that the BOP, on its website, “encourages inmates to write to family, friends, and other community contacts to maintain these ties during incarceration.” As someone who spent time in federal prison, I know how much it means to people to receive handwritten letters and color photographs from their spouses, children, and other loved ones.

We are aware that the BOP has been urged to restrict its mail policies by some members of Congress as a way to reduce the influx of illegal drugs in federal prison. FAMM agrees that the BOP should implement cost-efficient policies to protect the health and safety of correctional officers, staff, and prisoners. We are skeptical, however, that photocopying all mail and pictures is such a policy.

Last September, the Pennsylvania Department of Corrections instituted a similar mandatory photocopying policy, committing millions of taxpayer dollars to a private company to carry out the work. While there is some evidence that drug finds in state prisons have decreased slightly over the past year, it is far from clear that the high financial and social costs of the state’s policy can be justified by these minor benefits. We should also note that the Pennsylvania Department of Corrections developed an alternative way for families to send pictures to their incarcerated loved ones.



1100 H Street NW, Suite 1000 • Washington, D.C. 20005



(202) 822-6700



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Families for Justice Reform

We have many questions about the new mail restrictions being proposed by BOP institutions. First, why did the BOP authorize institution leaders to propose new restrictions on mail? Has there been an established increase in the quantity of drugs (or drug-related problems, including overdoses) in federal prison to warrant new restrictions? And, if so, has the BOP been able to determine how these drugs are getting into the facilities? For example, is it clear that more drugs are coming through the mail than are being brought into the facilities by correctional officers? Second, did the BOP explore other, less restrictive ways to address the problem of drugs in prison? If so, what were they, and why were they deemed inadequate?

Third, is the BOP allowing every facility to develop its own restrictions or will all proposed restrictions be reviewed by BOP headquarters before implementation?

Finally, how will the BOP ensure that attorney-client communications remain confidential?

As is often said, when a loved one does time, the whole family serves the sentence. Family members too often see their opportunities to visit their incarcerated loved ones vanish because of lockdowns, staff shortages, distance, and other factors. We worry that the bad acts of a few will now be used to hurt everyone who relies on mail to maintain family ties.

We look forward to hearing from you on this important matter.

Sincerely,



Kevin A. Ring
President, FAMM