

Proposal For
Dean / Walker Act of 2009

Executive Summary

In 1995, following a series of Federal Prison disturbances, Bureau of Prisons' executive staff sought to identify the inmates most likely to engage in disturbances and to develop an appropriate intervention. Young, newly committed inmates – 32 years of age or younger with a sentence of at least 60 months were identified as the group most likely to engage in both disturbances and general institutional misconduct. The solution came in 1998: Bureau Rehabilitation and Values Enhancement Program (BRAVE). However, the program excluded a disproportionate number of violent youth offenders with a high security management level. The Dean/Walker Act of 2009 would substantially address an epidemic of violence, which has produced the most assaults (inmate on inmate and inmate on staff) in the history of the BOP. The aim is to get youth offenders to break away from being easily influenced and manipulated. The majority of the assaults have occurred by young adults under peer pressure from adult inmates. The pressure tends to take root while the youngsters are still in society, meaning it's crucial to address their mental health needs as early as possible – upon admission to the BOP. Ultimately, there's a dire need to place offenders 19 to 24 in special management prisons where BOP staff can adequately address the core causes. There is little opportunity for counseling when the younger prisoners are restricted by the older ones from talking to counselors or psychologists. To eliminate as much undue pressure as possible to minimize violent tendencies, youth offenders must be segregated from their violent role models. In most State facilities, prisoners under 21 are not housed with adults. Ordinarily, inmates under 25 are housed at youth institutions so clinical services – cognitive behavior therapy – can treat complex psychological and behavior problems common in youth offenders. Likewise, the BOP must settle on a system wide approach to its security situation perpetuated by negative conditioning.

Internal Analysis

All inmates under 25 designated to high security facilities undergo intense pressure to affiliate themselves with violent gangs or groups. Non-affiliated newly committed youth offenders are ordinarily at-risk of being extorted and/or raped. The strains that youth offenders have endured as they serve their sentences with adult inmates are well-documented: pressure to introduce narcotics, assaults on staff and inmates, engage in sexual acts, possess or manufacture sharpened weapons, make or possess intoxicants, and other conduct which disrupts or interferes with the security or orderly running of the institution or the BOP. The BOP has worked hard to overcome the traditional stigma associated with peer pressure; however, system wide violence has reached an all-time high. Primarily, because the adult prisoners have more influence on the youth offenders than staffers. For example: per the "convict code," high security inmates are not permitted to speak with staff out of the presence of another inmate. Violation of this rule ordinarily results in assaults or other forms of prisoner discipline. Upon admission to adult facilities, youth offenders are encouraged to "put in work" to solidify their allegiance to a gang

or geographical group. Oftentimes, the encouragement comes in the indirect form of an order – one that must be followed or the youngsters will be sanctioned by the elders. Youth offenders, housed with adult inmates, are subject to the constant threat of violence which causes them to become violent. Especially when they must choose between hurting someone else or being hurt themselves. Surrendering to a sexual assault or committing an assault to prevent from losing their manhood. The BOP has no self-defense rule, which means inmates who defend themselves are usually charged with fighting and forfeit earned statutory good time, commissary, phone and visitation privileges. The result is one-size-fits-all justice that ignores youth offenders' life circumstances and safety. The structure is especially problematic because a growing number of youth end up receiving additional charges and time. Congress' goal should be to completely segregate all youth offenders under 28.

External Analysis

The current policy puts society at risk by releasing non-rehabilitated youth offenders who are more likely to commit violent crimes because of their prison experiences. Not being concerned about what will happen to young offenders after they are released shows a lack of foresight. Youth institutions that provide rehabilitative programs have reduced rates of inmate misconduct, mental illness, behavior disorders, substance abuse, relapse and recidivism of criminal activity. According to the Cognitive Behavior Therapy model, which the BOP uses, a person's feelings and behaviors are influenced by his or her perceptions and core beliefs. By segregating and helping youth offenders perceive situations objectively and modify their irrational beliefs, they may become more successful in achieving pro-social goals and adapt a stake in societal norms.

Budget / Cost

The BOP could simply change the mission statements of designated facilities and extend the Bureau Rehabilitation and Values Enhancement Program. In addition, inmate mentors who have had exceptional and outstanding conduct at adult facilities could be assigned to youth institutions and work with BOP staff to treat specific conforming behaviors – i.e., focusing on an inmates core beliefs, intermediate beliefs, current situation, automatic thoughts and the effects these thoughts and beliefs have on an emotional, behavioral and psychological level. Usually, reformed adult inmates can identify who the high-risk inmates are, and who the low-risk inmates are. They're more likely to open up to inmates who have been through what they will go through, than a staffer who the inmate views as the enemy – due to social conditioning from past experiences with law enforcement.

Conclusion

A 23 year old inmate, who was reassigned to Big Sandy – one of the most violent Federal Penitentiaries, said this in a letter to me, Cedric Dean:

Dean,

I'm taking everything you have told me these last 2 days into consideration. My plan is to go to school and church. I am going to try to get into the Challenge Program as soon as possible. When the white boys come to me when I get there, I'm going to make it known that my intentions are to go to school, work and church. I'm gonna let them know that I plan on staying out of the way. I think that my actions will speak louder than my words. Hopefully they can respect this. For me to have to stab someone and possibly get LIFE would kill my mother. Hopefully it doesn't come to that. Thank you for all the insight.

His name isn't important, but Philip Walker's name is very relevant and important. He entered Lewisburg Penitentiary at the age of 19. Since then, he has been involved in numerous assaults associated with his age and inexperience. With no end in sight, he's trying hard to beat the odds of not receiving a new charge. America is a country where cruel and unusual punishment is forbidden. Restoring safety and security for youth offenders is a National Security interest, because non-violent youth offenders housed with adults have higher chances of committing violent crimes upon release. Furthermore, being sexually or physically assaulted should not be a punishment during one's term of incarceration, loss of freedom is severe enough.

Cedric Dean, Register Number – 11907-058

Philip Walker, Register Number – 12356-067