



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

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The Honorable Jerrold Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

The Honorable Doug Collins
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Collins:

This responds to your August 12, 2019 letter to the Acting Director of the Bureau of Prisons regarding the death of Mr. Jeffrey Epstein, an inmate held at the Metropolitan Correctional Center (MCC) New York. As you are aware, this case is currently under investigation by the Federal Bureau of Investigation and the Department of Justice's Office of the Inspector General. The Bureau of Prisons (Bureau) is also conducting an After Action Review and a Suicide Reconstruction Review. As such, we are significantly limited in the amount of information we can release at this time. However, we can speak to some of the Bureau's policies and procedures referenced in your letter. To that end, we are enclosing a compact disk, containing 5 files, consisting of 125 pages, produced in response to your request, Bates numbered HJC-MCCNY-08122019-000001 to HJC-MCCNY-08122019-000125.

It is the Bureau's policy that all inmates, including sex offenders, are interviewed within 24 hours of arrival at any Bureau facility. Every inmate, including those in pretrial status, receives an intake evaluation by medical staff to determine medical history and need, urgent mental health need, and risk for self-harm. The goal is to house all inmates, including sex offenders and those whose cases have received broad publicity, in an environment that meets their security needs. Determinations on housing and other needs are made on a case-by-case basis by a multidisciplinary team.

As noted, the Bureau's policy dictates that medical staff see and assess all inmates upon arrival. During this screening process, inmates are assessed for suicide history and current ideation. If suicide risk is determined to be present, an immediate referral is made to Psychology Services and the inmate is placed under constant observation until a psychologist sees the inmate. Further, any Bureau staff member may place an inmate on suicide watch at any given time. At all Bureau facilities, including pretrial facilities, inmates are given the Psychology Services Intake Questionnaire (PSIQ) during this arrival screening.

The Bureau has an extensive Suicide Prevention Program that begins upon an inmate's arrival at a Bureau facility, including pretrial facilities such as MCC New York. The Suicide Prevention Program at each Bureau facility is administered by a Suicide Prevention Program Coordinator. The Program Coordinator, who must be a doctoral-level psychologist, ensures compliance with Bureau suicide intervention and prevention policies, which include training, identification, referral, assessment, and intervention. In BOP facilities, suicide watch is typically a short-term and highly restrictive intervention measure. Every institution has one or more rooms designated specifically for housing an inmate on suicide watch. These areas are set aside as special cells, typically in Health Services, that allow staff to maintain a safe environment for the inmate without compromising the ability to observe and protect the inmate. This environment includes easy access to the room, unobstructed vision of the inmate at all times, and limited availability of objects, materials, or architectural features that would allow for easy self-injury. Inmates on suicide watch are evaluated daily by a psychologist and are constantly observed by either staff or inmate companions who are required to document observations at regular intervals. Once an inmate is placed on suicide watch, the watch may only be terminated by a Bureau psychologist following a face-to-face evaluation of the inmate.

Upon the termination of a suicide watch, the psychologist will make recommendations to support the inmate's safe management, such as housing with a cellmate or participation in treatment interventions. Inmates removed from suicide watch are returned to regular custody placement, which may include the Special Housing Unit (SHU). In BOP facilities, SHUs are housing units where inmates are securely separated from the general inmate population. Placement of inmates in SHU is occasionally required due to safety and security needs of the inmate.

Regardless of an inmate's custody placement, mental health treatment is provided in a manner that is commensurate with the inmate's specific needs as required by Bureau policy. Doctoral-level psychologists are available during work hours and are also on-call during nights and weekends should an inmate request treatment or the psychologist identify a need for follow-up assessment and/or treatment. Inmates presenting any risk of suicide at any given time are to be immediately referred for an evaluation or placed on suicide watch.

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All Bureau-owned and operated facilities must comply with the Bureau policies governing suicide prevention and intervention. Privately managed contract prisons must also maintain a suicide prevention and intervention program in compliance with the American Correctional Association (ACA) standards. Privately-managed contract prisons must submit their suicide prevention policy to the Bureau, where it is reviewed by Bureau Central Office psychologists to ensure it meets the requisite standards.

With regard to Mr. Epstein, the Department can confirm that Mr. Epstein was placed on suicide watch in July. Mr. Epstein was later removed from suicide watch after being evaluated by a doctoral-level psychologist who determined that a suicide watch was no longer warranted.

Although Mr. Epstein is deceased, the Department's case against anyone who was complicit in his alleged crimes will continue. The investigation into the conduct charged in the indictment previously filed against Mr. Epstein—which included a conspiracy count—remains ongoing, and any evidence or potential testimony relating to that investigation will be handled by the Department accordingly.

The Department and the Bureau take seriously the responsibility to ensure the safety and security of all inmates in the custody of the Bureau. We are committed to working diligently to investigate this matter fully and the Department may be in a position to provide additional information at a later date as appropriate. Please do not hesitate to contact this office if we may be of further assistance.

Very truly yours,



Stephen E. Boyd
Assistant Attorney General

Enclosure