

Appendix A: The Federal Bureau of Prison's Response

Appendix B: Office of Inspector General Analysis of the Federal Bureau of Prison's Response

The Office of the Inspector General (OIG) provided a draft of this report to the Federal Bureau of Prisons (BOP), and the BOP's response is incorporated as Appendix A. The BOP indicated in its response that it agreed with all eight recommendations.

The following provides the OIG's analysis of the BOP's response and a summary of the actions necessary to close the recommendations. The OIG requests that the BOP provide an update on the status of its response to the recommendations within 90 days of the issuance of this report.

Recommendation 1: The BOP should implement a process for assigning a cellmate following suicide watch or psychological observation, with criteria for exceptions based on the particular individual or security considerations.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP recognizes the importance of careful monitoring of adults in custody who face mental health challenges and therefore concurs with this recommendation. Our practice is to carefully consider both the well-being and safety of the individual involved and overarching safety and security concerns. In the years since Mr. Epstein's death, the BOP has updated its process related to suicide watch and psychological observation. Under BOP's revised process, upon removal from suicide watch or psychological observation, psychologists make individualized care recommendations about clinical follow-up and other custodial concerns, including housing and cellmates. Mental health, custody, and unit team employees work collaboratively to ensure that each individual removed from suicide watch is housed appropriately.

OIG Analysis: The BOP's response is responsive to this recommendation. The OIG will consider whether to close this recommendation after the BOP (1) provides for the OIG's review a proposed process for assigning a cellmate following suicide watch or psychological observation, with criteria for exceptions based on the particular individual or security considerations, that addresses issues identified in the OIG's report; and (2) implements the process.

Recommendation 2: The BOP should establish procedures to ensure inmates at high risk for suicide and for whom a cellmate is recommended will continue to have a cellmate until the recommendation is changed or rescinded, including establishing a contingency plan for cellmate re-assignment, with criteria for exceptions based on the particular individual or security considerations.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation. As described in its response to Recommendation 1, BOP's current process related to suicide watch and psychological observation applies an individualized approach to the care and custody of adults in custody. Upon removal from suicide watch or psychological observation, individualized care recommendations are made

by psychologists, custody, and unit team for each individual. BOP thoroughly evaluates each celling assignment on an individual basis for persons deemed to be at moderate to high risk for suicide.

OIG Analysis: The BOP's response is not fully responsive to this recommendation. Recommendation 1 focuses on the process for assigning a cellmate following suicide watch and psychological observation. Recommendation 2, on the other hand, focuses on procedures to ensure that inmates at high risk for suicide and for whom a cellmate is recommended continue to have a cellmate until the recommendation is changed or rescinded. Our investigation and review determined that BOP employees did not take steps to ensure that Jeffrey Epstein continuously had a cellmate in response to Psychology Department personnel having determined that he needed to have an appropriate cellmate, and absent any indication that security or other considerations relating to Epstein warranted his not having a cellmate.

The OIG will consider whether to close this recommendation after the BOP (1) develops the recommended procedures; (2) provides the procedures to the OIG; and (3) implements the procedures.

Recommendation 3: The BOP should evaluate its current process for obtaining and documenting approval for social or legal visits while an inmate is on suicide watch or psychological observation, which allows for institution-specific variations in the process, and provide guidance on standard components that each institution should include in its process to mitigate security issues that can arise when an inmate is on suicide watch or psychological observation.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation.

OIG Analysis: The BOP concurred with this recommendation but did not provide any additional information. The OIG will consider whether to close this recommendation after the BOP (1) evaluates the current process for obtaining and documenting approval for social or legal visits while an inmate is on suicide watch or psychological observation; (2) provides guidance on standard components that each institution should include in its process; and (3) provides to the OIG documentation of the evaluation and the guidance forwarded to institutions for inclusion in their institution-specific processes.

Recommendation 4: The BOP should evaluate its methods of accounting for inmate whereabouts and wellbeing and make changes as may be appropriate to improve those methods through policy, training, or other measures.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation.

OIG Analysis: The BOP concurred with this recommendation but did not provide any additional information. The OIG will consider whether to close this recommendation after the BOP (1) evaluates its methods of accounting for inmate whereabouts and wellbeing; (2) makes any appropriate changes to improve those methods through policy, training, or other measures; and (3) provides documentation of evaluation and any appropriate changes to the OIG.

Recommendation 5: BOP policy should clarify what is required of a Lieutenant when conducting a round.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation.

OIG Analysis: The BOP concurred with this recommendation but did not provide any additional information. The OIG will consider whether to close this recommendation after the BOP (1) updates its policy to clarify what is required of a Lieutenant when conducting a round; (2) communicates the policy update to all relevant BOP employees; and (3) provides documentation of the policy update and communication to the OIG.

Recommendation 6: The BOP should continue to develop and implement plans to address staffing shortages at its prisons.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation. Hiring and retaining qualified personnel is a key priority and BOP has developed and implemented a multi-pronged approach that involves enhanced recruitment efforts and appropriate incentives. While the issues raised in the OIG's report were the result of employees failing to adhere to their duties, as opposed to a staffing shortage, the BOP welcomes the opportunity to continue the significant work that has already been undertaken and that is ongoing regarding staffing.

OIG Analysis: The BOP's response is responsive to the recommendation. The OIG will consider whether to close this recommendation after the BOP (1) develops and implements plans to address staffing shortages at its prisons and (2) provides documentation of such efforts to the OIG.

Recommendation 7: The BOP should evaluate its cell search procedures and make changes as may be appropriate to improve those procedures through policy, training, or other measures.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation.

OIG Analysis: The BOP concurred with this recommendation but did not provide any additional information. The OIG will consider whether to close this recommendation after the BOP (1) evaluates its cell search procedures; (2) makes any appropriate changes to those procedures through policy, training, or other measures; and (3) provides documentation of evaluation and any appropriate changes to the OIG.

Recommendation 8: The BOP should enhance existing policies regarding institutional security camera systems to ensure they specifically state that such systems must have the capacity to record video and that BOP institutions must conduct regular security camera system functionality checks.

Status: Resolved.

BOP Response: The BOP reported the following:

The BOP concurs with this recommendation.

OIG Analysis: The BOP concurred with this recommendation but did not provide any additional information. The OIG will consider whether to close this recommendation after the BOP (1) enhances existing policies regarding institutional camera systems to include the recommended language update; (2) communicates the policy update to all relevant BOP employees; and (3) provides documentation of the policy update and communication to the OIG.