

**U.S. Department of Justice****Federal Bureau of Prisons**

Washington, D.C. 20534

September 8, 2005

**Jack W. Haugsland
Executive Vice President
Chief Operating Officer
Greyhound
15110 N. Dallas Parkway
Dallas, Texas 75248**

Dear Mr. Haugsland:

Your letter to Director Harley G. Lappin, Federal Bureau of Prisons (BOP), and attached correspondence regarding the Bureau's unescorted transfer policy, has been referred to me for response. You have expressed concern that the BOP's unescorted transfer process is not in the best interest of the public. You request that the Bureau immediately discontinue the use of Greyhound buses as a means of transportation for accomplishing unescorted inmate transfers.

Pursuant to 18 U.S.C. § 3622(a)(6) and 28 C.F.R. § 570.32(a)(5), it has been the practice of the BOP for many years to allow certain inmates to transfer without staff escort from Federal correctional institutions to community corrections centers (CCCs or "halfway houses") and to minimum-security facilities (prison camps). These inmates are not "released", as they remain the custodial responsibility of the BOP while on an unescorted transfer. In addition, inmates on unescorted transfers do not "voluntarily surrender" to their new facility. They are under strict travel schedules and are required to report by a specified time.

Community Corrections Centers are utilized by the Bureau to place inmates in the community to serve the last portion of their sentence just prior to release from custody. On average, inmates spend the last 3 to 4 months of their sentence in a CCC where they receive assistance in job placement, counseling, and other services. CCCs allow inmates to gradually rebuild their ties to the community, and they allow correctional staff to oversee these inmates' activities during this important readjustment phase. Inmates in CCCs are expected to be working in the community and participating in programs that will assist with their reentry back into society.

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Inmates who are accepted for placement in CCCs have been screened and determined to be appropriate for such placement. Specifically, these inmates will benefit from the reentry and community-based transition services provided by CCCs and are considered able to function with the intermittent supervision provided within these centers. Powerful disincentives exist to deter escapes (including the risk of an additional sentence for escape; disciplinary action, which is very likely to include the disallowance of good time credit; and the possibility that there will be no future placement in a halfway house based on the very careful review the BOP performs on inmates with a history of escape). These same disincentives serve to discourage inmates from escaping from an unescorted transfer to the CCC.

Indeed, escapes from unescorted transfers to CCCs are very rare. In fiscal year 2003, there were 21 escapes from unescorted transfers to CCCs out of a total of 20,964 such transfers. In FY 2004, there were 27 escapes from unescorted transfers to CCCs out of a total of 23,491 such transfers. And for the first three quarters of FY 2005, there were 16 escapes from unescorted transfers to CCCs out of 18,004 such transfers.

The Bureau has also had a program in place for several years to allow appropriate minimum-security inmates to transfer without staff escort from a Federal correctional facility to a Federal prison camp. These offenders have been determined to pose a minimal risk of escaping or causing harm to others and are therefore appropriate for placement at Federal prison camps, which do not have perimeter fences. Again, the BOP has screened and evaluated these inmates and has determined that these inmates are appropriate for an unescorted transfer to such a facility.

The same disincentives that serve to discourage escapes from CCCs also apply to camps (and unescorted transfers to camps). As a result, escapes from unescorted transfers to Federal prison camps are very rare. In fiscal year 2003, there were three escapes from unescorted transfers to camps out of 2,308 such transfers. In FY 2004, there were seven escapes from unescorted transfers to Federal prison camps out of 2,260 such transfers. And for the first three quarters of FY 2005, there have been 3 escapes from unescorted transfers to a camp out of 1,725 such transfers.

Inmates at Federal prison camps are often in our communities without a staff escort or under intermittent supervision. Some of these inmates perform work off institutional grounds for other Federal entities such as the National Park Service, the U.S. Forest Service, and the U.S. armed services. These inmates work at their job site during the day and return to the institution at the end of the work day. Other camp inmates volunteer to help the communities near their institution, providing services that otherwise would not likely be performed, such as repairing or rebuilding dilapidated buildings and cleaning up or beautifying streets, roadsides, parks, schools, ball fields, and other public grounds.

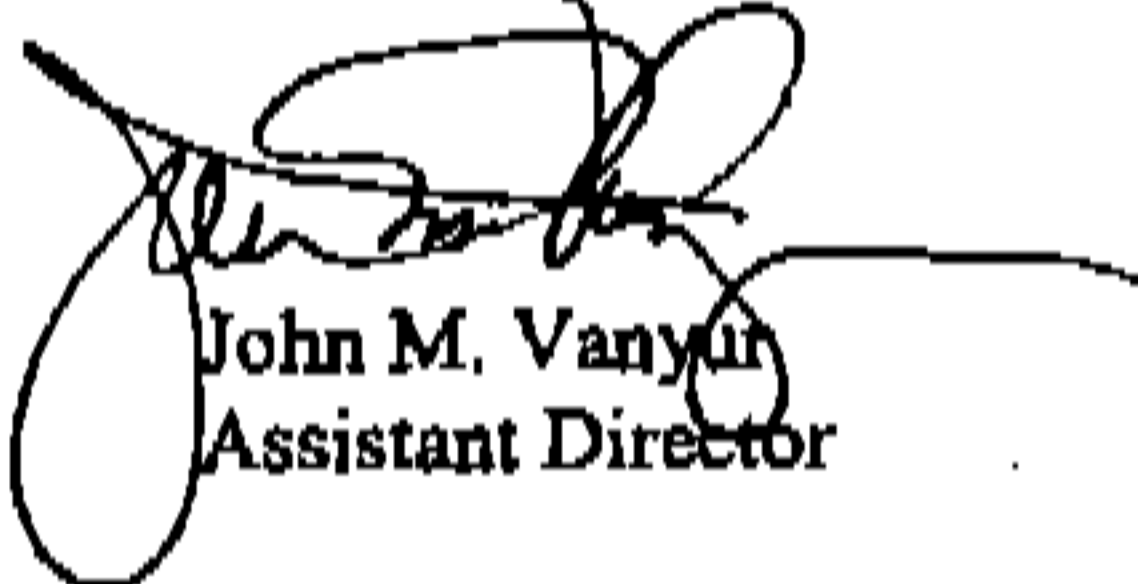
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The use of unescorted transfers (to both CCCs and camps) is consistent with the BOP's mission to operate the Federal prison system in a safe, secure, humane, and cost-efficient manner. The alternative to unescorted transfers is to transfer inmates with a staff escort or within the more-expensive inmate transportation system -- a system that includes buses operated by the BOP and airplanes flown by the United States Marshals Service as part of the Justice Prisoner and Alien Transportation System. The use of staff escorts for transfers that are currently allowed to occur without a staff escort would be cost prohibitive. Requiring staff escorts would severely limit the number of inmates who could participate in beneficial correctional programs.

Of the 77 escapes from unescorted transfers since October 1, 2003, 58 inmates were recaptured or returned to custody, leaving 19 escapees still at large.

We trust this is responsive to your concerns. Please do not hesitate to contact this office if we may be of further assistance on this or other matters.

Sincerely,



John M. Vanyur
Assistant Director