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## DOJ OIG Releases Reports of Remote Inspections of FCC Butner and FCI Milan Examining the Institutions' Response to the Coronavirus Pandemic

Department of Justice (DOJ) Inspector General Michael E. Horowitz announced today the release of the thirteenth and fourteenth reports in a series of remote inspections the Office of the Inspector General (OIG) has been conducting of Federal Bureau of Prisons (BOP) facilities since April 2020. The reports released today concern Federal Correctional Complex (FCC) Butner, located in Granville and Durham Counties, North Carolina, and Federal Correctional Institution (FCI) Milan, located in Washtenaw County, Michigan.

The OIG's findings for FCC Butner included the following:

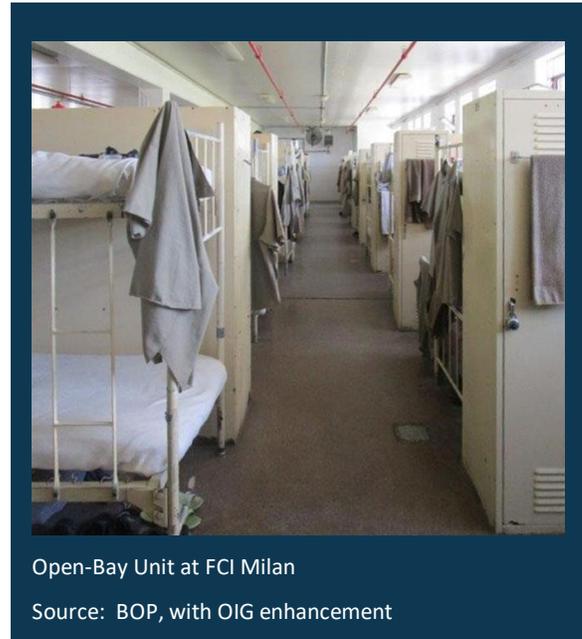
- **COVID-19 Cases:** At FCC Butner, the most serious coronavirus disease 2019 (COVID-19) outbreak occurred between June and mid-July 2020. As of July 25, 1,020 FCC Butner inmates and 70 staff members had tested positive for COVID-19 and 25 inmates and 1 staff member had died. After July, the number of cases began to diminish; however, in October and November, Butner began seeing new cases. As of January 17, 2021, 226 inmates had active COVID-19 cases and 2 additional inmates had died as a result of COVID-19. Also as of January 17, 23 staff members had active COVID-19 cases.
- **Staffing Challenges:** Although FCC Butner took steps to limit staff movement throughout its individual institutions in order to reduce the spread of COVID-19, it was not able to fully restrict staff movement in two of its four institutions and thus could not completely mitigate the risk of cross-contamination and spread of COVID-19 in these institutions.
- **Social Distancing:** It was difficult for Butner to implement and enforce effective social distancing measures in three of its five facilities given the open-bay layout of housing units in these facilities.
- **Personal Protective Equipment:** While FCC Butner did have sufficient supplies of personal protective equipment (PPE), some staff did not change N95 respirators when moving between housing units that had COVID-19 positive inmates and units that did not, which may have increased the risk of cross-contamination.
- **Quarantine Issues:** As COVID-19 spread throughout two of the complex's institutions, these institutions were not able to quarantine all inmates meeting the criteria for quarantine, largely due to a shortage of space.

The OIG's findings for FCI Milan included the following:

- **COVID-19 Cases:** FCI Milan experienced an influx of staff and inmate COVID-19 positive test results during the first 2 weeks of April 2020. As of June 30, 98 inmates and 57 staff members had tested positive for COVID-19 and 3 inmates had died. FCI Milan saw a new wave of COVID-19 cases in
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December 2020 and, as of January 17, 2021, 35 inmates and 16 staff members had active COVID-19 cases.

- **Staffing Challenges:** The depletion of medical staff was the most significant and dangerous challenge to FCI Milan's COVID-19 response. By early May 2020, 75 percent of Milan's medical staff had contracted COVID-19, creating serious staffing shortages in Milan's Health Services Department. Additionally, staffing shortages generally due to the COVID-19 outbreak were a consistent challenge for Milan and made it difficult for the institution to restrict staff movement within the institution to prevent the spread of the virus.
- **Social Distancing:** The open-bay layout of certain housing units at FCI Milan posed significant challenges to achieving social distancing among inmates.
- **Personal Protective Equipment:** FCI Milan complied with the Centers for Disease Control and Prevention's (CDC) April 3, 2020 guidance recommending that face coverings be worn in public settings. Milan made surgical masks available to staff on April 4 and distributed surgical masks to all inmates between April 4 and April 6. However, by the time the CDC issued its guidance, COVID-19 was already spreading throughout the institution.
- **Basic Prisoner Transportation at FCI Milan:** By early April, Milan's Basic Prisoner Transportation (BPT) staff escorted at least one, and possibly more, inmates with COVID-19 symptoms to the local hospital without wearing appropriate PPE because Milan's correctional and Health Services staff did not recognize certain symptoms as potentially being COVID-19 related. We believe that the failure of Milan to provide PPE to BPT staff in these circumstances potentially increased those staff members' risk of contracting COVID-19 and potentially contributed to the spread of COVID-19 at Milan. According to a Milan official, 24 BPT staff subsequently contracted COVID-19 and were placed on sick leave by mid- to late April.



We also found that while the BOP had to make difficult, risk-based, decisions regarding inmate transfer to home confinement in response to the COVID-19 pandemic, the BOP did not fully leverage its existing or expanded authorities under the Coronavirus, Aid, Relief, and Economic Security Act and the Attorney General's guidance to promptly transfer FCC Butner and FCI Milan inmates to home confinement.

Today's reports do not include recommendations. Rather, our inspection reports are intended to assist the BOP and DOJ in identifying strategies to most effectively contain current and future COVID-19 outbreaks. Additional reports of the OIG's remote inspections will be released as they are completed. The DOJ OIG also plans to prepare a capstone report providing BOP-wide conclusions and recommendations resulting from our inspections.

**Reports:** Today's reports are available on the OIG's website at:

FCC Butner: <https://oig.justice.gov/reports/remote-inspection-federal-correctional-complex-butner>

FCI Milan: <https://oig.justice.gov/reports/remote-inspection-federal-correctional-complex-milan>

**Dashboards:** The DOJ OIG maintains a collection of interactive dashboards with data on COVID-19 case trends, testing trends, and deaths due to COVID-19 in BOP-managed correctional facilities. View the dashboards here: <https://experience.arcgis.com/experience/ab22fb4c564e4f4b986e257c685190e8/>.

Background: In April 2020, the OIG initiated a total of 16 remote inspections of selected BOP-managed institutions; contract prisons; and Residential Reentry Centers (RRC), sometimes referred to as halfway houses, to examine whether their response to the COVID-19 pandemic was in compliance with DOJ and BOP policy and pandemic-related guidance issued by the CDC.

Our inspections have been conducted through telephonic interviews; review of BOP documents and complaints we received; our analysis of data from the respective institutions; and the results of a survey we issued to employees of the BOP, contract prisons, and RRCs. The OIG conducted these inspections remotely because of CDC guidelines and DOJ policy on social distancing.

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