



"A Message from the Inspector General: Impact of the Failure to Conduct Formal Policy Negotiations on the Federal Bureau of Prisons' Implementation of the First Step Act and Closure of OIG Recommendations," November 2021

Hello, I'm Michael Horowitz, Inspector General for the U.S. Department of Justice.

Today, my office released a Management Advisory Memorandum to the Director of the Federal Bureau of Prisons, or BOP, concerning the lack of formal policy negotiations between the BOP and its national union for the past 20 months, and the significant impact that it has had on the BOP.

In order to establish certain policies, the BOP must negotiate them with its national union, and the BOP's labor contract requires that those negotiations occur in-person. The union has been willing to conduct in-person negotiations with BOP, however, since March 2020, the BOP has declined to do so due to the COVID-19 pandemic. As a result, implementation of numerous important policies has stalled, including some related to the First Step Act and others addressing systemic correctional and safety issues.

For example, since January 2020, certain federal inmates have been able to earn time credits for early release or community placement by participating in First Step Act recidivism reduction programs. Nearly 60,000 inmates are eligible to earn these credits. However, the BOP has not yet provided early release or community placement to inmates who have earned time credits by participating in First Step Act programs, in part, because the BOP has not issued a policy for the application of these time credits.

In response to our memorandum, the BOP told us that it has informed the national union of its intent to resume formal in-person policy negotiations in December 2021.

To read our memorandum and our two recommendations, please visit our website oig.justice.gov, or go to oversight.gov.

Thank you for joining me today.

(Stock media provided by composer William Pearson and publisher Prolific Two Publishing/Pond5.com, www.pond5.com.)