



October 15, 2008

The Honorable John Conyers
Chair
House Committee on the Judiciary

The Honorable Patrick Leahy
Chair
Senate Committee on the Judiciary

The Honorable Henry Waxman
Chair
House Committee on Oversight and Government Reform

The Honorable Robert C. Scott
Chair, Subcommittee on Crime, Terrorism and Homeland Security
House Committee on the Judiciary

Re: National Prison Project Letter to the Director of the Bureau of Prisons on Conditions in the Special Confinement Unit at USP-Terre Haute

Dear Chairmen Conyers, Leahy, Waxman and Scott:

The American Civil Liberties Union (ACLU) is providing you with a copy of a letter written by our National Prison Project (NPP) to Bureau of Prisons Director Harley Lappin on the serious deficiencies in medical, dental and mental health care, environmental conditions, and several other civil liberties concerns regarding the Special Confinement Unit (SCU) at USP-Terre Haute.

The National Prison Project has concluded that many of the conditions endured by the men housed in the SCU may violate the Eighth Amendment's proscription against cruel and unusual punishment. We are recommending immediate and meaningful discussions with the Bureau of Prisons to avoid the prospect of litigation over these unconstitutional conditions of confinement.

This letter's conclusions may be summarized as follows:

I. The Bureau of Prisons fails to provide constitutionally acceptable medical care to SCU prisoners. Specifically:

- Current policies and practices result in dangerously delayed responses to medical emergencies;
- SCU prisoners lack adequate access to sick call and acute medical care;
- Medical staff fail to make timely and necessary referrals to specialists;
- Care for prisoners with diabetes is medically and constitutionally deficient;
- Prisoners needing medications face substantial obstacles;

- Preventive health care is poor; and
- Signs of potentially serious health conditions are ignored.

II. Constitutionally adequate mental health care services are not available to SCU prisoners.

III. SCU prisoners are denied access to timely, adequate dental care.

IV. Prisoners continue to endure incessant noise, resulting in sleep deprivation and psychological and physiological stress.

We are sharing the National Prison Project's concerns and findings with you in your respective capacities in Congress. Please do not hesitate to contact our office if you have questions regarding this matter.

As always, thank you for your time and attention.

Sincerely,

A handwritten signature in cursive script, appearing to read 'C. Fredrickson', written in black ink.

Caroline Fredrickson
Director, Washington Legislative Office

A handwritten signature in cursive script, appearing to read 'J. Bellamy', written in black ink.

Jennifer Bellamy
Legislative Counsel