

# Communications Management Units

## *The Federal Prison System's Experiment in Social Isolation*

### What is a Communications Management Unit (CMU)?

In 2006 and 2008, the Federal Bureau of Prisons (BOP or "Bureau") secretly created the Communications Management Units (CMUs), prison units designed to isolate and segregate certain prisoners in the federal prison system from the rest of the BOP population. Currently, there are two CMUs, one located in Terre Haute, Indiana and the other in Marion, Illinois. The CMUs house between 60 and 70 prisoners in total, and over two-thirds of the CMU population is Muslim, even though Muslims represent only 6 percent of the general federal prison population.

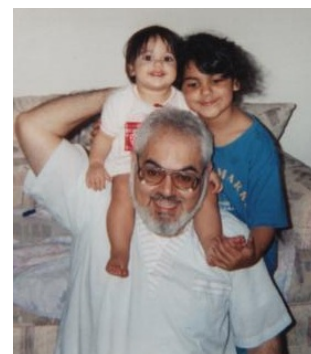
Unlike other BOP prisoners, individuals detained in the CMUs are completely banned from any physical contact with visiting family members and friends. Other types of communication are also severely limited, including interactions with other prisoners and phone calls with friends and family members.

Individuals detained in the CMUs receive no meaningful explanation for their transfer to the unit or for the extraordinary communications restrictions to which they are subjected. Upon designation to the unit, there is no meaningful review or appeal process that allows CMU prisoners to be transferred back to general population. Many CMU prisoners have neither significant disciplinary records nor any communications-related infractions. However, bias, political scapegoating, religious profiling and racism keep them locked inside these special units. The Bureau's purpose and process for designating federal prisoners to the CMUs remain undisclosed to the public.

### Who is detained in the CMUs?

The Bureau claims that CMUs are designed to hold dangerous terrorists and other high-risk inmates, requiring heightened monitoring of their external and internal communications. Many prisoners, however, are sent to these isolation units for their Constitutionally-protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights violations in the federal prison system.

At the Marion CMU, 72 percent of the population is Muslim, 1,200 percent higher than the national average of Muslim prisoners in federal prison facilities. The Terre Haute CMU population is approximately two-thirds Muslim, an overrepresentation of 1,000 percent. The Muslims detained in these two CMUs are both African American (many who converted during their time in the prison system) and prisoners of Middle Eastern descent.



*Kifah Jayyousi, shown here with his daughters, Maryam and Reem, is a CCR client. Documents obtained in discovery show that Mr. Jayyousi has been retained at the CMU in retaliation for his protected political and religious speech.*

CMUs also house individuals with "unpopular" political views, such as environmental activists. Many of these prisoners were brought to the CMU as a calculated means to "integrate" the units after critical press attention to the targeting of Muslims. Also commonly detained in the CMU are prisoners who have been active in organizing prisoners' rights, participated in lawful social justice movements, organized worship sessions, or filed grievances based on mistreatment and/or conditions of confinement. Although the Bureau maintains there are broad guidelines determining who is eligible to be sent to these isolation units, thousands of prisoners in the general population fit the criteria - begging the question, why these men?



*Daniel McGowan is also a CCR client. Despite never having received a disciplinary infraction, documents revealed through CCR's legal challenge demonstrate that Mr. McGowan was transferred to the CMU at USP Marion because of his protected political activism.*

Do you want to know what the worst sound I have ever heard is? The sound of the officer's keys rattling as he tells us that our time is over on visitation days. I want to sit in my Dad's lap again and I want his warm smile to be visible, not checkered with the lines that are on the glass window.  
-14 year old daughter of CCR client.

## The CMU: An Experiment in Social Isolation?

Unlike other prisoners in the BOP, CMU prisoners are forbidden from any physical contact with their children, spouses, family members and other loved ones that visit them. They are not even allowed a brief embrace upon greeting or saying goodbye. While the BOP claims these units were created to more effectively monitor communications, there is no security explanation for banning physical contact during visits as visitors are comprehensively searched before visits, and prisoners are strip searched before and after visits. The ban on physical contact during visits contradicts the Bureau's own policy recognizing the critical importance of visitation in rehabilitation and prison re-entry. The CMUs' visitation policy is even more restrictive than that of the BOP's notorious "super-max" prisons, where prisoners have over four times more time allotted for visits than prisoners in the CMU.

The Bureau has also placed severe restrictions on phone access. As with visits, the Bureau has recognized the importance of telephone communications with family and loved ones in the rehabilitation process as well as in maintaining family relationships during incarceration.

CMU prisoners were initially permitted only one 15 minute call a week – when, in apparent response to threatened litigation – the Bureau permitted one extra 15 minute call a week. Other BOP prisoners receive 300 minutes a month for phone calls.

Prisoners in the isolation units are barred even from contact with other prisoners in the general population. In addition to the stigma of being placed in what is widely known as the "terrorist" unit, individuals detained in the CMU have limited access to educational and other opportunities, including programs that facilitate reintegration and employment efforts upon their release.

## Secrecy, Transparency and Accountability in the Federal Prison System

These isolation units have been shrouded in secrecy since their inception. CMUs were created without public knowledge and without the opportunity for the public to comment as required by law. In 2010, the BOP attempted to redress this violation by, three years after the fact, finally disclosing CMU policy for public comment. In response, CCR organized thousands of prisoners, family members and advocates to submit comments criticizing the proposed rule. Years later, the rule still has not been finalized.

## What is *Aref v. Holder*?

*Aref, et al. v. Holder, et al.* is a federal lawsuit challenging the policies and conditions at the two CMUs, as well as the circumstances under which they were established. The Center for Constitutional Rights (CCR) filed the case in the U.S. District Court for the District of Columbia in March 2010 on behalf of several plaintiffs, including prisoners and their family members. The defendants in the lawsuit include Attorney General Eric Holder; Harley Lappin, Director of the BOP; D. Scott Dodrill, Assistant Director of the Correctional Programs Division of the BOP and Leslie Smith, head of the Counterterrorism unit of the Federal BOP.

In November 2012, CCR amended its complaint to bring new retaliation claims based on previously-secret documents. These documents, gathered through the litigation, revealed that the BOP assigned CCR's clients to the CMUs because of their Constitutionally-protected political activism and speech.

Visit [www.ccrjustice.org/cmu](http://www.ccrjustice.org/cmu) for more information about the case.

## Tell the Department of Justice: Uphold Due Process and Fair Treatment

Demand that:

1. Everyone, including CMU prisoners, receive their constitutional rights to due process and equal treatment; and
2. Either CMUs must meet constitutional standards and the BOP's own standards, or they should be shut down completely.

Take action today, visit: <http://ccrjustice.org/cmu-action>