

Concerned Individuals

Chesa Boudin
183 Dwight Street, Apt 4
New Haven, CT, 06511

6/1/2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

While the CMUs are troubling on a range of fronts, I will focus my comments on their destructive impact on children and families of the inmates. First some background on my perspective and experience. Both of my parents were incarcerated in maximum security prisons in New York State from the time I was 14 months old. My mother served 22 years before release on parole and my father remains incarcerated to this day. Thus, what follows is based on my personal experience growing up with incarcerated parents and the rigors of prison security as a barrier to my family development. It is also based on more than a decade of research, publishing, consulting, and lecturing on issues of parental

incarceration. I have been invited to speak at conferences including: The National Community Sentencing Association conference; The Federal Resource Center for Children of Prisoners' One day Institute, Sponsored by the Child Welfare League of America; The North American Conference on Fathers Behind Bars and on the Street; The Fifth North American Conference on the Family & Corrections, and many more.

When judges sentence convicts to prison, and when prison administrators determine visitation policies, minor children are often left behind. This is not an obscure issue but rather has significant, daily ramifications for an entire generation of American youth. As incarceration rates have spiraled by over 500 percent in the last thirty years,¹ so have the number of children who lose their parent or parents to the prison system.² In fact, in the United States there are more children with incarcerated parents than there are people in prison.³ Incarcerating parents of minor children is not just an issue for those sentenced to prison: it also generates third party harms for the children, for their caregivers, for the welfare apparatus of the state, for the prison system, and for the law.⁴ More specifically, parental incarceration implicates myriad legal issues related to

¹ The Sentencing Project, News, Incarceration, <http://www.sentencingproject.org/template/page.cfm?id=107> (last visited Bureau of Justice Statistics Correctional Population Trends Chart, BUREAU OF JUSTICE STATISTICS, *available at* <http://bjs.ojp.usdoj.gov/content/glance/corr2.cfm>).

² LAUREN E. GLAZE & LAURA M. MARUSCHAK, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, PARENTS IN PRISON AND THEIR MINOR CHILDREN 1 (Aug. 2008), *available at* <http://bjs.ojp.usdoj.gov/content/pub/pdf/pptmc.pdf>.

³ *Id.* at 1.

⁴ See generally RENNY GOLDEN, WAR ON THE FAMILY: MOTHERS IN PRISON AND THE FAMILIES THEY LEAVE BEHIND (2005) (analyzing collateral impacts of mass incarceration); CHILDREN WITH PARENTS IN PRISON: CHILD WELFARE POLICY, PROGRAM, & PRACTICAL ISSUES (Cynthia Seymour & Creasie Finney Hairston, eds., 2001) (discussing permanency planning, best interests of the child, and child welfare policy); BARBARA BLOOM & DAVID STEINHART, WHY PUNISH THE CHILDREN? (1993) (considering the roles and responsibilities of child welfare agencies, corrections, caregivers, and incarcerated mothers).

custody,⁵ communication,⁶ visitation,⁷ conditions of confinement,⁸ international standards,⁹ and more.¹⁰

As in the rest of the prison system, inmates in the CMUs have children who are innocent of any crime but who suffer when they are deprived of a relationship with their parents. Indeed, most children with incarcerated parents demonstrate a range of developmental and behavioral problems associated with the separation from their parents;¹¹ I was no exception. For me, building a relationship with my parents in prison was an essential part of overcoming my early childhood challenges. I benefited from frequent letters, phone calls and visits with both of my parents. In fact there were *no limits* on the number of phone calls or letters I was allowed to receive. Contact visits were allowed from 830am until 330pm 365 days per year. In addition, as long as my parents maintained a clean disciplinary record, we were allowed overnight visits through the Family Reunion Program.¹² These mechanisms of communication were a crucial part of my development, ability to build self-confidence, succeed in school, and move forward

⁵ See, e.g., *Santosky v. Kramer*, 455 U.S. 745 (1982) (requiring a clear and convincing standard of evidence before terminating petitioners' parental rights); Mariely Downey, *Losing More than Time: Incarcerated Mothers and the Adoption and Safe Families Act of 1997*, 9 BUFF. WOMEN'S L.J. 41, 45 (2000) (detailing the impact of the Adoption and Safe Families Act on termination of parental rights of the incarcerated).

⁶ See, e.g., *Walton v. New York State Dept. of Correctional Servs.*, 13 N.Y.3d 475, (2009) (upholding New York State Department of Correctional Services prison phone policies).

⁷ See, e.g., *Overton v. Bazzetta*, 539 U.S. 126 (2003) (upholding department of corrections policies severely limiting prison visitation by children of inmates).

⁸ See, e.g., *Block v. Rutherford*, 468 U.S. 576 (1984) (challenging conditions of confinement of pretrial detainees, including access to contact visits from children).

⁹ See, e.g., African Charter on the Rights and Welfare of the Child (1999), art. 30 ("States Parties to the present Charter shall undertake to provide special treatment to expectant mothers and to mothers of infants and young children... and shall in particular: a. ensure that a non-custodial sentence will always be first considered when sentencing such mothers; b. establish and promote measures alternatives to institutional confinement for the treatment of such mothers").

¹⁰ See generally Tanya Krupat, *Invisibility and Children's Rights: The Consequences of Parental Incarceration*, 29 WOMEN'S RIGHTS L. REP. 39 (2007) (describing the challenges children with incarcerated parents face, and arguing for a children's bill of rights).

¹¹ See generally NELL BERNSTEIN, *ALL ALONE IN THE WORLD* (2007) (detailing the plight of children with incarcerated parents); CHILDREN OF INCARCERATED PARENTS (Katherine Gabel & Denise Johnston, eds., 1995) (providing guidance to social workers, caregivers, and others who work with children of incarcerated parents).

¹² As early as 1980 the New York Department of Correctional Services published findings suggesting that the program decreased recidivism rates as much as sixty-seven percent. D. G. MacDonald & D. Kelly, *Follow-Up Survey of Post-Release Criminal Behavior of Participants in Family Reunion Program*, NATIONAL INSTITUTE OF JUSTICE (1980).

with my life. Given the right conditions, most children can benefit from a relationship with their incarcerated parents.¹³

The CMUs, however, deny children any meaningful relationship with their incarcerated parents. Improving prison conditions and communication for families of prisoners is necessary for the healthy development of children with incarcerated parents. I urge the BOP to abandon the CMUs altogether or to at least allow for regular and direct communication, contact and visitation with families and children of inmates.

I have been luckier than most children with incarcerated parents will be. As a society our challenge is to make the criminal justice system work so that innocent children do not need to get lucky to come out as healthy, productive members of their communities. If we are to address the needs of the innocent children left behind, we must consider prisoners' continuing role as parents.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Chesa Boudin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chesa Boudin
Yale Law School
127 Wall Street
New Haven, CT, 06511

cc: Center for Constitutional Rights

¹³ Denise Johnston, *Parent-Child Visitation in the Jail or Prison*, in CHILDREN OF INCARCERATED PARENTS, *supra* note 11, at 138; CHILDREN WITH PARENTS IN PRISON, *supra* note 11, at 13. Note also, that visitation with children and family members is strongly correlated with reduced recidivism rates for inmates. Christy A. Visher & Jeremy Travis, *Transitions from Prison to Community: Understanding Individual Pathways*, 29 ANN. REV. SOC. 89, 100 (2003).

David Capone
Schenectady, NY 12304

May 27, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have heard about the proposed rule that was published in the Federal Register on April 6, 2010, and as a faith-based U.S. citizen I am troubled by the conditions and policies proposed in that rule. **I urge the BOP to abandon this proposed rule.**

The process of herding Muslim prisoners into two locations is reminiscent of what happened in America of interring people of Japanese descent after the bombing of Pearl Harbor. In 1988 however, Congress recognizing the illegality and inhumane behavior passed and President Ronald Reagan signed legislation which apologized for the internment on behalf of the U.S. Government stating that government actions were based on "race prejudice, war hysteria, and a failure of political leadership". I suspect some future President will apologize for our present mistreatment of Muslims.

In particular I urge that the blanket ban on physical contact be removed. It is commonly known that psychologists say that the lack of physical touch is extremely harmful to the overall well being of the human species. Why then would the BOP adopt such a cruel policy or practice? Surely if there is some security issue there are ways to monitor such concerns.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

David Capone

cc: Center for Constitutional Rights

Brendan Wheeler
Brooklyn, NY 11206

24 May 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

Unlike other BOP facilities, the CMUs have a lack of due process. The inmates have no real review process by which they can be transferred out of the CMU. This is especially troubling given the fact that it isn't clear why they are in the unit in the first place. Given that the inmates are over sixty percent Muslim and many inmates have political cases and/or are politically outspoken individuals, the CMU units under the proposed rules are not only unjust to the CMU inmates, the rules also amount to discrimination against Muslims and "political prisoners" in BOP custody.

I can personally attest that the current restrictions on communication for CMU inmates serve to curtail the inmate's connection to family and community. It is a well documented fact that communication with family and community are crucial for an inmate's successful rehabilitation to life in society, not to mention the general well-being of inmate and family alike. The current restrictions are unjust and serve no purpose and the proposed restrictions are even more restrictive.

I trust you will take the above concerns into consideration regarding the proposed rule. Thank you for your concern and for the action you will take.

Sincerely,
Brendan Wheeler

I write in strong opposition to the proposed rule. Having been jailed for 159 days myself under harsh, restrictive conditions, I speak from experience when I say that the proposed rule constitutes cruel and unusual punishment. It is enough to keep men and women confined under the extreme conditions found in a maximum security prison. The social and psychological blows of living under those conditions are all that is necessary to punish society's wrongdoers. Anything at all along the lines that the proposed rule contemplates--which amounts to cutting prisoners off from nearly all outside communication--adds utterly unnecessary and inhumane blows to what are already awful, degrading circumstances. Moreover, what is the purpose of the rule? What good will it possibly do? Do we not want persons, when they leave prison, to be able to function effectively in society? Do we want them to return to prison? Is there any danger to society in placing a couple of monitored phone calls, sending and receiving monitored mail, and the like? The proposed rule helps ensure that precisely those sorts of nonsensical, excessively punitive results will be realized if the rule is put into place. The United States is better than this rule. Humanity, decency, and good sense require that the current CMU rules remain in effect.

(under the name James Scarce)

Rik Scarce
Associate Professor of Sociology
Department of Sociology, Anthropology, and Social Work
221 Tisch Learning Center
Skidmore College
Saratoga Springs, New York 12866-1632

I am very concerned at the new rules the BOP has proposed for the CMUs, which are already very restrictive prison facilities with questionable legal standing. Prisoners at the CMUs cannot challenge their designation and their behavior has no bearing on their assignment to these detention centers. Without any legal recourse or means of earning an improved situation, they are punished through extreme limitations on their contact with family and friends. No-contact visits, extremely brief phone calls, the proposed mere 3 pages of letters (the primary means of communication with those outside), and the proposed limitation of visitors to immediate family members would be devastating for these prisoners whose communication is already severely limited. These rules would harm relationships and certainly cannot be helpful in assisting prisoners in their transition back to society. Additionally, the extreme overrepresentation of Muslims at the CMUs demonstrates a disturbing example of discrimination. The CMUs should allow communication comparable to that of other prison facilities, rather than further limiting it. They should offer inmates a clear and accessible means of working to transfer out of the facilities, and they should absolutely not exist to further discrimination against minorities.

Leah Todd

By definition, dehumanize means to deprive of human qualities. The current restrictions on CMU prisoners are already clearly intended to dehumanize prisoners. To be deprived of the ability to feel affection or touch from another human being while they are locked up is dehumanizing. To severely limit and monitor all communication with family and friends on the outside of prison is dehumanizing. To only allow eight hours of visits per month from loved ones is dehumanizing. If a further restriction of communication is accepted, dehumanization is no longer an acceptable way to describe this desire and intent. This looks and feels distinctly like barbarism. Punitive and reactionary policies never change people's behavior, they only fuel people's anger and frustration and create riper conditions for negative backlash.

I witness this tendency as a teacher. When you have trouble maintaining an environment in your classroom that is conducive to effective student learning due to students that are continually acting out, one option you have, as a teacher, is to send that student to the dean. This can often happen before the teacher tries to understand what is at the root of the child's behavior. Many times the tendency to throw a student out of your class becomes a replacement for dealing with the issues that are underlying a student's behavior. The act of sending a student to the dean becomes nothing more than retribution and never compels that student to change the behavior; it only creates animosity and backlash toward the teacher. This only makes the job of creating healthy classroom environments more challenging and often only serves as a temporary breather from challenging students. It does not positively affect the classroom in the long term. In the same way, punitive policies like those being proposed by the BoP will not meaningfully address any positive long-term change. Positive long-term change can only begin when we examine the role of prisons in our society.

Kevin D'Amato

The Criminal Injustice system has caused me much heartbreak since they started to de-institutionalize the mentally ill into the institutions of prisons instead of improving the Psychiatric Hospitals.

I respect the human rights of all human beings. I expect my government to follow the principles of the Constitution of the United states which forbids cruel and unusual punishment and punishment that does not fit the crime. I read recently that Jim Webb, a Democrat from Virginia says "America's criminal justice system is a national disgrace...We are wasting billions of dollars and diminishing millions of lives. We need to fix the system."He is sponsoring the National Criminal Justice Commission. It must include the issue of CMU's. The Commission would carry out a comprehensive review of the criminal justice system, and make reform recommendations to improve public safety, cost effectiveness, overall prison administration, AND FAIRNESS IN THE IMPLEMENTATION OF THE CRIMINAL JUSTICE SYSTEM. I hope that this will include all prisoners and not discriminate against Muslim men and people who suffer the horror of being afflicted with a mental illness.

Thank You,
Jeanne DeSocio

Anne Lamb
Bronx, NY 10467

May 16, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana, Marion, Illinois and Coleman, Florida. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

For instance, Tom Manning #10373-016 was moved from Hazelton to Cumberland and then to USP Coleman I D Unit, which he then found out was a CMU. Perhaps this was a deliberate and cruel response to his request for medical attention. He has not received the medical care needed for a growth in his groin area, lump under his left nipple or the growth under his shoulder blade. Tom had an ultrasound that seemed to indicate that he does not have cancer; however cancer could not be ruled out and he needs a biopsy. An outside doctor who reviewed Tom's records urgently recommended a biopsy to check for cancer in these areas.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are political prisoners such as Tom Manning #10373-016 (in USP Coleman I D Unit, which is a CMU) and Daniel McGowan #63794-053 (in the Marion CMU). In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering on the prisoners and their families alike. This is a human rights violation and probably violates international law on the treatment of prisoners.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel, serves no legitimate purpose and amounts to psychological torture.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Anne Lamb

cc: Center for Constitutional Rights

Restricting communication prevents prisoners from maintaining relationships with family and friends and is unethical. People should always be allowed visits with their loved ones. Allowing the prison staff to open all mail raises questions about prisoners' access to privileged communication with their lawyers. Lastly, communication restriction prevent prisoners who are abused from contacting the media to make those abuses public. Secrecy in prisons isn't okay.

-Anonymous

Communication Management Units should be closed as they violate basic human rights and due process. The inmates currently held in the two CMUs in the U.S. are denied contact with friends and family, privileged communication with legal counsel and other constitutionally protected due process rights. These men, who are disproportionately Muslim and political activists, have not be charged with substantive violent crimes, yet they are labeled as terrorists and kept in secretive, restrictive political prisons for years. As federal prosecutors have failed to establish a compelling reason for such draconian treatment, CMU incarceration amounts to cruel and unusual punishment. The prisoners held in CMUs must be matriculated into the general prison population and the CMUs must be closed for violating prisoners' rights.

Lucy Goodrum
Reading, VT 05062

To whom it may concern:

I am against changing the rules in the CMU to anything more isolating and restrictive. This doesn't serve the public, and only makes the inmates bitter and angry. How does that help anyone? Do you really think giving an inmate fewer phone calls is a deterrent to him being in prison in the first place? No, it is just punitive.

Restricting the rights of people in a CMU more than they are already restricted serves no rehabilitative purpose and it hurts the credibility of our "fair & humane" justice system.

CMUs are in themselves questionable. It is quite obvious they are a place to shut away Muslims, with a few "whites" in there to avoid the semblance of discrimination. To further restrict the rights of these inmates, whose rights seem to me to already be trampled on, is cruel and unusual punishment.

Alexandra Paul

I am vehemently opposed to CMUs. They are secretive in nature and deny prisoners due process in that they are unable to appeal their assignment to a CMU, nor is there a review process by which inmates can earn their way out of a CMU.

Inmates in CMUs experience extremely limited communication with loved ones and family over the telephone, and are denied any physical contact in their rare visits, even with their children. The new regulations are even more restrictive, with only one phone call allowed per month (with immediate family only), and only ONE 3-page letter in or out. How is any inmate able to have a thriving relationship with family with these punitive restrictions? I can't even imagine what an inmate with no family would go through!

I am also very concerned that the population of CMUs is exclusively either Muslim or political prisoners. Designation to CMUs appears to be solely retaliatory. All of the concerns a CMU is intended to address can be addressed through proper monitoring at any federal facility that already exists.

CMUs amount to cruel and unusual punishment and should be dissolved immediately.

Shelley Cater
Portland, Oregon

Document ID: BOP-2010-0006-0001: Communication Management Units

CMU prisons are something to which I am 100% opposed. These types of prisons unfairly single out people, especially Muslims. I've read that over two-thirds of the CMU population is Muslim, even though Muslims represent only 6 percent of the general federal prison population.

Having people only correspond in English is unfair to those who do not speak English, and cuts people off from their basic human needs, like the ability to speak with their families and loved ones. Not allowing people basic human rights like to hold their husbands' hands is ridiculous. If a person is searched before visitation, I don't understand why this kind of simple, human contact should not be allowed.

Political prisons like CMUs have no place in a democracy. Singling out prisoners because of their political beliefs sets a dangerous precedent and does not represent democratic values. Not allowing communication between prisoners and their friends and social movements in the outside world violates that person's right to free speech.

CMUs violate basic Due Process rights. Individuals detained in CMUs instead of standard BOP prisons should absolutely be told WHY they are being singled out to be housed in such a facility. There should be a significant way for a prisoner to appeal this decision, or at least have this decision process reviewed, and currently there is not. If a person is transferred from general population to a CMU facility, it needs to be public record the reason why the person was moved. To transfer a prisoner based on that person's Constitutionally protected religious beliefs is not only morally wrong, it is illegal.

Prisoners should not be secluded away from the public simply because of their political beliefs. This country was founded on the Peoples' ability to speak freely of their beliefs, to prevent government tyranny that was so prevalent in the past. If you silence the people who speak of change, is there really freedom in America?

Jessica Johnson

I am writing today to express my opposition to Central Management Units (CMU's) within our prison systems. Until recently, I wasn't even aware there were such places. The very existence of "secret" prisons are unconstitutional and violate a prisoner's rights. They are not even allowed to appeal transfers or to get an explanation about why they are there. Being kept in isolation is inhumane. Why do they not have the ability and the right to appeal to the courts? It is cruel and unusual treatment not allowing the prisoner's the ability to communicate with family members, and friends. The lack of physical contact takes a toll on families and further punishes the inmate emotionally. There are no specific reasons given for this abusive treatment.

These men and women are political prisoner's and are locked away for crimes that the government wants to keep from the public. They are not even told why they are being kept at these facilities and most have no prior history of communications violations or disciplinary problems of any kind. So why are they there? Why hasn't the government until now, allowed the public to voice their opposition, support or opinions about this topic? The public should have had a say before these places were allowed to be opened. In a democracy prisoner's still have the right to due process. I strongly oppose secret prisons and they should be closed.

Sincerely,

Lisa Wilson

Please do not implement the proposed restrictions of communications at the Communications Management Units. Please consider eliminating the Communications Management Units altogether.

The proposed restrictions should not be implemented for these reasons:

- ***The fundamental illogic of the new regulations:*** *Communications restrictions were relaxed at the beginning of 2010. The proposed new regulations reduce communications even below the restrictions of 2009. There have been no actions or incidents that would suggest that the 2010 practices are inappropriate and need to be rolled back. In light of the changes for 2010, the proposed new regulations simply do not make any logical sense.*
- ***Lack of due process at the CMU:*** *None of the CMU prisoners have been told why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*
- ***Destructive effect of the CMU on families:*** *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*
- ***Conditions at the CMU amount to cruel and unusual punishment:*** *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

Gina Harrell

I write from the position of having corresponded with and visited prisoners in federal and state prisons for about 12 years. I want to address my deep concerns about the so-called Communications Management Units (CMU's) that were set up in the last three years by the Bureau of Prisons.

In addition to the fact that they were established without public comment, I believe the CMU's violate international human rights standards that prohibit cruel and unusual punishment of incarcerated persons.

My first concern is the rigid confinement of non-threatening prisoners to a unit closed off from the general prisoner population. The sequestration of these prisoners clearly is punitive, despite the rule's statement to the contrary.

My second concern is the designation of prisoners to CMU's, even though the prisoners have not been convicted as terrorists and they have posed no current threat to prison rules.

My third concern is that telephone communication with immediate relatives is limited to 15 minutes a month. This clearly is punitive and cruel.

My fourth concern is that visiting privileges are severely restricted and may be limited to one hour per month with a family member. Non-contact with a loved one is also clearly punitive and cruel.

Finally, I am concerned that the two CMU's are located in the Midwest, so that families that live on either coast are extremely limited in their ability to visit.

In summary, I am totally opposed to the CMU's for various reasons. These CMU's present us with cruel and unusual punishment of non-violent, non-threatening persons. I believe they should be abolished.

Thomas Washburn

To whom it may concern:

RE: BoP Docket # 1148-P, Communication Management Units

I was recently made aware of the existence of the Communication Management Units and the new rules you intend to impose on the inmates. I would like to make it known that I believe these rules are arbitrarily harsh and unnecessary. Further, I believe they are nothing short of cruel. I hope that reason wins out and these punitive, unjust rule changes are discarded.

Sincerely,

Steven Young

Comment Tracking Number: 80af82c3

Donald George Yeo
Chapel Hill NC 27516
USA

919 932 2823

These proposed regulations are more of what I would find in the gulags in Stalin's Russia than what I expect to find in the USA.

These regulations clearly constitute cruel and unusual punishment, with a complete disregard for due process. To completely isolate someone from their friends and family for no reason. These regulations would clearly hurt families and make an inmates return to society more difficult. To turn a United States prison into a secret penal colony with no contact with the outside world is clearly a horrible, inhumane idea. Please don't do this. I expect better from my government.

Comments Submitted by Concerned Individuals

I am opposed to the existence of the prisons within prisons you call Communications Management Units, and it's no wonder they have never before been open to public comment; they violate basic human rights. It's known that the prisoners housed in CMUs have been selected not based on the severity of their crimes, perceived threats to the public, or behavior while in prison, but on their race and/or political beliefs. This drastic form of social isolation is dehumanizing and damaging to mental health, and the inferior medical facilities put physical health at risk. The lack of due process is un-American and the lack of transparency is frightening. CMUs must be shut down, not made permanent.

Faith Gundran

Comments Submitted by Concerned Individuals

Shame of a nation.

Martin Luther King, Jr. once said if one wanted to know the measure of a society, just look at how it treats its prisoners. What does it say about a government to dehumanize persons already in the custody of the prison system. People would not even keep their beloved pets in the isolation of these CMUs.

dequi kioni-sadiki

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I would like to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am extremely troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs.

I believe that the CMUs have been used to disproportionately confine and punish political prisoners and Muslims and violate basic constitutional protections. I write to urge the BOP to abandon this proposed rule.

As a Sociologist who specializes in criminology, I find a number of issues at the CMU particularly concerning to me. First and foremost, I find that there is a lack of due process at the CMUs. Not one of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. In addition, these prisoners have received no hearing to challenge their CMU designation and it appears that there is no meaningful review process for prisoners to earn their way out of the CMU. I believe that this lack of transparency deprives prisoners of their due process rights.

What I also find troubling is the overrepresentation of Muslim and political prisoners at the CMUs. I believe that because there is no oversight procedure regarding who gets sent to the CMU and why, there has been an unchecked and unfair pattern of Muslim prisoners and politically active prisoners being sent to the CMU. The statistics that have been reported are somewhere between 65% and 72% of prisoners at the CMU are Muslim.

Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

In addition to these concerns, I believe that the CMUs have a destructive effect on families of those incarcerated. The few phone calls and limited visits that CMU prisoners receive, and the extreme policy of banning physical contact with loved ones, including children, during visits tears families apart and inflicts pointless suffering on the prisoners and their families alike. This policy and the conditions at the CMUs are abhorrent. They amount to cruel and unusual punishment. The isolation experienced by CMU prisoners,

Comments Submitted by Concerned Individuals

and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

In closing, I hope that the BOP will take my concerns into account as it decides whether to adopt this proposed rule. Thank you.

Sincerely,
Dr. Anthony Silvaggio
Arcata, CA 95518

cc: Center for Constitutional Rights

Dear reviewers of Communications Management Unit policies,

As a concerned citizen very worried about the erosion of our democracy, I'm writing today with my personal observations of the effects of these Communications Management units and a request that they be shut down immediately. Living in an upstate community where an FBI sting operation entrapped two Muslim men who were then convicted of non-violent crimes, I've had a chance to see the detrimental effects of such units on not only the prisoners but on their families and communities as well.

Here are some of the things that I've learned about these units. First, by having only two such units prisoners are located far from their families and support communities which means that children and other loved ones can't easily visit them. Then when they are able to visit, the visits can be terminated for arbitrary "offenses" like having a pen in the visiting room. The restriction on physical contact has led to severe emotional hardship for growing children and of course for wives or other loved ones.

In the case of the prisoner that I know most about, the limitations on religious observance, reading materials, people allowed to contact him by telephone, and the ability to read and study in his own languages all deprive him of the ability to pursue his lifelong intellectual and spiritual interests as an imam and scholar. This is a form of cruel and unusual punishment and is not based on any threat that any of these activities would pose to the prison staff, to his community and family or to the United States. Rather it seems to be a form of psychological and emotional deprivation based on his ethnicity and political views. This theme appears to be carried out against the other mainly Muslim and political activist prisoners housed in the CMU's with no clear rules or reasons for why they are placed there or treated in this harsh and illegal way.

Indeed, the effects of all these restrictions serve instead to decrease the potential of his very bright and talented children to develop their gifts in verbal expression, scientific thinking and mathematical ability that could ultimately contribute to the benefit of our country and of the world. This prisoner and others like him (God willing) will return to his community but will have to overcome the intellectual and sensory deprivation that he is now subjected to. At the same time the BOP severely limits his phone communication and his visitors' list, depriving his community and his friends of the opportunity to interact with him.

Does any of this treatment make us "safer" or is it a form of selective punishment meted out to arbitrarily selected prisoners to add to the suffering that imprisonment already imposes on those separated from their families and communities?

Please close the CMU's immediately!

Mickie Lynn

Comments Submitted by Concerned Individuals

I am opposed to isolating prisoners in CMUs. I am concerned that these units constitute cruel and unusual punishment, and it is further disturbing that prisoners could be placed in such environments without due process and opportunities to challenge these decisions. The overrepresentation of Muslims and political prisoners in these units suggests they would be used as political tools rather than legitimate and ethical corrections measures. Further, these CMUs would be destructive to families. While providing no benefit to society, these units would erode the moral footings on which our nation and liberty precariously stand.

Sincerely,
Jesse Miller

R. Ruth Linden, Ph.D.
San Francisco, CA 94133

6 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010 and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me:

- ***Lack of due process at the CMU:*** *None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*
- ***Overrepresentation of Muslim and political prisoners at the CMU:*** *Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65% and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.*

- ***Destructive effect of the CMU on families:*** *The meager number of phone calls and visits that CMU prisoners receive and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*
- ***Conditions at the CMU amount to cruel and unusual punishment:*** *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

R. Ruth Linden, Ph.D.

cc: Center for Constitutional Rights

June 6, 2010

Sarah Qureshi
Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

Re: BOP Docket #1148-P, Communication Management Units

Dear Ms. Qureshi:

I am responding to the Federal Register notice regarding the operations of the two Communications Management Units (CMUs) being run by the BOP in Terre Haute, Indiana and Marion, Illinois.

It is offensive that the BOP is seeking to use the regulatory process to legitimize and institutionalize the existence and practices of the CMUs which were unlawfully established under the prior Administration in a wave of reactionary hysteria following the events of 9/11. The proposed regulations are arbitrary, capricious, and inhumane. To date, the implementation of CMUs have been shown to be racially-biased against Muslims.

The position asserted that the proposed regulations are not punitive in and of themselves would be laughable if it weren't so heinous. In fact, the CMUs represent a form of double sentencing wherein a BOP bureaucrat has considerable discretion in dictating without meaningful oversight, review or appeal the conditions of an inmate's confinement. They infringe upon an inmate's Constitutional protections of free speech and due process, and against cruel and unusual punishment, not to mention that they fly in the face of basic human rights accords. They represent an attempt to codify torture by limiting physical, verbal and written contact between an inmate and his/her loved ones and where the evidentiary standard for imposing such measures is at best a moving target. The regulations should be summarily rejected in their entirety.

Sincerely,

James McCabe
New York, NY

Comment Tracking Number: 80afd010

Erika Hedin
Washington, DC 20001

June 6, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me. The conditions at the CMU are counter to the process of rehabilitating inmates. Inmates need the support and aid of contact with their loved ones, the conditions at the CMU serve the purpose of cutting those ties when they are needed most. Furthermore, the lack of due process at the CMU causes prisoners and families to lose any hope in earning their way out of the CMU or understanding why they have been placed in these inhumane conditions. This is also counterproductive to the process of rehabilitation because it causes families and inmates to lose faith in the democratic system. The purpose of prison is supposed to be to rehabilitate inmates—the CMU is not meeting this purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Erika Hedin

cc: Center for Constitutional Rights

Iman Monzer Shurrab
Cairo, Egypt

2010-06-06

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

***Destructive effect of the CMU on families:** The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*

***Conditions at the CMU amount to cruel and unusual punishment:** The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Iman Monzer Shurrab

cc: Center for Constitutional Rights

Please do not implement the proposed restrictions of communications at the Communications Management Units. Please consider eliminating the Communications Management Units altogether.

The proposed restrictions should not be implemented for these reasons:

- **The fundamental illogic of the new regulations:** Communications restrictions were relaxed at the beginning of 2010. The proposed new regulations reduce communications even below the restrictions of 2009. There have been no actions or incidents that would suggest that the 2010 practices are inappropriate and need to be rolled back. In light of the changes for 2010, the proposed new regulations simply do not make any logical sense.
- **Lack of due process at the CMU:** None of the CMU prisoners have been told why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.
- **Destructive effect of the CMU on families:** The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.
- **Conditions at the CMU amount to cruel and unusual punishment:** The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

Chuck & Jane Skillman

**Re: BOP Docket #1148-P
Communication Management Units.**

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

In addition, I wish to voice my opinion that the conditions at the CMU amount to cruel and unusual punishment. The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Margaret Seely, NYC

Dear BOP,

I'm writing to let you know that I'm opposed to the establishing of two CMU's designed to isolate and segregate prisoners in the federal prison system from the rest of the BOP population.

These CMU's are against a person's constitutional rights, the prisoners are denied hearings to challenge their CMU designation, and denied review process to earn their way out of the CMU.

These CMU's also discriminate, with no oversight procedure of who gets sent to the CMU. Discrimination is obvious, with population between 65-72% Muslim, and others have been politically active.

The CMU prisoners are also denied contact with their families, with very limited phone calls and visits, and especially cruel the ban on physically touching their loved ones, including their own children, this is terrible and shows no humanity as far as the decision makers of these CMU's.

If people are denied their constitutional rights then American is no better than any other communist country.

Please don't stop these CMU's immediately!

Sincerely,
Marilyn J Wilson

Connie E. Schaefer
Longmont, CO 80501

June 4, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Loss of due process rights – in terms of due process at CMU. Prisoners were not given any meaningful reasons for being designated to the CMU – or given any evidence that was used to make the decision. They can't challenge the decision at any hearing – because there is no hearing. They have no meaningful review process to earn their way out of the CMU.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Connie E. Schaefer

cc: Center for Constitutional Rights

Ruth Selby
Brooklyn, NY 11218

June 4, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

The lack of due process at the CMU violates our democratic principles. The procedures implemented are those we object to when used by other countries. For example, none of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

The government may claim these measures are a protection against terrorism and now hold mainly Muslim and political prisoners at the CMU, but if these practices are allowed to continue, all persons are in danger of being summarily held in isolation with no hearing. Because there is no oversight procedure of who gets sent to the CMU and why, everyone is in danger of being confined in this way. In fact, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison are already held in these restrictive conditions.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Ruth Selby

cc: Center for Constitutional Rights

3 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and the conditions at, the Communications Management Units (CMUs) in Terre Haute, Indiana and Marion, Illinois. I am troubled by existing practices at the CMUs and the proposed rules do not do enough to reform them.

CMU prisoners are not told in any meaningful way why they are assigned to the CMU or what evidence was used to make that decision. They receive no hearing to challenge their CMU designation and there is no meaningful review process to allow them to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights. The new rules do not correct this and do not provide oversight in case of abuses of the processes.

Muslim and politically active individuals have been assigned to the CMU even when there are no specific allegations of actual or potential inappropriate communications. Because there is no effective oversight procedure of assignment to the CMU, designation to the CMU is both discriminatory and retaliatory. The new rules do not correct this and do not provide oversight in case of abuses of the processes.

The meager number of phone calls and visits that CMU prisoners are permitted and the blanket ban on physical contact with loved ones – including children during visits tears families apart and inflicts pointless suffering on the prisoners and their families alike. The new rules do not correct this; for example there are simple ways to monitor conversations during visits without imposing a physical barrier.

The CMU's violate human rights standards that prohibit cruel and unusual punishment of incarcerated persons and the new rules do not rectify this.

I thank you for your consideration.

Sincerely,

Sandra Maliga

cc: Center for Constitutional Rights

Comments Submitted by Concerned Individuals

"I support the abolition of Communications Management Units (CMUs). CMUs deny prisoners due process, target prisoners based on political beliefs, alienate prisoners from their families, and are cruel and unusual punishment. Stand for justice by closing down CMUs."

Brandon Becker

I am writing to express my concern over the Communications Management Units (CMUs) run by the BoP. Until recently, I wasn't even aware that CMUs existed. Such "secret" prisons are unconstitutional and violate a prisoner's rights. The general public has not been informed about the creation of these prison units, nor was our response to this inhumane system invited by the BoP before it was put into practice. I am particularly concerned about the following issues:

Lack of due process: CMU prisoners are not informed about what evidence was used to make the designation to the CMU. They receive no hearing to challenge that designation, and there is no meaningful review process to earn a way out of the CMU. This lack of transparency deprives prisoners of due process rights.

Overrepresentation of Muslim and political prisoners: Between 65 and 72% of prisoners at the CMU are Muslim. Others are political prisoners, such as environmental activists or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones during visits inflicts pointless suffering on the prisoners and their families alike.

Conditions amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

CMUs should be closed because they violate basic human rights and due process. Federal prosecutors have failed to establish a compelling reason for CMU incarceration. If the CMUs are not closed, at the very least the proposed new regulations should be rejected as unconstitutional and inhumane.

Mary Cato, Arlington, TX

Comments Submitted by Concerned Individuals

"The isolation of prisoners in Communication Management Units amounts to cruel and unusual punishment; it serves no purpose to psychologically destroy them through the emotional starvation of severing contact with their families and the outside world. It is also politically biased, religiously biased and racist; the majority of inmates placed in such units are Muslims and political prisoners. There is no oversight regarding which prisoners are placed in CMUs and why, and there is no process to appeal the decision.

"For all of these reasons, the BOP should stop isolating prisoners in CMUs."

Dave Duncan

I am writing to condemn the treatment and state of the detained CMU prisoners, in hopes of highlighting the injustices taking place in our distinguished country. In hopes of making my comment as concise as possible, I plan on bringing into light a few reasons for my denunciation of the states of CMU prisoners. In a time when Muslims are continuously being with accusations of affiliation with “terrorist groups”, it is becoming more relevant to see these Muslims in prisons around the U.S. This faulty pattern of an overwhelming representation of Muslims in CMU’s (somewhere around 65%-72% of those detained in CMUs are Muslim) is significant evidence that racial profiling and discrimination is being incorporated in their arrest. These same prisoners are denied rights as prisoners stated in the Constitution, refusing them a review process to challenge their arrest and abundant reason for their arrest in the first place. The prisoners are also denied adequate communication with their families, subjecting them to complete isolation from the outside world and people the prisoners are deeply fond of. Finally, these prisoners also face unreasonable, cruel punishment, lacking any sensible reasoning. I urge the Federal Bureau of Prisons to reevaluate the treatment of CMU prisoners and the reason for their arrest.

Nisreen Omar Mobayed

Joshua Raisler Cohn
Jamaica Plain MA 02130

June 2, 2010

Ms. Sarah Qureshi
Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

Re: BOP Docket #1148-P Communication Management Units

Ms. Qureshi:

I am writing to express my deep concern and strong opposition to the establishment of, and conditions at, the Communications Management Units (CMUs) that have already been opened and are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read and reviewed the proposed rule that was published in the Federal Register on April 6, 2010. I have followed creation and operation of the CMU's since they were first opened, without a proper notice and comment period, almost four years ago. I correspond with prisoners who are housed in the units, have read their writings, and have communicated with their families. I have also reviewed most of the documents files by the BOP, the ACLU and CCR in the three ongoing lawsuits challenging various aspects of the CMU. My opposition is directed at both the proposed policies and conditions, as well as to the existing and ongoing practices within the CMUs. I strongly urge the BOP to abandon this proposed rule.

I graduated from law school a few days ago. The proposed CMU rule and its current operation fly in the face several basic principles of law that I have been taught are core tenants, maybe even the bedrock of our legal system.

There are several specific areas of concern I have about the proposed rule.

CMUs target Muslim and Arab Prisoners.

The population of the CMUs is overwhelmingly Muslim, and this appears to be by design. Of the first 17 prisoners designated to the CMU, I believe 15 were Arab and 16 were Muslim. While the numbers have changed some, the population still appears to be over 65% Muslim prisoners, compared with a much lower representation on the overall BOP population (about 6%). These prisoners are not singled out for acts that occurred during their incarceration, and in fact many of the Muslim prisoners have no history of violation *any* prison communication rule, including those housed in other units and other prisoner prior to being designated into the CMU. The lack of oversight procedure into who is sent to a CMU makes the disproportionate representation of

Muslim prisoner even more troubling. Without specific allegations of wrongdoing by the prisoners, their designation to the CMU is both discriminatory and retaliatory.

CMUs destroy family and community connections.

I have a young child, and as a parent I have learned in new ways the importance of touch and the critical value of physically sharing space as ways to maintain and build strong relationships. These opportunities are denied to CMU prisoners with an unjustified and blanket ban on contact visits. Such a ban exists for no other group of prisoners in the BOP, and this proposed rule does not justify such a severe restriction. All CMU visits are live monitored anyway, so the increased cost and personnel time involved in supervising contact visits would be negligible. Allowing contact visits would provide a significant benefit to CMU prisoners, and would allow them to foster a sense of closeness and familiarity with their loved ones, and especially with their young children. It breaks my heart to think of young children who are denied the opportunity to touch one of their parents for so many years.

CMU prisoners do not pose any threat that would justify this blanket ban, and it is unconscionable to impose such a ban. This policy serves as addition punishment, beyond the term of years already imposed by the courts, on prisoners, their families, and their communities.

The BOP proposed rule will also curtail the already limited phone access that CMU prisoners have. The rule would limit prisoners to one 15 minutes phone call a month, and one visit a month, both limited to immediate family members. This rule would prevent me from visiting with a CMU prisoner who I have known for years, but who is not immediate family. The shocking limitations on phone access would further disrupt the ability of CMU prisoners to communicate with their families and loved ones.

Lack of Due Process.

CMU prisoners receive no meaningful explanation of why they were designated to the CMU, or what evidence was used to come to that decision. They were not offered a live hearing in which to challenge this designation, unlike other classification decisions. They are denied a meaningful review process of their designation, and unlike other specialized BOP units, there is no opportunity for CMU prisoners to work their way down, earning increased privileges and access based on their behavior conforming to BOP rules.

In the United States, due process is an enshrined right. It is not something that comes and goes based on defendant's charges, or they type of a prisoner's conviction. It is something that we all carry with us, that everyone is entitled to, these rights must be protected and upheld.

The CMU conditions are cruel and unusual punishment. There is no need for the destruction that these conditions impose, and will continue to impose, on CMU prisoners and their families.

Comments Submitted by Concerned Individuals

I respectfully ask that you take the above concerns into account while deciding whether to adopt, or to abandon this proposed rule. I urge you to abandon the proposal.

For a just and sustainable future,

Joshua Raisler Cohn

cc: Center for Constitutional Rights

Kevin Van Meter
Portland, OR 97217

2 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

Re: BOP Docket #1148-P

Communication Management Units

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule published in the Federal Register on April 6, 2010, and I am troubled by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

- **Lack of due process at the CMU:** None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.
- **Overrepresentation of Muslim and political prisoners at the CMU:**
- Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active

prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

- **Destructive effect of the CMU on families:** The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones including children during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.
- **Conditions at the CMU amount to cruel and unusual punishment:** The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Kevin Van Meter

Christy Pardew
Jamaica Plain, Massachusetts 02130

June 2, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing today to express my deep concerns over the Communications Management Units that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have concerns both about the establishment of these units and the current conditions there – both for prisoners and their families.

The Communication Management Units (CMUs) are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I strongly urge the Bureau of Prisons to do the right thing and abandon this proposed rule.

As a parent of a young child, I feel I must emphasize the destructive effect that CMUs have on families. The small number of phone calls that CMU prisoners are able to make and the ban on all physical contact with loved ones – even children – during visits makes the CMU an even more destructive tool for our society than regular prisons are. There seems to be no point to these rules outside of inflicting more suffering on the prisoners and their families. These type of repressive rules do not lend themselves to rehabilitative efforts on behalf of the prisoners, their families or the CMU system.

I am confused as to how these prisoners ended up at the CMU – but I'm sure I'm not nearly as confused as they and their families are. None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights, a fundamental facet of the US criminal legal system.

Another confusing aspect of the CMU to me is the overrepresentation of Muslim and political prisoners in these units. To me, a member of the general public, it certainly seems as if these special units were created in secret especially to house Muslim and political prisoners. From what I've read, it seems that somewhere between 65-72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

I believe that the concerns about conditions that I have laid out in this letter amount to the CMU being a tool of cruel and unusual punishment, and I strongly urge all BOP staff to take these serious concerns into consideration as you decide the fate of the proposed rule.

Thank you,

Christy Pardew

cc: Center for Constitutional Rights

Farah Fosse
Washington, DC 20001

June 2, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

The lack of due process at the CMUs, the over-representation of Muslims and political prisoners, and the destructive effects on families and friends are of particular concern to me. I believe that the CMU conditions, and even more so the proposed conditions, are tantamount to **cruel and unusual punishment** given that the CMU prisoners are almost completely isolated from society, not to mention friends and family.

Of particular concern to me are the following issues with the current CMUs which I believe will be exacerbated by the proposed regulations:

Lack of due process at the CMU: CMU prisoners have not been told why they are designated to the CMU and by what process that decision was made. Equally, there is no process to challenge this designation or to earn their way out. This lack of transparency and process deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: The overrepresentation of Muslim and political prisoners coupled with lack of transparency and due process points to discrimination and retaliation.

Destructive effect of the CMU on families: The extremely limited number of phone calls and visits is tantamount to isolation and amounts to cruel and unusual punishment. This isolation runs counter to any sort of rehabilitative process the prison system purports to maintain and severely limits the possibilities of prisoners to reintegrate into society.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Farah Fosse

cc: Center for Constitutional Rights

Karoline Knable

Washington, DC 20001

2 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

Re: BOP Docket #1148-P

Communication Management Units

To Whom It May Concern:

Hello! The Communications Management Units (CMUs) in your oversight caught my attention shortly after their known start-up. At that time, I was outraged and disgusted that such a facility could exist within the United States. Currently the conditions at the CMUs are reprehensible at best. The proposed rule that was published in the Federal Register on April 6, 2010 is an abhorrent violation of basic constitutional rights and human needs, and I strongly urge the BOP to abandon this proposed rule and cease the operation of CMUs immediately.

It is incomprehensible how such a blatant attack on families and constitutionally protected freedoms could fly in a self-proclaimed democracy. The CMUs currently destroy families in dramatic ways that have unforeseen consequences. Not to mention that the further restrictions proposed on communications within the CMUs come off as nothing shy of cruel and unusual punishment.

Specifically, I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

Please halt further development of the proposed rule for the CMUs and the continued operation of the CMUs.

Sincerely,

Karoline Knable

Craig Hughes
Washington, DC
20010

2 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule published in the Federal Register on April 6, 2010, and I am troubled by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

- ***Lack of due process at the CMU:*** *None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*
- ***Overrepresentation of Muslim and political prisoners at the CMU:*** *Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific*

allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

- ***Destructive effect of the CMU on families:*** *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*
- ***Conditions at the CMU amount to cruel and unusual punishment:*** *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Craig Hughes, MA, MSW

cc: Center for Constitutional Rights

To: Regulations.gov
RE: Proposed RULES on [Communication Management Units \(Document ID BOP-2010-0006-0001\)](#)
From: Zulfar Shaker
San Diego, CA 92111

Date: June 2, 2010

The issue of prisoners not being told why they are being relocated to CMUs is unfair and lacks due process. It seems unconstitutional that they are in this unit without being told why they were selected to be placed there over other prisoners. As citizens of the United States of America, there are laws and regulations in place to prevent such abuse against any particular group (ethnicity, race or religion). Therefore, CMUs are unconstitutional and should be removed from the entire system of imprisonment the US government maintains.

Moreover this indefinite prisoner placement into these CMUs prevents prisoners in maintaining regular communication with family and friends as other prisoners do. By being transferred into these CMUs, it is isolating them and really amounting to cruel punishment! There really is no productivity with imprisoning inmates like this, especially when prisoners have been on proper behavior and not caused any problems while incarcerated.

Thank you,
* *Zulfar Shaker*

Marianne Maeckelbergh
New York, NY 10023

June 2, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

Re: BOP Docket #1148-P Communication Management Units

To Whom It May Concern:

I have recently become aware of the proposed rule published in the Federal Register on April 6, 2010, and I am writing to encourage the BOP not to pass this rule under any circumstances.

The extreme deprivation to which prisoners in the CMUs would be subjected as a result of this law (only one hour of visits and only one phone call per month and only one letter per week) can in no way be justified in the name of national security. The only possible result is a process of dehumanization of the prisoners, which can in turn only have negative consequences for national security and society in general. The aim of prisons should be at least partially to rehabilitate the prisoners, and studies carried out on prisoner rehabilitation have shown that human contact and especially maintaining contact with family and friends is a crucial part of the rehabilitation process and the post-prison reintegration process. If the aim is to safeguard national security, then the task of the BOP must be to ensure that those leaving the prison system are as well adjusted as possible and that prisoners are able to maintain not only extended family networks but also friend networks so as to have the best possible chances for reintegration.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule.

Thank you for your time and consideration.

Sincerely,

Marianne Maeckelbergh, PhD
Lecturer Cultural Anthropology and Development Sociology
Leiden University

cc: Center for Constitutional Rights

William Brandon Jourdan
Brooklyn, NY 11211

6/1/10

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to voice my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

***Destructive effect of the CMU on families:** The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*

***Conditions at the CMU amount to cruel and unusual punishment:** The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Brandon Jourdan', written in a cursive style.

William Brandon Jourdan

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

June 2, 2010

Re: BOP Docket #1148-P
Communication Management Units

To Whom It May Concern:

The Bureau of Prisons has been operating the Communications Management Unit (CMU) in Terre Haute, Indiana since 2006, and one in Marion, Illinois since 2008. While we applaud BOP for finally issuing proposed rules to govern CMUs, we are troubled by the extent to which the proposed rules violate Constitutional protections, unnecessarily harm families and allow for the continued disproportionate confinement of Muslim and political prisoners.

1. Use of Secret Evidence and Lack of Due Process:

Under the proposed rules, an inmate will be transferred to a CMU at the sole discretion of the Bureau's Assistant Director, Correctional Programs Division, and that "the inmate will be provided an explanation of the decision in sufficient detail, unless providing specific information would jeopardize the safety, security, or orderly operation of the facility, or protection of the public." We strongly object to the ability of the BOP to use secret evidence which the prisoner will not be allowed to explain or dispute. We are aware that under current practice, prisoners have not been given meaningful explanations for their transfer to CMUs, nor have they been granted hearings to challenge their designation.

2. Lack of oversight:

Because there is no oversight of the procedures that determine who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory. The rules do not correct or address this problem.

3. Communications restrictions are unnecessarily stringent

The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike. We believe that BOP staff can adequately monitor more than one letter per week, and one visit and one (15 minute) phone call per month.

Comments Submitted by Concerned Individuals

We urged the BOP to take the above concerns into account as it decides whether to adopt this proposed rule.

Sincerely,

Sue	Udry	Silver Spring,	MD
Kevin	Martin	Silver Spring,	MD
E.	Ochmanek	Boston,	MA
Martha	Shelley	Portland,	OR
Dave	Kunes	Silver Spring,	MD
Dorothy Shays	Dangerfield	Beacon,	NY
Dan	Bessie	Tiburon,	CA
Lillian	Schulz	Tigard,	OR
Frank	Kolwicz	Monmouth,	OR
Lorraine	Faford	Vancouver,	WA
Larry	Maxwell	Montross,	VA
Christopher	Benjamin	Largo,	FL
Allan	Taylor	Delray Beach,	FL
Donald	Goldhamer	Oak Park,	IL
Eric	Schwing	Richmond,	VA
Dave	Mitchell	Madison,	WI
Alice	Zachmann	Mankato,	MN
Joan	Abruzzo	Bayside,	NY
Chuck	Lapine	Chevy Chase,	MD
John	Lamperti	Hanover,	NH
Richard	Rohde	Hamilton,	VA
JANICE	GOLDEN	Rockland,	MA
James	Miles	W. Palm Beach,	FL
Thomas	Hill	Albuquerque,	NM
Sandy	Hester	Claremont,	CA
Wilma	Ralls	Rohnert Park,	CA
P.	Jolly		MN
Ineke	Deruyter	Portland,	OR
Evelyn	Stern	Los Angeles,	CA
Bernie and Marcia	Altman	Kelso,	WA
Oliver	Swift	White Plains,	NY
Rhita	Lippitz	Evanston,	IL
Cristy	Murray	Oregon City,	OR
Rich	Gillock	Costa Mesa,	CA
Deborah	Goodman	Brookline,	MA

Comments Submitted by Concerned Individuals

John	Nettleton	Portland,	OR
Alice Anne	Martineau	Mountain View,	CA
Harry	Kershner	Portland,	OR
Marge	Wood	Austin	TX
Rose & Ronald	Lernberg	El Cerrito,	CA
Mary Anne	Joyce	Portland,	OR
Martha	Shelley	Portland,	OR
Joan	Engelhaupt	Manhattan Beach,	CA
Gale	Schmidt	Portland,	OR
Hazel	Westly	Portland,	OR
Marvin	Gatch	Denver,	CO
John	Nettleton	Portland,	OR
Evelyn	Haas	Philladelphia,	PA
Loch	Phillipps	Brooklyn,	NY
Anne	Weigers	Austin,	TX
Paul & Jeanette	Johnson	Santa Cruz,	CA

Regarding the Federal Bureau of Prisons' (BOP) establishment of two Communications Management Units (CMUs) designed to isolate and segregate certain prisoners in the federal prison system from the rest of the BOP population, which the BOP proposes to make permanent, I submit the following comments today, June 2, 2010:

The CMUs deprive prisoners of their due process rights in the following ways: 1) the prisoners are not given any information as to why this is their designation, such as what evidence was used in making the determination; 2) prisoners are not permitted a hearing to challenge being assigned to a CMU; 3) there is no review process or way to earn a way out of assignment to a CMU.

CMUs are discriminatory and retaliatory, with between 65 and 72% of these prisoners being Muslim and many others being environment and animal rights activists. There is no oversight procedure of who gets sent to a CMU, which increases the tendency for bias against these groups.

The CMUs wreak havoc unnecessarily on prisoners and their families, including children, due to the meager phone contact and written correspondence permitted and the total ban on all physical contact. The isolation maintained by the CMUs is cruel and unusual punishment and can only result in having a destructive effect on the prisoners, their families and on society at large, as well.

For these reasons, I am opposed to the continuation of the CMUs.

Thanks again,

Elizabeth Tobier

To whom it may concern:

I am writing to protest the unjust nature of the Communication Management Units and to demand that they be reformed if not completely shut down. The prisoners are treated without due process and are intentionally being isolated from contact with family members in a manner that serves no legitimate purpose. Many of these prisoners present with no threat of harming themselves or others and yet are denied basic contact in the form of phone calls and family visits. The restrictions keep mounting and limitations on length/frequency of phone calls and visits are destroying both the health and well-being of the prisoners and their families. In addition, in many cases, the prisoners are shuffled around and sequestered without notice or explanation as to why or where they are being moved. Legal counsel and family members of these prisoners are among the last to be notified of these changes and ultimately find out second-hand rather than being informed directly through the CMU administration. Please take appropriate actions to correct these injustices and return these prisoners' their constitutional rights to due process.

Sincerely,
Huda Sharif Battikhi
Concerned Citizen
San Diego, California
United States of America

Comment Tracking Number: 80afa292

Comments Submitted by Concerned Individuals

Re: BOP Docket #1148-P
Communication Management Units

- CMUs are Un-American.
- There's no due process.
- Most prisoners are Muslims or political prisoners.
- Prison is supposed to rehabilitate not destroy people and families.

Hetty Oppman
Bronxville, NY 10708

Santa Barbara, CA 93105
6.2.2010

Rules Unit, Office of General Counsel
Bureau of Prisons
320 First St., NW
Washington, DC 20534

In re: BOP Docket #1148-P Communication Management Units

The conditions at the Communications Management Units (CMUs) that are **run** by the BOP in Terre Haute, Indiana and Marion, Illinois, are appalling. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am alarmed not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. They are needlessly punitive, unfairly applied, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

First I am concerned by the lack of due process. None of these prisoners have been told why they were assigned to the CMU, and they have not received any hearings to challenge this designation, nor is there any meaningful review of their cases. This lack of transparency deprives them of their right to due process.

Then there is a discriminatory pattern in the assignment of prisoners to CMUs. Between 65 and 72% of them are Muslim and many others have been politically active. The lack of an oversight procedure in the designation process means that this bias remains unchecked.

Finally, it is cruel to limit so drastically the number of phone calls and visits that the prisoners may receive and to prohibit physical contact with loved ones who do manage to visit. This is unnecessarily punitive and hurts the families as well, especially the children. In sum, the conditions of isolation at the CMUs constitute cruel and unusual punishment.

I urge you in the strongest terms to eliminate this proposed rule. In a civil and just society there is no place for such discriminatory treatment of prisoners.

Yours truly,

Mrs. Susan Shields

Copies to CCR
 Congresswoman Lois Capps

I write to express my opposition to the proposed rule establishing the Communication Management Units. A prefatory objection is to the post-facto issuance of these regulations - years after the units at Terre Haute and Marion were established. This failure on the part of the BOP to promulgate rules in a timely manner and allow required public comment should be reason enough to reject the proposed rules.

Specifically, as established, the CMUs violate due process. I have been in correspondence with three prisoners at these units, and none were given clear reasons for being placed there, nor the opportunity to challenge allegations that may have been made to result in this placement. Second, the units impose undue restrictions on visitation and communication with family and others outside the prison system.

In the three cases I am personally familiar with, there was no evidence that normal visiting, correspondence and telephone calls had been abused in any way warranting the exceptional monitoring of communications and even prohibition on contact visits experienced by the men in the CMUs. The prohibition on contact visits is especially destructive of the family ties the prisoner may have, and need to support them on their eventual return to the community. Third, I am persuaded by the known religious affiliation of the majority of prisoners in past or presently assigned to the CMUs that placement reflects a religious bias, and that Muslim men are disproportionately and unjustly singled out for placement here. Two of the three prisoners I am in contact with are devout Muslims, yet neither had any disciplinary violations in their previous place of confinement, nor were these Muslim men convicted on charges related to terrorism or threats against the government. In sum, the cumulative effect of the proposed rules, and the Communication Management Units that would be created under these rules amount to cruel and unusual punishment, and should be rejected.

Jack Cohen-Joppa

In response to the requests for public comments regarding the Communication Management Units (CMU), my comments follow:

a) The assigning of prisoners to the CMU appears to be completely arbitrary and based on suspicions and not facts. Some prisoners held in the CMU are treated as terrorists although they have not been convicted of terrorist crimes.

b) The CMUs are located in the middle of the country and therefore are very difficult for those family members on the East and West Coasts to access. The burden and strain on those families is inhumane. Additionally the reported actions of CMU staff indicate a deliberate attempt to discourage and obstruct both family and attorney visits.

c) The CMUs appear to have been designed to prevent communication not monitor it. Children of inmates are especially hurt by the severe restrictions on contact with their parents. The psychological and emotional injury to these children is life-long and cruel (fcnetwork.org/wp/wp-content/uploads/fact-sheet.pdf) (www.childrenofinmates.org/Issues_and_Facts.aspx). Due to the amplified nature of the communication restrictions, the harm done to these children can only be expected to be more damaging than what is suffered by children of inmates in other prison units.

d) Finally, most of the inmates assigned to the CMUs are Muslims preemptively prosecuted by the government because of suspicions that they might engage in future criminal acts. The preemptive, discriminatory and suppositional nature of these prosecutions motivated is immoral and unjust. The result is that many innocent people are being sent to prison for long periods of time. The government knows well that most of these people are not terrorists and they have been convicted of contrived crimes primarily to appear tough on terrorists. Treating anyone in such a manner is shocking to anyone who believes in the fundamental values of this country.

The CMUs as presently establish and administered, are abhorrent, an insult to justice and serve no purpose except to delude the American public into believing that the government has incarcerated many terrorists (albeit a sham). They are arbitrary, vindictive, harsh, discriminatory, and are a disgrace to the American system of justice.

Sincerely,
Thomas Giacobbi, LMSW

Sarah Hughes
Portland, OR
97217

2 June 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule published in the Federal Register on April 6, 2010, and I am troubled by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

- ***Lack of due process at the CMU:*** *None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*
- ***Overrepresentation of Muslim and political prisoners at the CMU:*** *Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific*

allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

- ***Destructive effect of the CMU on families:*** *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*
- ***Conditions at the CMU amount to cruel and unusual punishment:*** *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Sarah Hughes

cc: Center for Constitutional Rights