



U.S. Department of Justice

Federal Bureau of Prisons

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*Washington, DC 20534*

May 10, 1993

Nancy Kurshan  
c/o Committee to End the Marion Lockdown  
P.O. Box 578172  
Chicago, IL 60657-8172

Dear Ms. Kurshan:

I am writing in response to your letter of March 27th, with which you enclose a number of documents about the U.S. Penitentiary in Marion, Illinois, and the U.S Penitentiary now under construction in Florence, Colorado.

I am not going to respond point-by-point to your letter, as your enclosures indicate most of your comments already have been the subject of replies by the former Director or other Bureau staff. However, I would like to comment briefly on the issue of administrative maximum security operations and mention just a few specific concerns I have about your letter.

It is well established that Marion (as will Florence in the future) confines the most dangerous and aggressive inmates in the Federal prison system, along with inmates who have demonstrated they are unusually high escape risks and a lesser number of State offenders who also present extreme management problems. Conditions at Marion and the initial program planning for Florence are consistent with the security needs of these inmates and the very real threat they pose to the public, Bureau staff, and other inmates.

As you know, Marion's operations have been subject to a great deal of litigation in Federal court, and are in accord with all applicable Constitutional requirements. The conditions of confinement there are consistent with the high security needs presented by these inmates, yet adhere to humane and safe principles. While restrictive, Marion's system has proven necessary to control this small, but highly dangerous element in our prison population. As designed, the system is intended to be a graduated process, through which successful inmates can return to the general population in an open (though still high security) prison. Florence's operation, while more modern and efficient, will not deny inmates any basic rights and will not be dehumanizing or rely on any form of behavior modification.

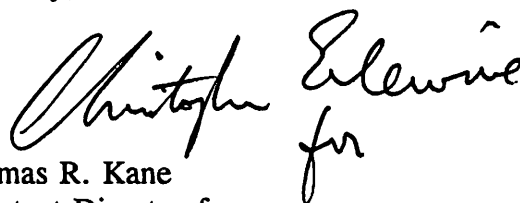
Unfortunately, in citing various court decisions about Marion, you neglect to acknowledge accompanying passages that note the necessity for Marion and the fact that it is operating within Constitutional limits. Yes, Marion is the most securely managed of our institutions, but its operation represents the best and most humane response to the very real threat these inmates present.

I want to make special note of your reference to Amnesty International's assessment of Marion's operation. No representative of Amnesty International has toured Marion since 1980 - long before the current operation went into effect. The regrettable fact is this highly respected organization has issued its pronouncements about operations at Marion with no first-hand information, and its comments on Marion must be viewed in that light.

You also mention a review of Marion's operation by a group commissioned by a Congressional Subcommittee. However, you fail to note the criminal justice experts on that panel, Alan Breed and Dr. David Ward, did not challenge the precept that Marion inmates were so dangerous as to require a high level of supervision and control. Indeed, they recommended the construction of a new high security facility specifically designed to accomplish Marion's mission; Florence's construction is consistent with that recommendation.

I understand that you and your organization are opposed to institutions like Marion and Florence; it is likely that we will continue to disagree on that issue. However, despite our disagreement, I hope this letter reassures you of our continuing commitment to sound management practices and humane inmate treatment - not just at Marion and Florence, but throughout the Bureau.

Sincerely,

Handwritten signature of Christopher E. Kane in cursive script, with the word "for" written below it.

Thomas R. Kane  
Assistant Director for  
Information, Policy, and  
Public Affairs