

Prison Transit

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This article describes the manner in which the prison system transfers prisoners from one facility to another.

Moving from jail to prison represents a difficult transition period for prisoners. On the one hand, it is good because the offender will be leaving the tightly controlled local jail environment behind. Moving on to prison, ironically, offers comparatively more freedom than the local jail. On the other hand, the time a prisoner spends in transit can be among the worst time a prisoner serves in confinement.

For security reasons, the prisoner is never told when he is scheduled for transfer. Keeping the prisoner in the dark as to his date of transfer reduces the chance—unlikely as it may be—of the prisoner orchestrating an escape during the transfer. Instead, an officer from the holding facility simply will approach the prisoner, tell him to gather his belongings, and then escort him to an area where he will be prepared for transport.

Like everything else in confinement, there is a lot of hurry-up-and-wait. Once the officer notifies the prisoner to gather his belongings, the officer will rush the prisoner out of his area and lead him to a separate holding area, usually a cage or a room. The officer will lock the prisoner inside the new cage. If it's not full already, the cage where the prisoner is held will quickly fill with scores of other prisoners who also are being prepared for transfer. Think of a sardine can. The noise, a stinging cacophony generated by hundreds of frustrated prisoners, will penetrate the skin of each offender as the can continues to fill.

Occasionally, a jailer will come to the outside of the cage and scream for the prisoners to quiet down as he makes some announcement. The jailer will be looking for prisoners with special needs, medical and such, and provide instructions on what procedures will follow. After

the long wait, and a prisoner should expect to spend several hours as these preparations are made for transport, jailers will begin calling names, usually in groups of four or five, and escorting those prisoners to another holding cell where the prisoners will be ordered to strip naked for a visual inspection.

The strip search is something each offender should grow accustomed to, as all prisoners are forced to endure it repeatedly throughout their confinement. It's a routine matter. The prisoner strips naked. The guard stands about two feet in front of him and begins barking commands: "Lift your arms! Run your fingers through your hair! Open your mouth! Stick out your tongue! Lower your lips! Lift your genitals! Turn around! Let me see the bottoms of your feet! Bend over! Spread and cough! Wider! Get dressed!"

After the strip search, the prisoner will be issued a set of transfer clothing. The clothing is usually a one-size-fits-all set of bright orange overalls or elastic-waist pants. Sometimes the prisoner is given socks, other times not. The prisoner may be issued a pair of cloth slippers or rubber sandals, depending on what's available. Regardless of the weather outside, this will be the clothing prisoners in transport will wear; in my experience, jackets are never provided.

Because prisoners will exchange their clothing for prison garb, they should not wear expensive clothing to a court appearance if they expect a remand to confinement. The jailers or guards may pressure the prisoner to donate his clothing, or they may confiscate it. Prisoners should keep in mind that they will bear no penalty for asking the prison guard to send clothes home. Whether the clothes ever arrive is another matter.

When the prisoner is dressed, he's transferred to another cell, where he will wait for all the others in the group to join him. When that cell's noise level reaches the same unbearable level, the prisoner will have a good indication that it will be time for the next procedure.

The next step is for guards to come around and begin the chaining process. Prisoners will be called out of the cell, about three or four at a time, and a row of jailers will place steel cuffs

around the prisoners' ankles, steel cuffs around the prisoners' wrists, and the guards will fasten the cuffs to a chain placed around each prisoners' waist. Once the prisoners are chained, they'll be led to yet another holding cage while they wait for all the other prisoners to join them.

After all the prisoners have been fastened in their traveling chains, guards will escort them to school-type buses. With steel bars covering the blacked-out windows, it's rather obvious the buses are used for prisoner transport. The prisoners march toward the buses, stumbling all the way because their ankles are chained together, moving slowly so the ankle chains don't dig too deeply into the skin around their ankles. The back of the bus has a caged area in which an officer rides, rifle in hand, to keep watch over the prisoners. When all prisoners are on board and accounted for, the bus departs.

Some prisoners are fortunate in that they are designated to prisons requiring only a single bus ride. Others are fortunately allowed to self-surrender, and thereby avoid the difficult, demeaning bus ride altogether. Many, however, are designated to prisons far away and will take a combination of bus rides and plane rides as they make their long and arduous way to their respective institutions.

The U.S. Marshals operate a prisoner-transport service to move prisoners around the country. The planes move in circular routes, and prisoners are scheduled to board these flights at the discretion of the U.S. marshals and BOP administrators. Consequently, moving from point A to point B may take 30 days or longer, with overnight stays in several facilities along the way—even if one is only transferring 100 miles. The circular route took one prisoner who was transferring from Fort Dix, New Jersey to Fairton, New Jersey (which is an hour away by car) on plane and bus rides through several states before delivering him.

My Own Prison Transfer

After my initial arrest in 1987, the marshals had to transport me from Miami to Seattle. The prison bus picked me up at the holding facility in Miami and drove the other prisoners and

me to an airplane that was waiting at the Homestead Air Force Base. Although more than 20 years have passed since then, I'll never forget my initial experience of being transferred as a federal prisoner.

I was awakened at 4:00 a.m. for the transfer. We left the Miami holdover facility about 9:00 a.m. and drove to the air force base where the plane was waiting. Several guards with machine guns were stationed around the plane and stood watch over us prisoners as we left the buses and prepared to board the plane; it was particularly painful to see female prisoners in chains who also were traveling to their respective destinations.

The plane flew to Atlanta, where some prisoners departed and others were loaded on the plane. The plane then flew to Leavenworth, Kansas, for another prisoner exchange. After taking off again, the plane finally stopped in Oklahoma City, where all prisoners departed and boarded a series of waiting buses that transported us to various facilities.

I went to the federal prison in El Reno, Oklahoma, where I was booked and held as a holdover in the facility. I waited there for a few weeks, then, unexpectedly, I was awakened about 3:00 a.m., processed again. I went through the check-out and chaining procedures. Then the other prisoners and I were transported on the bus back to Oklahoma City and on to the waiting plane. We flew to Denver, Minnesota, and then to Phoenix, where I again departed. The waiting bus drove me to the federal prison in Phoenix, where I was booked in, again, as a holdover prisoner. I stayed there for a few days, then was chained up and transported back to the airport for the final leg of my journey. The plane picked us up in Phoenix, then flew west. We stopped in San Diego, Los Angeles, and Sacramento for prisoner exchanges. When we landed in Portland, I disembarked and was met by a bus. After hobbling onto the bus, I was driven with other prisoners to Seattle.

What Makes Transfers Difficult

One of the reasons that being transferred by the prisoner-transport service is so difficult is that while in transfer, a prisoner never has an opportunity to settle in. He cannot purchase commissary because one never knows how long he will remain in a particular facility. This means he has no soap, no toothbrush, no sandals to wear to the shower. A holdover prisoner in transit is the prison equivalent of a homeless person, living without any personal belongings. He is around transient strangers the entire time he's in transport, doesn't eat well, and is loaded with stress because he's out of touch with his family. The prisoner in transport doesn't receive mail, and because he is without stamps, he cannot send mail out. Besides his lack of access to personal property, and his constant frustrations, the prisoner in transport is exhausted from all the middle-of-the-night wake-ups, the waiting, the noise, the chains. For me, being in transport has been the worst part of my prison experience.

Secondary Transfers

After an offender arrives at his designated facility, and as he progresses through his sentence, circumstances may change which may require transfer to another facility. Usually, prison transfers occur because of changes in the prisoner's security-level scoring. Yet sometimes prisoners may request transfers to other similarly-rated facilities for their own reasons. Generally, case managers will not process a prisoner's request for transfer unless the individual has served at least 18 consecutive months of confinement in the institution with disciplinary-free conduct.

The Bureau of Prisons inmate population has increased dramatically over the past several years. When I began serving my sentence, in 1987, approximately 30,000 people were serving sentences in the federal system. The number of federal prisoners now is approximately 200,000 and growing. The prison system is crowded, and several new prisons open each year.

Accordingly, even if an inmate meets the necessary criteria for transfer, his request to serve his sentence in a particular facility may or may not be granted. When a prisoner requests a transfer to a specific facility, he subjects himself to the discretion of designators in a centrally located office. These designators may attempt to honor the prisoner's request for specific institution placement, but ultimately the designator has the responsibility of controlling population levels in all of the federal prisons. Consequently, a request to transfer to the FCI in Miami, Florida may result in a transfer to the FCI in Beaumont, Texas.

Prisoners may wonder whether there is anything they can do to enhance their chances of moving to a particular facility. Based on my lengthy experience of living as a prisoner in the BOP, the formal answer is no. The informal answer is possibly.

Initiating Transfer Requests

In order to initiate a transfer, inmates must first request their respective Case Manager to process the transfer paperwork. Usually, the Case Manager only will accept these requests for transfer during the regularly scheduled Unit-Team meeting. If the inmate has 18 months of disciplinary-free conduct, and his security rating is consistent with the institution to which he wants to transfer, the case manager may agree to process the paperwork requesting a transfer; the paperwork gets routed to the Unit Manager, the Case-Manager Coordinator, and then the Warden for approval. If all parties agree to the transfer, the Case Manager will forward the paperwork to the office for designations. A designator will then make the final decision as to where the inmate will be transferred.

Informal Influence on Prisoner Classification

Because the Case Manager, the Unit Manager the Case-Manager Coordinator, and the Warden all must agree on the transfer before the request will proceed to the Designator, some inmates try to develop close ties with these staff members. A few inmates who get along well

with those staff members may find their requests to transfer successful. Others will not be so fortunate. Indeed, although staff members may tell the prisoner that a transfer request to a specific institution may or may not be granted, in reality, a staff member can make a call to the Designator and help an inmate's chances of being designated to a specific institution.

For example, Steven, a close friend of mine, told me about his transfer to Fort Dix, NJ, from Raybrook, in upstate New York. When Steven's security level dropped from medium to low, his Case Manager told him that he had been designated to a low-security facility in Ohio. Steven, who had developed a friendship with his Case Manager, told the Case Manager he wanted to transfer to Fort Dix, as Dix was closer to his home in New York City. The Case Manager said he would call the Designator and see whether the designation might be changed. Later that evening, the Case Manager came by Steven's room and told him the Designator agreed to make the move and that Steven officially had been designated to Fort Dix.

If Steven had not enjoyed an informal friendship with his Case Manager, the transfer would not have been changed, and Steven would have been serving his sentence much farther away from home.

My 1992 Transfer from USP Atlanta to FCI McKean

During all the years I have been confined so far, I've had one Case Manager who made the extra effort to help me transfer to a specific prison. I had been confined at USP Atlanta for the first six years of my sentence. When I was ready to transfer to a medium-security FCI, I asked my Case Manager to send me to FCI McKean, in Bradford, Pennsylvania. The transfer would not be routine because my residence is in Seattle, a long ways from Pennsylvania.

I wanted to transfer to McKean, in the BOP's Northeastern Region, because my understanding was that the Warden who then presided over the policies at McKean was very supportive of educational programs. Ms. Forbes, my Case Manager in Atlanta, and Mr. Chester,

my Unit Manager, were supportive of my educational goals, and they persuaded the Designator to transfer me to FCI McKean, despite my being from a different region of the U.S. My transfer to McKean occurred in 1992. Since then I've been transferred six times, but not once to a facility I requested.

Despite my limited success in arranging transfers to specific prisons, other inmates have told me their good relationships with certain staff members have helped them secure transfers to desirable prisons. Those inmates may have developed closer relationships with staff members through work details or other institutional contact. Cynical prisoners would suggest that some inmates provide services or act as informers to staff members in order to receive special treatment.

Whatever the circumstances of inmate/staff relationships, there is no question in my mind that Case Managers, Unit Managers, Case Manager Coordinators, and Wardens *can* assist their favored inmates in transferring to specific facilities. Whether they make the extra effort is discretionary.

Outside Help

Besides lobbying staff members from the local institution, a more aggressive approach may be to lobby representatives at the BOP's regional offices. This can be done individually by writing letters to the Regional Director, but doing so may result in a written response from the Region to the prisoner with a reprimand and instructions that all transfer requests should originate with the prisoner's Unit Team.

Still, I crossed paths with one individual who wrote to his Regional Director explaining the reasons why he thought his Public Safety Factor should be waived and that he should be transferred from the low-security FCI in Yazoo, Mississippi to a prison camp. Soon after he

wrote the letter he was told the region had re-designated him to the FPC at Eglin, Florida. In his case, writing to the region proved effective.

Instead of the inmate contacting the Regional Director, an inmate may have his family members and people from his network of support lobby the Region to transfer him to a specific institution. BOP administrators may be much more receptive to listening to law-abiding taxpayers who support an inmate than to the prisoner himself.

Perhaps the best assistance in transfer requests can come from representatives of Congress. Many prisoners and their families have written to their Senators and Representatives requesting them to intercede and communicate with the Bureau of Prisons in an effort to arrange a transfer for individuals. The Senators or Representatives usually do write a letter on behalf of the prisoner requesting assistance, and the Warden usually instructs the Case Manager to respond. This type of congressional intervention has been helpful to many offenders requesting transfers.

Finally, another technique that prisoners with resources employ is hiring a Bureau of Prisons consultant. BOP consultants can be helpful because they have nurtured relationships with BOP staff members who have decision-making authority. Indeed, BOP consultants generally have legal backgrounds and have developed a practice solely to represent prisoners on post-conviction matters. Other BOP consultants previously availed themselves to extensive careers working for the BOP itself and are in a good position to exploit their entrenched relationships within the system to help prisoners arrange transfers and handle other problems that sometimes arise during the course of one's confinement.

Final Word

Relationships go a long way in obtaining desirable results in not only arranging transfers, but also in every other aspect of confinement. Good relationships with staff members can lead to better jobs, and less-severe sanctions in the event an individual receives a disciplinary infraction.

New prisoners coming into the federal prison system should look at their sentences from a long-term perspective, because the BOP will make a record of all the prisoner's actions.

Although there is nothing the prisoner can do to enhance his classification or treatment formally, there are many bad decisions he can make that will cause him to serve his term with significantly more obstacles.

Because most BOP actions are administrative in nature, leaving prisoners with little meaningful recourse once a decision has been made, it is wise to think every decision through. Question how a particular action will contribute to the overall plan. If the individual has no plan and doesn't care where or how he serves his time, then perhaps nothing does matter. The individual who is trying to make some personal achievements during his term in confinement, and complete his term in the quickest, least onerous manner possible, however, should strive to find balance in his life, choose his acquaintances carefully, and stay out of trouble.

One doesn't have to behave obsequiously toward staff, but a prisoner should recognize that he'll never win in an inmate-staff confrontation, and good relationships are better than bad.