

**LAW OFFICE OF
DAWN WORSLEY CARADONNA**

November 30, 2005

Ms. Wanda M. Hunt, Chief
Freedom of Information Act/Privacy Act Section
Office of General Counsel, Room 841
Federal Bureau of Prisons
320 First Street, N.W.
Washington, D.C. 20534

VIA EXPRESS MAIL AND FIRST CLASS MAIL

RE: FOIA Request Concerning Special Housing Unit and Disciplinary Action at
Devens FMC

Dear Ms. Hunt:

I respectfully request records from the Federal Bureau of Prisons (BOP) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. I request these records in my personal capacity. The records I request pertain to the procedures and policies of FMC Devens, its Special Housing Unit, and its administrative detention and disciplinary procedures, operations, and activities. Given time-sensitive features of this health-and-safety related request, and the substantial due process rights of the Devens inmates, I have taken the liberty of including the Eastern Regional Counsel in this request for expedition.

I look forward to the Bureau of Prisons' full response within the statutory 20-day period, as will be tracked by a Return Receipt.

Fee Waiver Request, 5 U.S.C. § 552(a)(4)(A)(iii)

I am an attorney admitted to practice in the State and Federal Courts in New Hampshire, the First Circuit Court of Appeals and the United States Supreme Court. I frequently deal in issues pertaining to Federal criminal sentencing and BOP custody matters. I regularly contribute to widely accessible venues that disseminate criminal justice information, including filings in Federal courts across the country and internet list-serves. The records released under this FOIA Request will be published on the website of a Maryland attorney who is also engaged in criminal sentencing and BOP matters. It will also be forwarded to Federal Prison Policy Project, the November Coalition, and the Commission on Prison Abuse. I possess the ability to understand and process the information here requested, and I intend to actually disseminate it.

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I will realize no immediate commercial gain from seeking this information, and file this request as a *pro bono publico* service as required of attorneys. However the records requested might professionally benefit me in the future, my public dissemination of this information will negate any special value to me. The public will be the primary beneficiary of the information, and the request is not primarily in my commercial interest.

Requested Records

Each item requested below which is sought, concerns the Federal Medical Center located in Fort Devens, Ayer, MA. Some of the items below seek to identify officers performing BOP duties and their professional qualifications, but do not ask for private employee data. I have no objection or preference to any record format, and will readily accept certified electronic documents, where possible and if deemed least expensive.

I respectfully request true copies of the following records:

1. Duty Rosters and all other records providing the names, ranks, position, and qualifications of all staff members who had contact with inmates from January 2003 through the present.
2. The number of inmates in administrative detention each day from January 1, 2003 until the present.
3. For each day between January 1, 2003 and the present, the number of inmates that were in administrative detention for the following reasons:
 - pending a hearing for a violation of Bureau regulations,
 - pending an investigation of a violation of bureau regulations,
 - pending investigation of a criminal act,
 - pending transfer
 - for an inmate's protection
 - pending the termination of confinement in disciplinary segregation,
 - for another reason
4. For every month between January 2003 and the present, please provide the number of inmates who were held in administrative detention pending an investigation of a violation of a bureau regulation or rule or the commission of a crime. For each inmate with this status, provide the following information:
 - Whether the investigation resulted in an incident report
 - Whether the investigation resulted in formal charges
 - Whether the investigation led to disciplinary action
 - Whether the inmate was released without formal charges being brought

5. For each staff person who came in contact with inmates, please provide the following information:
 - the name of the staff person
 - the duration of the staff person's employment
 - the number of incident reports created by that individual
 - the number of incident reports that resulted in a finding that the inmate violated a rule of the bureau or institution,
 - the number of incident reports that resulted in a finding that an inmate committed a crime
 - the number of incident reports that did not result in a finding that an inmate violated a rule of the bureau or institution

6. Please list each and every staff person who had the authority to decide whether an inmate would be subject to administrative detention pending an investigation of that inmate.

7. Please provide a list of the items an inmate is allowed to possess while in administrative detention

8. Provide a daily schedule for an inmate in administrative detention

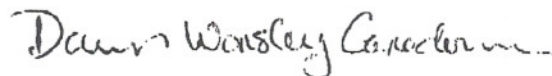
9. Provide a copy of the facility's policy concerning an inmate's right to use the telephone while in administrative detention

- 4 -

November 30, 2005

In order to fully comply with this request, your agency will need to disclose records that are arguably protected by privacy interests. The public interest in obtaining these records outweighs the privacy interests. However, I will accept records that redact inmate names and identifying numbers. I will not accept documents that redact the names of the staff members. I look forward to your prompt attention to this matter.

Sincerely,



Dawn Worsley Caradonna, Esq.

CC: Hank Sadowski, Esq.
Jay Hurst, Esq.
Thea Stewart, Esq.
Judy Freyermuth,
Nora Callahan