



Wetzel Draft Testimony — Oversight of the Federal Bureau of Prisons

9-29-22

Good morning to the committee. Thank you to Chairman Durbin and Ranking Member Grassley for having me today.

My name is John Wetzel. I have worked in the corrections field for over 30 years, having risen through the ranks from corrections officer to my most appointment as Secretary of Corrections for Pennsylvania, a position I retired from this time last year. I served as Secretary for eleven years and at one point oversaw 26 prisons and over 50 Community Corrections Centers, approximately 16,000 staff members, and over 40,000 incarcerated people. I was brought on board in 2011 Pennsylvania's Governor Tom Corbett, to lead a corrections reform effort that has continued under Governor Tom Wolf's administration and ultimately reduced both the correctional population by 27%, and crime in PA continued its downward trend during the same time period.

I am currently the CEO of Phronema Justice Strategies, a national management consulting firm focusing on bringing disruptive innovation to public safety, especially as it relates to mitigating correctional staffing issues. I am also the Founding Director of the Keystone Restituere Justice Center, an affiliated foundation focused on real world, real time research for criminal justice systems and reinvesting in children living in poverty. Finally, I am the line coach for ELCO High School (#WatchDemRaiders).

1 We're here to talk about something I am very passionate about; namely, the security and safety
2 of correctional staff and residents, through the implementation of no-nonsense reforms such as
3 independent oversight of corrections systems in peril, such as the Federal Bureau of Prisons.

4
5 The concept of independent oversight is enough to make any agency head nervous, but it is no secret
6 that some correctional systems need more help to succeed than others. I am here today to shed light on
7 how oversight of the Bureau of Prisons would be a strength of the system; it does not have to be an
8 acknowledgement of failure.

9
10 A lesson in the history of American corrections will show you a system beholden to “old ways” of doing
11 things, even when it is clear those strategies do not work. Well-known penologists Edward Latessa and
12 Francis T. Cullen coined the phrase “correctional quackery” to describe a practice of using first-hand
13 experience and unevaluated methods to govern our nation’s prisons and jails (Latessa, Cullen, &
14 Gendreau, 2002). While the field of criminal justice writ large has been moving toward data-driven
15 approaches, I fear the Bureau of Prisons has remained behind the times in this regard.

16
17 I do not speak of this from a theoretical framing. In my first year as Secretary of Corrections, I received
18 a report on our halfway houses. Study findings showed that individuals who returned to a personal or
19 familial residence in the community were less likely to be re-arrested or re-incarcerated than those who
20 were paroled to a halfway house (Bell et al., 2013). As a result of the information, we innovated by
21 performance contracting with our halfway house providers: the only way providers could maintain a
22 contract with the Department was to show sustained or improved outcomes for their clients. In other
23 words, if you can’t get the job done, then you are out of a job. This type of innovation can’t happen

1 without transparency, accountability, and clear and measurable goals. The latest recidivism report from
2 the Department even shows a slightly wider gap¹ between those who return home² and those who are
3 sent to a halfway house³. Clearly, there is still some work to do.

4
5 In my expert opinion, no longer can the Bureau afford to be blasé about the need for reform when too
6 often the currency in corrections is human life.

7
8 Progress is neither linear nor sequential, but it is only achieved when meaningful action takes place.

9
10 Although historically the Bureau of Prisons played a leadership role in the national corrections universe,
11 six years of acting directors, major security breaches, and staff turnover has put the largest correction
12 system in the country in a full crisis. It has literally destabilized the nation's largest prison system. This
13 was further exacerbated by COVID-19 pandemic and its deleterious impact on the corrections field.

14
15 The concept of independent oversight is designed to provide resources to those leaders whose systems
16 need intervention. It is a formal recognition that sometimes this job is harder to go alone than with the
17 help of our peers. I do not believe any corrections leader should feel shame for that, which is why in my
18 retirement, I am often brought on board as an expert consultant to provide the very oversight we are
19 discussing today.

¹ 7% in 2013 vs. 10% in 2022 (Dolnick, 2013; Bucklen et al., 2022)

² 57.9% recidivism after 3 years (Bucklen et al., 2022)

³ 69.8% recidivism after three years) (Bucklen et al., 2022)

1 In my nearly decade interacting with the federal system starting in the Obama Administration
2 throughout the current, as the only person who was a member of the Colston Taskforce, and the
3 Independent review committee, this Committee on this issue has remained apolitical and focused on
4 making significant improvement to the federal system. Clearly a tool to force a move from the status
5 quo is necessary to achieve your vision. It must start with transparent, accurate and real time
6 information, so we all can understand the good, bad, and the ugly of what is happening inside our
7 federal prisons to the staff and residents. If I could distill my time as Secretary in one sentence, it was to
8 remind my staff that we cannot be afraid of the truth, and we cannot be afraid to try new things.

9
10 Independent oversight is an infrastructure. It provides a corrections leader like Director Peters with a
11 village to navigate some of the serious problems plaguing the Bureau and integrates multiple layers of
12 staff to ensure that the Bureau is achieving both those outcomes required by law as well as capitalizing
13 on strategies that are supported by research.

14
15 Once again, we cannot be afraid of the truth, and often that truth comes in the form of data. In my role as
16 Pennsylvania Secretary of Corrections, we used data-driven approaches to solve a number of problems
17 during my tenure, and it quickly became the *only* way I was willing to measure success or failure.

18
19 After merging the Pennsylvania DOC with Probation & Parole (previously a separate agency), we built a
20 data dashboard called [Recidiviz](https://dashboard.cor.pa.gov/us-pa) that, to this day, reports real time data on the Pennsylvania's prison and
21 state community supervision population.⁴ It is publicly accessible to anyone with an Internet connection

⁴ <https://dashboard.cor.pa.gov/us-pa>

1 and reflects the sizeable reduction in the prison population we were able to realize during my tenure —
2 14,000 fewer inmates, 70% of whom were people of color.

3
4 We also developed a program called [OPTAMO](#) that was designed, in collaboration with researchers at
5 Lehigh University, to optimize how movements of inmates occurred across the state.⁵ Through the
6 program, we minimized needless or duplicative transportation and produced cost savings for both the
7 Department and the Commonwealth. Perhaps the most interesting part of the OPTAMO project is that it
8 was developed by interns and students, which goes to show you just how achievable efforts like these
9 can be.

10
11 You have to develop the organizational infrastructure that doesn't just support executives, but also
12 creates a safety net for other correctional staff, which, as Mr. Fausey has testified today, often feel left
13 behind when it comes to addressing problems behind the walls.

14
15 A number of Pennsylvania prisons struggled with episodes of violence during my time as Secretary. As
16 the leader of the Department, those inmate traumas became *my* traumas. Those staff injuries became *my*
17 injuries. The worst day of my professional career was the day I had to deliver the eulogy at a staff
18 member's funeral. A 61-year old corrections sergeant, killed in the line of duty in one of *my* prisons.

19
20 In this field, you cannot divorce yourself from the realities of prison. You must be willing to try
21 *anything* that reduces or eliminates the chance that someone never goes home to their family.

22

⁵ <https://engineering.lehigh.edu/news/article/lehigh-ise-team-featured-pennsylvania-department-corrections-podcast>

1 Ignoring problems in prisons and jails only gets people killed. It's only a matter of time.

2

3 As such, it is imperative that corrections leaders are able to work with the correctional officers' unions
4 that support the staff that does the work on the ground every single day. It's also important to
5 acknowledge, however, that many COs' unions have exceptional power that is not always equally
6 balanced by the administration. That imbalance of power can also reproduce risk, when people are kept
7 on the job who don't believe in the bottom line or who actively seek to undermine it.

8

9 I believe that Director Peters can do an exceptional job for the Bureau of Prisons, but I don't want to
10 pretend that her work at the Oregon State Department of Corrections is going to translate, apples-to-
11 apples, to the Federal Bureau of Prisons. What we're really talking about is oranges-to-tangerines.

12

13 Too often criminal justice entities put the full responsibility of solving problems on one person's
14 shoulders, ultimately scapegoating him or her if or when the effort fails. I am not in the business of
15 setting up my colleagues or my peers to fail at their jobs. This is a team effort, which is why establishing
16 an independent oversight mechanism for the Bureau should be considered a step forward to solve
17 problems.

18

19 This committee is right to have concerns about conditions in federal facilities, because we can all want
20 things to improve but there is *no* lever to force improvement. I will use Illinois, the home state of the
21 Committee's Chairman, as one example before I close.

22

Over the years, both Cook County Jail and the Illinois Department of Corrections (IDOC) have come under federal oversight for a series of events that happened behind the walls. Cook County, in particular, was under federal oversight *for over forty years* before finally achieving the goals it needed to create a safer and healthier environment under the leadership of Dr. Nneka Tapia Jones (Schmadeke, 2017). IDOC is now in a similar position to remedy issues in its prisons under the careful watch of federal officials (ACLU, 2022). Working in conjunction with union members, state and local officials are supported and staff and residents are protected through an oversight model.

How ironic is it that the very Department of Justice (DOJ) who uses independent oversight to leverage improvement in state/local systems seems to ignore similar or even worse cases in federal facilities?

- [FCI Dublin](#)
- [FCI Coleman](#)
- [FCI Hazleton](#)

All of these are names we are familiar with, but folks like my fellow panelists are the true victims of a system that is absent controls.

I will also note that Dr. Jones went on to use this experience to capture a concept called ***Holistic Safety***, which acknowledges and places value on the need to have safe and healthy environments inside facilities and that the fate of staff and incarcerated people are inextricably linked. I would argue that Director Peters' literal success is tied to having some lever of change that is currently not available to her.

1 As for my formal recommendations, there are key components of independent oversight that will
2 optimize resources offered by federal officials and increase opportunities for success. First, independent
3 corrections experts must be given unfettered access to all federal facilities, allowing them to make
4 unannounced visits to facilities, as needed. This both streamlines the work for officials and also
5 motivates institutional staff to be consistent and disciplined in following policy, lest they receive a visit
6 on a given day.

7
8 Second, make publicly available real time reporting of key measures of success. Remember that our
9 nation's prisons are part of our communities, one way or another. No longer should corrections be a
10 black box of the federal government; invite the public to know how well their tax dollars are working for
11 them. Additionally, psychological research has shown that behavior changes when it is visible to others
12 (Vannan, 2021). Require that the work of federal corrections administrators be visible to their
13 communities.

14
15 Finally, initiate an independent review of both individual and aggregate mechanisms for grievances.
16 This amplifies the voices of incarcerated people and provides rich data into the goings-on inside
17 institutions. Analyzing grievances illuminates patterns, things that may otherwise be unknown to
18 administrators.

19
20 I commend the Biden administration for selecting a permanent leader to head the Bureau of Prisons, but
21 our colleague Collette Peters will certainly need more than her experience in Oregon or anywhere else to
22 stabilize this system. She will need support and resources, and I believe independent oversight is a great
23 opportunity to bring the Bureau of Prisons to a new precipice.

24

- 1 Thank you for your time. I am happy to answer any questions the committee may have.

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