

Congress of the United States
Washington, DC 20510

September 19, 2016

The Honorable Loretta E. Lynch
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Lynch,

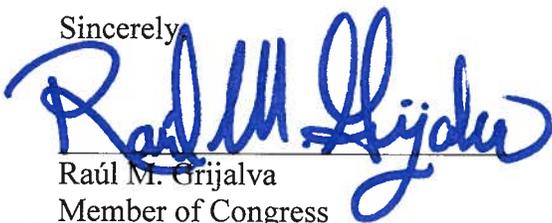
We are pleased that you have directed the Bureau of Prisons (BOP) to phase out private prison contracts as they come up for renewal and urge you to direct U.S. Marshals Service (USMS) to adopt a consistent policy. Unfortunately, the DOJ memo on private prisons does not address USMS privately operated prisons and detention centers. We ask that you use your existing authority to hold USMS facilities to the same standards as BOP by immediately initiating a review of privately operated prison and detention centers under their jurisdiction and beginning a phase-out of all for-profit prison contracts moving forward.

As you know, the Department of Justice's (DOJ) Office of the Inspector General recently found privately contracted facilities were unable to provide significant cost savings, and were less effective and more dangerous than those run by the government.ⁱ It is essential for DOJ to continue to take significant steps to end our government's costly overreliance on privately operated prisons.

According to data obtained by the American Civil Liberties Union through a Freedom of Information Act request, the average daily detention population under the U.S. Marshals Service's custody nearly tripled to 59,542 from 1994 to 2013. On average, 31 percent of those in USMS custody are housed in beds provided by for-profit contractors—a steep increase from 2006, when 21.5 percent were detained in for-profit centers.ⁱⁱ In comparison, BOP's recent announcement will affect 12 percent of its total population.ⁱⁱⁱ As you can see, USMS relies more on private contractors than BOP—all the more reason why USMS should review its policies immediately.

We commend your work in ending the government's dependence on privately operated prisons and urge you act swiftly to ensure the U.S. Marshals Service follows the Bureau of Prisons in this effort. The safety and security of many individuals depend on it. We look forward to collaborating on this pressing matter.

Sincerely,


Raúl M. Grijalva
Member of Congress


Bernard Sanders
U.S. Senator

cc:

The Honorable David Harlow
Deputy Director
United States Marshals Service

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice

ⁱ <https://oig.justice.gov/reports/2016/e1606.pdf#page=2>

ⁱⁱ http://www.huffingtonpost.com/entry/justice-department-private-prisons_us_57bca9b1e4b00d9c3a1a7e19

ⁱⁱⁱ https://www.washingtonpost.com/news/post-nation/wp/2016/08/18/justice-department-says-it-will-end-use-of-private-prisons/?utm_term=.b1587a2a92ab