

# U.S. House of Representatives

## Committee on the Judiciary

Washington, DC 20515-6216  
One Hundred Sixteenth Congress

August 12, 2019

Hugh Hurwitz  
Acting Director  
Bureau of Prisons  
320 1st Street, NW  
Washington, DC 20534

Dear Acting Director Hurwitz:

As Chairman and Ranking Member of the House Committee on the Judiciary, we write concerning the news, as provided in a statement by Attorney General William Barr and a press release subsequently issued by the Bureau of Prisons (BOP), that Jeffrey Epstein was found dead from an apparent suicide on the morning of August 10, 2019, while in your custody at the Metropolitan Correctional Center in New York (MCC New York).

The apparent suicide of this high-profile and—if allegations are proven to be accurate—particularly reprehensible individual while in the federal government’s custody demonstrates severe miscarriages of or deficiencies in inmate protocol and has allowed the deceased to ultimately evade facing justice. Any victims of Mr. Epstein’s actions will forever be denied proper recourse and the scintilla of recompense our justice system can provide in the face of such alleged atrocities; the competency and rigor of our criminal justice system has been marred by this apparent oversight.

As the Attorney General stated, “Mr. Epstein’s death raises serious questions that must be answered.” We agree, and therefore ask that you provide responses to the following questions concerning this incident, and BOP policies pertaining to inmates considered at risk for suicide and how such policies were implemented in this case.

1. We understand that BOP implements its suicide prevention program pursuant to BOP Program Statement P5324.08. Is this correct? Please provide copies of any other documents that may govern the implementation of this program on a Bureau-wide basis and also any documents internal to MCC New York applying to the implementation of suicide prevention policies at that facility.
2. Since July 6, when Mr. Epstein arrived at MCC New York as a pretrial detainee, what evaluations were conducted concerning his mental status and possible risk of suicide? Please provide any documents related to any such evaluations.

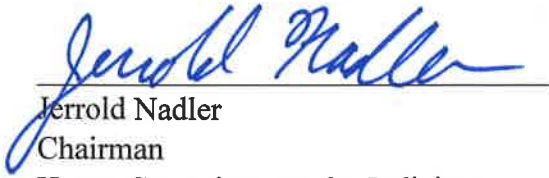
3. Please describe the classifications of the housing units Mr. Epstein was placed in for each day he was in custody, and whether or not Mr. Epstein was placed in single-cell confinement or restrictive housing.
4. Does MCC New York have rooms specifically designated for housing inmates on suicide watch?
5. What is BOP, and MCC New York's policy regarding the placement and housing conditions of inmates accused of sex offenses? Was this policy followed in this instance?
6. What is BOP's policy concerning single-cell confinement, or restrictive housing, for inmates (and pretrial detainees, if different) presenting with mental health concerns? What is BOP's policy concerning such confinement for pretrial detainees and inmates presenting with risk of possible suicide?
7. Please describe the circumstances of Mr. Epstein's confinement, including whether he was housed alone for the entirety of his incarceration or with other inmates, and the conditions of the cell or cells where he was confined.
8. Please describe the nature of BOP's monitoring of Mr. Epstein while on suicide watch and while not on suicide watch, including, under both circumstances, the number of correctional officers assigned to monitor him, and the frequency and nature of check-ins or contact with Mr. Epstein by correctional officers.
9. Please provide information pertaining to the individual correctional officers who were responsible for monitoring Mr. Epstein on August 9 and August 10, specifically with respect to how long they had been on their shifts at the time Mr. Epstein had been found non-responsive in his cell.
10. It has been reported that Mr. Epstein had been placed on suicide watch at some point while in custody, and that this watch was terminated. Is this correct? If so, please provide the date and time when he was placed on suicide watch and the date and time when he was removed from suicide watch.
11. It is our understanding that BOP policy states that only the "program coordinator" for a facility's suicide prevention program has the authority to remove an inmate from suicide watch. Is this correct?
12. Does MCC New York have such a program coordinator? Did he or she authorize the removal of Mr. Epstein from suicide watch? If not, who did?
13. Did the program coordinator consult with anyone else in making this determination? If so, who?

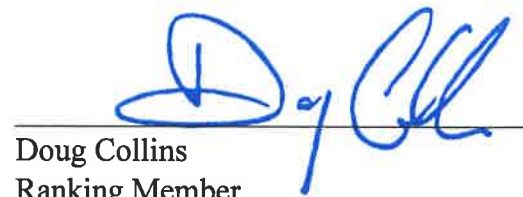
14. Was the termination of Mr. Epstein's suicide watch by the official who made such determination discussed with or directed by any supervisory personnel or leadership of BOP or any DOJ personnel or executive branch personnel outside of BOP?
15. Who at BOP, DOJ, and elsewhere in the executive branch was notified of the termination of Mr. Epstein's suicide watch and when?
16. It is our understanding that BOP policy requires that the program coordinator issue a "post-watch" report prior to, or as soon as possible following, watch termination. In the case of Mr. Epstein, was such a report issued? If so, please provide a copy of the report and any underlying evaluation and documentation. If not, please otherwise detail the basis for removing Mr. Epstein from suicide watch and provide any related evaluation and documentation.
17. If Mr. Epstein was removed from suicide watch, what precautions were put in place to help prevent the possibility of self-injury for Mr. Epstein given that he was transitioning from suicide watch? Were there any steps taken to remove possible implements of self-injury?
18. If, as you have stated, Mr. Epstein died of an apparent suicide, what are the facts and circumstances that led you to make that determination, and please provide a copy of the report of the autopsy which was subsequently performed.
19. Was any plan implemented to check in on and observe Mr. Epstein on a regular basis after the termination of his suicide watch?
20. Were any video surveillance cameras placed in or near Mr. Epstein's cell? Were they operational in the hours prior to and during the time of the injury to and death of Mr. Epstein? Did they indicate or do recordings show the circumstances that led to Mr. Epstein's death, or the presence of any other person during this time period?
21. What is BOP's policy for providing recurring, specific mental health and suicide prevention training to its personnel?
22. When the relevant supervisory personnel and correctional staff at MCC New York last receive suicide prevention training?
23. Do BOP's suicide prevention policies apply to all prisons which provide housing for federal inmates, including contract facilities?

The Attorney General has stated that the FBI and the Inspector General of the Department of Justice are investigating the death of Mr. Epstein, and we look forward to learning the results of their inquiries. However, it is imperative that the Committee on the Judiciary, which has the

responsibility to exercise oversight over the Department of Justice, receive responses to these questions related to the adequacy of BOP's suicide prevention policies and their implementation in this instance, as soon as possible. Therefore, please respond to these questions by August 21.

Sincerely,

  
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Jerrold Nadler  
Chairman  
House Committee on the Judiciary

  
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Doug Collins  
Ranking Member  
House Committee on the Judiciary