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FOR SECRETARY OF DEFENSE

FROM: Ryan Henry, PD Under Secretary of Defense for Policy *[Signature]*

AUG 26 2004

SUBJECT: Standards of Treatment at U.S. Civilian Prisons

- At Roundtable on August 19th, you noted that a *New York Times* article published that day (Tab A) contained accusations of abuse at a civilian prison, and asked if civilian prison standards could have migrated to military detention facilities.
 - o The article referred to an individual allegedly held naked “for hours and hours and hours.”
- Both Federal and DoD prison facilities adhere to the American Correction Association (ACA) Standards which govern treatment of prisoners.
 - o ACA standards prohibit humiliating and degrading treatment, such as prolonged unclothed detention, but do allow clothing to be removed for short periods of time for in-processing, medical exams, and body searches.
- Based on limited research and anecdotal evidence, abusive practices involving removal of clothing in violation of ACA standards may be prevalent in state prison systems.
- We are analyzing how state civilian prison system standards compare with DoD detention standards and will provide additional information when it is available.
 - o We are also investigating if DoD regulations and standards are stricter than those of other U.S. civilian prison systems.

Attachments: Tab A – “For Post-9/11 Material Witness, It Is a Terror of a Different Kind.” *New York Times*. August 19, 2004.

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