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**STATEMENT OF
STEVE MARKLE
NATIONAL SECRETARY-TREASURER
COUNCIL OF PRISON LOCALS**

**BEFORE THE
COMMITTEE ON JUDICIARY
UNITED STATES SENATE**

**“Five Years of the First Step Act: Reimagining Rehabilitation and
Protecting Public Safety.”**

**PRESENTED:
January 17, 2024**

**Statement of
Steve Markle
National Secretary-Treasurer
Council of Prison Locals
Committee on Judiciary
United States Senate**

Good morning, Chairman Durbin, Ranking Member Graham, and Members of the Committee. I am honored to represent the Council of Prison Locals and provide a statement on the implementation of the First Step Act within the Federal Bureau of Prisons.

The Council of Prison Locals represents nearly 30,000 Bureau of Prisons (BOP) employees who work tirelessly inside America's prisons. These dedicated correctional professionals ensure the safety of inmates, staff, and the public, even in the face of adversity posed by some of the world's most dangerous individuals.

Having worked for the Federal Bureau of Prisons for over 20 years as a Special Education Teacher, I have firsthand experience witnessing the positive impact of the First Step Act. I can attest to the added desire for inmates to attend GED courses, which will allow them, upon completion, to continue onto vocational classes. We have seen an increase in inmates enrolling in apprenticeship courses and participating in additional Adult Continuing Education Classes. The Dyslexia Screening requirement of the FSA has assisted in identifying inmates with learning disabilities. Identifying disabilities has enhanced our staff's ability to assist these inmates. While the BOP has known and provided educational courses for years this Act has highlighted the need to enhance what has been previously provided. An enormous amount of classes have been added since the implementation of this Act.

Over the years, I have collaborated with Chair Durbin's office and Senator Grassley's office in regards the First Step Act's effect on the Bureau. Our council also continues to work with BOP representatives to develop policies for the successful implementation and management of the First Step Act.

The Council remains committed to the First Step Act, and the goal to reduce repeat offenses and prepare inmates for release. Active participation in programs is crucial for successful preparation. Inmates now show more interest in programs that they may have previously ignored. They currently receive credit for being on waiting list when trying to enroll in full programs. To ensure inmates receive the necessary skills and education, it is important to increase staffing and programming space. The Council supports the FSA's motive and its ability to motivate inmates to stay engaged in programming reducing idleness.

I am eager to discuss how the First Step Act affects the dedicated staff members who carry out the Bureau's mission each day. Previous Directors of the BOP have lauded the positive impact of the First Step Act before this very Committee, and we acknowledge its importance. However, we believe that certain factors, if left unaddressed, will limit the Act's full potential.

Our primary concern is the current staffing level within the Bureau of Prisons. Since the signing of the First Step Act, the authorized positions within the Bureau have decreased from 43,369 to the current count of 34,661 staff members. This reduction of 8,708 staff members raises concerns about our ability to effectively carry out our responsibilities.

The impact of these staffing cuts is particularly evident among our Correctional Officers, who serve as the first line of security. As of the end of 2023, we have approximately 12,300 correctional officers, which is over 8,000 below the appropriated number. When requested for staffing numbers, the Bureau often provides ratios and percentages. Currently, we have only 60.1 percent of the appropriated correctional officers. This insufficiency leads to the overuse of a procedure known as Augmentation or Reassignment, where non-correctional officers are assigned to perform the duties of a Correctional Officer. This not only compromises safety by reducing the number of staff available to respond to emergencies but also hinders the provision of programming for the First Step Act.

To fully realize the Act's potential, it is crucial to address the critical staffing crisis within the Bureau. The Council believes that the staffing crisis can only be resolved by addressing the pay band issue. The current pay structure within the Bureau is significantly lower than that of other Federal Law Enforcement Agencies, including the US Marshals, Immigration and Customs (ICE), and Border Patrol. Additionally, the Bureau's pay scale is non-competitive with state and local law enforcement positions and even private sector jobs. Without addressing this pay disparity, the Bureau will struggle to attract and retain employees, ultimately hindering the overall success of the First Step Act.

In conclusion, Chairman Durbin, Ranking Member Graham, and Members of the Committee, the First Step Act has been successful, however, it has yet to reach its full potential and will continue on this path until the critical staffing and pay crisis can be addressed.

Thank you for the opportunity to share our concerns with the Committee.