

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/justice-department-calls-for-release-elderly-inmates/>

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05.08.15

The United States Department of Justice this month renewed its call for the federal Bureau of Prisons to speed up the release of more elderly and infirm inmates.

In a report released this month, the department's Inspector General observed that the extremely high cost of incarcerating elderly inmates continues to skyrocket, even as BOP falls short of providing them with adequate care. Aging inmates cost 8 percent more to incarcerate than younger inmates, mostly because of increased medical needs.

Inmates 50 and older are the fastest-growing segment of the prison population, overwhelming prison medical staffs and facilities ill-suited to older people who require wheelchairs or walkers. Federal prisons are understaffed and fail to train staff to address aging inmates needs, the report found.

Access to medical care is limited by the lack of medical staff, resulting in poor treatment (or no treatment) and wait times exceeding 250 days. One elderly inmate told investigators he had been waiting two years to be taken for an examination to receive eyeglasses.

Overcrowded prisons lack enough lower bunks and handicapped-accessible showers and toilets for elderly inmates with limited mobility, and system-wide overcrowding restricts BOP's ability to move aging inmates to facilities, including medical centers, that are best equipped to provide appropriate care.

DOJ is urging prison officials to reduce the need for more money to increase services for elderly prisoners (which Congress may be unlikely to allocate) by reducing the number of sick and aging inmates in custody. Many elderly inmates are viable candidates for early release. The report found that aging inmates have fewer misconduct incidents in prison and a lower rate of re-arrest after release.

In 2013, Attorney General Eric Holder announced expanded provisions for inmates 65 and older to seek compassionate release as part of DOJ's Smart on Crime initiative. The BOP revised its eligibility provisions in response, but only two people have been released.

The Justice Department is now urging BOP to expand the eligibility provisions by lowering the age requirement to 50 and eliminating the 10 years served requirement. It has given BOP until July 31, 2015, to improve the conditions described in the report.

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