



**U.S. Department of Justice
Federal Bureau of Prisons**

Leavenworth, KS 66048

June 7, 2012

Alex Stamm, Paralegal
Center for Justice
ACLU National
915 15th Street
Washington, D.C. 20005

For Further Inquiry Contact:
Federal Bureau of Prisons
FOIA West Office
1300 Metropolitan Ave.
Leavenworth, KS 66048

RE: Information Request No. 2012-06896

Dear Mr. Stamm:

This is in response to your above-referenced Freedom of Information Act (FOIA) request. Specifically, you requested the following information maintained by the Bureau of Prisons (BOP):

1. How many federal inmates are serving sentences for nonviolent drug crimes?
2. (a) Of those inmates described in question 1, how many inmates are serving life sentences? 2 (b) Of those inmates described in question 1, how many are serving a sentence of life without parole?
3. (a) Of those inmates described in question (2a), how many had their sentence enhanced due to one or more prior felony convictions under 21 U.S.C.A. § 841? 3 (b) Of those inmates described in question (2b), how many had their sentence enhanced due to one or more prior felony convictions under 21 U.S.C.A. § 841?
4. (a) Of those inmates described in question (2a), how many had never been convicted of a prior felony offense? (b) Of those inmates described in question (2b), how many had been convicted of a prior felony offense?
5. How many federal inmates are serving a sentence for a nonviolent property crime?
6. (a) Of those inmates described in question (5), how many are serving life sentences? (b) Of those inmates described in question (5), how many are serving a sentence of life without parole?
7. (a) Of those inmates described in question (6a), how many had their sentence enhanced because of one or more prior felony convictions? (b) Of those inmates described in question (6b), how many had their sentence enhanced because of one or more prior felony convictions?
8. (a) Of those inmates described in question (6a), how many had never been convicted of a prior felony offense? (b) Of those inmates described in question (6b), how many had never been convicted of a prior felony?

The BOP does not track some of the specific information you seek in a manner that would allow us to retrieve it. However, in an effort to be as responsive as possible, we were able to retrieve the following information for the total BOP and RRCs (Residential Reentry Centers):

- Drug Offenses - 97,661 (48%);
- Property Offenses - 14,232 (7%);
- Life without possibility of parole - 4,774;
- Life with possibility of parole - 651;
- 27 drug offenses with sentence of life with possibility of parole;
- 1,989 drug offenses with sentence of life with no possibility of parole;
- 27 property offenses with sentence of life with possibility of parole;
- 85 property offenses with sentence of life with no possibility of parole.

You may also want to contact the following offices for any information they may have regarding your request:

Office of Justice Programs
Bureau of Justice Statistics
810 Seventh Street, NW
Washington, D.C. 20531
www.bjs.ojp.usdoj.gov

National Criminal Justice Reference Center
PO Box 6000
Rockville, MD 20849-6000
www.ncjrs.gov

If you consider my response to be a denial of this request, pursuant to Title 28 Code of Federal Regulations, Section 16.9 or 16.45, you may appeal to the Assistant Attorney General. This written appeal must be received by the Office of Information Policy (OIP) within 60 days from the date of this letter. Both the appeal letter and face of the envelope should be marked "Freedom of Information Act Appeal," and should be addressed to the Office of Information Policy, U.S. Department of Justice, 1425 New York Avenue, Suite 11050, Washington, D.C. 20530-0001.

Sincerely,



For Wanda M. Hunt
Chief, FOIA/PA Section

cc: File