# Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 2 of 51

100 miles

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

Correctional Programs Division

Counter Terrorism Unit

March 22, 2010

MEMORANDUM FOR MICHAEL K. NALLEY, REGIONAL DIRECTOR NORTH CENTRAL REGION

//s//

FROM:

Les Smith, Chief

SUBJECT:

McGowan, Daniel, Reg. No. 63794-053

The Warden at USP Marion has submitted a recommendation to redesignate inmate McGowan from the Communications Management Unit program.

The CTU <u>does not</u> concur with this recommendation, and requests inmate McGowan remain in the CMU program at this time.

Inmate McGowan was recommended and approved for placement in a CMU due to his association with the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Inmate McGowan, along with his group of co-defendants, committed numerous acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, intimidation, and other acts of property destruction. Inmate McGowan plead guilty to 5 counts which included Conspiracy to Commit Arson; Destruction of Energy Facility & Arson / Attempted Arson.

Inmate McGowan's communications warranted heightened controls and review due to the fact that he was an organizer of the group; wrote communiques for ALF/ELF actions; used coded communications during the commission of the offenses; participated in recruitment of others into the group; espoused his anti-government beliefs verbally and in written communications; trained others to design and construct incendiary devices and well as how to conduct arson without being caught; and demonstrated the ability to plan, organize and carry out his plans without detection.

- FOIA Exempt -

Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 3 of 51 PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF
Through his communications, inmate McGowan continues to provide guidance, leadership and direction for activities, publications and movement practices in order to further the goals of radical environmental groups. Inmate McGowan receives an enormous amount of communication material each month, through social mail, e-mail, phone calls and visiting. A number of these communications have been recommended and approved for rejection based on advocating criminal activity.
Inmate McGowan is a LOW security inmate with IN custody. He is a Care Level 1
inmate.
If approved despite the objections of the CTU, is it recommended inmate McGowan be re-designated to USP Marion GP for no less than 6 months, as a step-down process from the CMU, as outlined in current CMU procedures.
v.

# Case 1:10-cv-00539-BJR-DAR CODOLANGE SEASON Filed 04/23/14 Page 5 of 51

PROTI	ECTED - ATTORNEYS' EYES	ONLY
DATE: March 24, 2010	FACL: MAR	CUSTODY: IN
NAME: MCGOWAN, Daniel	REG NO. 63794-053	S/L: HIGH
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	COMMENTS	
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CORRECTIONAL PROGRAMS: MCGOWAN	was transferred to MAR CM	iU on August 22, 2008. He was approved for
transfer to CMU based on his association with the		
are considered domestic terrorist organizations	MANUTURI CONTRACTOR CO	
energy facility, attempted arson, use of explosiv		
intimidation, and other acts of property destruc		
Arson and Destruction of Energy Facility, Arson		
GCT. MCGOWAN was considered the leader/o		•
commission of the offenses, participated in recr		
construct incendiary devices for arson and de		
detection. CTU indicates, although marginalize		
aroups,		as well as criminal charges. He
continues to provide guidance, leadership and c	lirection for activities, publica	tions and movement practices in order to further
the goals of the group. He has had correspond		
recommended MCGOWAN be transferred out of		
educational programming. They acknowledge		
which he is presently incarcerated. CTU does	not concur with the recomme	endation. P. Pottios
	72	Non-
CORRECTIONAL PROGRAMS ADMINISTRATOR	· Deslace	nformation
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SENIOR DEPUTY REGIONAL DIRECTOR: What summered transfer at this time
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CMU Referral ase 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 6 of 51 PROTECTED - ATTORNEYS' EYES ONLY

Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 8 of 51 PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF



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

United States Penitentiary

Marion, IL 62959

April 9, 2010

MEMORANDUM FOR LISA J. W. HOLLINGSWORTH, WARDEN

FROM:

P. Kelly, Unit Manager

SUBJECT:

7ransfer Denial

MCGOWAN, Daniel #63794-053

Your request for transfer from the Communications Management Unit (CMU) has been reviewed and denied. You will be reconsidered in approximately six months.

If you are not satisfied with this decision, or any other aspect of confinement in the CMU, you may appeal the decision or situation through the administrative remedy program.

Case 1:10-cv-00539-BJR-DAR	Document 138-31	Filed 04/23/14	Page 10 of 51
MAR-1330.13K			May 14, 200
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Attachment A

# Administrative Remedy - Informal Resolution Marion, Illinois

Inmate's Name:	Daniel McGra	an	Reg. No. <u>63</u>	794253	Únit: _	(MV/I	Date:	4/12/10	
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2 State what	i efforts you have	made to informal	ly resolve your o	complaint: 3	Nave dis Mr. Rix	હકુદ્રો <b>પ્ર</b>	this	issue mi	th the
3 State what the CV Claims and con	t resolution you re MU, I am le q Clird on to Actions I Continue	quest: I would usking a hear he in the int the said sen	ng inwhich Le convo Sumak wh	eane a seen I so province a general	epare a c e minutes popula H	ACRUSE A MO	and 1th a	centest i	nentat nedbious ing hours
Ger H	nal Counselor's Co	omments (Steps to	Resolve): The	rejection  Date:  Date:	nama,	400		_	
Date	Received by Counselor from immate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Deliver to Admin. Remedy Cler				,	
	1771	<del> </del>	<del> </del>	+ 1/17/					

Time

Counselor

Case 1.10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 11 of 51

U.S. DEPARTMENT OF JUSTICE REMEDY

Federal Bureau of Prisons

From: McGo	or use ball-point pen. If attachments a	63744-053	CMU/I	MAKION
Part A- INMATE	NAME, FIRST, MIDDLE INITIAL ·	REG. NO.	UNIT	INSTITUTION
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Part B- RESPONS	Libral K Apples And	F 11/M(,	SIGNATURE OF RI	QUESTER
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DATE			WARDEN OR REGIONA	A DIRECTOR
dissatisfied with this respo	nse, you may appeal to the Regional Director. Yo	ur appeal must be received in the Re		
SECOND COPY: RE			CASE NUMBER:	586371-F1
			CASE NUMBER: _	
•		•	wysky at the articles	
Part C- RECEIPT		,		
eturn to:	r name, firşt, middle initial	REG. NO.	UNIT	INSTITUTIO
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U.S. Department of Justice Federal Bureau of Prisons

Administrative Remedy Part B - Response

Admin Remedy Number: 586371-F1

This is in response to your Request for Administrative Remedy receipted April 20, 2010, wherein you request to know why you were denied transfer out of the Communication Management Unit (CMU). Additionally, you request a due process hearing so you may contest the reasons for your placement in the CMU, and you request your allotted monthly phone time be raised to 300 minutes.

According to our records, you were transferred to the CMU at the United States Penitentiary in Marion, Illinois, on August 22, 2008, based on your current offense behavior or your continued behavior while incarcerated. Your transfer to the CMU allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring; therefore, you will remain at your current level of 30 phone minutes per week.

The CMU is not a special housing unit or a control unit; therefore, there is no requirement to afford a due process hearing prior to or during placement.

Your transfer to this unit was approved by the Correctional Programs Division, Central Office, Federal Bureau of Prisons. Your continued housing in this unit will be reviewed during each program review conducted by your unit team.

Accordingly, your Request for Administrative Remedy is denied. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.

4-25-10

Date

Lisa J. W. Hollingsworth, Warden

	cv-00539-BJR-DAR D	ocument 138-31 Filed Regional Admin	.04/23/14 Page A istrative Rememy A	13 of 51
Federal Bureau of Prisons		ي ه سده		
Type or use ball-point pen. If a with this appeal.	ttachments are needed, submit four o	copies. One copy of the completed B		
Daniel McG	OWA II FIRST, MIDDLE INITIAL	63794-053 REG. NO.	CMU/I Unit_ UNIT	Marion INSTITUTION
request on April 9 months with neither with the outside we my denial does not repeats the vague for continued place BoP is alleging I  1) A tra 2)A spec 3) a head on the re 4)A rest	, 2010 by Warden For disiplinary viole orld (i.e. phone, state why I was reason given to me ement here in the am partaking in? Insfer to a normal ific reason for where so that I may accord for future	visits, email or rejected and the War when I arrived. Was a requesting either prison without control of the priviliages are priviliages.	ns with my commail). The mem arden's responsithout any reange whatever ther: nmunication reange at the Caims and have	e CMU for 20 munication o regarding se only ason stated behavior the strictions or MU with that reflecte
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Part B - RESPONSE			,	
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DATE  If dissatisfied with this response, you may appeal to the General Counsel. You	r appeal must be received in the C	REGIONAL DIRE	hin 30 calendar
days of the date of this response.  ORIGINAL: RETURN TO INMATE		CASE NUMBER:	586371-RI
Part C - RECEIPT		CASE NUMBER: _	***
Return to:  LAST NAME, FIRST, MIDDLE INITIAL SUBJECT:	REG. NO.	UNIT	INSTITUTION
DATE  UPN LVN	SIGNATURE, RECIP	ENT OF REGIONAL APPI	EAL BP-230(13) JUNE 2002

U.S. Department of Justice Federal Bureau of Prisons North Central Regional Office

Regional Administrative Remedy Appeal Part B - Response

Administrative Remedy Number: 586371-R1

This is in response to your Regional Administrative Remedy Appeal received in this office on May 6, 2010, in which you appeal the decision to deny your request for transfer from the Communication Management Unit (CMU). For relief, you request a transfer out of the CMU, a due process hearing and a full restoration of your telephone and visiting privileges.

We have reviewed your appeal and the Warden's response dated April 25, 2010. The Bureau of Prisons has the authority to make designation assignments deemed appropriate and necessary to ensure the safe and orderly operation of its facilities and the protection of the public. You were designated to the CMU to ensure additional monitoring of your communication could be accomplished. This may be the result of current offense behavior or other verified information. Those inmates who require heightened monitoring will continue to be designated to the CMU. A recent review of your status determined you still require the security and supervision afforded by the CMU and you are deemed to be appropriately classified at this time. As stated in the Warden's response, your status in the CMU will continue to be reviewed. As documented, increased telephone monitoring and non-contact visiting were implemented in order to ensure the safe and orderly operation of the facility, as well as, the protection of members of the public. Your calls will continue to receive increased monitoring, and you will receive 30 telephone minutes per week. Additionally, a due process hearing is not required.

Based on the above, this response to your Regional Administrative Remedy Appeal is denied.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

5/27/10

Michael K. Nalley, Regional Director.

	One a spiritual of Seconds	.i	- Docum	Central Offic	d 04/23/14 Page ce Administrative	Remedy Appeal
	Federal Bureau of Prisons	of making				
,	Type or use ball-point pen. If a ments must be submitted with a	attachments are needed,	submit four copies. One	copy each of the completed	BP-229(13) and BP-230(13	), including any attach-
. '	From: Daniel Mc	Gowan	•	63794-053	CMU	Marion
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Administrative Remedy No. 586371 -A1 Part B - Response

This is in response to your Central Office Administrative Remedy Appeal in which you request a transfer out of the Communication Management Unit (CMU) and full restoration of your telephone and visiting privileges.

The Bureau of Prisons has the authority to make housing unit and institution assignments that support the security and orderly operation of the institution. The CMU was established to house inmates that due to their current offense, offense conduct, or other information, required increased monitoring of communication between inmates and persons in the community in order to protect the safety, security, and orderly running of the institution and the public.

Due to special security considerations of the CMU, increased telephone monitoring and non-contact visiting were implemented in order to ensure the safe and orderly operations of the institution, as well as the protection of the public.

You have been appropriately designated to the CMU. Staff will continue to monitor your case during regularly scheduled program reviews. We therefore concur with the responses provided. Accordingly, your appeal is denied.

myel 7, 2010

Harrell Watts, Administrator National Inmate Appeals

# INMATE SKILLS TO EVER OF MENT POR MENT 138-31 File \$100 60 60 60 7129-2010



Name:

Register Number: Security/Custody: Projected Release: MCGOWAN, DANIEL

**GERARD** 63794-053 LOW/IN

06-05-2013 / GCT REL

Institution:

Telephone:

Driver's License/State:

MARION USP P.O. BOX 2000

**MARION, IL 62959** 

**Next Review Date: Next Custody Review Date:** 

Age/DOB/Sex: CIM Status:

08-02-2010 02-04-2011

36 / 05-02-1974 / M If yes, reconciled: Y

SSN:

DCDC Number:

FBI Number:

INS Number: PDID Number: Other IDs:

Release Residence:

Telephone:

Telephone:

Jennifer M. Synan, Wife 510 E 13TH ST #14 NEWYORK, NY 10007

(347) 414-1382

Release Employer:

Contact

Telephone:

[Name] [Address]

277676FB4

108648468

[POC]

**Primary Emergency Contact:** 

Jennifer M. Synan, Wife 338 State St. #1

Brooklyn, NY 11217 (347) 414-1382

Secondary Emergency

Contact: Telephone: Lisa McGowan, Sister

69 Drake Lane Manhasset, NY 11030

(917) 566-8304

Mentor Information:

Offenses/Violator Offenses:

Sentence/Supervision: Special Parole Term

Conspiracy to Commit Arson & Destruction of Energy Facility / Arson / Attempted Arson /

84 Months / 3 Years - 3559 PLRA Sentence

No Special Parole Term

Sentence Began	Time Served/Jail Credit/Inoperative Time	Days GCT/EGT/SGT	Days FSGT/WSGT/DGCT	Parole Status
09-11-2007	34 Months 18 Days / 62 Days / 0 Days	329 / 54 / 0	0/0/0	Parole Information not specified

Detainers:

N.

Pending Charges: None known

Assgn/Schedule Payment	Case No./Court of Jurisdiction	Balance	Imposed	Financial Responsibility
FINANC RESP-PARTICIPATES \$75.00 QUARTERLY	CR06-60124-1-AA;COJ: FOR	\$1943883.82	\$1944003.82	RESTITUTION FEDERAL VICTIM USDC
	CR06-60124-1-AA;COJ: FOR	\$1943883.82	\$1944003.82	

Financial Plan

Active: Financial Plan Date: 07-27-2010

Commissary

Comm Dep-6 mos:

Balance:

\$1178.00 \$175.00

Cost of Incarceration

Fee:

[Choices]

**Payments** 

Commensurate: Missed:

Y Ν

Judicial Recommendations:

USP Marion / N/A / Designated to Minimum or Low Security facility, (Ft. Dix).

Special Conditions of Supervision:

See J&C

**USPO** 

Patti Robb, USPO

Sentencing: Oregon

405 E. Eighth Avenue

USPO

[POC]

Relocation:

[District]

[Street Address/Suite]

# INMATE SKILLES OD EVER CEPARD PROTECTED - McGOWAN PANIEL GERARD PROTECTED - McGOWAN PANIEL GERARD PROTECTED - McGOWAN REACHEW 907129-2010

ENGLISH PROFICIENT

RegNo: 63794-053

Eugene, OR 97401

Name: MCGOWAN, DANIEL GERARD

Phone/Fax: 541-431-1406 / [Fax]

[City], [State] [Zip] Phone/Fax: [Phone] / [Fax]

Subject to 18 U.S.C. 4042(B) Notification:

FACL ASSIGNMENT DESCRIPTION

MAR ESL HAS

**DNA Required:** 

Y - [Date]

· Current conviction for a crime of violence (state and federal)

Subject to Sex Offender Notifications: **Treaty Transfer Case:** 

START DATE/TIME STOP DATE/TIME

10-04-2007 1039 CURRENT

[Y,N,N/A][Y,N]

#### **Profile Comments:**

Facility	Assignment	Description	Start Date	Stop Date
MAR	GED HAS	COMPLETED GED OR HS DIPLOMA	10-04-2007	CURRENT
MAR	ESL HAS	ENGLISH PROFICIENT	10-04-2007	CURRENT
MAR	FRENCH 1	FRENCH 1 ACE CLASS	01-09-2010	CURRENT
MAR	FRENCH 1	FRENCH 1 ACE CLASS  History	01-09-2010	c

EDUCATION INFORMATION

MAR	GED	HAS	COMPLETED GED	OR HS DIPLO	OMA 10-04	-2007 1039	CURRE	NT			
	<b></b>			EDUCATION	COURSES						
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MAR	CMU	CMU	PAINTING CLASS	1	01-05-2010	03-28-2010	P	C	P	24	
MAR	CMU	CMU	CROCHET CLASS		01-01-2010	03-28-2010	P	מטטטטט	P	24	
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SST		PARE	ENTING AGES 5-1	.2	01-08-2008	01-25-2008	Ā	Ç	P	10	
SST		. MAST	ERS IN ART		12-10-2007	01-14-2008	P	C	P P	4	
SST		THE	POWER OF MYTH		12-06-2007	01-10-2008	F.	C	P	6	
SST		GERM	IAN 101		12-05-2007	01-07-2008	P	C	Þ	8 12	
SST		RPP2	CAREER TRANSI	TIONS	10-07-2007	01-11-2008	Ρ	<u>C</u>	P		
SST		KEN	BURNS' WWII		10-24-2007	01-08-2008	, F	C	P	16	
SST		SHAC	KLETON: ANTARCI	TICA	12-26-2007	12-27-2007	P	C	P	. 4	
SST		THE	IMPRESSIONISTS	S-ART	10-31-2007	12-04-2007	F,	0000000000	P P	. 5	
SST		LIBE	KTY & ELLIS IS	LAND	11-01-2007	11-29-2007	P	C	P	4	
SST		GRAN	EN WONDERS OF A FRENCH REVOLUT LE RIDER PING CAMEL-MONG ATES & GOLD ENTING AGES 1-4 BENTH AND 101 EVENT WHILL BURNS! WHILL BURNS! WILL BURNS! BURNS! WILL BURNS! BU	KA	10-04-2007	10-25-2007	P	0	P	4 4	
SST		THE	WRATH OF GOD		09-26-2007	10-1/-2007	P	C	۲	4	

WORK DAT	TA .			
Facility	Assignment	Description	Start Date	Stop Date
MAR	CMU ORD	CMU ORDERLY	02-09-2009	CURRENT
		History		

# INMATE SKILLS OF EVER OF METANT PLANENT 138-31 Name: MCGOWAN, DANIEL GERARD PROTECTED - McGOWAN RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD RegNo: **63794-053** 

				· · · · · · · · · · · · · · · · · · ·
	FCL	ASSIGNMENT	DESCRIPTION	START DATE/TIME STOP DATE/TIME
	MAR	CMU ORD	CMU ORDERLY	02-09-2009 1541 CURRENT
	MAR	I UNASSG	UNASSIGNED WORK DETAIL	02-02-2009 1033 02-09-2009 1541
	THA		SHU UNASSIGNED	01-16-2009 0234 02-02-2009 0246
	THA	UNASSG	UNASSIGNED WORK DETAIL	01-15-2009 1821 01-16-2009 0234
	CCC	UNASSG	UNASSIGNED WORK DETAIL	11-07-2008 2024 11-17-2008 0957
	OKL	UNASSG	UNASSIGNED HOLDOVER	10-30-2008 1829 11-07-2008 0850
	MAR	I UNASSG	UNASSIGNED WORK DETAIL	10-29-2008 1658 10-30-2008 1257
	MAR	I UNASSG	UNASSIGNED WORK DETAIL	09-26-2008 1239 10-29-2008 1001
	MAR	UNASSG	UNASSIGNED WORK DETAIL	09-26-2008 1359 10-14-2008 1239
	MAR	A&O UNASSG	UNASSIGNED PENDING A&O	08-22-2008 0916 09-26-2008 1359
	THA	SHU UNASSG	SHU ÚNASSIGNED	07-28-2008 0233 08-22-2008 0620
	THA .	UNASSG	UNASSIGNED WORK DETAIL	07-24-2008 1537 07-28-2008 0233
	OKL	UNASSG	UNASSIGNED HOLDOVER	07-24-2008 1557 07-28-2008 0255 06-06-2008 1710 06-11-2008 0800 05-21-2008 1857 06-06-2008 0835
	OKL	UNASSG	UNASSIGNED HOLDOVER	05-21-2008 1855 06-06-2008 0835
•	THA	SHU UNASSG	SHU UNASSIGNED	05-16-2008 0357 05-21-2008 0924
	THA	H/O UNASSG	HOLDOVER UNASSG	05-15-2008 1651 05-16-2008 0357
	OXF	UNASSG	UNASSIGNED WORK DETAIL	05-14-2008 1500 05-15-2008 0615
	SST	UNASSG	UNASSIGNED WORK DETAIL	05-13-2008 1257 05-14-2008 0645
	SST	PSY ORD AM	ORDERLY PSYCHOLOGY AM	02-12-2008 0001 05-13-2008 1257
	SST	PSYCH ORD	ORDERLY PSYCHOLOGY SVC	09-26-2007 0001 02-12-2008 0001
	SST	UNASSG	UNASSIGNED WORK DETAIL	09-11-2007 1315 09-26-2007 0001
	OXF	UNASSG	UNASSIGNED WORK DETAIL	09-10-2007 1355 09-11-2007 0540
	THA	SHU UNASSG	SHU UNASSIGNED	09-01-2007 0114 09-10-2007 0629
	THA	UNASSG	UNASSIGNED WORK DETAIL	08-30-2007 1427 09-01-2007 0114
	OKL	UNASSG	UNASSIGNED HOLDOVER	08-29-2007 1500 08-30-2007 0830
	BRO	UNASSG	UNASSIGNED WORK ASSIGNMENT	07-02-2007 1944 08-29-2007 0924
	SHE	FDC UNASSG	UNASSIGNED - FDC	12-21-2005 1701 12-22-2005 0931
	DUB	UNASSG	UNASSIGNED - OTHER	12-15-2005 1348 12-21-2005 0642
	OKL	UNASSG	UNASSIGNED HOLDOVER	12-14-2005 1730 12-15-2005 0830
	NYM	UNASSG	UNASSIGNED WORK DETAIL	12-07-2005 1712 12-14-2005 0908

## **DISCIPLINE DATA**

# History

DISCIPLINE DATA DOES NOT EXIST FOR THIS INMATE

OVEMENT	DATA				
Facility	Assignment	Description	on	Start Date	Stop Date
MAR	A-DES	DESIGNATED, AT AS	SIGNED FACIL	02-02-2009	CURREN <sup>*</sup>
		History			
FCL MAR B07 THA THA I-T B07 CCC A01 A01 OKL 3-M MAR MAR MAR 3-M	A-DES RELEASE A-ADMIT HLD REMOVE A-HLD RELEASE A-ADMIT RELEASE A-ADMIT	DESCRIPTION DESIGNATED, AT ASSIGNED FACIL RELEASED FROM IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL HOLDOVER REMOVED HOLDOVER, TEMPORARILY HOUSED RELEASED FROM IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL HOLDOVER REMOVED HOLDOVER, TEMPORARILY HOUSED RELEASED FROM IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL HOLDOVER REMOVED HOLDOVER, TEMPORARILY HOUSED RELEASED FROM IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL ADMITTED TO AN IN-TRANSIT FACL RELEASE ON FEDERAL WRIT DESIGNATED, AT ASSIGNED FACIL RELEASED FROM IN-TRANSIT FACL	02-02-2009 1033 CURRENT 02-02-2009 1133 02-02-20 02-02-2009 0246 02-02-20 02-02-2009 0246 02-02-20 01-15-2009 1821 01-15-20 11-18-2008 0530 01-15-20 11-18-2008 0530 11-18-20 11-17-2008 1057 11-18-20 11-07-2008 2024 11-17-20 11-07-2008 2024 11-07-20 11-07-2008 0950 11-07-20 11-07-2008 0950 11-07-20 11-07-2008 0850 11-07-20 11-07-2008 1829 11-07-20 10-30-2008 1829 11-07-20 10-30-2008 1929 10-30-20 10-30-2008 1357 10-30-20 10-30-2008 1257 02-02-20	09 1133 09 0246 09 0246 09 1821 09 1821 00 08 0530 08 0957 08 0957 08 2124 08 2124 08 0850 08 0850 08 1929 08 1929 09 1033 08 1257	

# INMATE: SKILIUS DEVELICIENDENT IPICANENT 138-31 FROOG RAIM RENTENDENT 67-29-2010

Name: MCGOWAN, DANIEL GERARD PROTECTED - McGOWAN RegNo: 63794-053

							•			 	
١		B07	A-ADMIT	A DMT TTED	TO AN IN-TRANSIT PACE	00.22.2000	0630	00 22 2000	1016		
l		B07			TO AN IN-TRANSIT FACL REMOVED						
ı		THA									
1		THA	A-HLD		, TEMPORARILY HOUSED						
1			RELEASE		FROM IN-TRANSIT FACL						
١		I-T	A-ADMIT	ADMITTED	TO AN IN-TRANSIT FACL	06-12-2008	0530	07-24-2008	1537		
ı		A02	RELEASE		FROM IN-TRANSIT FACL						
ı		A02	A-ADMIT		TO AN IN-TRANSIT FACL						
ı		OKL	HLD REMOVE					06-11-2008			
ı		OKT .	A-HLD		, TEMPORARILY HOUSED						
ı		A02	RELEASE		FROM IN-TRANSIT FACL						
ı		A02	A-ADMIT	ADMITTED	TO AN IN-TRANSIT FACL	06-06-2008	0935	06-06-2008	1810		
۱		OKL	HLD REMOVE	HOLDOVER	REMOVED	06-06-2008	0835	06-06-2008	0835		
١		OKL	A-BOP HLD	HOLDOVER	FOR INST TO INST TRF	05-21-2008	1855	06-06-2008	0835		
I		A02	RELEASE	RELEASED	FROM IN-TRANSIT FACL	05-21-2008	1955	05-21-2008	1955		
ı		A02	A-ADMIT	ADMITTED	TO AN IN-TRANSIT FACL	05-21-2008	0924	05-21-2008	1955		
ı		THA	HLD REMOVE	HOLDOVER	REMOVED	05-21-2008	0924	05-21-2008	0924		
ı		THA	A-BOP HLD	HOLDOVER	FOR INST TO INST TRF						
I		B07	RELEASE		FROM IN-TRANSIT FACL						
١		B07	A-ADMIT		TO AN IN-TRANSIT FACL						•
١		OXF	HLD REMOVE					05-15-2008			
ı		OXF			FOR INST TO INST TRF						:
1		B07	RELEASE		FROM IN-TRANSIT FACL						:
1		B07	A-ADMIT		TO AN IN-TRANSIT FACL						
ı		SST	TRANSFER	TRANSFER	IO AN IN INDENDIT FACE			05-14-2008			
l		SST			ED, AT ASSIGNED FACIL						
ı		B07	RELEASE		FROM IN-TRANSIT FACL						
ı		B07	A-ADMIT		TO AN IN-TRANSIT FACE						
ł		OXF	HLD REMOVE					09-11-2007			
ı			TID KEWOVE	HOLDOVER	, TEMPORARILY HOUSED	09-11-2007	1255	09-11-2007	0540		
ı		OXF									
ı		B07	RELEASE		FROM IN-TRANSIT FACL						
ł		B07			TO AN IN-TRANSIT FACL						
١		THA	HLD REMOVE					09-10-2007			
ı		THA	A-HLD	HOLDOVER	, TEMPORARILY HOUSED	08-30-2007	1427	09-10-2007	0629		
١		A01			FROM IN-TRANSIT FACL						
ı		A01	A-ADMIT		TO AN IN-TRANSIT FACL						
ı	•	OKL	HLD REMOVE								
ı		OKL			, TEMPORARILY HOUSED						
ı		A01	RELEASE		FROM IN-TRANSIT FACL						
1		A01			TO AN IN-TRANSIT FACL	08-29-2007	0924	08-29 <b>-</b> 2007	1600		
١		BRO	HLD REMOVE					08-29-2007			
١		BRO			, TEMPORARILY HOUSED						
١		P06			FROM IN-TRANSIT, JUL						
۱		P06		ADMITTED	TO IN-TRANSIT, APR	04-21-2006	0530	07-02-2007	1944	 	
1		4 - T	RELEASE		FROM IN-TRANSIT FACL						
١		4 - T	A-ADMIT	ADMITTED	TO AN IN-TRANSIT FACL						
١		SHE	HLD REMOVE			12-22-2005	0931	12-22-2005	0931		
١		SHE	A-PRE	PRE-SENT	ADMIT, ADULT	12-21-2005	1701	12-22-2005	0931		
١		B05			FROM IN-TRANSIT FACL						
١		B05			TO AN IN-TRANSIT FACL						
۱		DUB	HLD REMOVE					12-21-2005			
1		DUB			FOR INST TO INST TRF						
١		A02	RELEASE		FROM IN-TRANSIT FACL						
١		A02	A-ADMIT		TO AN IN-TRANSIT FACL						
١		OKL	HLD REMOVE					12-15-2005			
1	•	OKL	A-HLD		TEMPORARILY HOUSED			12-15-2005			
1		NYM			DETAINEE REMOVED			12-13-2005			
1		NYM	A-PRE		ADMIT, ADULT			12-14-2005			
1		TA T 1,1	11 1111	THE CHILL	initi, ADONI	12 01-2003	1,12	12 14-2000			

	· · · · · · · · · · · · · · · · · · ·		*****	
Facility	Assignment	Description	Start Date	Stop Date
MAR	PROG RPT	NEXT PROGRESS REPORT DUE DATE	09-11-2010	CURRENT
MAR	RPP PART	RELEASE PREP PGM PARTICIPATES	03-19-2008	CURRENT
MAR	V94 COA913	V94 CURR OTHER ON/AFTER 91394	03-19-2008	CURRENT
MAR	V94 CVA913	V94 CURR VIOL ON/AFTER 91394	09-15-2007	CURRENT

INMATE & LLC COEVER OF WERT POCAMENT 138-31

Name: MCGOWAN DANIEL GERARD

PROTECTED - McGOWAN

RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD

RegNo: **63794-053** 

MEDICAL	OUTY STATUS AS	SIGNMENTS		
Facility	Assignment	Description	Start Date	Stop Date
MAR	YES F/S	CLEARED FOR FOOD SERVICE	03-31-2009	CURRENT
MAR	REG DUTY	NO MEDICAL RESTRREGULAR DUTY	03-31-2009	CURRENT

Name: MCGOWAN, DANIEL GERARD

RegNo: **63794-053** 

# **ACADEMIC**

Status	Response Summary
<b>Ø</b>	INTELLECTUAL FUNCTIONING    → no intellectual deficits  → has NOT attended special education classes
<b>Ø</b>	LITERACY  • college degree bachelors
<b>②</b>	LANGUAGE   ⊕ fluent in English as primary language
<b>Ø</b>	COMPUTER SKILLS
	Progress and Goals  Previous TEAM 02-05-2010
	Current TEAM  Continue to enroll in ACE classes as interested

# **VOCATIONAL/CAREER**

	Response Summary EMPLOYMENT HISTORY	<u> </u>	<u> </u>	<u>TE ANNE E EN</u>	
	employed at time of arrest     consistent employment history within 5 years prior to incarceration				
	CAREER DEVELOPMENT	,			
	<ul> <li>possesses significant expertise in field</li> <li>Computer and Mathematical - 15</li> <li>Management - 11</li> </ul>				
	<ul> <li>i realistic career/job goals upon release</li> <li>i seeking position: paralegal</li> <li>⊕ has more than two years work experience in this field</li> <li>⊕ has an education degree related to this field</li> </ul>				
<b>②</b>	<ul> <li>INSTITUTION WORK HISTORY</li> <li>has no consistent institution work history</li> <li>lapses in employment due to disciplinary reasons, writ, etc.</li> </ul>				
	POST INCARCERATION EMPLOYMENT				
	post-incarceration employment not secured     other: N/A				

INMATE & LILLOS DEN EL DIRADENT IPICAN ent 138-31 PROGRAM REVERVO FOR-29-2010

Name: MCGOWAN, DANIEL GERARD RegNo: 63794-053

# **VOCATIONAL/CAREER**

	Progress and Goals
Previous TEAM 02-05-2010	
Current TEAM	

# **INTERPERSONAL**

Status	Response Summary
<b>②</b>	RELATIONSHIPS
<b>②</b>	FAMILY TIES/SUPPORT SYSTEM
<b>②</b>	PARENTAL RESPONSIBILITY
<b>②</b>	COMMUNICATION
	Progress and Goals
	Previous TEAM 02-05-2010
	Current TEAM

## **WELLNESS**

Status	Response Summary
<b>②</b>	HEALTH PROMO/DISEASE PREVENT
<b>②</b>	DISEASE/ILLNESS MANAGEMENT
<b>②</b>	TRANSITIONAL PLAN
	GOVERNMENT ASSISTANCE
	has not previously received Social Security assistance     not eligible for Social Security assistance after release
	has not served in the U.S. Armed Forces, U.S. Military Reserves, AND/OR U.S. National Guard     spouse or a parent has not served in the U.S. Armed Forces, U.S. Military Reserves, AND/OR U.S. National Guard
	Progress and Goals
	Previous TEAM 02-05-2010
(	Current TEAM
. ;	seed government assistance upon release if appropriate. begin and maintain a fitness regimen

Name: MCGOWAN, DANIEL GERARD PROTECTED - McGOWAN REGUES OF 67-29-2010

RegNo: 63794-053

# **MENTAL HEALTH**

Status	Response Summ	ary
	SUBSTANCE ABUSE MANAGEMENT  i no evidence of inappropriate use of alcohol, prescription medication	ons and/or illegal drugs in the year prior to arrest
	i history of substance abuse treatment not applicable not currently participating in substance abuse treatment	
<b>Ø</b>	MENTAL ILLNESS MANAGEMENT  • no history of mental health diagnosis prior to incarceration	
	no mental health diagnosis during incarceration	
	no history of serious suicidal ideation or attempts	
	TRANSITIONAL PLAN	
	no medication required upon release from custody     does not require on-going treatment after release from custody     RRC placement not applicable	
	APPROPRIATE SEXUAL BEHAVIOR	
	no evidence of sexually inappropriate behavior	
	Progress and Goals	
i	Previous TEAM 02-05-2010	
	No recommendations at this time.  Current TEAM	
	Completed Drug Education Program on 4/17/09	

# **COGNITIVE**

Status	Response Summary				•	ka-
	GENERAL BEHAVIOR					
	no evidence of behavioral problems as a juvenile					
	evidence of behavioral problems as an adult     vandalism			· · · · · · · · · · · · · · · · · · ·		
	CRIMINAL HISTORY	······································			<del></del>	
	violent and/or sex offender (current/prior) arson: Single occurrence(s) other (Disorderly Conduct): Single occurrence(s)		&			
	DOMESTIC VIOLENCE/ABUSE				·	
	no history of domestic violence or abuse					
	CRIMINAL BEHAVIOR				- <u>"                                   </u>	<del></del>
	<ul> <li>no onset of criminal behavior before the age of 14</li> <li>no criminal versatility: Convictions in less than 3 categories</li> <li>no significant history of violence: Less than 2 violent convictions</li> </ul>					

RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD

### COGNITIVE

### **Progress and Goals**

### **Previous TEAM 02-05-2010**

Complete anger management course by 08-2010

### **Current TEAM**

**Current TEAM** 

complete any self help courses that may interest you

### CHARACTER

# **Status Response Summary** PERSONAL CHARACTER behaviors indicative of positive personal character; + regular volunteer work (not court ordered) evidence of spirituality talks to a friend or mentor about spiritual/religious issues: Sometimes active participation in a faith group: Never connected to outside spiritual/religious community: Never examines actions to see if they reflect values: Always finds meaning in times of hardship: Always charitable contributions (+) assistance to strangers without expectation of reward + fulfills financial obligations • empathic toward victims of crime/participates in Victim Impact Program panel i religious assignment: NO PREFER + no evidence easily influenced by other PERSONAL RESPONSIBILITY i reports responsibility for current incarceration as: • self (sole responsibility) • no efforts to make amends for their crime(s) **Progress and Goals Previous TEAM 02-05-2010**

INMATE: SKIL: 1.5 dd HOVER BEHMEART PLANNent 138-31 PRO GRANNAR ENGENT: 003129-2010

RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD

### **LEISURE**

#### **Response Summary**



Status

## **USE OF LEISURE TIME**

- activities indicative of positive use of leisure time;
- charitable organizations/volunteer work
- family time
- (+) sports/exercise
- movies/television/music
- computers/video games
- reading
- cultural events/concerts/theater
- (+) hobbies (includes hunting, fishing, etc.)
- education (student)
- (+) library
- political or government organizations
- park/recreation facilities

#### **Progress and Goals**

#### **Previous TEAM 02-05-2010**

Recommend inmate McGowan take a hobby class by 6-1-2010.

### **Current TEAM**

continue leisure activities

## **DAILY LIVING**

# Status Response Summary FINANCIAL MANAGEMENT knowledge in maintaining checking account knowledge in maintaining savings account knowledge in utilizing an ATM debit card knowledge in obtaining loans has an established positive credit history lived within financial means • pays monthly bills on time FOOD MANAGEMENT possesses grocery shopping/consumer skills + makes good nutritional choices to maintain health possesses basic food preparation skills + knowledgeable in accessing community resources to obtain food PERSONAL HYGIENE/SANITATION good personal hygiene and sanitation (i) quarters assignment: HOUSE I/RANGE 01/BED 004L TRANSPORTATION odoes not have valid driver's license Outstanding motor vehicle violations odoes not own personal vehicle with appropriate insurance

INMATEASKIIIDS V DIESKEILOR MEINT DIE LAMENT 138-31 FRETOGERAM REGALENVI 67-29-2010

RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD

### DAILY LIVING

• possesses public transportation skills and has access to public transportation



### **IDENTIFICATION**

- odoes not have photo identification
- does not have birth certificate
- + has social security card



#### HOUSING

- established housing year prior to incarceration
- i) established housing: paid rent
- i established housing: lived with family
- i established housing: non-publicly assisted
- established housing not in a high crime neighborhood
- housing upon release
- i supervision district is not a relocation
- i anticipated housing plan NOT approved by USPO(s)
- i no concerns with anticipated housing plan



## RESIDENTIAL REENTRY CENTER (RRC) PLACEMENT

o not recommended for RRC placement



### **FAMILY CARE**

- not responsible for obtaining child care for any dependent children upon release
- not responsible for obtaining elder care for any dependent(s) upon release
- not responsible for obtaining any other special services for dependents upon release

### Progress and Goals

#### **Previous TEAM 02-05-2010**

maintain clear conduct and appropriate level of sanitation

#### **Current TEAM**

continue clear conduct and appropriate sanitation levels.

INMATE & KIL10S: DEWEY-BIPNOPART IPICAINENT 138-31

Name: MCGOWAN, DANIEL GERARD

PROTECTED - McGOWAN

PROTECTED - McGOWAN

RegNo: 63794-053 Name: MCGOWAN, DANIEL GERARD RegNo: **63794-053** 

# INMATE SKILLS STATUS

Status	Initial Assessment 02-10-2009	Previous Assessment 02-05-2010	Current Assessment 07-29-2010
Attention Required	7.8%	13,9%	16.1%
Mitigating Issues	0%	0%	0%
Unanswered	61.1%	44.4%	23.9%
Satisfactory	26.1%	36.7%	55%
Not Applicable	5%	5%	5%

Skill Area	Attention Required	Mitigating Issues	Unanswered	Satisfactory	Not Applicable
Academic	0%	0%	0%	100%	0%
Vocational/Career	30%	0%	25%	45%	0%
Interpersonal	0%	0%	100%	0%	0%
Wellness	0%	0%	80%	0%	20%
Mental Health	0%	0%	0%	75%	25%
Cognitive	45%	0%	0%	55%	0%
Character	30%	0%	0%	70%	0%
Leisure	0%	0%	0%	100%	0%
Daily Living	40%	0%	10%	50%	0%

Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 30 of 51 INMATE SKILLS DEVELOPMENT PLAN - McGOWAN PROGRAM REVIEW: 07-2

PROGRAM REVIEW: 07-29-2010 RegNo: 63794-053

Name: MCGOWAN, DANIEL GERARD

# **SIGNATURES**

Individual	Signature	Date
Case Manager: M. NEUMANN EXT. 1360	In Age	7/29/0
[].Chairperson or [] Unit Manager: P. KELLY EXT. 1718	Jan History	7/29/60
Inmate: MCGOWAN, DANIEL GERARD	Dael Hoh	7/29/10



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

United States Penitentiary

Marion, IL 62959

August 2, 2010

MEMORANDUM FOR MICHAEL K. NALLEY, REGIONAL DIRECTOR

FROM:

P. Kelly, Unit Manager

SUBJECT:

Redesignation Request

MCGOWAN, Daniel Gerard #63794-053

THRU:

Les Smith, Chief, Counter Terrorism Unit

THRU:

Lisa J. W. Hollingsworth, Walden

Inmate McGowan is serving an 84-month sentence for Conspiracy To Commit Arson and Destruction Of Energy Facility; Arson; and Attempted Arson. He has a projected release date of June 5, 2013. Inmate McGowan has the STG assignments of

He is a Low security

inmate with IN custody.

Inmate McGowan arrived at the Communications Management Unit (CMU), Marion, Illinois, on August 22, 2008. He was placed in the CMU based on his current offense of conviction and he has been identified as a member and leader in the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF), groups considered to be domestic terrorist organizations. His offense conduct included communicating in code and teaching others how to commit crimes of arson.

Since his arrival he has maintained clear conduct and a good rapport with staff and other inmates. He has completed ten ACE/Education courses, is currently enrolled in one other, and has completed a paralegal studies course from Blackstone Career Services. While he has had several incoming publications and letters rejected based on content, USP Marion staff have noted no continuation of actions which precipitated his placement in the CMU.

McGowan #63794-053 Page 2

Inmate McGowan is eligible for transfer according to the Bureau's policy on Classification and Program Review of Inmates. Therefore, the unit team is requesting inmate McGowan be considered for transfer to any facility which can provide for his security and custody needs.

Warden's Comments: While continued, orithren will be recessary, I believe it can be atripleted in an open GP setting.

Counter Terrorism Unit Comments:

Transfer Approved:

Michael K. Nalley, Regional Director

Transfer Denied: Michael K. Nalley, Regional Director

# Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 35 of 51 PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF



# U.S. Department of Justice

Federal Bureau of Prisons

Correctional Programs Division

Counter Terrorism Unit

Address

August 23, 2010

MEMORANDUM FOR MICHAEL K. NALLEY, REGIONAL DIRECTOR NORTH CENTRAL REGION

//s - D. Schiavone, Senior Intelligence Analyst - For//

FROM: Les Smith, Chief

SUBJECT: McGowan, Daniel, Reg. No. 63794-053

The Warden at USP Marion has submitted a recommendation to redesignate inmate McGowan from the Communications Management Unit program.

The CTU <u>does not</u> concur with this recommendation, and recommends inmate McGowan remain in the CMU program at this time.

Inmate McGowan was recommended and approved for placement in a CMU due to his association with the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Inmate McGowan, along with his group of co-defendants, committed numerous acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, intimidation, and other acts of property destruction. Inmate McGowan plead guilty to 5 counts which included Conspiracy to Commit Arson; Destruction of Energy Facility & Arson / Attempted Arson.

Inmate McGowan's communications warranted heightened controls and review due to the fact that he was an organizer of the group; wrote communiques for ALF/ELF actions; used coded communications during the commission of the offenses; participated in recruitment of others into the group; espoused his anti-government beliefs verbally and in written communications; trained others to design and construct incendiary devices and well as how to conduct arson without being caught; and demonstrated the ability to plan, organize and carry out his plans without detection.

- FOIA Exempt -

LE PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF
Through his communications, inmate McGowan continues to provide guidance, leadership and direction for activities, publications and movement practices in order to further the goals of radical environmental groups. Inmate McGowan receives an enormous amount of communication material each month, through social mail, e-mail, phone calls and visiting. A number of these communications have been recommended and approved for rejection based on advocating criminal activity.
LE CONTRACTOR CONTRACT
Inmate McGowan is a LOW security inmate with IN custody. He is a Care Level 1 inmate.
If approved despite the objections of the CTU, is it recommended inmate McGowan be re-designated to USP Marion GP for no less than 6 months, as a step-down process

- FOIA Exempt -

### Case 1:10-cv-00539-BJR-DARC DOCUMENT IRRAIL Filed 04/23/14 Page 38 of 51 PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF

DATE: August 23, 2010	FACL: MAR	CUSTODY: IN
NAME: MCGOWAN, Daniel	REG NO. 63794-053	S/L: HIGH
PHONE OR MAIL ABUSE I.R: N/A		
	A STATE OF THE STA	
	COMMENTS	
CORRECTIONAL PROGRAMS: MCG	GOWAN was transferred to MAR CMU	J on August 22, 2008. He was approved for
		and the Animal Liberation Front (ALF). Both
are considered domestic terrorist orga	nizations. MCGOWAN's instant offer	nse involved acts of arson, destruction of an
energy facility, attempted arson, use of	explosives and incendiary devices, inte	erference with interstate commerce, sabotage,
intimidation, and other acts of property	destruction. He was sentenced to a t	erm of 84 months for Conspiracy to Commit
Arson and Destruction of Energy Facility	y, Arson, and Attempted Arson. He has	s a projected release date of June 5, 2013, via
		F, and used coded communications during the
		vernment beliefs, trained others to design and
		n, organize and carry out his plans without orrespond with numerous associates of these
groups,	Iginalized, MCGOVVAIN continues to co	as well as criminal charges. He
	hip and direction for activities, publication	ons and movement practices in order to further
		ting criminal activity. USP MAR has previously
		ch 2010. Due to his clear conduct, positive
relationship with staff, and educational	programming, they are again recomme	ending his transfer. It should be noted CTU still
does not concur with the recommendar	tion. P. Pottios	
	1400	
CORRECTIONAL PROGRAMS ADMINIST MULTIWAN TO AN OFEN IN	TRATOR: I Concer with with stitution due to his	fositive institutional
assistment.		X Haguns
		9,000
PSYCHOLOGY SERVICES ADMINISTRA	ITOR: Keview of available	records revaled no winter
health concerns of so	ignificance. Concur with	recommended transfer C. ZWILLING
	. 1	1
CORRECTIONAL SERVICES ADMINISTR	RATOR: 100 Concerns	Manneway 1
		16 Vmp C-80
EXECUTIVE ASSISTANT: Joseph	on CTUIS derive due	to his ctromplies
to individuals and gravo		~ and anti- deverment
activities, do not	recommend transfer.	
In ruch 1		BY LINC U

CMU Referral se 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 39 of 51 MCGOWAN, Daniel PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF 63794-053

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#### Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 41 of 51

## U.S. Department of Justice

Federal Bureau of Prisons

Correctional Programs Division

Counter Terrorism Unit

February 1, 2011

MEMORANDUM FOR MICHAEL K. NALLEY, REGIONAL DIRECTOR

NORTH CENTRAL REGIONAL OFFICE

//s//

Leslie S. Smith, Chief, Counter Terrorism Unit FROM:

Communication Management Unit (CMU) Referral SUBJECT:

MCGOWAN, Daniel, Reg. No. 63794-053

#### 1. Rationale for Re-designation:

Inmate McGowan was originally designated to a Communications Management Unit and placed in MAR CMU on August 22, 2008. He was approved for step-down from the CMU program and released to MAR GP on October 19, 2010.

During his six month step-down from the CMU program, on January 30, 2011, inmate McGowan directed his wife, Jenny Synan, to circumvent inmate communication monitoring by having documents mailed to the institution under the guise of attorneyclient privileged communication (special/legal mail). Specifically, during a telephone conversation, inmate McGowan and his wife discussed the unauthorized release of Counter Terrorism Unit reports to the public through the web site,

These reports, which contained the label, "Unclassified // For Official Use Only / Law Enforcement Sensitive," were obtained without the approval of the Bureau of Prisons, contained law enforcement information relating to intelligence gathering and investigations, and were released to the public without authorization. The release of these documents, as well as documents contained on the web site from a large number of government military, law enforcement and intelligence agencies, remains under investigation by the Attorney General and Department of Justice for possible criminal prosecution.

Though Synan indicated she knew of the reports and had made inmate McGowan's attorney's aware as well, she specifically stated she was reluctant to mail copies of the

BOP CMU 005023

Sensitive but Unclassified PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF

Page 1 of 3

#### Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 42 of 51

MAR Communication Management Unit (CMU) Referral MCGOWAN, Daniel, Reg. No. 63794-053

documents to the Institution. Inmate McGowan, understanding the web site leaked restricted government reports, and aware of Bureau of Prisons policies regarding inmate communications, specifically and directly instructed his wife to facilitate the attempted introduction of these documents into the institution by circumventing monitoring through the use of legal mail from an identified attorney. Inmate McGowan stated he wanted to evaluate the original reports for himself, regardless of his wife's concerns with mailing copies to the institution, and in addition to any review conducted by his attorneys.

The attorney, identified as Rachel in the telephone conversation, has been identified as Rachael Meerpool, Attorney, from the Center for Constitutional Rights.

Further, inmate McGowan's communication with persons in the community since his release from MAR CMU has continued to demonstrate his support for anarchist and radical environmental terrorist groups, and presented his desire to remain in an influential and leadership position among these groups.

A review of inmates is conducted regularly in order to determine whether continued CMU placement is necessary and whether the original reasons for CMU placement still exist. Inmates approved for transfer from a CMU are re-designated to a typical general population for a period of no less than 6 months, as a step-down process from the CMU.

Prior to the completion of his 6 months step-down from the CMU, inmate McGowan has demonstrated the conditions for his original designation still exist through his espousing support for anarchist and radical environmental terrorist groups. Further, inmate McGowan explicitly, and with knowledge and understanding, attempted to violate Bureau policies in order to circumvent communication monitoring in order to receive correspondence which he was aware was prohibited. Through specific action, inmate McGowan attempted to facilitate the circumvention of attorney-client privileged communication in order to receive non-legal correspondence and with the knowledge such correspondence would violate prison regulations.

Inmate McGowan's actions and behavior indicate the original rationale for CMU designation has not been mitigated, and that he continues to present a risk which requires the degree of monitoring and controls afforded at a CMU. His attempt to violate policy and circumvent communication monitoring, as well as attorney-client privileged communication, represents a program failure of the 6 month step-down from the CMU. Based on this information, it is recommended inmate McGowan be redesignated to a CMU

Inmate McGowan's offense conducted included membership in a group which was called, "The Family." This collection of approximately 16 persons are associated with the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered by law enforcement agencies to be domestic terrorist organizations. "The Family"

Sensitive but Unclassified FOIA Exempt

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BOP CMU 005024

#### Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 43 of 51

MAR Communication Management Unit (CMU) Referral MCGOWAN, Daniel, Reg. No. 63794-053

committed numerous acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, intimidation, and other acts of property destruction. Inmate McGowan pleaded guilty to five counts which included Conspiracy to Commit Arson; Destruction of Energy Facility, and Arson / Attempted Arson.

Inmate McGowan was an organizer of the group; wrote communiques for ALF/ELF actions; used coded communications during the commission of the offenses; participated in recruitment of others into the group; espoused his anti-government beliefs verbally and in written communications; trained others to design and construct incendiary devices and well as how to conduct arson without being caught; and demonstrated the ability to plan, organize and carry out his plans without detection.

- 2. Proposed Transfer Code: 324 / Program Participation
- 3. CIM Assignment: Separation
- 4. STG Assignment:
- 5. Release Destination: New York, Eastern
- **6. Medical Status:** Inmate McGowan is a Care Level 1 / Care Level 1 MH inmate. There are no medical concerns which would preclude his placement in a CMU.
- 7. Does Inmate Concur With Transfer: The inmate's opinion was not solicited.
- 8. Additional Pertinent Information: Inmate McGowan is a 36 year old, white, male. He is scheduled for release on June 5, 2013. via Good Conduct Time Release. He is an IN custody inmate with LOW security level, and a Program Participation Management Variable. His disciplinary history includes no sanctioned incident reports.

Sensitive but Unclassified FOIA Exempt

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BOP CMU 005025



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

Correctional Programs Division

Correctional Programs Division

Counter Terrorism Unit		
	January 31, 2011	

MEMORANDUM FOR DAVID SCHIAVONE, SENIOR INTELLIGENCE ANALYST

FROM: //s//
, Intelligence Analyst

SUBJECT: Submission for Weekly Report

On January 30, 2011, inmate McGowan, Daniel, Register No. 63794-053, placed a telephone call to his wife Jenny Synan at phone number McGowan inquired if she had heard about the website leak which referenced his name in an intelligence report. She read it on Will Potters website. McGowan wants the original copy of the report and to have Rachael, his attorney, send it to him to evaluate.

Rachael Meeropol is an Attorney for the Center for Constitutional Rights

Will Potter is an independent journalist based in Washington DC. On January 5, 2011, posted two Intelligence Summary reports which had been published by the counter Terrorism Unit. Will Potter has affixed both reports on

Below are excerpts from the conversation.

McGowan: They told me today about the probublica thing from a few weeks

ago.

Synan: I'm sorry, what?

McGowan: Probublica, that leak website where there was like these

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PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF documents posted and my name came up.

Synan: Oh yea, yea, yea.

McGowan: That's the kind of stuff I really want to hear about.

Synan: I'm sorry, your lawyer Rachael knows about it. I'm reluctant to send

it. I make sure that you lawyers know about it.

McGowan: Can you ask her to send it to me.

Synan: Yea, yea.

McGowan: That was really creepy.

Synan: Yea but there is nothing new, of course it's creepy.

McGowan: I know but I just wanted to see it and evaluate it for myself, you

know that's crazy.

Synan: Yea, I'll ask her to send it.

McGowan: I had never heard of that website, you know that?

Synan: I wasn't familiar, I knew cause Will posted stuff. I'm assuming that

is what you are talking about right? I just read what he had

posted."

McGowan: I want to see the original. Just let Rachael know that.

### Case 1:10-cv-00539-BJR-DARC Document 188-31 Filed 04/23/14 Page 48 of 51

DATE: February 10, 2011	FACL: MAR	CUSTODY: IN	
NAME: MCGOWAN, Daniel	REG NO. 63794-053	S/L: LOW	
PHONE OR MAIL ABUSE I.R: N/A			
CIM ASSIGN:			

#### ---COMMENTS---

CORRECTIONAL PROGRAMS: MCGOWAN is a 36-year-old-male, serving a 84 month sentence for Conspiracy to Commit Arson/Destruction of an Energy Facility, Arson, and Attempted Arson. He has a projected release date of June 5, 2013, via GCT. He was transferred to MAR CMU on August 22, 2008. He was approved for transfer to CMU based on his association with the Earth Liberation Front (ELF) and the Animal Liberation Front (ALF). Both are considered domestic terrorist organizations. MCGOWAN's instant offense involved acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, intimidation, and other acts of property destruction MCGOWAN was considered the leader/organizer of the groups, ALF/ELF, and used coded communications during the commission of the offenses, participated in recruitment, espoused his anti-government beliefs, trained others to design and construct incendiary devices for arson and demonstrated the ability to plan, organize and carry out his plans without detection. MCGOWAN completed the CMU program in October 2010 and was approved for transfer to MAR GP for a period of no less than six months, as a step-down process from the CMU, due to his clear conduct, positive relationship with staff, and educational programming. While in GP, MCGOWAN directed his wife to mail in sensitive law enforcement information relating to intelligence gathering and investigations under the guise of attorney-client privileged communication (special/legal mail). This type of behavior violates policy by circumventing communication monitoring, as well as attorneyclient privileges and represents a program failure of the six month step-down from CMU. CTU has recommended MCGOWAN be re-designated to a CMU due to his continued security risk which requires the degree of monitoring and controls. M. X. Sedillo

CORRECTIONAL PROGRAMS ADMINISTRATOR: Based on his Orininal Cristory, Tengrist
ties and attempts to circumvent the legal mail procedure,
I pursur with his Placewest back in CMU.
J. Musself
PSYCHOLOGY SERVICES ADMINISTRATOR: 1) 2 MH issues noted in could december to prest of places its a CMU. IM solved for copies of motorals found on the internet - hile sensitive on the positive of positive positives of positive of positives and positives are positives and positives and positives and positives are positives and positives and positives and positives and positives are positives and positives and positives and positives are positives are positives and positives are positives are positives and positives are positives and positives are positives are positives and positives are positives are positives are positives and positives are positives are positives and positives are positives a
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CORRECTIONAL SERVICES ADMINISTRATOR:
Concented of Mil seement Continues
The intultion and general fublice of SMM, CSA 414/11
EXECUTIVE ASSISTANT: Concer with placement back into CMU.
Distro 2/22/11

CMU Referral MCGOWAN, Page 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 49 of 51
PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF

SENIOR DEPUTY REGIONAL DIRECTOR: CHARACTER CALL PLAUMENT - NUMBER OF A STANDARD STANDARD

### Case 1:10-cv-00539-BJR-DAR Document 138-31 Filed 04/23/14 Page 51 of 51 PROTECTED - McGOWAN

BP-A0944 NOV 10 NOTICE TO INMATE OF TRANSFER TO A COMMUNICATIONS MANAGEMENT UNIT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

**BOP CMU 002799** 

Inmate Name (Last, First, Middle):	Register Number:
MCGOWAN, Daniel	63794-053
Warden (print and signature)	Institution:
Charles L. Lockett, Warden	FCI Terre Haute, Indiana

NOTICE: This notice informs you of your transfer to a Federal Bureau of Prisons (Bureau) facility that allows greater management of your communication with persons in the community through complete monitoring of your telephone use, written correspondence, electronic messaging, and visiting. The volume, frequency, and methods of your contact with persons in the community may be limited as necessary to achieve the goal of total monitoring. Your general conditions of confinement in this unit may also be limited as necessary to provide greater management of your communications. Your transfer to this unit is not punitive and, by itself, has no effect on the length of your incarceration. You will continue to earn sentence credit in accordance with law and Bureau policy.

Your transfer to this facility under these conditions is based on the following specific information:

Your offense conduct included acts of arson, destruction of an energy facility, attempted arson, and conspiracy to commit arson. You have been identified as a member and leader in the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Your offense conduct included communicating in code and teaching others how to commit crimes of arson. Your incarceration conduct has included attempts to circumvent communication monitoring policies, specifically those governing attorney-client privileged correspondence. Your contact with persons in the community requires heightened controls and review.

Based on this information, your transfer to this facility for greater communication management is necessary for the safe, secure, and orderly operation of Bureau institutions, or protection of the public. Your continued designation to this facility will be reviewed regularly by your Unit Team under circumstances providing you notice and an opportunity to be heard, in accordance with the Bureau's policy on Classification and Program Review of Inmates.

OPPORTUNITY TO APPEAL TRANSFER DECISION - You may appeal this transfer decision, or any aspect of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.

The state of the s	cam will provide you with the nec	essary form upon request.
	FF - Provide the inmate a copy of ton documenting delivery.	of this form and complete
Staff Member Name and Position (printed):	Staff Member (signature):	Date Issued:  2/24/11