



FARMVILLE DETENTION CENTER
OFFICE OF THE DIRECTOR
508 WATERWORKS ROAD
FARMVILLE, VIRGINIA 23901

June 27, 2016

MEMORANDUM FOR RECORD

RE: Annual Review of Farmville Detention Center Detainee Supervision Guidelines

In accordance with DHS PREA standard 115.13 and ACA standard 4-ALDF-2A-14, the Farmville Detention Center conducted a thorough and comprehensive mandatory staffing analysis during the month of June 2016. This staffing analysis was executed by the Director of Detention and PSA Compliance Manager and data used in this analysis was compiled and tabulated from June 1, 2015 until May 31, 2016. In establishing appropriate and adequate staffing levels for detainee supervision and determining the availability of video monitoring to protect detainees against sexual abuse, the following components were assessed:

1. Generally Accepted Detention and Correctional Practices.

Findings: The Farmville Detention Center operates under a direct supervision module and therefore a detention officer is always present in the housing units to provide constant supervision and monitoring which enables for the prevention, detection, deterrence, and response to inappropriate detainee behavior. Additionally, the facility has three cameras in each housing unit which are strategically located in such a manner that allows for sufficient surveillance and oversight. Video from cameras have an archived history of 30 to 35 days which allows for a review of recorded footage long after an incident occurred. The facility also houses detainees in the Restricted Housing Unit and Medical Base and these areas are also continuously staffed with a detention officer. Likewise, these areas also have adequate video monitoring to enhance the sexual safety of detainees by providing additional oversight and observation capabilities. Areas of the facility that offer programs, services, and other operational functions such as Health Care, Processing, Visitation, Food Service, Video Tele-Court, Barbershop, Law Library, Chapel, and Indoor and Outdoor Recreation are also continuously staffed with detention officers to provide custody, control, and constant supervision of detainees during out of housing unit activities and events. To assist in direct detainee supervision and oversight there are a total of 145 cameras strategically located in all sections and areas of the facility where detainees are allowed access.

The minimum manning posted for day shift, 0600 hours until 1800 hours, is twenty-two detention officers with two officers working in Central Control for video monitoring, two processing officers, four recreation officers, and two supervisors acting as Shift Commander and Assistant Shift Commander. During night shift, 1800 hours until 0600 hours, the minimum manning is twenty detention officers, two Control Center officers, two processing officers, and a Shift Commander and Assistant Shift Commander. The facility has a rated bed capacity of 642 and the average daily detainee population during the period under analysis was 581.35. This equates to a staff to detainee ratio of 1 to 18.16 during day shift and 1 to 22.35 during night shift. These ratios were determined by factoring in minimum manning for both shifts and the ratios are much lower taking into account administrative support staff, medical staff, and food service staff. Any deviation from posting

minimum manning is an extremely rare occurrence and requires the approval of the Chief of Security or Director of Detention.

2. Any Judicial Findings of Inadequacy.

Findings: The Farmville Detention Center has not received any judicial findings of inadequacy.

3. The Physical Layout of Facility.

Findings: The Farmville Detention Center is divided into two main buildings. The front section of the facility comprises of administrative offices, Visitation, Video Tele-Court, Processing, Food Service, Laundry, the Restricted Housing Unit, and Medical Department. The rear section of the facility comprises of eight dormitory housing units, Barbershop, Commissary, Law Library, Chapel, and Indoor Recreation. Outdoor Recreation is located on the north end of the facility and contains four recreation areas where detainees receive four hours of outdoor recreation. Dorm 1 has a bed capacity of 100; Dorm 4 has a bed capacity 98; Dorm 5 has a bed capacity of 102; Dorms 2 and 3 have a bed capacity of 46 and 44 respectively; and Dorms 6, 7, and 8 each have a bed capacity of 84. Since opening in August 2010, the Farmville Detention Center has never exceeded its rated bed capacity and facility operations closely monitors available bed space on a daily basis to prevent ICE from exceeding that capacity.

Security, control, and the sexual safety of the detainee population is paramount to the mission of the Farmville Detention Center and as stated in section 1 the facility operates under the direct supervision paradigm requiring a detention officer to be posted in all areas of the facility where detainees are present or allowed access. To assist and augment sound correctional practices of constant supervision the Farmville Detention Center has state of the art video monitoring with 145 cameras strategically located throughout the facility. In March 2016 deficiencies in video coverage were examined and adjustments to camera angles and placement were made to diminish existing blind spots. Policy and procedure have been established to allow for detainees to shower, perform bodily functions, and change clothing without being viewed by staff of the opposite gender. These procedures include opposite gender announcements when entering the housing units and cameras that cover the bathrooms are pixel distorted thus safeguarding the privacy of detainees. Additionally, each individual detainee showering stall has curtains installed to prevent any staff member from viewing. Furthermore, the facility handbook and detainee education provided during intake informs residents that they are required to be dressed when outside their bunk area. Currently, the Farmville Detention Center is undergoing modifications to the existing facility through expansion and new construction. This includes the building of a female housing unit area along with a new Indoor Recreation and Chapel area. An integral component when designing and drafting architectural plans for these additional areas included a comprehensive analysis and implementation of video monitoring and other technology to safeguard detainees from sexual abuse.

4. The Composition of the Detainee Population.

Findings: During the twelve month reporting period (June 1, 2015 through May 31, 2016), the Farmville Detention Center processed 3,039 detainees as new arrivals to the facility. In accordance with DHS PREA standard 115.41, 275 detainees were identified as at risk for abusiveness or victimization based on the facility's established screening instrument. When calculated, the data shows that 9.04% of the entire detainee population during the period analyzed were either convicted of sex offenses or self-identified as being past victims of sexual abuse. A breakdown of these 275 detainees reveals that 252 detainees were convicted of sex offenses based on information provided by ICE and 23 detainees self-reported that they had been past victims of sexual abuse. When calculated, the data shows that 8.36% of all detainees categorized as at risk self-identified as being past victims of sexual abuse. However, when compared to the total of all admissions during the reporting period only 0.75%, or less than 1%, of detainees self-identified as being past victims of sexual abuse. Consequently, a total of 9 detainees self-identified as being gay or bisexual with 1 detainee self-identifying as being transgender. These figures represent 0.29% and 0.03% respectively of the entire detainee population during the reporting period. An assessment on the composition of the detainee population with specific emphasis on vulnerable residents does not

justify or support the need to adjust security staffing levels to enhance the sexual safety of detainees based on the annual staffing analysis conducted in June 2016.

5. Prevalence of Substantiated and Unsubstantiated Incidents of Sexual Abuse.

Findings: During the twelve month reporting period, the Farmville Detention Center conducted 7 Prevention of Sexual Abuse (PSA) investigations. Four of these investigations were determined to be unfounded, while two resulted in an unsubstantiated finding, and one resulted in a substantiated outcome. The investigative findings of these allegations and incidents of sexual harassment or abuse were a critical factor in determining whether the Farmville Detention Center needed to adjust or modify the facility's current security staffing plan. For example, the locations where detainees reported being victims or witnesses to harassment or abuse occurred in areas of the facility that are under constant direct supervision by security staff. Furthermore, these areas have multiple cameras strategically located that provide video monitoring from different vantage points and angles. All four unfounded PSA investigations were determined to be such because video monitoring supported the conclusion that no sexual harassment, abuse, or assault had occurred. Additionally, the substantiated PSA investigation was determined to be such because video monitoring supported the conclusion that a detainee inappropriately touched another detainee through the victim's clothing for approximately one second. Finally, the two unsubstantiated PSA investigations concluded with such outcomes because both detainees alleging abuse reported these events to staff well after they occurred. Additionally, both detainees alleging abuse provided vague and ambiguous timelines as to when they experienced harassment and abuse. Both these unsubstantiated incidents occurred in detainee housing units where a detention officer is always present to provide strategic oversight and supervision therefore allowing for prevention, detection, and response measures. Furthermore, video monitoring was limited as a means of detection in these unsubstantiated investigations because both detainees failed to provide specific dates and times as to when they were victims of abuse. As a result the facility was hindered on using recorded camera coverage as a source of detection to substantiate or invalidate that abuse occurred.

6. Outcome and Recommendations of Sexual Abuse Incident Review Reports.

Findings: The facility conducted three sexual abuse incident reviews during the period under analysis as a result of detainees reporting they had experienced sexual harassment or abuse. Two of the PSA investigations resulted in unsubstantiated findings and one PSA investigation resulted in a substantiated finding. The results of these incident reviews concluded with outcomes that found no deficiencies in the Farmville Detention Center's policy and procedures in prevention, detection, and response protocol pertaining to the deterrence of sexual victimization of detainees. Appropriate measures were taken during all the above incidents which involved employing a multi-disciplinary team approach to meet the requirements of the DHS PREA standards and needs of the detainees reporting victimization. An assessment of these sexual abuse incident reviews further determined that the current security staffing plan is adequate and did not justify an increase in staffing to enhance the sexual safety of the detainee population.

7. Other Relevant Factors: Length of Time Detainees Spend at Farmville Detention Center.

Findings: The average length of stay for a detainee at the Farmville Detention Center has been calculated to be 51.67 days. As a result the overwhelming majority of detainees do not receive a 60 to 90 day reassessment to once again screen for risk of victimization or abusiveness as required by DHS PREA standard 115.41. The short duration of a detainee's stay at the Farmville Detention Center was analyzed and determined to be a possible contributing factor to the extremely low prevalence of detainee reports of incidents involving sexual harassment, abuse, and assault. Other contributing factors include the implementation of a direct supervision module, use of video monitoring technology, and an unwavering commitment to protect the sexual safety of the detainee population, which is an essential component of the mission of the Farmville Detention Center.

8.

[REDACTED] A copy of this report has been forwarded to the ICE PSA Coordinator and ICE Field Office Director.

[REDACTED]
Director of Detention
Farmville Detention Center

[REDACTED]
PSA Compliance Manager
Farmville Detention Center



FARMVILLE DETENTION CENTER

508 WATERWORKS ROAD
FARMVILLE, VIRGINIA 23901

January 30, 2017

MEMORANDUM FOR RECORD

RE: Annual Review of PSA Investigations and Incident Reviews for 2016

In accordance with DHS PREA standard 115.86 and 2011 ICE PBNDS, 2.11: Sexual Abuse and Assault Prevention and Intervention, an annual review of all PSA investigations initiated in 2016 was completed on January 27, 2017. This annual review was executed by the Deputy Director of Detention Services and the Prevention of Sexual Assault Compliance Manager.

During the calendar year, the Farmville Detention Center conducted four PSA investigations as a result of detainees reporting that they had experienced or witnessed sexual harassment or abuse. Two of these investigations concluded with a final outcome of being unfounded, one investigation resulted in an unsubstantiated finding, and one investigation resulted in a substantiated finding.

An abstract of each investigation is provided below to include the Review Committee's assessment and recommendations to improve upon the facility's sexual abuse intervention, prevention, and response efforts. When preparing this annual report and review of aggregate data, personally identifying information has been omitted to be in compliance with the 2011 ICE PBNDS. ICE Officials have been provided the complete Report of Investigation on all these cases.

1. February 23, 2016: Detainee submitted letter to Arlington Immigration Court stating he was being bullied and harassed by other detainees. In this document, he also indicated he was the recipient of sexual abuse. Farmville Police Department was notified, conducted interview of detainee, and during interview victim asserted that he did not wish to file criminal charges against alleged assailants. As a result, the Farmville Police Department did not initiate an investigation into these allegations and instead the facility opened an administrative on this matter. Alleged perpetrators identified by detainee were interviewed by facility investigators and provided written statements refuting allegations that they harassed or physically abused victim. Phone records of alleged victim were reviewed and revealed a pattern of deceit when speaking to his family members about his immigration case. Specifically, detainee indicated that he was willing to fabricate and provide false information in order to win his immigration case and avoid deportation. Likewise, camera footage was reviewed during time period of alleged abuse. Results of reviewed video footage failed to substantiate that any such harassment or abuse ever took place during the time period identified by purported victim. On the contrary, video footage supported and revealed a consistent pattern of horseplay and sanctioned playful antics on the part of the alleged victim with the detainees he identified as abusers. Outcome of investigation determined that accusations made by detainee are UNSUBSTANTIATED.

- a) Completion of sexual abuse incident review.

Findings: Sexual abuse incident review conducted by Deputy Director of Programs [REDACTED], Chief of Security [REDACTED], Health Service Administrator [REDACTED], Quality Assurance Manager [REDACTED], Chaplain [REDACTED] and Prevention of Sexual Assault Compliance Manager [REDACTED] on March 3, 2016.

b) Recommendations on change in facility policy or practice.

Findings: Review committee did not conclude that any changes in policy or practice could have helped the prevention, detection, or response to sexual abuse in this particular investigation or comprehensively.

Prevention: Committee concluded that alleged detainee victim was aware of how to report these incidents to staff, ICE Officials, and other outside entities. Detainee acknowledged that he never reported being harassed or abused except for the letter he submitted to Arlington immigration court. Facility adequately provides education to detainees on how to report sexual abuse or assault through multiple mediums.

Detection: Detainee alleged that he was harassed and abused while in a general population housing unit. Facility operates under direct supervision module and therefore a detention officer is always present in dormitories to provide supervision and monitoring which enables for the prevention, detection, and deterrence of inappropriate detainee behavior. Additionally, facility has three cameras in each housing unit which are strategically located in such a manner that allow for sufficient surveillance and oversight. Video from cameras have an archived history of 30 to 35 days which allows for a review of recorded footage long after an incident occurred. Detainee provided an ambiguous timeline of events as to when this harassment and abuse occurred. Without specific dates and times, the facility was hindered on using recorded video footage as a source of detection to substantiate detainee's allegations. However, video footage was able to substantiate that detainee engaged in inappropriate behavior with the same detainees that he alleged were harassing and abusing him. As a result committee concluded that no physical plant deficiencies exist in the location where detainee alleged he was abused.

Response: Review committee concluded that facility acted appropriately and in accordance with policy and procedure when responding to the alleged abuse reported by detainee. Facility followed established protocol and used multi-disciplinary team approach during its response. Alleged detainee victim was monitored for over 90 days to ascertain if he experienced any retaliation by detainees or staff as a result of reporting that he was harassed and abused. Additionally, detainee was provided counseling and emotional support services by LPC Dr. [REDACTED].

c) Whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

Findings: Alleged detainee victim indicated he was targeted for victimization because he professed to the detainee population that he was bisexual and because his voice sounded feminine. Additionally, detainee asserted in his letter to Arlington immigration court that he was targeted by MS 13 gang members who informed him that he was a disgrace to El Salvador and he would be killed if he returned there. Investigation concluded with a final outcome resulting in an unsubstantiated allegation. Although detainee asserted the above reasons detailing why he was subjected to harassment and abuse, phone call records and video causes his credibility to be questionable. Detainee indicated in phone calls made to his family that he planned on telling the court he was homosexual and had a feminine voice in order to win his immigration case. Furthermore, video footage reveals that it is unlikely he was discriminated, harassed, or abused because of his sexual orientation, race, ethnicity, or as a result of other group dynamics at the facility. Video does not support allegations made by detainee because this medium clearly

reveals him actively engaged in horseplay and playful antics with the very detainees he asserts were harassing and abusing him. Review committee concluded that detainee's allegations were not motivated by any of the above factors.

d) Facility layout and design.

Findings: Review team concluded that these alleged events of harassment and abuse happened in the dormitory, which is constantly supervised by a Detention Officer. Additionally, dormitory where this alleged abuse occurred has three facility cameras strategically placed to provide sufficient monitoring and oversight. Therefore, no physical plant factors or deficiencies exist that failed to substantiate or unfound the detainee's allegations.

2. April 4, 2016: Detainee reported to facility staff that while working in the Kitchen he was inappropriately touched by another detainee. Specifically, detainee victim asserted that detainee perpetrator grabbed his genitalia and attempted to kiss him on the face. A review of camera footage clearly shows detainee perpetrator did in fact grab detainee victim's genitals through his clothing and also attempted kiss victim on the face. Detainee victim was taken to Medical and examination revealed no discernible bruising or injuries as result of incident. Additionally, detainee victim was offered emotional support services and counseling by LPC Dr. [REDACTED]. Farmville Police Department was notified, detainee victim was interviewed, and during questioning he indicated that he wanted to press charges against detainee perpetrator. On April 7, 2016, the facility was notified by the Farmville Police Department that sufficient grounds existed to charge detainee perpetrator for sexual battery and on April 9, 2016 he was arrested and remanded to the Piedmont Regional Jail without bond. Initial criminal trial at Prince Edward County General District Court occurred on June 13, 2016. However defense attorney requested a continuance and trial was reconvened until September 29, 2016. At the criminal trial the prosecuting attorney informed the judge that the Commonwealth would not be proceeding with the charge of sexual battery because the detainee victim could not be present to provide testimony. Detainee victim had been subpoenaed to testify as a witness but was transferred out of the Farmville Detention Center on August 1, 2016 and was deported back to El Salvador by ICE. As a result the decision was made to disposition the case a Nolle Prossed. On October 3, 2016 the detainee perpetrator returned to the Farmville Detention Center and was charged with institutional offense codes: 101 Assaulting any person (includes sexual assault) and 207 Making sexual proposals or threats. Detainee perpetrator was found guilty of both institutional offenses and given 40 days disciplinary segregation. Investigation concluded with a final determination of a SUBSTANTIATED finding.

a) Completion of sexual abuse incident review.

Findings: Sexual abuse incident review conducted by Deputy Director of Programs [REDACTED], Chief of Security [REDACTED], Health Service Administrator [REDACTED], Chaplain [REDACTED] and Prevention of Sexual Assault Compliance Manager [REDACTED] on May 9, 2016.

b) Recommendations on changes in facility policy or practice.

Findings: Review committee did not conclude that any changes in policy or practice could have helped the prevention, detection, or response to sexual abuse in this particular investigation or comprehensively.

Prevention: Armor medical records on detainee perpetrator indicated that he self-identified as being gay and also having previously experienced sexual victimization while living in El Salvador. However, since his arrival at the Farmville Detention Center on November 26, 2015 detainee perpetrator's behavior and lack of any disciplinary history provided no indication that any special precautionary measures needed to be taken because he might be a possible assailant of sexual abuse. Detainee perpetrator resided in general population for more than four months prior to incident and no warning signs or manifestations were shown that indicated he might engage in sexual misconduct.

Detection: The review committee found no deficiencies in the facility's ability to detect sexual abuse in this case. The facility has six cameras strategically located in the Kitchen and one of the cameras captured the incident therefore substantiating that detainee perpetrator grabbed detainee victim's genitalia through his clothing.

Response: Review committee concluded that facility acted appropriately and in accordance with policy and procedure when responding to the abuse reported by victim. Facility followed established protocol and used multi-disciplinary team approach during its response.

- c) Whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

Findings: Review committee concluded that none of the above factors contributed to or were a tangible motive in detainee being victimized by detainee perpetrator. Detainee assailant self-identified as being gay but facility had no warning signs, indicators, or collective intelligence to establish that he would be a perpetrator of abuse and target victim.

- d) Facility layout and design.

Findings: Review team found no deficiencies in facility layout and design. On the contrary use of video technology and camera surveillance was able to substantiate that a violation of the DHS PREA standards occurred.

- 3. October 30, 2016: Detainee reported to staff member that on two separate occasions he had been verbally harassed with sexual comments by another detainee. Alleged detainee victim identified perpetrator and stated on one occasion he was propositioned to perform fellatio and on another occasion was informed detainee perpetrator wanted to have sex with him. While being assessed in Medical, alleged detainee victim confirmed that he had not been sexually assaulted and had only experienced verbal harassment by identified assailant. Farmville Police Department was notified and Officer came to facility to conduct interview of victim. During the interview, victim reaffirmed that on two occasions he had been verbally harassed with sexually suggestive comments by identified detainee perpetrator. Facility was notified by Farmville Police Department that complaint was brought before and reviewed by the magistrate's office. Based on facts and circumstances surrounding allegations, magistrate declined to issue warrant and pursue criminal charges of sexual harassment against identified perpetrator. As a result of the magistrate declining to issue a warrant and file criminal charges, the facility's administrative investigation into this matter was reopened. Video footage of the dates and times detainee victim claimed he was verbally harassed by perpetrator were meticulously reviewed and analyzed. Video footage failed to substantiate and corroborate alleged victim's assertion that sometime after the 2230 hour count on 29 October and prior to lights out at 0100 hours on 30 October, alleged perpetrator approached him at the tables in the dayroom and lifted his shirt slightly above his mid section and stated "you got a fat ass." Additionally, video footage failed to substantiate and corroborate victim's assertion that perpetrator verbally harassed him for approximately 2 minutes in the bathroom on 30 October during the specific time period and location he identified. Outcome of investigation determined that accusations made by detainee are UNFOUNDED.

- a) Completion of sexual abuse incident review.

Findings: DHS PREA standards do not require the completion of a sexual abuse incident review at the conclusion of an investigation where the allegations were determined to be unfounded.

- b) Recommendations on changes in facility policy or practice.

Findings: Allegations were unfounded. Therefore no recommendations in change in facility policy or practice are required or were made as a result of this incident.

4. December 11, 2016: Detainee reported that he had been verbally harassed with sexually suggestive comments and touched on the buttocks and breasts on several occasions while residing in Dorm 2. Alleged detainee victim identified two detainee assailants responsible for the abuse but indicated during interview that he sustained no injuries, contusions, or bruising as a result of this physical contact. When interviewed alleged detainee victim provided specific dates and times when the reported abuse occurred and also provided the names of detainee witnesses. Furthermore, alleged detainee victim asserted that identified perpetrators had the phone number for his mother in El Salvador and called her on several occasions making direct threats of bodily harm against not only her but him as well. Identified detainee witnesses were interviewed and asserted that they never observed any form of verbal sexual harassment or physical abuse towards the alleged victim by the two alleged perpetrators. Rather one detainee witness stated he observed alleged detainee victim repeatedly engage in horseplay and inappropriate behavior while interacting with other detainees in Dorm 2. Specifically, witnesses stated alleged detainee victim is open about being gay and jokes around with other detainees by propositioning them to leave their wives or girlfriends to be with him. Phone records were reviewed and showed that other detainee's PINS were used to call alleged detainee victim's mother. However, when listening to these recorded calls it was revealed that other detainees allowed victim to use their PINS to make calls to his mother. Furthermore, at no time were threats of bodily harm made during these phone calls because the alleged detainee victim was the only individual speaking. Video footage was reviewed during dates and times alleged victim asserted he was touched by identified perpetrators. This medium failed to substantiate and corroborate victim's assertion that he was ever touched on the buttocks or breasts as he steadfastly claimed. Outcome of investigation determined that accusations made by detainee are UNFOUNDED.

- a) Completion of sexual abuse incident review.

Findings: DHS PREA standards do not require the completion of a sexual abuse incident review at the conclusion of an investigation where the allegation was determined to be unfounded.

- b) Recommendations on changes in facility policy or practice.

Findings: Allegations were unfounded. Therefore no recommendations in change in facility policy or practice are required or were made as a result of this incident.

The results and findings of this annual review have been forwarded to the ICE Field Office Director as required by the DHS PREA Standards.



Deputy Director of Detention Services
Farmville Detention Center



PSA Compliance Manager
Farmville Detention Center