

June 9, 2017

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 staffing analysis during the month of June 2017. This staffing analysis was executed by the Director of Detention, Deputy Director of Detention Services, and PSA Compliance Manager. Data used in this analysis was compiled and tabulated from June 1, 2016 until May 31, 2017. 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, contingent on available storage capacity, which allows for a review of recorded footage long after an incident occurred. The facility also houses detainees in the Restricted Housing Unit, Protective Custody Housing Unit, and Medical Base. These areas are also continuously staffed with a detention officer and likewise, these areas also have adequate video monitoring to enhance the 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, Multipurpose Center, 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 173 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 25 detention officers, 2 Control Center officers for video monitoring, 2 processing officers, 4 recreation officers, and 2 supervisors acting as Shift Commander and Assistant Shift Commander. During night shift, 1800 hours until 0600 hours, the minimum manning is 23 detention officers, 2 Control Center officers for video monitoring, 2 processing officers, and a Shift Commander and Assistant Shift Commander. The facility has a rated bed capacity of 690 and the average daily detainee population during the period under analysis was 679.58. This equates to a security staff to detainee ratio of 1 to 19.41 during day shift and 1 to 23.43 during night shift. These ratios were determined by factoring the minimum manning for

both shifts and the overall staff to detainee 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 nine dormitory housing units, a Protective Custody housing unit, Barbershop, Commissary, Law Library, Chapel, Multipurpose Center, 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; Dorm 6 has a bed capacity of 48; and Dorms 7, 8, and 9 each have a bed capacity of 84. From October 22, 2016 through May 17, 2017 the facility was compelled to exceed its rated bed capacity in Dorms 6, 7, 8, and 9 and Installed temporary bed cots to handle an ICE authorized and approved influx of detainees. This influx was the result of a nationwide increase in border crossings and arrests. Excluding the aforementioned period where the Farmville Detention Center was authorized to exceed its rated bed capacity, facility operations closely monitors available bed capacity on a daily basis to prevent ICE from surpassing the total capacity of 690 general population housing unit beds.

Security, control, and safety of the detainee population is paramount to the mission of the Farmville Detention Center and as previously stated 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 173 cameras strategically located throughout the facility. Past deficiencies in video coverage have been examined and adjustments to camera angles and placement have been made to diminish identified 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.

In September 2016, the Farmville Detention Center completed modifications to the existing facility structure through expansion and new building constructions. These projects included transitioning Dorm 9 back into a general population housing unit, the opening of a new Chapel, Indoor Recreation, and Multipurpose Center, and the establishment of a Protective Custody housing unit. In accordance with DHS PREA standard 115.18, an integral component when designing and drafting the architectural plans for these modifications and expansion to the existing facility involved a comprehensive analysis and deployment of video monitoring and other technology to safeguard detainees from sexual abuse. Documentation demonstrating compliance with DHS PREA standard 115.18 can be made available by Director of Detention.

4. The Composition of the Detainee Population.

Findings: During the twelve-month reporting period, June 1, 2016 through May 31, 2017, the Farmville Detention Center processed 3705 detainees as new arrivals to the facility. In accordance with DHS PREA standard 115.41, 216 detainees were identified as at risk for abusiveness or

victimization based on the facility's established screening instrument. When calculated the data shows that 5.83% of all detainee admissions during the period analyzed were either convicted of sex offenses or self-identified as being past victims of sexual abuse. A breakdown of these 216 detainees reveals that 197 detainees were convicted of sex offenses based on the information provided by ICE and 19 detainees self-reported that they had been past victims of sexual abuse. When calculated the data reveals that 8.79% of all detainees categorized as at risk reported, self-identified, as being past victims of sexual abuse. However, when compared to the total of all detainee admissions during the reporting period only 0.51%, or less than three quarters of a percent, self-identified as being past victims of sexual abuse. Consequently, a total of 35 detainees self-identified as being gay or bisexual and no detainees self-identified as being transgender, intersex, or gender nonconforming. An analysis of these figures reveals that 0.94%, or less than 1%, of all detainee admissions voluntarily disclosed their sexual orientation as being gay or bisexual. An assessment on the composition of the detainee population with specific emphasis on vulnerable residents does not justify or support the need to adjust current security staffing levels to enhance the sexual safety of detainees based on the annual staffing analysis conducted in June 2017.

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

Findings: During the twelve-month reporting period, the Farmville Detention Center conducted four Prevention of Sexual Abuse (PSA) investigations. All four of these investigations were determined to be unfounded. The investigative findings of these allegations 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. Since the Farmville Detention Center had no substantiated or unsubstantiated incidents of sexual abuse during the reporting period, the Director of Detention concluded that no justification existed to adjust current security staffing levels to enhance the sexual safety of detainees based on the annul staffing analysis conducted in June 2017.

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

Findings: The Farmville Detention Center did not conduct any Sexual Abuse Incident Reviews during the reporting period. DHS PREA standard 115.86 only requires the initiation of a Sexual Abuse Incident Review for every investigation of sexual abuse where the allegation was determined to be substantiated or unsubstantiated. All four Prevention of Sexual Abuse (PSA) investigations conducted during the reporting period were determined to be unfounded.

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 53.20 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. Attached to this memorandum,

Also attached to this memorandum, is Table 1: Comparative descriptive analysis of collected data from last years' Annual

Review of Farmville Detention Center Detainee Supervision Guidelines relative to data collected for this years' Annual Review. A copy of this report has been forwarded to the ICE PSA Coordinator and ICE Field Office Director.





Dep. Director of Detention Services Farmville Detention Center



PSA Compliance Manager Farmville Detention Center

Table 1: Comparative Descriptive Analysis of Collected Data from Last Years' Annual Review of Farmville Detention Center Detainee Supervision Guidelines Relative to Data Collected for this Years' Annual Review.

Comparative Analysis	June 1, 2015 until May 31, 2016	June 1, 2016 until May 31, 2017	Change
Total Facility Cameras	145	173	+28
Minimum Manning Day Shift	32	35	+3
Minimum Manning Night Shift	26	29	+3
General Population Bed Capacity	642	069	+48
Average Daily Population	581.35	679.58	+98.23
Day Shift Staff to Detainee Ratio	18.16	19.41	-1.25
Night Shift Staff to Detainee Ratio	22.35	23,43	-1.08
Total Admissions	3,039	3.705	999+
Identified at Risk for Victimization or Abusiveness (115.41)	275	216	-59
Admissions with Sex Offense Convictions	252	197	-55
Admissions Self-Identified as Past Victims of Sexual Abuse	23	19	4
% Identified at Risk for Victimization or Abusiveness (115.41)	9.04%	5.83%	-3.21%
% Self-Identified as Past Victims of Sexual Abuse in at Risk Category	8.36%	8.79%	+0.43%
% Self-Identified as Past Victims of Sexual Abuse in Total Admissions	0.75%	0.51%	-0.24%
Detainees Self-Identified as Gay or Bisexual	O	ę. Kr	+26
% Detainees Self-Identified as Gay or Bisexual in Total Admissions	0.29%	0.94%	+0.65%
Detainees Self-Identified as Transgender, Intersex, or Gender Nonconforming	1	0	-1
Prevention of Sexual Abuse Investigations	7	4	3
Unfounded Prevention of Sexual Abuse Investigations	4	4	0
Unsubstantiated Prevention of Sexual Abuse Investigations	2	0	-2
Substantiated Prevention of Sexual Abuse Investigations	1	0	1-
Sexual Abuse Incident Reviews Conducted	3	0	c)
Average Length of Stay (ALS)	51.67	53.20	+1.53



January 9, 2018

MEMORANDUM FOR RECORD

RE: Annual Review of PSA Investigations and Sexual Abuse Incident Reviews for 2017

In accordance with DHS PREA standard 115.86 and the 2011 ICE PBNDS, 2.11: Sexual Abuse and Assault Prevention and Intervention, an annual review of all PSA investigations initiated in 2017 was completed on January 5, 2018. 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 three PSA investigations resulting from detainees reporting that they had experienced or witnessed sexual harassment or abuse. Two of these investigations concluded with an outcome of being unfounded and one investigation resulted in an unsubstantiated 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 in accordance with the 2011 ICE PBNDS. ICE Officials have been provided the complete Report of Investigation on all these cases.

1. March 2, 2017: Detainee submitted a complaint to the ICE Field Office alleging that he was the victim of sexual abuse by a male officer while being pat searched. Detainee complainant was interviewed and stated on two separate occasions identified male officer's fingers touched his testicles and penis while being pat searched when returning to his housing unit from working in the Kitchen. Although detainee complainant provided name of male officer, he was unable to furnish the specific dates and times as to when these incidents occurred but rather stated he thought pat searches occurred around Thanksgiving. Detainee complainant was asked if he sustained any bruising, contusions, or pain because of the pat searches and he responded by acknowledging he had not been injured during these searches. Furthermore, detainee complainant was asked to describe his emotional temperament as to how he felt about these pat searches and stated words to the affect "it doesn't bother me, and I didn't feel violated; however, what he did is just not right." Male officer identified by detainee complainant was interviewed and stated he had no recollection of pat searches referenced and is certain detainee complainant never confronted him or questioned him on his pat search procedures during the period allegations were made. Video footage for the month of November could not be reviewed to assist in investigation because the camera system only has an archived history of 30 to 35 days. Despite this hinderance, investigation determined that none of the elements or mandatory components of a DHS PREA violation were present in the allegations made by detainee complainant towards male officer. When interviewed, detainee complainant never acknowledged or avowed that officer intentionally fondled or grabbed his testicles and penis during the pat searches. Additionally, detainee complainant never claimed that officer's intent was to abuse, arouse, or gratify a sexual desire. Rather and by his own admission, detainee complainant stated that while being searched officer's fingers made contact with his genitalia for approximately three seconds and by his own perception the pat searches were outside the scope of what he believes constitutes a proper pat search. Identified male officer performed a pat search on detainee complainant that was directly related to the official performance of his duties as a detention officer which involves the detection and prevention of contraband leaving the

Kitchen and being introduced into the housing units. Outcome of investigation concluded the allegations made by detainee complainant are UNFOUNDED.

a) Completion of sexual abuse incident review.

Findings: DHS PREA standards do not require the completion of a sexual abuse incident review when an investigation determines the allegations to be unfounded.

b) Recommendations on change in facility policy or practice.

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

- 2. April 17, 2017: Assigned ICE DSM conducted an interview with detainee via language line because detainee requested to speak with him about a sensitive matter. During the interview, detainee asserted he was sexually assaulted by three detainees approximately two months ago while residing in his housing unit. Specifically, alleged detainee victim stated these three detainees waited until he was in his bunk asleep and held him down and placed their genitals in his mouth. Additionally, detainee declared that on another occasion these detainees pulled down his pants and underwear and he believed their intent was to perform sexual acts on him. Detainee acknowledged he injured himself during the incident by striking his arm against a bunk while fighting back against the three detainees who pulled his pants and underwear down. On April 18, 2017 alleged detainee victim was interviewed by PSA Compliance Manager and Deputy Director of Detention Services using language line. During the interview, detainee stated ICE DSM misinterpreted the information he provided and the assault he reported did not occur two months ago but rather happened back in April 2016. More importantly, detainee acknowledged the assault he reported to ICE DSM was the very same event the facility was already aware of because he knew an investigation had been completed and as a result he had submitted a request for copies of all documents relating to this matter to provide to his attorney for assistance in his immigration case. The ICE AFOD was notified and made aware of the circumstances surrounding this assault when it occurred in April 2016. Furthermore, investigation revealed that an assault had occurred, but it was not sexual in nature as the detainee asserted. Evidence to support this conclusion was corroborated by facility camera footage which captured the incident and clearly refutes detainee's claim of sexual abuse. Results of investigation revealed that none of the elements or definitions of a DHS PREA violation occurred during the incident in question and therefore allegations made by detainee victim are UNFOUNDED. Alleged detainee victim deeply embellished the details and specifics in the report he made to ICE DSM because he did not want to be deported back to Honduras and desperately wanted to remain in the United States.
 - a) Completion of sexual abuse incident review.

Findings: DHS PREA standards do not require the completion of a sexual abuse incident review when an investigation determines the allegations 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 because of this incident.

July 10, 2017: Detainee made allegation of being touched in a sexual nature by another detainee. Alleged detainee victim was immediately escorted to Medical for an evaluation and assessment. While in Medical alleged detainee victim reported that he was inappropriately touched on the genitals by another detainee, which he identified by name and bunk number. Specifically, alleged detainee victim asserted that he was asleep in his bunk and awoke to discover identified detainee perpetrator fondling his private parts. Evaluating nurse asked alleged detainee victim for permission to conduct a physical assessment on him and he consented. During the evaluation, nurse reported no bruising, skin tears, scratches, redness, or swelling. Additionally, nurse reported no open areas observed to the genitals or any complaints of pain, discomfort, or signs of acute distress made by alleged detainee victim during her examination.

Farmville Police Department was contacted, and Officer responded to facility to conduct interview of alleged detainee victim. Upon completion of the interview, Officer requested alleged detainee victim provide a written statement documenting and affirming his complaint against identified detainee perpetrator. Officer likewise conducted an interview with the alleged assailant. During the interview, alleged detainee perpetrator vehemently denied sexually abusing or assaulting alleged detainee victim. Rather detainee perpetrator stated he is the target and recipient of harassment by alleged detainee victim and other detainees because he is gay. Prior to exiting the facility, Officer informed Deputy Director of Detention Services and the PSA Compliance Manager that the accusations made by alleged detainee victim would rise to the level of a simple assault or misdemeanor sexual battery if presented to the Magistrate. However, Officer additionally informed the Deputy Director of Detention Services and PSA Compliance Manager that based on the statements made by the alleged victim and assailant along with the video evidence reviewed he would be filing his report as Information Only.

Upon concurrence with Deputy Director of Detention Services, the determination was made that the accusation reported by alleged detainee victim on being sexually abused/assaulted was UNSUBSTANTIATED. Facts and circumstances supporting this conclusion were based on testimonial evidence provided during the investigation along with video footage. First, alleged detainee victim's credibility is questionable because he provided conflicting accounts surrounding his description of events. Second, medical evaluation and examination by Armor Health Care nurse did not reveal any injuries consistent with manifestations of sexual abuse or assault. Third, a review of video footage shows that it is highly unlikely that duration of abuse lasted for 15 to 20 minutes as alleged detainee victim asserted. Specifically, alleged detainee victim stressed and contended that the sexual contact was not consensual but lasted for more than 15 minutes before he told detainee perpetrator to stop. Numerous detainees are viewed walking by the area immediately adjacent and inside the bunk configuration where the alleged assault took place. Likewise, detention staff are seen walking by the area immediately adjacent to the bunk area where the alleged assault took place. None of the detainees or staff viewed on camera notice or are cognizant of any unusual activity. These circumstance and facts strongly indicate alleged detainee victim's ultimate motive was to move to another dorm and in all likelihood fabricated his report of being sexually abused to achieve that objective.

a) Completion of sexual abuse incident review.

Findings: Sexual abuse incident review conducted by Deputy Director of Operations, Deputy Director of Detention Services, Chief of Security, Health Services Administrator, Prevention of Sexual Assault Compliance Manager, and facility Chaplains on July 21, 2017.

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 investigation or comprehensively.

Prevention: Committee concluded alleged detainee victim was fully educated and aware of how to report sexual abuse to staff, ICE Officials, and other outside entities thorough multiple pathways and channels. Alleged detainee victim reported incident to a staff member approximately nine hours after he alleged he had been inappropriately touched by alleged perpetrator. Reporting officer stated alleged detainee victim approached her with a jovial disposition and initially made no indication he had been the recipient of sexual abuse. It was only after alleged detainee victim was informed that dorm moves were made strictly for security reasons did he manifest his concerns about another detainee fondling his genitalia. Furthermore, alleged detainee victim acknowledged the contact was not consensual, but it lasted for more than 15 minutes until he ordered alleged detainee perpetrator to stop. These factors coupled with his conflicting testimony, when questioned by outside law enforcement and internal investigators, caused his credibility to be placed in question resulting in an unsubstantiated investigative finding.

<u>Detection</u>: Detainee alleged he was sexually abused while residing in his bunk located in a general population housing unit. Facility operates under the direct supervision model and therefore a

detention officer is always present in the dormitories to provide supervision and monitoring for the prevention, detection, and response to inappropriate detainee behavior. Additionally, the facility has three cameras located in each housing unit which provide strategic surveillance and oversight. Review committee concluded location where alleged abuse occurred is in an area partially obscured from camera viewing because of surrounding bunks. Current placement of camera covering this area cannot be adjusted or modified to overcome this identified blind spot. However, area where alleged abuse supposedly took place is near the dorm officer's desk station and is surrounded by bunks where other detainees reside. Examination of camera footage shows numerous detainees and several staff walking by the area immediately adjacent to the bunks where the alleged event transpired. None of the detainees or staff viewed on camera notice or are cognizant of any unusual activity.

Response: Review committee concluded facility acted appropriately and in accordance with policy and PREA protocol procedures when responding to the abuse reported by alleged detainee victim. Facility followed established protocol and used multi-disciplinary team approach during its response. Alleged detainee victim was immediately separated from alleged assailant and escorted to Medical for assessment and evaluation. Outside law enforcement was contacted for interviews and potential evidence gathering and alleged detainee victim was offered emotional support services and counseling. Additionally, alleged detainee victim was advised of his rights to be free from retaliation for reporting. Facility was unable to monitor for retaliation because alleged detainee victim was transferred on July 19, 2017.

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: The review committee concluded that a possible motive behind alleged detainee victim's accusation of being sexually abused by alleged detainee perpetrator arose from fact that accused self-identified as being gay. When interviewed by Farmville Police Department, Officer alleged detainee perpetrator vehemently denied fondling alleged detainee victim's genitalia and stated he is the target and recipient of harassment by not only alleged detainee victim but other detainees because he is gay. Results of investigation concluded with unsubstantiated find with strong indication that alleged detainee victim reported being sexually abused as a means of being moved to another housing unit.

d) Facility layout and design.

Findings: Review team concluded that alleged event of sexual abuse happened in a general population housing unit, which is constantly supervised by a detention officer. Furthermore, specific area where alleged sexual abuse occurred is near officer's station and is in area surrounded by bunks occupied by other detainees. Housing unit where alleged sexual abuse occurred has three facility cameras present to supplement direct officer supervision, monitoring, and oversight. Therefore, no physical plant factors or deficiencies exist that failed to substantiate or unfound the detainee's allegations.

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