

The Prison Rape Elimination Act of 2003 (PREA; Public Law 108-79), was enacted to address sexual abuse in prison and jails. In addition to setting mandatory standards for the detection, prevention, and punishment of sexual abuse or rape in prisons, PREA requires all correctional facilities to collect and report detailed information regarding sexual victimization of inmates.

On August 20, 2012 (updated June 4, 2015), the Bureau of Prisons (BOP) published internal policy implementing the PREA regulations promulgated by the Attorney General. The policy emphasizes the zero tolerance for sexual abuse or harassment of any type by staff or inmates in the BOP. The BOP's National and Regional PREA Coordinators and institution PREA compliance managers continue to oversee agency implementation of the law, regulations and BOP policy. The agency also continues to provide annual training for all staff on PREA generally.

Standards 115.87 and 115.88, which are detailed below, delineate specific data monitoring and collection requirements. This document summarizes the information that will be provided to the Bureau of Justice Statistics (BJS) by the BOP in accordance with PREA.

- I. Scope of Assessment: This report provides a review of the incident-based and aggregate data collected for calendar year (CY) 2016. Factors such as motivation and other possible contributing factors are reported when available. This report includes comparisons to data from the CY 2015 report.
- II. Inmate-on-Inmate Abuse Data Collected: The BOP includes **122** facilities and satellite camps. In some cases, multiple facilities are co-located, comprising a correctional complex. In addition, the agency utilizes **13** Large Secure Contract (LSC) facilities, all of which are low security.
- III. Overview of Data: During the CY 2016 data collection period, **94** BOP facilities and **11** LSC contract facilities had at least one sexual abuse allegation. There were a total of **334** inmate-on-inmate sexual abuse allegations at BOP facilities and **39** at LSC facilities. The table which begins on page 3 presents the allegation details individually by facility and aggregated by security level.

§ 115.87 DATA COLLECTION

(a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.

(b) The agency shall aggregate the incident-based sexual abuse data at least annually.

(c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

(d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

(e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

(f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

§ 115.88 DATA REVIEW FOR CORRECTIVE ACTION

(a) The agency shall review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:

(1) Identifying problem areas;

(2) Taking corrective action on an ongoing basis; and

(3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

(b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

(c) The agency's report shall be approved by the agency head and made readily available to the public through its Web site or, if it does not have one, through other means.

(d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

Inmate-on-Inmate Assault Data		
Minimum Security Level Facilities	Allegations	Substantiated
FCI Morgantown	1	0
Minimum Security Level Total	1	0
Low Security Level Facilities	Allegations	Substantiated
FCI Allenwood Low	5	1
FCI Bastrop	3	0
FCI Beaumont Low	3	1
FCI Big Spring	1	0
FCI Butner Low	1	0
FCI Coleman	2	0
FCI Danbury (F)	2	0
FCI Dublin (F)	2	1
FCI Elkton	5	0
FCI Forrest City	2	0
FCI Fort Dix	7	0
FCI Fort Worth	11	2
FCI Loretto	1	1
FCI Miami	2	2
FCI Milan	1	0
FCI Oakdale I	5	0
FCI Oakdale II	1	0
FCI Petersburg	1	0
FCI Sandstone	1	0
FCI Seagoville	3	1
FCI Tallahassee (F)	2	0
FCI Terminal Island	1	0
FCI Texarkana	1	0
FCI Yazoo City	1	0
Low Security Level Total	64	9
Medium Security Level Facilities	Allegations	Substantiated
USP Atlanta	3	0
FCI Beaumont Medium	4	0
FCI Beckley	3	0
FCI Bennettsville	1	0
FCI Berlin	1	0
FCI Butner Medium I	8	1
FCI Coleman Medium	4	0
FCI Cumberland	3	0
FCI Edgefield	4	0
FCI El Reno	1	0
FCI Estill	2	0
FCI Fairton	2	0
FCI Florence	4	0
FCI Forrest City Medium	5	0
FCI Gilmer	4	0
FCI Greenville	2	0
FCI Hazelton	1	0
FCI Herlong	1	0
FCI Jesup	1	0
USP Leavenworth	1	0
FCI Marianna	3	1
USP Marion	13	0
FCI Memphis	1	0
FCI Mendota	1	0
FCI Otisville	1	0
FCI Pekin	1	1
FCI Petersburg Medium	12	1
FCI Phoenix	2	1 (satellite female camp)
FCI Pollock Medium	2	0
FCI Sheridan	3	0
FCI Talladega	1	0
FCI Terre Haute	1	0
FCI Tucson	1	0
FCI Victorville Medium I	1	0
FCI Victorville Medium II	3	1
FCI Williamsburg	2	0
FCI Yazoo City	1	1
Medium Security Level Total	104	7
High Security Level Facilities	Allegations	Substantiated
USP Allenwood	8	1
USP Atwater	2	0
USP Beaumont	3	0
USP Big Sandy	1	0

USP Canaan	9	0
USP Coleman I	5	0
USP Coleman II	25	0
USP Florence	4	0
USP Hazelton	2	0
USP Lee	2	0
USP Lewisburg	4	0
USP McCreary	3	0
USP Pollock	3	0
USP Terre Haute	17	0
USP Tucson	17	0
USP Victorville	3	0
USP Yazoo City	1	0
High Security Level Total	109	1
Administrative Security Level Facilities	Allegations	Substantiated
MDC Brooklyn	2	0
FMC Butner	4	1
FMC Carswell (F)	9	3
MCC Chicago	1	0
FMC Devens	8	2
MDC Guaynabo	3	0
FDC Houston	1	0
FMC Lexington	3	0
MCC New York	1	0
FTC Oklahoma City	6	1
FDC Philadelphia	9	0
FMC Rochester	4	0
MCC San Diego	1	0
FDC Seatac	3	0
USMCFP Springfield	1	0
Administrative Security Level Total	56	8
LSC Facilities	Allegations	Substantiated
Adams County	4	0
Big Spring	4	0
Cibola	5	0
D. Ray James	0	0
Eden	0	0
Giles W. Dalby	1	0
Great Plains	3	0
McRae	1	0
Moshannon Valley	3	0
Reeves I & II	9	0
Reeves III	3	0
Rivers	5	0
Taft	1	0
LSC Total	39	0
Grand Totals		
Bureau of Prisons Facilities:	334	25
Total Number of Allegations		
LSC Facilities:	39	0
Total Number of Allegations		

Key/Notes:

- (F)=Female Institution
- Minimum security level facilities are stand-alone camps; if an institution has a satellite camp or federal satellite low, the reporting numbers are combined.

IV. Inmate-on-Inmate Incident-Based Assessment for Substantiated Cases: There were 25 substantiated cases of inmate-on-inmate sexually abusive behavior during this reporting period. Specific information on the type of incident, location, details of the case, and dynamics of the case is provided below:

FCC Allenwood (Low):

1. Type of Incident: Sexual Harassment
2. Location: Food Service

3. Details: The white male assailant admitted to repeatedly making sexually explicit comments to the white male victim.

FCC Allenwood (High):

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The black male assailant was found to have repeatedly sexually propositioned the black male victim. Inmate witnesses corroborated the allegation.

FCC Beaumont (Low):

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The Hispanic male assailant was found to have sexually harassed and stalked the white male victim. Inmate witnesses corroborated the allegations.

FCC Butner (Administrative Facility):

1. Type of Incident: Sexual Contact
2. Location: Housing Unit Cell
3. Details: The Hispanic male assailant admitted to grabbing the Hispanic male victim's buttocks without consent.

FCC Butner I (Medium):

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The white male assailant admitted to repeatedly propositioning the Hispanic male victim for oral sex and to lifting the victim's bed sheet without consent to attempt to look at his genitals. An inmate witness corroborated the allegation.

FMC Carswell:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit Cell
3. Details: The black female assailant was found to have groped the white victim's vagina over her clothing. An inmate witness supported the allegation.

FMC Carswell:

1. Type of Incident: Sexual Contact
2. Location: Special Housing Unit Cell

3. Details: The black female assailant was found to have groped the white female victim's vagina over her clothing. An inmate witness supported the allegation.

FMC Carswell:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit
3. Details: The black female assailant admitted to touching the clothed white female victim on her inner thigh, breasts, and buttocks without her consent and despite being asked to stop by the victim.

FMC Devens:

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The white male assailant admitted to sexually harassing the white male victim.

FMC Devens:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit Cell
3. Details: The American Indian male assailant admitted to masturbating while touching the Hispanic transfemale victim on her chest.

FCI Dublin:

1. Type of Incident: Sexual Contact
2. Location: Recreation
3. Details: The white female assailant admitted to shoving a slice of bread on the clothed vaginal area of the American Indian female victim without consent.

FCI Fort Worth:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit Cell
3. Details: The white male assailant was found to have fondled the white male victim's genitalia without consent.

FCI Fort Worth:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit

3. Details: The white male assailant admitted to grabbing one of the white male victim's buttocks and genitalia. Three other victims were identified, though the assailant did not admit to contact with them.

FCI Loretto:

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The white male assailant was found to have repeatedly exposed himself to and propositioned the white male victim. Inmate witnesses supported this allegation.

FCI Marianna:

1. Type of Incident: Sexual Contact
2. Location: Recreation
3. Details: The white transfemale assailant was found to have rubbed her breasts on the white transfemale victim's arm and also groped the victim's buttocks. Inmate witnesses supported this allegation.

FCI Miami:

1. Type of Incident: Sexual Contact
2. Location: Housing Unit Cell, Food Service Area
3. Details: The black male assailant was found to have groped the clothed white male victim's buttocks. There were inmate witnesses to the event.

FCI Miami:

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell, Compound
3. Details: The white male assailant was found to have sexually harassed the black male victim in the unit and elsewhere on the prison compound.

MCC New York:

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Cell
3. Details: The white male assailant admitted to pulling the Hispanic male victim's pants down and repeatedly asking if he could perform fellatio on him.

FTC Oklahoma City:

1. Type of Incident: Sexual Act
2. Location: Housing Unit Cell

3. Details: The black male assailant was found to have coerced the white male victim into performing fellatio on him. Staff observed the sexual act, and the victim reported consenting only due to coercion.

FCI Pekin:

1. Type of Incident: Sexual Act
2. Location: Housing Unit Cell
3. Details: The black male assailant was found to have sexually assaulted the American Indian male victim. There was an inmate witness to the sexual act.

FCC Petersburg (Medium):

1. Type of Incident: Sexual Harassment
2. Location: Recreation, Housing Unit, Education
3. Details: The black male assailant admitted to sexually harassing and exposing himself to the white male victim.

FCI Phoenix (female satellite Camp):

1. Type of Incident: Sexual Contact
2. Location: Food Service dish room
3. Details: The Hispanic female assailant was found to have thrust her pelvis into the clothed buttocks of the white female victim without consent. An inmate witness supported the allegation.

FCI Seagoville:

1. Type of Incident: Sexual Harassment
2. Location: Housing Unit Shower
3. Details: The white male assailant was found to have sexually harassed the Hispanic male victim by peering repeatedly at him while in the shower. Inmate witnesses supported this allegation.

FCC Victorville II (Medium):

1. Type of Incident: Sexual Act
2. Location: Housing Unit Cell
3. Details: The Hispanic male assailant was observed by staff engaging in sexual intercourse with the Hispanic male victim. The victim indicated it was without consent.

FCC Yazoo City (Medium):

1. Type of Incident: Sexual Act
2. Location: Housing Unit Cell

3. Details: The black male assailant admitted to having the white male victim perform fellatio due to debts owed. The victim indicated this was coerced and not consensual.

Substantiated Inmate-on-Inmate Assault Data				
Minimum Level Facility	Allegations	Substantiated	Problem Identified	Corrective Action
FCI Phoenix (satellite Camp)	2	1	No problems identified or recommendations made. An inmate witness supported the allegation.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
Low Level Facility	Allegations	Substantiated	Problem Identified	Corrective Action
FCI Allenwood	5	1	No problems identified or recommendations made. The perpetrator admitted to making repeated sexually explicit comments.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
FCI Beaumont	3	1	No problems identified or recommendations made. Inmate witnesses supported the allegation of sexual harassment.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
FCI Dublin	2	1	No problems identified. One recommendation was made. The perpetrator admitted to the behavior.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. More frequent observation by staff of the area leading to Recreation was recommended.
FCI Ft. Worth	11	2	No problems identified or recommendations made.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
			No problems identified. One recommendation was made. The perpetrator admitted to	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels

FCI Loretto	1	1	<p>grabbing the victim's buttocks and genitalia.</p> <p>Vague descriptions of reported events in initial case documentation impeded initial consensus of incident labeling. Inmate witnesses supported the allegation of sexual harassment.</p>	<p>in the area were adequate as well. Additional cameras in the housing unit were recommended and purchased.</p> <p>A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. It was recommended that precise, descriptive language be used in staff investigative documentation and this was reinforced to staff.</p>
FCI Miami	2	2	<p>No problems identified or recommendations made. Inmate witnesses supported the allegation of groping.</p> <p>No problems identified or recommendations made regarding the incident of sexual harassment.</p>	<p>A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.</p> <p>A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.</p>
FCI Seagoville	3	1	<p>The victim and perpetrator were briefly housed in the same Unit after the allegation. Case documentation was incomplete. Inmate witnesses supported the allegation of sexual harassment.</p>	<p>A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. Unit Management staff will be notified of PREA allegations when they are made to ensure appropriate separation. Staff training regarding case documentation was conducted.</p>
Medium Level Facility	Allegations	Substantiated	Problem Identified	Corrective Action
FCI Butner I	8	1	<p>No problems identified or recommendations made. The perpetrator admitted to repeatedly propositioning the victim and an inmate witness supported the allegation of sexual harassment.</p>	<p>A thorough review of the incident was conducted. No physical barriers contributed or raised issues with monitoring technology. Staffing levels in the area were adequate as well.</p>

FCI Marianna	3	1	No problems identified or recommendations made. Inmate witnesses supported the allegation.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. Transgender identity appears to have been a factor.
FCI Pekin	1	1	No problems identified or recommendations made. There was an inmate witness to the sexual assault.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. The victim's criminal offense and status as a sex offender may have been a contributing factor.
FCI Petersburg	12	1	No problems identified or recommendations made. The perpetrator admitted to sexually harassing the victim.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
FCI Victorville II	3	1	The victim and perpetrator were initially interviewed within hearing distance of each other. Staff interrupted the assault in progress.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. It was recommended that all future PREA interviews occur in confidential settings, completely separate from other inmates.
FCI Yazoo City	1	1	No problems identified or recommendations made. The perpetrator admitted to having the victim perform fellatio.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
High Level Facility	Allegations	Substantiated	Problem Identified	Corrective Action
USP Allenwood	8	1	No problems identified or recommendations made. Inmate witnesses supported the allegation of sexual harassment.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.

Administrative Facility	Allegations	Substantiated	Problem Identified	Corrective Action
FMC Butner	4	1	No problems identified or recommendations made. The perpetrator admitted to grabbing the victim's buttocks.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
FMC Carswell	9	3	No problems identified, but it was recommended duress buttons be added to the housing unit cells to allow an additional means of reporting issues. There was an inmate witness.	A thorough review of the incident was conducted. No physical barriers contributed or raised issues with monitoring technology. Staffing levels in the area were adequate as well. Installation of duress buttons are being considered for the cells.
			No problems identified or recommendations made. There was an inmate witness.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
			No problems identified or recommendations made. The perpetrator admitted to touching the victim without consent.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.
FMC Devens	8	2	No problems identified or recommendations made. The perpetrator admitted to sexually harassing the victim.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. Sexual orientation may have been a factor in the incident.
			No problems identified or recommendations made. The perpetrator admitted to the abusive behavior.	A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. Sexual orientation may have been a factor in the incident.
MCC New York	1	1	No problems identified	A thorough review of the incident was

FTC Oklahoma	6	1	<p>or recommendations made. The perpetrator admitted to the abusive behavior.</p> <p>No problems identified or recommendations made. Staff interrupted the sexual act in progress.</p>	<p>conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well.</p> <p>A thorough review of the incident was conducted. No physical barriers contributed to or raised issues with monitoring technology. Staffing levels in the area were adequate as well. The victim's status as a sex offender may have been a contributing factor to the victimization.</p>
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- V. Staff-on-Inmate Incident-Based Assessment: Data for this category is provided in annual aggregate form. In addition, staff incidents are not part of the administrative record review for inmates and are received, assessed, and processed by the Office of Internal Affairs. Thus, facility security-level is not noted, and only the year-end totals are provided in this report. During 2016, there were 7 substantiated cases in this category, 4 of which occurred in contract facilities.

Staff-on-Inmate Incident-Based Data

Facility	Number of Allegations	Number of Substantiated Cases
BOP	424	3 (0.7%)
Halfway Houses	39	2 (5.1%)
LSC	54	2 (3.7%)

- VI. Assessment By Security Level (Inmate-on-Inmate) :
- a. Breakdown of sexual abuse allegations by security level:

Security Level	Number of Institutions with Reported Allegations	Substantiated Inmate-on-Inmate Incidents
Minimum Level	1	0
Low Level (Includes LSC Facilities)	35	9
Medium Level	37	7
High Level	17	1
Administrative Level	15	8
Total Facilities (Includes LSC Facilities)	105	25

- b. Institutions are operated at five different security levels that can differ in terms of security barriers, types of housing, or staff-to-inmate ratio. Administrative facilities are institutions with special missions, such as the detention of pretrial offenders, the treatment of inmates with serious or chronic medical problems, or the containment of extremely dangerous, violent, or escape-prone inmates. These facilities are capable of housing inmates of all security levels. In comparison to CY 2015, all security levels, with the exception of administrative facilities, saw a decrease in reported allegations.

VII. Overview of Information:

- a. A single factor does not appear to underlie the incidents reviewed above, nor did the incidents appear to have been motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex (LGBTI) identification, status, or perceived status; gang affiliation; or other group dynamics at the facility. In three of twenty-five substantiated cases, LGBTI status may have played a role, and in two additional cases, status as a sex offender may have been a contributing factor to the victimization.
- b. Based on the locations in which the incidents occurred, physical layouts/barriers did not appear to contribute to the incidents. Technology worked effectively, did not contribute to incidents, and was utilized where available during investigations. The inmate perpetrator admitted to engaging in some form of sexually abusive behavior or harassment in eleven of the incidents, and in eleven cases there were inmate witnesses who came forward during the investigation.
- c. Staffing levels did not appear to have caused or contributed to the sexual abuse cases. In two of the substantiated cases, staff interrupted the sexually abusive behavior.

- VIII. Conclusion: Based on the review and findings noted throughout the report, it appears inmate education regarding PREA contributed to successfully establishing zero tolerance for sexually abusive behavior. A significant number of inmate witnesses were willing to step forward to corroborate allegations and provide eyewitness statements to investigators. The acceptance and adoption of zero tolerance for this behavior, to include sexual harassment, amongst the inmate population is further demonstrated by the increase in substantiated inmate-on-inmate sexual harassment cases. Inmates are less willing to tolerate behavior they may have previously considered nuisance behaviors, and they are more likely to report it to staff.

Thomas R. Kane
Acting Director

Thomas R. Kane

DATE:

June 26, 2017