

The Prison Rape Elimination Act (PREA; Public Law 108-79) of 2003 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 adults in custody (AIC).

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 BOP's zero tolerance for sexual abuse or harassment of any type by employees or adults in custody (AIC) in the BOP. The BOP's National and Regional PREA Coordinators and institution PREA Compliance Managers oversee agency implementation of the law, regulations, and BOP policy. The agency provides annual training to all employees on PREA generally and to specialized employees on topics specific to their PREA responsibilities.

Standards 115.87 and 115.88, which are detailed on the following page, delineate specific data monitoring and collection requirements. This document summarizes 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-specific and aggregate data collected for calendar year (CY) 2022 from 122 BOP institutions, 190 Residential Reentry Centers, and four privately operated facilities. Motivation and other possible contributing factors are examined when available. The BOP maintained approximately 150 active contracts with Residential Reentry Centers to provide post-release housing and reentry services to formerly incarcerated individuals in CY2022. The BOP terminated contracts with all privately-operated facilities during CY2022, but four facilities had adults in custody until mid-year 2022. These are cited in the report.
- II. Overview of Data: During the CY2022 data collection period, 105 BOP facilities and 9 RRC facilities had at least one sexual abuse allegation. Of the 584 total sexual abuse allegations of an AIC against another AIC, 574 occurred at BOP facilities and 10 at RRCs. The table which begins on page three outlines the allegation details individually by facility and aggregated by security level. The BOP began closing privately-operated, low-security facilities for adults in custody in CY2020, with the last 4 closing in CY2022, as noted above. In total, 10 privately-operated facilities closed between CY2020 and CY2022. There were no PREA allegations during CY2022 at privately-operated facilities.

It should be noted that in CY2022, the BOP continued varying degrees of modified operations based on various factors related to COVID-19. Some facilities may have

experienced periods of modified operations throughout CY2022. These modified operations could include limits on movement and large group activities for incarcerated individuals, which may have reduced the ability of assailants to target victims unless they were housed together.

§ 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.

Sexually Abusive Behavior Data Perpetrated by an AIC Against an AIC

Minimum Security Facilities		
Facility	Allegations	Substantiated
ALDERSON FPC (F)	1	0
BRYAN FPC (F)	1	0
DULUTH FPC	0	0
MONTGOMERY FPC	0	0
MORGANTOWN FCI	0	0
PENSACOLA FPC	0	0
YANKTON FPC	0	0
Total	2	0

Low Security Facilities		
Facility	Allegations	Substantiated
ALICEVILLE FCI (F)	11	0
ALLENWOOD LOW FCI	1	0
ASHLAND FCI	0	0
ATLANTA USP	10	1
BASTROP FCI	2	0
BEAUMONT LOW FCI	1	0
BIG SPRING FCI	1	0
BUTNER LOW FCI	3	0
COLEMAN LOW FCI	4	0
DANBURY FCI	8	2
DUBLIN FCI (F)	9	1
ELKTON FCI	2	2
ENGLEWOOD FCI	9	0
FORREST CITY FCI	2	0
FORT DIX FCI	17	0
LA TUNA FCI	1	0
LOMPOC FCI	0	0
LORETTO FCI	3	1
MIAMI FCI	2	0
MILAN FCI	19	0
OAKDALE I FCI	1	0
OAKDALE II FCI	4	0
PETERSBURG FCI	5	0
SAFFORD FCI	1	1
SANDSTONE FCI	3	0
SEAGOVILLE FCI	6	1
TALLAHASSEE FCI (F)	6	0
TERMINAL ISLAND FCI	1	0
TEXARKANA FCI	4	1
THOMPSON ADMIN USP	37	0
WASECA FCI (F)	2	1
YAZOO CITY FCI	0	0
YAZOO CITY MED FCI	2	0
Total	177	11

Medium Security Facilities		
Facility	Allegations	Substantiated
ALLENWOOD MED FCI	2	0
BEAUMONT MED FCI	4	0
BECKLEY FCI	6	0
BENNETTSVILLE FCI	1	0
BERLIN FCI	2	0
BUTNER MED I FCI	9	0
BUTNER MED II FCI	7	0

COLEMAN MED FCI	3	0
CUMBERLAND FCI	3	0
EDGEFIELD FCI	9	0
EL RENO FCI	1	0
ESTILL FCI	0	0
FAIRTON FCI	5	0
FLORENCE FCI	1	0
FORREST CITY MED FCI	3	0
GILMER FCI	6	0
GREENVILLE FCI	10	2
HAZELTON FCI	6	0
HERLONG FCI	1	0
JESUP FCI	6	0
LEAVENWORTH USP	6	0
LEWISBURG USP	2	0
LOMPOC USP	3	0
MANCHESTER FCI	0	0
MARIANNA FCI	9	1
MARION USP	12	1
MCDOWELL FCI	6	0
MCKEAN FCI	3	0
MEMPHIS FCI	5	0
MENDOTA FCI	0	0
OTISVILLE FCI	4	0
OXFORD FCI	4	0
PEKIN FCI	7	2
PETERSBURG MED FCI	10	1
PHOENIX FCI	2	0
POLLOCK MED FCI	4	0
RAY BROOK FCI	1	0
SCHUYLKILL FCI	4	0
SHERIDAN FCI	8	0
TALLADEGA FCI	11	0
TERRE HAUTE FCI	4	0
THREE RIVERS FCI	1	0
TUCSON FCI	1	0
VICTORVILLE MED I FCI	5	0
VICTORVILLE MED II FCI	3	1
WILLIAMSBURG FCI	6	0
YAZOO CITY USP	0	0
Total	206	8
High Security Facilities		
Facility	Allegations	Substantiated
ALLENWOOD USP	0	0
ATWATER USP	12	0
BEAUMONT USP	4	0
BIG SANDY USP	2	0
CANAAN USP	11	0
COLEMAN I USP	2	0
COLEMAN II USP	22	1
FLORENCE ADMAX USP	0	0
FLORENCE HIGH USP	6	1
HAZELTON USP	3	0
LEE USP	1	0
MCCREARY USP	0	0
POLLOCK USP	3	0
TERRE HAUTE USP	11	0

TUCSON USP	19	0
VICTORVILLE USP	9	0
Total	105	2
Administrative Level Facilities		
Facility	Allegations	Substantiated
BROOKLYN MDC	11	0
BUTNER FMC	5	0
CARSWELL FMC (F)	3	2
CHICAGO MCC	3	0
DEVENS FMC	7	1
FORT WORTH FMC	5	2
GUAYNABO MDC	3	0
HONOLULU FDC	0	0
HOUSTON FDC	3	0
LEXINGTON FMC	9	0
LOS ANGELES MDC	2	0
MIAMI FDC	6	0
NEW YORK MCC	0	0
OKLAHOMA CITY FTC	6	0
PHILADELPHIA FDC	6	0
ROCHESTER FMC	4	0
SAN DIEGO MCC	2	0
SEATAC FDC	6	1
SPRINGFIELD USMCFP	3	1
Total	84	7
Residential Reentry Centers		
Facility	Allegations	Substantiated
CENTRE, INC., FARGO, ND	1	0
DISMAS CHARITIES, MANCHESTER KY	1	0
VOLUNTEERS OF AMERICA, MINNEAPOLIS, MN	2	0
CENTRE INC., MANDAN, ND	1	1
DISMAS CHARITIES, MONTGOMERY, AL	1	0
GEO INC., LEAVENWORTH, KS	1	0
VOLUNTEERS OF AMERICA, ROCHESTER, NY	1	0
NORTHWEST REGIONAL REENTRY CENTER, OR	1	1
HUMAN SERVICE CENTER. UNITY POINT, PEORIA, IL	1	0
Total	10	2
Privately-Operated Facilities (Low Security)		
Facility	Allegations	Substantiated
Giles W. Dalby Correctional Facility	0	0
McRae Correctional Facility	0	0
North Lake Correctional Facility	0	0
Reeves County Detention Center III	0	0
Total	0	0
Grand Total	104	10

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.
- Individual RRC and privately-operated facilities are included only if there was an allegation in CY2022
- RRC totals are for victims who are in BOP jurisdiction, not other residents of the RRC (i.e., individuals incarcerated in State facilities)

- III. Incident-Based Assessment for Substantiated Cases of an AIC against an AIC: There were 28 substantiated cases in which an incarcerated individual committed sexual abuse against another incarcerated individual(s) in BOP facilities during this reporting period, and 2 substantiated cases in RRCs. The majority of instances of sexually abusive behavior occurred at male facilities; those instances occurring at female institutions are specifically noted. Provided below is specific information on the type of incident, location, details of the case, and dynamics of the case, arranged alphabetically by institution name, with the RRC cases described at the end.

USP Atlanta (Jail Unit of the Low Security Facility):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Cell

Details: The male, Caucasian assailant admitted to touching his cellmate, also Caucasian male, between his thighs on multiple occasions while in the cell, despite the cellmate's repeated verbalizations to cease the behavior.

FMC Carswell (Administrative Security, Female):

Type of Incident: Sexual Harassment

Location: Housing Unit Cell and Housing Unit Common Areas

Details: The White transgender male assailant was found to have repeatedly propositioned the White female victim to allow the assailant to perform cunnilingus. There were three witnesses to the sexually harassing behavior.

FMC Carswell (Administrative Security, Female):

Type of Incident: Abusive Sexual Contact

Location: Food Services

Details: The Black transgender male assailant forcibly kissed the White female victim (convicted of a sexual offense). One witness came forward to report she observed the assailant aggressively push the victim. Video footage corroborates the victim's account of the incident.

USP Coleman II (High Security)

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Common Area (stairs)

Details: The Native American male assailant (convicted of a sexual offense) was found to have poked the Caucasian male victim (convicted of a sexual offense) on the buttocks. The sexually abusive behavior was confirmed through video monitoring.

FCI Danbury (Low Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Areas and Bathroom

Details: The Hispanic male assailant made numerous sexual proposals and, on one occasion, exposed his genitalia to the White transgender female (convicted of a sexual offense). The assailant's harassing behavior began with unsolicited compliments about the physical appearance of the victim and escalated to exposing himself. The escalation prompted the victim to report the sexual harassment.

FCI Danbury (Low Security):

Type of Incident: Sexual Harassment

Location: Housing Unit

Details: The White male assailant (convicted of a sexual offense) was found to have sexually harassed the White male victim (convicted of a sexual offense) on multiple occasions by making unwanted sexual comments and writing letters in which he propositioned the victim for sex. The assailant admitted to sexually harassing the victim.

FMC Devens (Administrative Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Common Area

Details: The Black male assailant (convicted of a sexual offense) made repeated, unwanted sexual advances toward the Black male victim (convicted of a sexual offense). A witness came forward to report he had observed the assailant's sexually harassing comments. On one occasion the assailant grabbed the buttocks of the victim, which was corroborated by video footage.

FCI Dublin (Low Security, Female):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Common Area

Details: The Hispanic female assailant admitted to touching the breast of the Hispanic female victim. The assailant reported she was engaged in "horseplay." The victim was later physically assaulted by other females who associated with the assailant. Video footage corroborates the victim's statement.

FCI Elkton (Low Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Area

Details: The Hispanic male assailant (convicted of a sexual offense) was found to have made multiple, unwanted sexual comments toward the White male victim (convicted of a

sexual offense). The assailant admitted to making the comments but stated he was joking. Multiple witnesses confirmed the victim's account.

FCI Elkton (Low Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit and Dormitory Area

Details: The White male assailant (convicted of a sexual offense) was found to have made multiple, unwanted verbal sexual proposals towards the White male victim (convicted of a sexual offense). The assailant grabbed to buttocks of the victim while the victim was laying on his bed. Video footage corroborates the victims report of abusive sexual contact.

USP Florence (High Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Cell in the Special Housing Unit

Details: The Black male assailant admitted making numerous threats to commit acts of violence and sexual assault against his cellmate while in restrictive housing.

FMC Fort Worth (Administrative Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Area

Details: The Hispanic male assailant was found to have made repeated sexual proposals and threats of violence to three White male victims, all of whom had been convicted of a sexual offense. One of the victims reported he had been physically assaulted by the assailant. A medical assessment revealed minor injuries consistent with the victim's report.

FMC Fort Worth (Administrative Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Bathroom

Details: The Black male assailant was found to have made sexualized threats alternated with gift-giving, to pressure and coerce the White transgender female into touching the assailant's penis. Witnesses reported the assailant was "obsessed" with the victim, and an eyewitness reported observing the sexual touching. A preponderance of the evidence supported a substantiated finding.

FCI Greenville (Medium Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Common Area

Details: The two Black male assailants admitted to making repeated sexual comments and proposals, inappropriately hugging, and sexually touching the buttocks of the Hispanic male (convicted of a sexual offense) victim.

FCI Greenville (Minimum Security Satellite Camp of the Medium Security Facility, Female):

Type of Incident: Abusive Sexual Contact

Location: Visiting Room at the Female Camp

Details: The White female assailant was found to have engaged in non-consensual sexual touching when she grabbed the buttocks and kissed the neck of the White female victim. Two witnesses came forward to report they observed these instances of sexual abusive contact.

FCI Loretto (Low Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Bathroom and Common Areas

Details: The Black male (convicted of a sexual offense) assailant was found to have repeatedly sexually harassed the White male (convicted of a sexual offense) victim in a housing unit. The assailant admitted exposing his genitals to the victim on multiple occasions. Other individuals on the housing unit reportedly witnessed the harassment.

FCI Marianna (Medium Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Area

Details: The White male assailant was found to have repeatedly sexually harassed and propositioned four White male victims, all of whom had been convicted of a sexual offense, while living in the same housing unit. A preponderance of the evidence to include interviews with other incarcerated individuals living on the housing unit who witnessed the harassment and interviews with all parties involved resulted in a substantiated finding.

USP Marion (Medium Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Cell

Details: The White male assailant (convicted of a sexual offense) admitted to sexually and non-consensually touching the White male victim (convicted of a sexual offense) on the buttocks while the victim was laying on his bunk.

FCI Pekin (Medium Security):

Type of Incident: Abusive Sexual Act

Location: Housing Unit Common Area

Details: The White male assailant (convicted of a sexual offense) was found to have intimidated and coerced a mentally ill White male victim (convicted of a sexual offense) into engaging in anal intercourse, oral copulation, and masturbation. Numerous witnesses attested to the perceived vulnerability of the victim and predatory behaviors of the assailant. While the assailant asserted the sexual acts were consensual, a preponderance of the evidence suggests the victim was manipulated into performing sexual acts.

FCI Pekin (Medium Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Cell and Housing Unit Common Areas

Details: The White male assailant (convicted of a sexual offense) was found to have repeatedly sexually harassed and propositioned the White transgender female victim (convicted of a sexual offense) in a housing unit. A preponderance of the evidence to include interviews with other individuals on the housing unit who witnessed the harassment and interviews with both parties involved resulted in a substantiated finding.

FCC Petersburg (Medium Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Cell and Housing Unit Common Area

Details: A White male assailant (convicted of a sexual offense) and a Black male assailant were found to have made numerous sexual comments and sexual propositions to a White male (convicted of a sexual offense) victim. A witness corroborated the victim's account of the sexually harassing behavior.

FCI Safford (Low Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Area

Details: The Black male assailant (convicted of a sexual offense) was found to have made repetitive sexual comments and gestures to the Black male (convicted of a sexual offense) victim. The victim produced love notes from the assailant and a witness observed sexualized statements and gestures made by the assailant directed toward the victim.

FCI Seagoville (Low Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Cell and Housing Unit Common Area

Details: The White male assailant (convicted of a sexual offense) was found to have made repeated sexual comments to the White male (convicted of a sexual offense)

victim and licked the face and ear of the victim. A witness corroborated the victim's account.

FDC SeaTac (Administrative Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Common Area

Details: The Black male assailant admitted to making repeated sexualized comments and touching the breasts of the White transgender female (convicted of a sexual offense) victim. Three witnesses reported hearing the assailant sexually harass the victim and observed him grab her breasts and buttocks.

FMC Springfield (Administrative Security):

Type of Incident: Sexual Harassment

Location: Housing Unit Common Area

Details: The White male assailant was found to have made repetitive sexual comments, gestures, and threatened violence against the White male victim, who was less able to defend himself because of a physical disability. A witness reported he observed the assailant threaten the victim with sexual assault, and heard the assailant refer to the victim as "My [assailant's] bitch."

FCI Texarkana (Low Security):

Type of Incident: Abusive Sexual Contact

Location: Housing Unit Cell

Details: The White male assailant admitted to sexually harassing and touching the nipples and buttocks of the White male victim (convicted of a sexual offense) on multiple occasions. The perpetrator stated that he thought it was only "horseplay."

FCC Victorville (Medium Security):

Type of Incident: Abusive Sexual Act

Location: Housing Unit Cell

Details: The Hispanic male assailant was found to have engaged in non-consensual anal penetration of the Hispanic male victim. The assailant admitted to consensual sexual intercourse but interviews with witnesses provided support for the victim's account.

FCI Waseca (Low Security, Female):

Type of Incident: Abusive Sexual Act

Location: Housing Unit Bathroom Stall

Details: The White female assailant was found to have engaged in non-consensual, forceable vaginal penetration, causing minor injury to the White female victim. Several

witnesses who heard the assault turn from a consensual to non-consensual act and were present to observe the victim immediately following the sex assault, reportedly heard yelling and crying from the victim. One witness provided first aid supplies to the victim who reported vaginal bleeding to the witness. A medical assessment from a community hospital provided results of vaginal abrasion, consistent with the victim's report.

Centre Mandan, North Dakota (RRC)

Type of Incident: Sexual Act

Location: RRC Bathroom

Details: The Native American male assailant was found to have non-consensual sexual intercourse with the Native American male victim. Medical treatment was provided to the victim. Limited details are available about the circumstances of this case.

Northwest Regional Reentry Center, Oregon

Type of Incident: Abusive Sexual Contact

Location: Stairwell of RRC

Details: The Native American male assailant non-consensually grabbed the buttocks of the White female victim. The victim reported the sexualized contact was not wanted, and the assailant admitted to engaging in the behavior. Video footage corroborates the report of both involved parties.

Executive Staff Incident Review (ESIR) reports were reviewed to determine whether institutional characteristics, demographics of the adults in custody, and/or specific situational factors contributed to the incident of sexual abuse. ESIRs also propose corrective actions based on the findings of the review. These incident reviews are conducted by the institution during the after-action review and do not represent an independent audit of the cases.

ESIRs found no physical barriers that enabled abuse. Most common areas had cameras present which occasionally assisted in substantiating allegations of sexually abusive behavior; however, monitoring technology was not always effective in detecting abuse. Race, sexual orientation, gender identity, or gang affiliation of the adults in custody did not appear to be prominent motivators in the instances of sexual abuse that were reviewed. A relationship may exist between the instant offense of the incarcerated individual and perpetrating sexual abuse or being sexually victimized, in that sexual offenders were significantly represented in both the perpetrator and victim groups. Staffing levels in the areas where sexually abusive behavior occurred were reported as adequate, despite hiring challenges at some institutions, indicating that posts are being consistently filled. Qualitative assessments of employee engagement, which may be impacted by institution staffing levels, was not conducted during the ESIR process.

IV. Assessment By Security Level of Allegations Made by an AIC Against an AIC:

a. Breakdown of sexual abuse allegations by security level:

Security Level	Number of Institutions with Reported Allegations	Substantiated Incidents
Minimum	2	0
Low	30	11
Medium	43	8
High	13	2
Administrative	17	7
Residential Reentry Centers	9	2
Total institutions with allegations (Includes RRCs)	114	30

- b. Institutions are operated at five security levels that differ in terms of security barriers, types of housing, and employee-to-incarcerated individual ratio. Administrative facilities are institutions with special missions, such as the detention of pretrial offenders, the treatment of individuals with serious medical and/or mental health conditions, or the containment of extremely dangerous, violent, or escape-

prone individuals. These facilities are capable of housing individuals of all security levels. In comparison to CY2021, Low, Medium, High, and Administrative facilities saw a slight decrease in reported allegations and substantiated cases overall. There was a decrease in allegations and substantiated cases in minimum security facilities (3 allegations and 0 substantiated cases in CY2021 to 2 allegations and 0 substantiated cases in CY2022). In CY2022, RRCs had 10 allegations, with 2 substantiated cases reflecting one fewer substantiated case than in CY2021. Overall, allegations of sexually abusive behavior made by an adult in custody against another adult in custody in BOP facilities and RRCs decreased from 604 (CY2021) to 584 (CY2022).

- c. Comparison of the total number of substantiated cases from 2020 to 2022 revealed a lower-than-average number of substantiated cases in CY2020 (24), a significant increase in CY2021 (32), and a slight decrease in CY2022 (30). In CY2020 most BOP institutions experienced prolonged period of restricted movement due to intensely modified operations in response to COVID-19, which may account for the decreased numbers. In CY2021, the lifting of some modified operations due to COVID-19 may have influenced the occurrence, reporting, and/or confirmation of incidents. Factors may include: more movement of the adults in custody with potentially more access to vulnerable individuals, less frequent employee rounds in housing units, and less time in cells with fewer potential witnesses and less video evidence.
- d. The incidence of substantiated sexual harassment cases decreased significantly compared to CY2021 with 12 cases in CY2022 versus 17 in CY2021. The numbers of substantiated cases of sexually abusive contact and abusive sexual acts increased from CY2021 to CY2022. Sexually abusive contact accounted for 14 substantiated cases in CY2022 versus 12 in CY2021, while abusive sexual acts accounted for 4 cases in CY2022 versus 3 in CY2021.

- V. Employee-on-AIC Incident-Based Assessment: Data for this category is provided in aggregate form in the below table. Employee incidents are received, assessed, and processed by the Office of Internal Affairs, in accordance with the BOP policy governing internal affairs procedures. Thus, facility security-level is not noted, and only the year-end totals are provided in this report. During CY2022, there were no substantiated cases in this category. Please note that investigative cases must be closed prior to inclusion in this report. This report encompasses cases that were closed by December 31, 2022.

Employee Sexual Misconduct			
Facility	Number of Allegations	Number of Substantiated Cases	Ongoing Investigative Cases
BOP	359	0 (0%)	311
Residential Reentry Centers	14	0 (0%)	8

Employee Sexual Harassment			
Facility	Number of Allegations	Number of Substantiated Cases	Ongoing Investigative Cases
BOP	204	0 (0%)	174
Residential Reentry Centers	7	0 (0%)	7

VI. Overview of Information for BOP-Managed Facilities (employee cases not included):

- a. No single factor appears to underlie the abusive incidents between adults in custody, reviewed above. The incidents did not appear to have been motivated by race, ethnicity, gang affiliation, or other group dynamics at the facility. In 4 of 30 (13%) substantiated cases, the victim’s transgender status may have been a contributing risk factor. A transgender individual was found to have committed the abusive behavior in 2 cases (6% of substantiated cases). There is again an increase in transgender individuals’ involvement in PREA allegations this year, as 20% of substantiated cases involved a transgender individual as either the victim or assailant. This may be related to the continued increase in self-identification by this population but will need additional examination in future years.
- b. Based on the locations in which the incidents occurred, physical layouts/barriers did not appear to contribute to the incidents. In CY2022, monitoring technology contributed to substantiating 6 of 30 (20%) cases. In CY2022, 21 (70%) substantiated incidents occurred in housing unit common areas or ranges (which may or may not have video surveillance) while 14 (47%) occurred either inside cells or bathrooms where there is no video available. There were 6 substantiated cases (20%) in which the assailant was sexually abusive to the victim in private and public spaces.
- c. Individuals serving a sentence for a sexual offense (16% of the total population of adults in BOP custody) continue to represent a high number of perpetrators (40% in CY2022, which decreased from 50% in CY2021) and victims (63% which represents a 3% increase from CY2021) in substantiated cases. These types of offenses are often a marker for both increased risk of victimization and increased risk of abusiveness which increases their likelihood to be involved in some manner in PREA allegations.

- d. Adults in custody who perpetrated sexual abuse and/or sexual harassment admitted to doing so in 11 of the 30 substantiated incidents (37% in CY2022 vs. 56% in CY2021 vs. 68% in CY2020). Also, in 16 (53%) of the substantiated cases, there were witnesses who came forward during the investigation (50% in CY2021 vs. 32% in CY2020) representing a significant increase in witnesses corroborating accounts of incidents than in the previous 2 years.
- e. Medical evidence was only used in 2 of 30 (6%) cases to substantiate claims. This is likely due to the nature of allegations and very few which can be confirmed using medical evidence.
- f. Mental illness appears to have been a contributing factor in 2 of 30 (6%) substantiated cases in CY2022. In 1 case (3%), physical disability of the victim appeared to be a contributing factor in the sexual abuse.

VII. Conclusions:

- o The total number of PREA allegations during CY2022 was slightly reduced from CY2021. This may be attributed to greater adherence to standardized correctional practices, which was more possible in CY2022 because of the reduced need to implement strict COVID-19 protocols. The continued emphasis on the agency's adherence to a strict zero-tolerance policy for sexually abusive behavior remains a factor in ensuring both employees and incarcerated individuals understand how to identify and report inappropriate behavior. Training provided to the individuals in BOP custody continues to emphasize the importance of reporting any behavior believed to be abusive, as evidenced in the high number of allegations investigated over the last several years. Five hundred and eighty-four allegations over the course of a year means that there was, on average, just over one allegation of some form of sexual abuse every day in BOP facilities and Residential Reentry Centers. Of those allegations, 5% were substantiated. Factors such as location of reported sexual abuse, inconsistent information provided by involved adults in custody, and intentional misrepresentation of information provided by incarcerated individuals may affect our ability to substantiate greater numbers of investigations. As has been the case in previous years, video surveillance was ineffective to substantiate cases occurring within cells, but video was used to substantiate a number of cases occurring in areas covered by video surveillance. Perpetrators admitted to engaging in some form of abusive sexual behavior at a lower rate in CY2022 compared to previous years.
- o Sexual offenders perpetrate sexual abuse, and are also sexually victimized, at higher rates than non-sexual offenders while incarcerated in BOP facilities.

- The investigative process, from interviewing to report writing, in cases alleging sexual abuse is complex. The Special Investigative Service is tasked with completing these and all other investigations within an institution. For some institutions, staffing shortfalls and variations in the experience and training of Special Investigative Service employees may affect the ability to more robustly investigate cases.

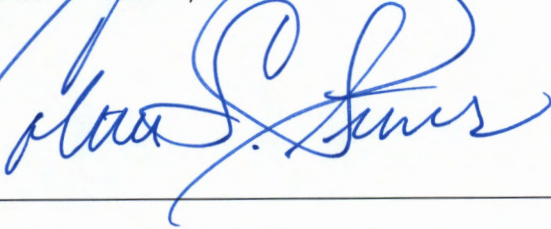
VIII. Future Directions:

- BOP leadership recognizes greater attention must be given to appropriately training employees and adults in custody in early intervention models of sexual abuse prevention. BOP is exploring training for employees to develop skills to intervene when they observe problematic or inappropriate interactions between fellow employees and incarcerated individuals. This is called bystander intervention and this skill-based training has effectively reduced complaints of excessive force and improved the relationships between community policing agencies and the public.
- Refresher training in trauma-informed clinical interventions and investigative procedures is indicated for clinical (medical and psychological) and investigative professionals. Given the high incidence of trauma in incarcerated populations and the highly sensitive nature of the investigative interviews following an allegation of sexual abuse, it is incumbent upon BOP leaders to do more to reduce the potential for re-traumatization in vulnerable adults in custody.
- Efforts to improve and expand the BOP's use of monitoring technology to deter and detect incidents of sexually abusive behavior are underway. High quality cameras are replacing older models and new cameras are being installed in areas not previously monitored by technology. The necessary infrastructure is being updated and will support additional cameras to reduce blind spots. BOP leadership is directing resources to enhance security and improve oversight capability, through advances in monitoring technology, in all BOP institutions. Private spaces, such as cells and bathrooms, are not monitored by technology.
- In keeping with our vision of encouraging personal development and growth to release "good neighbors" to our communities, the BOP is committed to eliminating the use of stigmatizing language and marginalizing labels, such as the label "inmate," when referring to adults in custody. Individuals have been incarcerated for crimes against society, but dehumanization is not part of the punishment. Language matters, and compassionate communication will enhance the safety of our institutions.

- BOP leadership is working with external stakeholders to evaluate and improve procedures related to employee response to allegations of sexual abuse and enhancing reporting options for adults in custody. The BOP has partnered with an organization to pilot a program that will create a pathway for adults in custody to report sexual abuse to an entity outside to the BOP. This project will explore the benefit of having an external reporting option and may increase incarcerated individuals' perception of safety and objectivity when reporting.
- The BOP recognizes the need for continued assessment of institutions, monitoring of procedures related to sexual abuse prevention and intervention, and transparency regarding appropriate response and resolution to sexually abusive behaviors. Executive Staff Incident Reviews will continue to address policy-driven elements of the evaluation, while expanding the scope of the incident review to consider the impact of employee factors such as wellness, engagement, and morale on supervision of adults in custody. The BOP will continue to evaluate each female facility to ensure policy is being followed and best practices are in place to ensure sexual safety.
- BOP leadership acknowledges the importance of protecting adults in custody from sexually abusive behavior. Policy revisions are underway, as are efforts to increase the number of people in positions dedicated to eliminating sexual violence in institutions and RRCs.
- BOP leadership actively supports employee wellness initiatives and believes that healthy employees create safe environments. Wellness initiatives include policy revisions to provide more resources to employees to maintain health and wellness, resiliency training for employees, expanded roles of the Employee Assistance Program and Correctional Support Teams, and the allocation of resources to hire and retain competent employees whose values align with the Core Values of the agency: Integrity, Respect, Correctional Excellence, Accountability, and Compassion.

Colette S. Peters, Director

Date:



6/29/2023