

October 7, 2021

Mr. Michael Carvajal
Director
Federal Bureau of Prisons
320 First Street NW
Washington, D.C. 20534

Dear Director Carvajal:

I write with regard to Federal Correctional Institution (FCI) Coleman located in Sumter County, Florida. I am deeply concerned that FCI Coleman failed to comply with federal laws and U.S. Department of Justice (DOJ) regulations intended to protect inmates and prevent sexual abuse in prisons. I am also concerned that the recent audit of FCI Coleman's compliance with federal laws was insufficient because it did not include interviews of any female prisoners, which FCI Coleman housed until two days before the audit.

The *Prison Rape Elimination Act* (PREA) requires the Federal Bureau of Prisons (BOP) to ensure its facilities develop, document, and make its best efforts to comply, on a regular basis, with a plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates from sexual abuse. Based on recent media reports, it is clear that BOP failed to comply with the provisions of the PREA at FCI Coleman.^{1, 2} According to a recently settled lawsuit filed by female victim inmates, prison officials at FCI Coleman knew which areas were not covered by surveillance and “[t]hese officers took advantage of the dead spots.” The settled lawsuit alleged at least fifteen women were sexually abused at FCI Coleman. According to the lawsuit, women were stalked and taken to remote areas around the prison where officers sexually abused the women—this cycle of abuse continued for months. Six of the eight accused officers admitted to inappropriate sexual contact with inmates. However, none of the officers have been criminally prosecuted.³

Moreover, the PREA also mandates that federal facilities be audited at least once every three years to ensure compliance with PREA standards. According to FCI Coleman's website, an on-site PREA Audit was conducted in April 2021 at FCI Coleman. Interviews of inmates were conducted; however, no female inmates were interviewed. It appears that all female inmates were transferred from FCI Coleman to another prison just two days prior to the on-site audit. This is deeply concerning because it was female inmates who made the allegations of sexual abuse. Female inmates were housed at the facility during the time period from 2018 to 2021 covered by the PREA audit. The allegations made by inmates at FCI Coleman raise serious questions as to the facility's compliance with PREA and the conduct of its officers.

Finally, the PREA also requires that BOP establish a policy to protect all inmates and staff who report sexual abuse or cooperate with sexual abuse investigations from retaliation. However, according to the civil lawsuit filed by the victims, and several media outlets, the BOP officers at FCI Coleman directly violated federal law by retaliating against female victim inmates. Inmates allege that officers at FCI Coleman sexually abused and threatened women, and often transferred women from FCI Coleman to a local county jail where the women were kept in isolation for 23 hours a day. Allegations also include that officers at FCI Coleman suppressed the women by placing them in fear of further retaliation by threatening to move them to a facility further away from their families, and interrupting their education or work. These are serious allegations and must be addressed.

Accordingly, I ask that you respond to the following questions by October 28, 2021:

1. To date, what steps have been taken to investigate and address these troubling allegations of sexual abuse?
2. Why were no former female inmates of FCI Coleman who are still federal inmates interviewed as part of the BOP PREA audit given the serious allegations of sexual abuse by female inmates at FCI Coleman?
3. How can you be confident in the findings of an audit that failed to interview female inmates who were held at FCI Coleman?

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Rubio', written in a cursive style.

Marco Rubio
U.S. Senator

¹ Ovalle, David, *She was Raped by Florida Prison Officers. After Her Drug Death, Supporters Want Justice*, Miami Herald, Aug. 24, 2021, <https://www.miamiherald.com/news/local/community/miami-dade/article253507329.html>.

² Ellenbogen, Romy, *Rape is Rampant at this Women's Prison. Anyone who Complains is Punished, Lawsuit Says*, Miami Herald, Dec. 4, 2019, <https://www.miamiherald.com/article237797554.html>.

³ *Id.*