

Congress of the United States

Washington, DC 20510

March 3, 2022

The Honorable Michael Carvajal
Director of the Federal Bureau of Prisons
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Director Carvajal:

We write to you today to express our concerns regarding the health and safety of staff and inmates at Federal Correctional Institution (“FCI”) Dublin in Dublin, California, and to formally request that your office provide us with the 2021 audit of FCI Dublin as required by the Prison Rape Elimination Act (“PREA”).

PREA is the first United States federal law intended to deter the sexual assault of prisoners. Signed into law in 2003, PREA requires correctional facilities nation-wide to implement measures to prevent, detect, and respond to sexual misconduct in America's prisons, jails, and community confinement facilities. In 2013, the Attorney General finalized and disseminated specific standards that clarify what is expected of facilities to remain in compliance with PREA.

PREA requires facilities like FCI Dublin to complete an annual audit and publish a report that details incidents of sexual harassment and assault of staff and inmates in its custody. The annual report must:

- Aggregate the data collected from PREA-qualifying incidents;
- Provide an explanation of what measures were taken in investigating and responding to the data collected;
- Indicate what additional measures, if any, are needed and/or being taken to address the safety of offenders from incidents of sexual violence while in custody;
- Present the data from this year in contrast to data from previous years; and
- Be published publicly, on the federal Bureau of Prisons (“BOP”) facility’s website, for review and comment by interested parties.

FCI Dublin leadership has not completed a PREA audit since 2017. This is especially concerning given that several reputable news sources published articles that allege a “rape club” environment at the federal correctional institution. These writings detail how the all-women inmate population at FCI Dublin has allegedly been subjected to rampant sexual harassment and abuse at the hands of predatory male employees like former Warden Ray Garcia, former Chaplain James Theodore Highhouse, Prison Safety Administrator John Bellhouse, and recycling technician Ross Klinger.

These media reports also uncovered that women at the facility had made the first internal complaints to staff members about five years ago, but they were largely ignored. This is unacceptable considering PREA Standard 51(b) requires agencies to “provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request.”

We have also been made aware of FCI Dublin’s failure to comply with PREA. PREA Standard 115.51(d) requires FCI Dublin leadership to “provide a method for staff to privately report sexual abuse and sexual harassment of inmates.” The term “privately report” as used here requires that staff must have an avenue to make a report in a manner that other staff are not made aware of such a report.

Instead of “enabl[ing] staff to report abuse or harassment directly to an investigator, administrator, or other agency entity without the knowledge of the staff member’s direct colleagues or immediate supervisor” as required by the PREA Notice of Final Rule, current acting Warden Ray Hinkle sent a mass email to all staff on January 30, 2022 at 09:22 PM exposing the correspondence sent by some employees in violation of PREA. Also, by questioning the validity of the correspondence that was sent to “high ranking officials within the Bureau of Prisons and the Department of Justice, congressional representatives, ACLU(?) OSHA, etc.,” Hinkle’s email has a very chilling effect upon FCI staff and inmates who want to speak out but are afraid of retaliation.

In light of these concerns, we are immediately requesting your 2021 PREA audit and report as required by statute, no later than **March 28, 2022**. Thank you for your consideration of this urgent matter, and we look forward to your response.

Sincerely,



Jackie Speier
Co-Chair
Democratic Women’s Caucus



Eric Swalwell
Member of Congress



Karen Bass
Member of Congress



Brenda L. Lawrence
Co-Chair
Democratic Women’s Caucus



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Sheila Jackson Lee
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