

The Virgin Islands Consortium

Senator Finds Open Gate and Exposed Medical Records at Condemned Swan Annex as \$25 Million Rebuild Remains Pending

Senator Franklin Johnson said he walked into the condemned Swan Annex through an unsecured gate and found inmate files exposed. BOC said plans for a 207-bed replacement are complete and the \$25 million FEMA-funded site is awaiting demolition work.

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The condemned Alva A. Swan Correctional Annex in St. Thomas.

ST. THOMAS — V.I. Bureau of Corrections Director Wynnne Testamark has promised to address security at the condemned Alva A. Swan Correctional Annex after Senator

Franklin Johnson said he entered the property through an open gate and found inmate records, including medical information, left exposed inside.

The discovery drew sharp criticism Thursday during a meeting of the Senate Committee on Homeland Security, Justice, and Public Safety, where BOC was invited to provide an update on its operations and the long-delayed replacement of the St. Thomas detention facility.

Mr. Johnson presented a slideshow of photographs taken during a visit over the July 4 weekend. The images included a deteriorated gate and files left in the open. He said one photograph, which he later deleted, showed “a picture of an individual in the medical record.”

The senator warned that leaving the records accessible raised concerns under federal health-information privacy requirements and placed the rights of current and former detainees at risk.

Senator Says Site Was Open and Unsecured

Mr. Johnson asked when BOC personnel had last visited the property.

Ms. Testamark responded that FEMA had deemed the site “inhabitable.” Based on the wider discussion, she likely intended to say that it had been declared uninhabitable.

She reminded the senator that because of FEMA’s determination, “you’re not allowed to go back down there.”

Mr. Johnson said the restriction did not excuse the condition in which he found the property.

“I went there. I walked straight inside. It’s not secure,” he said.

He drew Ms. Testamark’s attention to HIPAA regulations governing the protection of patients’ medical information. “Did anybody [find] it necessary to secure that particular facility to make sure that people don’t have open access to go in there?” he asked. Mr. Johnson said securing the property could require as little as “a chain and a lock.”

Although Ms. Testamark maintained that the facility “has been secured,” the senator pointed to an image of the open entrance taken during his visit.

“That’s the open gate,” he said. Ms. Testamark promised to “deal with it.”

“People’s rights have been violated,” Mr. Johnson continued.

He told the BOC director that “irregardless of what FEMA says, it’s you guys’ responsibility to make sure that...that building is secure...I would go there today and go straight to all of these medical files.”

“I sure hope before you leave here, somebody got called to secure that building. It’s not what FEMA says, you know. It’s what laws are being violated. Some of these individuals are still incarcerated, and their medical records, their files, what they’ve been charged with, [are] sitting right there in the open,” he said.

Design for 207-Bed Replacement Complete

The Swan Annex was previously capable of housing up to 78 detainees. Hurricanes Irma and Maria damaged the facility beyond repair in 2017, and its condemnation contributed to BOC's overcrowding problems, which remain a factor in a longstanding consent decree.

FEMA has obligated \$25 million to [demolish and rebuild the facility](#), but there has been no visible construction progress at the site.

Ms. Testamark told lawmakers that the design for a new 207-bed facility is "100 percent complete." The Office of Disaster is leading the project, and the existing annex is scheduled to be demolished, she said.

The reconstruction process has nevertheless [encountered delays](#).

In January 2025, the St. Thomas Coastal Zone Management Committee postponed a decision on whether to approve demolition and reconstruction because questions remained over relocating a longstanding woodworking business occupying part of the property.

BOC must now address the immediate security concerns at the condemned annex while the demolition and reconstruction process remains pending.