



# **National Human Rights Defense Network**

## **(RNDDH)**



### **Overcrowding, Unsanitary Conditions, and Spread of Contagious Diseases: RNDDH Demands Respect for the Human Dignity of Individuals Held in Police Stations**

**May 30, 2025**

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#### **I. Introduction**

1. During April and May 2025, the National Human Rights Defense Network (RNDDH) monitored seven (7) police stations and three (3) substations in the West department to assess the overall situation in holding cells and the conditions in which detainees are kept.
2. These visits were carried out at the police stations of Anse-à-Galets, Delmas 33, Pétion-Ville, Petit-Goâve, Pointe-à-Raquette, Port-au-Prince, and Tabarre, and at the substations of Borne Soldat, Canapé-Vert, and Delmas 62.
3. Given the alarming conditions observed, the RNDDH now considers it its duty to share its findings and recommendations with the public and the relevant authorities.

#### **II. Common Observations from Monitored Police Stations**

4. In the West department, holding cells have become de facto prisons: Since the armed attacks on March 2 and 3, 2024, by the armed group “Viv Ansanm” on the civil prisons of Port-au-Prince and Croix-des-Bouquets, the holding cells in police stations and substations have been used as prisons. This has worsened an already serious situation, especially since the Arcahaie and Cabaret civil prisons were previously decommissioned due to insecurity. Except for the

Petit-Goâve police station, arrestees now spend days or even months in cramped, unventilated, and poorly lit cells.

5. Detainees are held under judicial orders: Those detained in the monitored police posts are held by orders from the Central Directorate of Judicial Police (DCPJ), the courts of first instance of Port-au-Prince and Croix-des-Bouquets, or their respective public prosecutor's offices. Many have already been brought before the judiciary but were returned to the police stations. Of the 289 detainees found in these stations, 121 (42%) confirmed this to RNDDH interviewers.
6. Detainees receive few or no visits from family or friends: When no one visits them, police officers try to provide food. Sometimes, cellmates share their food to prevent others from starving.
7. Sanitary conditions are extremely poor: The holding cells were not designed for long-term detention. They lack ventilation, natural light, and are often infested with rodents and harmful insects. They are hot, dark, and breeding grounds for microbes.
8. Despite some cleaning efforts, hygiene remains unacceptable: Most monitored stations emit foul odors from the cells, threatening the health of both detainees and the police officers stationed there.
9. Contagious diseases are spreading among detainees:
  - In Delmas 33 and Pétion-Ville, detainees suffer from severe skin rashes.
  - In Tabarre, at least one detainee has tuberculosis.
  - In Canapé-Vert, one detainee has been coughing up blood for months without any medical treatment.
  - In Port-au-Prince, detainees have boils, rashes, and many women report vaginal infections.

### **III. Specific Observations from Monitored Police Stations**

10. Monitoring visits carried out at the Borne-Soldat and Delmas 62 substations, as well as the Petit-Goâve police station, revealed that the legal situation of individuals in custody at these three (3) police stations is more or less acceptable:

- The cells of the Borne-Soldat substation, in the commune of Petit-Goâve where women and girls were previously held, were completely empty;

- The same was observed at the Delmas 62 substation where, at the time of RNDDH's monitoring visit, there was no one in custody, as the building was undergoing repairs. According to the officials present, the facility is being prepared to accommodate a specific category of detainees;
- At the Petit-Goâve police station, where five (5) individuals were recorded in custody, officials stated they make arrangements to ensure that the maximum detention period does not exceed eight (8) days. Although this does not comply with the constitutional requirement, which limits custody to forty-eight (48) hours, it is still significantly better than the situation observed in the other monitored police stations.

11. Indeed, the situation in the other seven (7) monitored police stations is deeply concerning:

#### **a) Anse-à-Galets Police Station**

12. At the time of the RNDDH visit, thirty-five (35) individuals were being held in the cells of the Anse-à-Galets police station, including thirteen (13) who had already been convicted and twenty-two (22) others who had been referred to the competent court.

13. The officer in charge informed RNDDH that the convicted individuals were still being held at the police station due to the country's security situation.

#### **b) Delmas 33 Police Station**

14. At the Delmas 33 police station, sixty-eight (68) individuals were recorded during the last RNDDH visit. They were housed in four (4) cells: forty-eight (48) men in two cells, ten (10) women in one cell, and ten (10) police officers in the remaining two cells.

15. To sleep, some of the forty-eight (48) men turned their blankets into hammocks by tying them to the bars of their cells. Others had to sleep in shifts, which forced many to remain standing for much of the night before lying down in turn. The situation of five (5) detainees particularly drew RNDDH's attention:

- Jean Chrisilome ROMAIN: Accused of kidnapping, he was arrested on January 9, 2024. He has been held at the Delmas 33 police station for over a year.
- Erline THELUSMA: Arrested on August 23, 2024, and brought to Delmas 33 the next day, she has been held there since for allegedly murdering a police officer, theft, and armed robbery. She was extracted on September 9, 2024, by the Prosecutor's Office but was returned to the station.

- Louis HILAIRE: Arrested on September 19, 2024, in Delmas 30. Accused of fraud, forgery, use of forged documents, and criminal conspiracy. He is being held on the order of the investigating judge's office. Since his arrest, he has only been questioned once by Deputy Commissioner Gérard NORGAISSE on November 28, 2024.
- G.J.: In custody since October 2024. Accused of murder, criminal conspiracy, and illegal possession of firearms. She was informed that her file has been transferred to the investigating judge's office. were confined in two (2) small cells, under extreme overcrowding. They were only allowed out to bathe, which occurred twice daily. Due to the absence of accessible latrines, they were forced to relieve themselves inside their cells using containers—mostly plastic jugs—which they placed near the cell bars, emitting foul odors.

### **c) Pétion-Ville Police Station**

16. At the Pétion-Ville police station, forty-eight (48) individuals were in custody at the time of the RNDDH's monitoring visit. They were housed in two (2) cells: forty-one (41) men in one and seven (7) women in the other.

17. Some of the detainees had been held at the station for several months, waiting for judicial decisions on their cases. Notable examples include:

- Jacky ABINET, age fifty-three (53), arrested on March 15, 2024, in Delmas 60 for vehicle theft. He was interviewed at the station three (3) months after his arrest. He states that he has never been presented before the Prosecutor's Office for questioning. He has neither a lawyer nor any family support and receives no visits.
- Jackendy DESIR, arrested on August 20, 2024, for kidnapping and unlawful confinement for ransom. He was extracted by the Prosecutor's Office near the Court of First Instance of Port-au-Prince on September 30, 2024. His case has since been transferred to the investigating judge's office.
- Fontnel PAUL, arrested on August 15, 2024, in Juvénat. Accused of rape of a minor. He was extracted in September 2024. No further actions have been reported since.
- Judeline SALIEN, arrested on July 20, 2024, in Fermathe 45, due to her relationship with a boyfriend accused of involvement in kidnapping and unlawful confinement. She was last extracted on August 11, 2024. No updates have followed.
- Olivier ESTHIMPHIL, arrested on September 9, 2024, in Pèlerin 5 for motorcycle theft. He remains in custody at the Pétion-Ville police station.. Accused of murder, criminal conspiracy, and illegal possession of firearms. She

was informed that her file has been transferred to the investigating judge's office. were confined in two (2) small cells, under extreme overcrowding. They were only allowed out to bathe, which occurred twice daily. Due to the absence of accessible latrines, they were forced to relieve themselves inside their cells using containers—mostly plastic jugs—which they placed near the cell bars, emitting foul odors.

#### **d) Pointe-à-Raquette Police Station**

18. The Pointe-à-Raquette police station has two (2) holding cells. At the time of the RNDDH visit, only one of the cells held three (3) men. These individuals had been recently arrested.. At the time of the RNDDH visit, only one of the cells held three (3) men. They had been recently arrested.

#### **e) Port-au-Prince Police Station**

19. During the visit to the Port-au-Prince police station, sixty-one (61) individuals were in custody, including ten (10) women and fifty-one (51) men, distributed across five (5) cells. Five (5) of these individuals drew the attention of RNDDH:

- Wilfrid DESIR, age twenty-nine (29), was arrested on November 2, 2023, in Mariani by former police officer Jean SANEL alias Mikmik. He was accompanied by two (2) young women and one (1) minor and was reportedly purchasing clairin and cigarettes for his business. He is accused of belonging to a criminal association. He was heard twice by Magistrate Frantz MONCLAIR—then Deputy Government Commissioner—at the Prosecutor's Office near the Court of First Instance of Port-au-Prince. His file has since been transferred to the investigating judge's office;
- Jeff FONTAGUE, age twenty-five (25), was arrested on November 20, 2023, in Delmas 47 for murder. He was heard at the Prosecutor's Office near the Court of First Instance of Port-au-Prince on August 9, 2024, and a detention order was issued against him;
- Tickenson DALENS was arrested at his home in Montagne Noire on June 15, 2024, by officers from the Pétion-Ville police station for criminal association. He was heard at the Prosecutor's Office and his file was transferred to the investigating judge's office;

- Elie Fameux JEAN MARC, accused of raping a minor, was arrested on May 15, 2024, at the Lycée Anténor Firmin camp. After being heard at the Prosecutor's Office, his case was transferred to the investigating judge's office;
- Kervens SAINT LOUIS, age twenty-six (26), was arrested on August 6, 2023, in Pétion-Ville for the rape of a sixteen (16)-year-old minor. One (1) month later, he was transferred to the Port-au-Prince police station to be heard at the Prosecutor's Office on September 3, 2023. His file is currently with the investigating judge's office.

#### **f) Tabarre Police Station**

20. At the Tabarre Police Station, where several visits were conducted during the review period, conditions were also found to be concerning for detainees and arrestees.

21. A total of forty-one (41) individuals were confined in two (2) small cells under extremely overcrowded conditions. They are only allowed to leave to bathe, which is scheduled twice a day. Due to the lack of accessible latrines, detainees are forced to relieve themselves in containers—mostly gallon jugs—placed in front of the bars, emitting a foul odor.

22. In the absence of a dedicated holding cell, women in custody are kept in the desk drawer area of the station chief. At the time of the RNDDH visit, two (2) women had been held there for more than three (3) days, continuously handcuffed except when they were allowed to relieve themselves.

23. Moreover, most detainees do not receive visits from relatives or family members. For meals, they share the limited food available among themselves, which is often insufficient.

24. According to the investigations officer interviewed during the RNDDH visit, twenty-five (25) of the detainees had already received a detention order and fell under the jurisdiction of the appropriate Prosecutor's Office and the Departmental Judicial Police Service (SDPJ).

#### **g) Canapé-Vert Substation**

25. At the Canapé-Vert Substation, the custody conditions are also concerning. Twenty (20) individuals were housed in the first cell and eight (8) others in the

second. In the first cell, the detainees faced difficulty lying down to sleep. Moreover, during the monitoring visit, RNDDH noted the cases of four (4) specific detainees:

- Wilmay LEGER has been in custody at the Canapé-Vert Substation since August 2, 2024;
- Stephane ROMULUS, accused of rape, has been held at the Canapé-Vert Substation since August 10, 2024. His case has been transferred to the Investigating Judge's Office;
- Williamson VIEUX was arrested on August 24, 2024, by the DCPJ. According to his statement, he still does not know the reason for his arrest;
- Louzier CELESTIN was arrested on August 11, 2024, in Jacmel and transferred to Port-au-Prince on August 13, 2024. He is accused of being affiliated with the Mariani gang. He was last extracted in October 2024.

#### **IV. Comments and Recommendations**

26. The recent monitoring visits to ten (10) police stations and substations in the West Department revealed serious shortcomings in upholding human dignity and the judicial guarantees of individuals deprived of their liberty, whether in custody or detention.

27. In fact, in eight (8) of the monitored police posts, the population of persons deprived of liberty is estimated at two hundred eighty-nine (289) detainees and arrestees, averaging thirty-six (36) individuals per police station. However, holding cells, which are generally small and designed to temporarily accommodate individuals in conflict with the law, have a very limited capacity, ten (10) people at most, without regard for the minimum floor space requirements per detainee. As a result, the cells are now overcrowded, holding more than three times their intended capacity. They offer little space to those held there, subjecting them to inhumane conditions marked by overcrowding and unsanitary environments. These conditions endanger the health of detainees and expose them to contagious diseases.

28. Furthermore, since they are not cared for by the state, individuals deprived of liberty and held in police stations receive neither food nor water. They are also not provided with a bed to sleep on. To eat, they depend on family members. When they have none or when their relatives are too far away, they rely on certain officers who deduct money from their own salaries to buy them food. Otherwise, they depend on the generosity of their cellmates, who share what little they receive from their families, or they are reduced to begging for food to avoid starving.

29. There is no doubt that individuals held in police custody are subjected to cruel, inhuman, and degrading treatment—a situation that also worsens the general working conditions of police officers stationed at these posts and exposes them, just like the detainees, to the spread of contagious diseases.

30. The RNDDH considers it unacceptable that individuals arrested more than five (5) months or even a year ago have not yet been heard by the respective Prosecutor's Offices. In this regard, the RNDDH reminds that police custody is a deprivation of liberty imposed by the competent authority on a person suspected of having committed a punishable offense. The organization also stresses that, to respect the judicial guarantees of individuals in conflict with the law, and considering that police holding cells are not suitable for long-term stays, custody should not exceed forty-eight (48) hours as stipulated by the Haitian Constitution.

31. The RNDDH also finds it unacceptable that convicted persons are being kept in police stations when, as previously mentioned, holding cells are not designed for long-term detention. Therefore, the RNDDH believes that convicted individuals must be promptly transferred to functional detention centers where they can serve their sentences with dignity.

32. Finally, the RNDDH emphasizes that it is the responsibility of judicial and penitentiary authorities to work toward ending this situation that undermines human dignity, and threatens the life and health of individuals held in custody and detention, as well as affecting police officers.

33. For all the reasons above, the RNDDH recommends that the relevant authorities:

- Expedite hearings for individuals who have been in custody for several months;
- Resolve minor offense cases as required by law and refer misdemeanor cases directly to correctional courts for adjudication;
- Arrange for the transfer of convicted individuals to functioning prisons where they can serve their sentences with dignity;
- Provide electricity to all police stations and supply them with cleaning products;
- Reactivate the Pétion-Ville Civil Prison while waiting for the renovation or reconstruction of prisons damaged or destroyed by armed gang members of the terrorist group Viv Ansanm;
- Ensure the provision of food and water to detainees and arrestees held in police stations.