

2016 PRISON RAPE ELIMINATION ACT ANNUAL REPORT



Mission:

The Community Justice Transition Center is committed to providing offenders the opportunity to restore value to the community through work service and paying their own way. Clients accomplish change through treatment, building vocational skills and personal accountability.

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PRISON RAPE ELIMINATION ACT

Annual Report

JACKSON COUNTY TRANSITION CENTER

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Purpose

The Prison Rape Elimination Act (PREA) requires that each facility collect and review data “...in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training” (Standard 115.88 a).

This overview is intended to:

- Identify problem areas and corrective action taken on an ongoing basis for the facility and the agency as a whole;
- Assess the agency’s progress in addressing sexual abuse.

This report provides information for calendar year 2016.

Background

PREA was passed by both houses of the U.S. Congress and subsequently signed by President George W. Bush in September 2003 following unanimous support from both parties in Congress.

The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape” (Prison Rape Elimination Act, 2003). PREA seeks to establish a zero-tolerance policy regarding rape and sexual abuse in federal, state, county, and city correctional systems, including prisons, jails, police lock-ups, and other confinement facilities for adults and juveniles. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing sexual abuse and assault.

The rules/standards were published in the federal register on June 20, 2012, and became effective on August 20, 2012. Standards require the agency conduct audits every three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency shall ensure that each facility operated by the agency, or by a private organization on behalf of the agency, is audited at least once. The Governor will determine whether the state is in full compliance with the PREA standards through consideration of the results of the most recent agency audits. “The Governor’s certification shall apply to all facilities in the State under the operational control of the State’s executive branch, including facilities operated by private entities on behalf of the State’s executive branch” (115.405 b).

Agency Achievements in 2016

The Jackson County Transition underwent its first PREA audit in 2016.

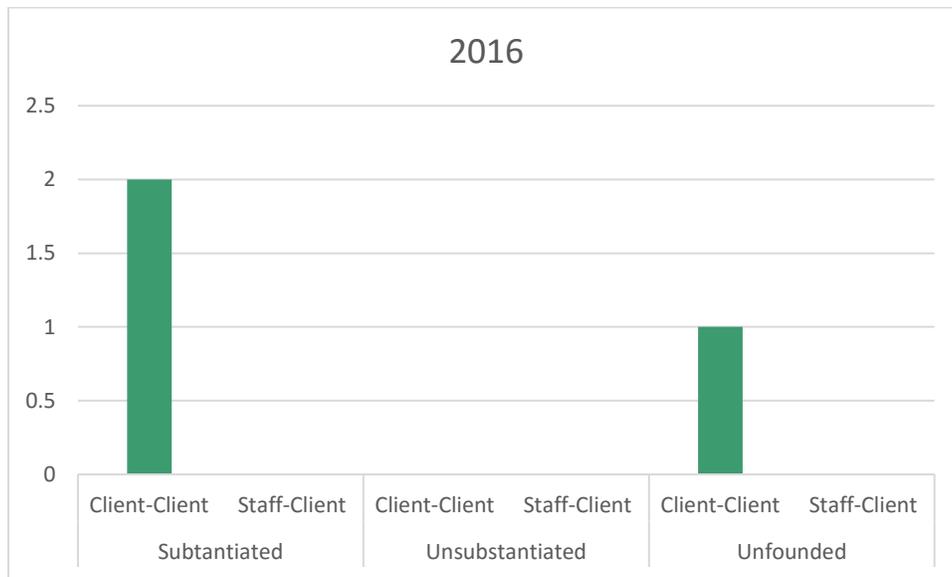
In 2016, the Jackson County Transition Center completed the following to reduce sexual abuse and meet federal standards:

- Provided PREA training to all employees;
- Updated and expanded the PREA policy;
- Implemented the use of the PREA victimization screening form, PREA incident report form, and created a staff – first responder incident checklist;
- Created a more effective and efficient intake process including a client PREA information video;
- Implemented a PREA incident review team;
- Implemented a Special Needs Evaluation committee;
- Updated and improved the PREA information posters;
- Improved client reporting systems and grievance process;
- Created secure data tracking systems to meet PREA requirements;
- Updated the Jackson County website to include PREA history, PREA annual report, and facility policy;
- Created partnerships with community based advocates to provide confidential emotional support, crisis intervention, information, and referral services as well as accompany victims throughout the forensic exam and investigatory interviews, if requested by the victim;
- Updated and improved the video surveillance system;
- Created a new housing area to ensure the safety of clients deemed high risk of being sexually abused or other identified needs;
- Created a policy for the protection against retaliation;
- Assigned staff as PREA Coordinator, PREA Compliance Manager, and PREA Liaison;
- Implemented yearly audits of all data collected to ensure continuity of care, operational improvements, establish baselines, and produce an annual report.

Agency Sexual Abuse Data

Allegations of Client-Client Sexual Abuse and Staff-Client Sexual Abuse

	Substantiated*		Unsubstantiated*		Unfounded*	
	Client-Client	Staff-Client	Client-Client	Staff-Client	Client-Client	staff-Client
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Definitions

Client-Client Sexual Abuse: Sexual abuse of a client, or resident by another client or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse.

1. Contact between the penis and the vulva or the penis and anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Staff-Client Sexual Abuse: Sexual abuse of a client or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the client or resident.

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs 1-5 of this section;
7. Any display by a staff member, contractor, or volunteer of his her uncovered genitalia, buttocks, or breast in the presence of an client or resident; and
8. Voyeurism by a staff member, contractor, or volunteer.
 - a. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of a client or resident by staff for reasons unrelated to official duties, such as peering at a client who is using a toilet in his or her cell to perform bodily functions; requiring a client to expose his or her buttocks, genitals, or breast; or taking images of all or part of an client's naked body or of a client performing bodily functions.

Substantiated: An allegation that was investigated and determined to have occurred.

Unsubstantiated: An allegation that was investigated and produced insufficient evidence to make a final determination as to whether or not the even occurred.

Unfounded: An allegation that was investigated and determined to not have occurred.