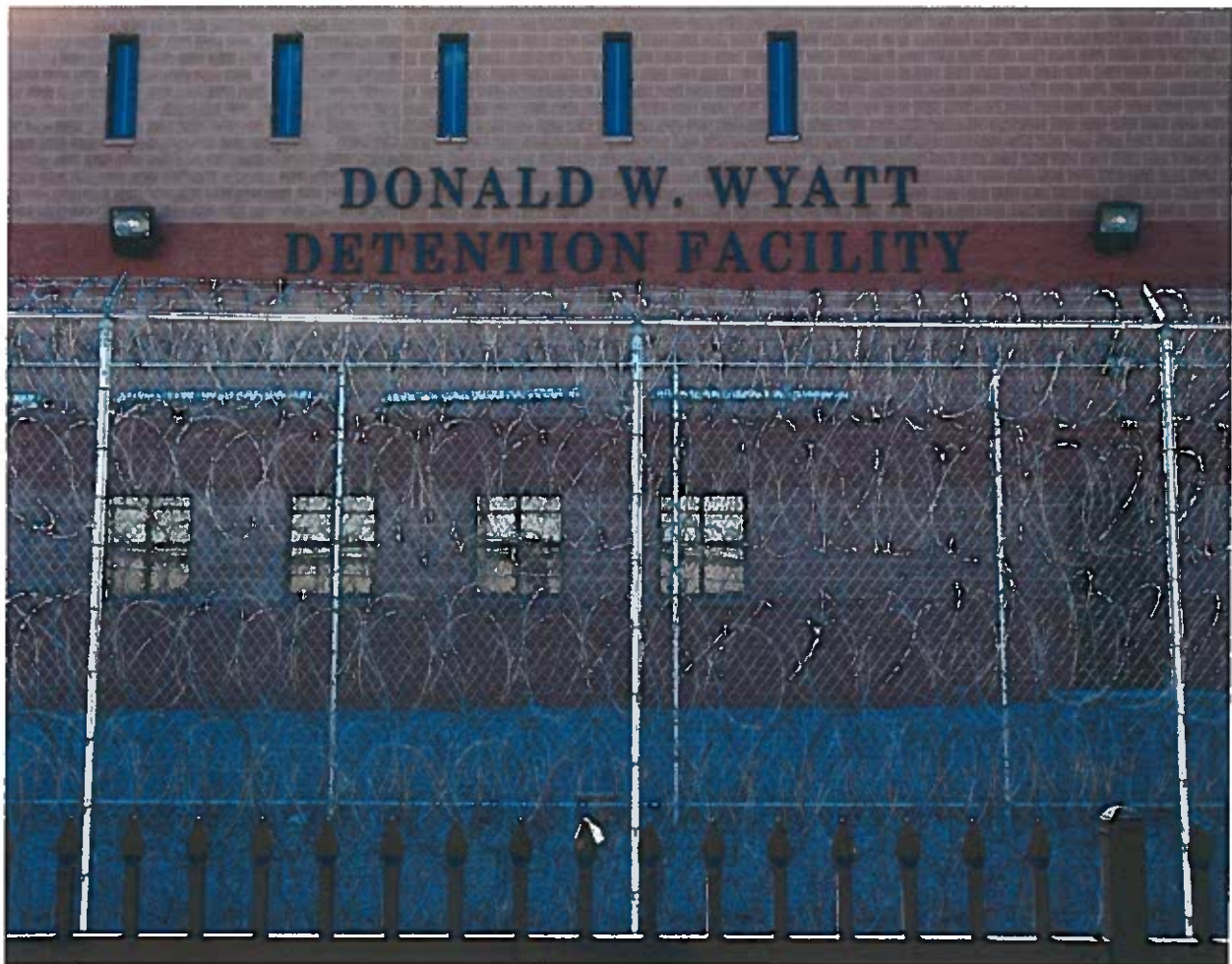


DONALD W. WYATT DETENTION FACILITY
PRISON RAPE ELIMINATION ACT (PREA)
ANNUAL REPORT – 2017



Approved: *Daniel W. Martin Warden 2/16/18*

Daniel W. Martin, Warden

Background

The Prison Rape Elimination Act (PREA) was signed into federal law in September 2014 following unanimous support from both parties in the United States Congress. The purpose of the law was to “provide information, resources, recommendations and funding to protect inmates (detainees) from prison rape.” PREA seeks to establish a zero-tolerance policy regarding rape, sexual abusive behavior and sexual harassment in federal, state and correctional systems. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing rape, sexual abusive behavior and sexual harassment. In August 2012, the United States Department of Justice (DOJ) issued the final PREA standards for: Prison and Jails, Lock-ups, Community Confinement Facilities and Juvenile Facilities. These standards required DOJ audits of all facilities housing inmates.

Facility Achievements in 2017

The Donald W. Wyatt Detention Facility (DWWDF) underwent a PREA Audit in October of 2017 which resulted in the achievement of 100% compliance with no corrective action plans required. The DWWDF continued to maintain compliance with the PREA Jail standards as well as its internal policy #411 - Sexual Assault and Sexual Harassment - Prevention and Intervention. Although the facility doesn't have a contract with an outside hospital that provides (SAFE)/Sexual Assault Nurse Examiner (SANE) and forensic examinations, detainees that become victims of sexual assault will be sent to Rhode Island Hospital where it was confirmed that they provide (SAFE)/Sexual Assault Nurse Examiner (SANE) and forensic examinations. In September of 2017 the facility entered into an agreement with Day One Crisis Intervention Center of Providence, Rhode Island that they would provide advocacy services to detainees for emotional support services related to sexual abuse. Detainees can contact in writing or via the use of a dedicated hotline service provided by Day One Crisis Intervention Center (both English and Spanish services are provided). All communication with Day One Crisis Intervention Center is confidential, unless the Center determines that the alleged victim is a danger to themselves or a third party. During 2017, Day One Crisis Intervention Center did not receive any hotline calls from this facility.

Detainees also have access to our Professional Standards Unit (PSU) via a dedicated hotline number and may contact the Office of the Inspector General via telephone or in writing. During 2017, the PSU received zero (0) phone calls via the facility dedicated hotline.

The Donald W. Wyatt Detention Facility ensures that all current employees, contracted staff and volunteers receive a criminal background records check, at least every four years, to meet the PREA standards.

Training and education of all employees, contract staff, volunteers, and detainees on the DWWDF's zero tolerance toward all forms of sexual abuse and sexual harassment and the commitment to prevent, detect and respond to such conduct were ongoing throughout 2017.

The Compliance Captain remains as the PREA Manager/PREA Coordinator since October 2016.

An annual review of the staffing plan and video monitoring system was conducted to ensure adequate levels and equipment are in place and maintained to protect detainees from sexual abuse. The staffing plan and staff deployment rosters did not reveal any deviations to the staffing plan during the past twelve (12) months with the exception of temporary deviations such as emergency/unexpected hospital details. Supervisory staff are visible throughout the facility and are available and approachable to support staff, line staff and detainees. A review of the video monitoring system confirmed that adequate systems are in place and working properly. The system is sufficient to ensure staff and detainee safety. There were no deficiencies noted during the review. In 2017, the facility began an upgrade to the video monitoring system. The upgrade is about seventy-five (75) percent completed and is expected to be finished in the spring of 2018. Some of the upgrades would include 292-400 high-definition cameras with a resolution of 2048 by 2048 or higher. The cameras can be at 180 degrees or even 360 degrees giving even better viewing angles. Recordings for this system would be stored for ninety (90) days and a full redundant recording system would also be used. The facility would obtain licensures for thirty (30) users and full control of camera access.

Purpose

The DOJ PREA standards require our facility to collect a defined set of data for every allegation of sexual abuse and sexual harassment. These standards further require the DWWDF to aggregate and review that data in order to assess and improve our effectiveness at preventing, detecting and responding to PREA allegations.

The facility has developed and maintained a database to collect and record a uniformed set of data (and definitions) for each allegation investigated. PREA standard §115.87 requires collecting, at a minimum, the data necessary to answer questions contained in annual "Survey of Sexual Violence" reports conducted by the DOJ. The database also provides an ability to draw comparisons on various aspects of sexual assault and harassment incidents. Some of those comparisons will be found in this report on aggregated data.

Aggregated Data on Sexual Abuse Allegations and Comparison to Prior Years

The DWWDF has a zero tolerance policy for sexual abuse that is covered in detail in policy #411 - Sexual Assault and Sexual Harassment - Prevention and Intervention. As such, every allegation, report and/or discovery of sexual activity is investigated as if a sexual assault or sexual harassment event occurred. Only after a full investigation is completed is an event defined as a PREA violation or otherwise. It should be noted that unauthorized, but consensual sexual activity between inmates does not qualify as a PREA incident. The PREA Jail standards provide definitions that guide the

facility in determining the outcome of allegations investigated. The following are a few of those key definitions:

DEFINITIONS	
Evidentiary Standard:	The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
Substantiated:	Substantiated allegation means an allegation that was investigated and determined to have occurred.
Unsubstantiated:	Unsubstantiated allegation means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

The following charts reflect aggregated data absent any events investigated that did not constitute a PREA violation:

Category	2017 - Investigative Outcome		
	Alleged	Substantiated	Total
Detainee-on-Detainee nonconsensual sexual acts.	2	0	2
Detainee-on-Detainee abusive sexual contact.	0	0	0
Staff-on-Detainee sexual misconduct.	2	1	3
Staff-on-Detainee sexual harassment.	1	0	1

- In January 2017, a male detainee in restrictive housing filed a third party complaint that a staff member groped a detainee while conducting a pat search. The incident was investigated and determined to be unfounded.
- In March 2017, two (2) detainees filed complaints of sexual harassment as a result of an unclothed search being conducted on them. The incident was investigated and it was determined not to be a PREA violation as staff were found to be conducting their job duties within facility policy.
- In March 2017, through telephone and mail monitoring, it was determined that a facility staff member who had resigned, had an inappropriate relationship with a male detainee when employed by the facility. An investigation was completed and the incident was determined to be substantiated.
- In June 2017, a detainee made a complaint against a facility staff member. The detainee claimed that the staff member was making statements that he wanted to sexually assault him. The incident was investigated and found to be unsubstantiated. The detainee making the accusation had departed the facility prior to being interviewed. The investigation concluded that the staff member was in violation of facility rules and regulations however, the staff member didn't violate a PREA standard.
- In October 2017, a male detainee in the special purpose housing unit filed a third party complaint about two (2) detainees acting inappropriately in the unit. An investigation was conducted and the detainee who made the complaint was interviewed. The detainee stated

that these two are playful and gay. When questioned if it was forced, the detainee stated, “No”. This alleged incident was determined not to be a PREA violation. PREA standards don’t cover consensual activity between detainees. The incident was determined to be a violation of facility rules and regulations.

- In November of 2017, an incident was reviewed when a male detainee accused another male detainee of rubbing his genitals against his back when he passed him while receiving his food tray. The incident was investigated and it was determined that the incident was accidental. The Investigator reviewed the camera footage and determined that the area where the trays are distributed was very tight. It was determined that no PREA violation had taken place.

Category	2016 - Investigative Outcome		
	Alleged	Substantiated	Total
Detainee-on-Detainee nonconsensual sexual acts.	0	0	0
Detainee-on-Detainee abusive sexual contact.	0	0	0
Staff-on-Detainee sexual misconduct.	4	0	4
Staff-on-Detainee sexual harassment.	0	0	0

- In July, 2016 a male detainee alleged that a staff member touched him inappropriately and made inappropriate gestures to him. The incident was investigated and was found to be unsubstantiated.
- In June, 2016 a male detainee alleged that a staff member touched him inappropriately while conducting a pat search. The incident was investigated and was found to be unsubstantiated.
- In August 2016, a male detainee alleged that a staff member touched him inappropriately while conducting a pat search. The incident was investigated and was found to be unsubstantiated.
- In October 2016, a male detainee alleged that a staff member touched him inappropriately while conducting a pat search. The incident was investigated and was found to be unsubstantiated.

A review of the statistical data from 2016 to 2017 demonstrated a slight increase from zero (0) to two (2) in regards to alleged incidents involving Detainee-on-Detainee nonconsensual sexual acts. In 2017 a third party complaint stated that two detainees were acting inappropriately in the unit. Though an investigation it was determined that there was no forced sexual activity that violated a PREA standard. The complaint was determined to be consensual and a violation of facility policy. The other complaint was made during an incident. The detainee claimed that another detainee rubbed his genitals against his back when in the meal line. An investigation concluded that the incident was accidental and no PREA violations has occurred. From 2016 to 2017 there were no reported incidents of Detainee-on-Detainee abusive sexual contact. There was a decrease from four (4) to three (3) allegations in regards to alleged incidents of Staff-on-Detainee sexual misconduct. No PREA violations were founded for two (2) of the three (3) allegations. One complaint was made by a third party for an officer groping a detainee during a pat search. The other complaint

was for a staff member stating the he wanted to sexually assault a detainee. Both incident were investigated and staff were found not to be in violation of the PREA standards. One (1) of the (3) incident was determined to be substantiated. Through telephone and mail monitoring, it was determined that a staff who had resigned did have an inappropriate relationship with a male detainee while employed by the facility. Lastly, there was an increase from zero (0) allegations to one (1) allegation for Staff-on-Detainee Sexual Harassment. Two (2) detainees were upset that an unclothed search was conducted on them. They claimed sexual harassment but an investigation cleared them as the staff members accused were found to be following facility policy.

Identified Problem Areas and Corrective Action

PREA standards require a review of collected data in order to identify problem areas and establish plans of corrective action. Based upon statistical data alone, the rate of incidents within the facility is extremely low. There are no obvious problem areas to address in assuring continued compliance with PREA Jail standards. However, the facility continues to review, enhance and improve its current policies/procedures in an effort to not only continue to meet the DOJ standards, but to exceed them.

Resolved Problem Areas from 2017

Although there were no specific problem areas to be addressed, the facility continued to provide comprehensive PREA education and training to all staff, contractors, volunteers, vendors and detainees on the facility's zero tolerance on all forms of sexual assault and sexual harassment. Viewing of the PREA video and signed acknowledgement is mandatory for all new detainees. Additionally, the facility continued to work with outside stakeholders, such as Day One Crisis Intervention Center and User Agencies in an effort to work collaboratively to ensure it meets and/or exceeds the standards set forth by the DOJ Jails standards.

Assessment of Progress in Addressing Inmate Sexual Abuse Allegations

The DWWDF continues to improve in all aspects of the PREA process and continues to make great strides in the prevention, detection and response to detainee sexual assaults, abusive behaviors and sexual harassment.

The Donald W. Wyatt Detention Facility is confident that we have maintained and will continue to maintain 100% compliance with the DOJ Jail Standards.

DWM/dcd