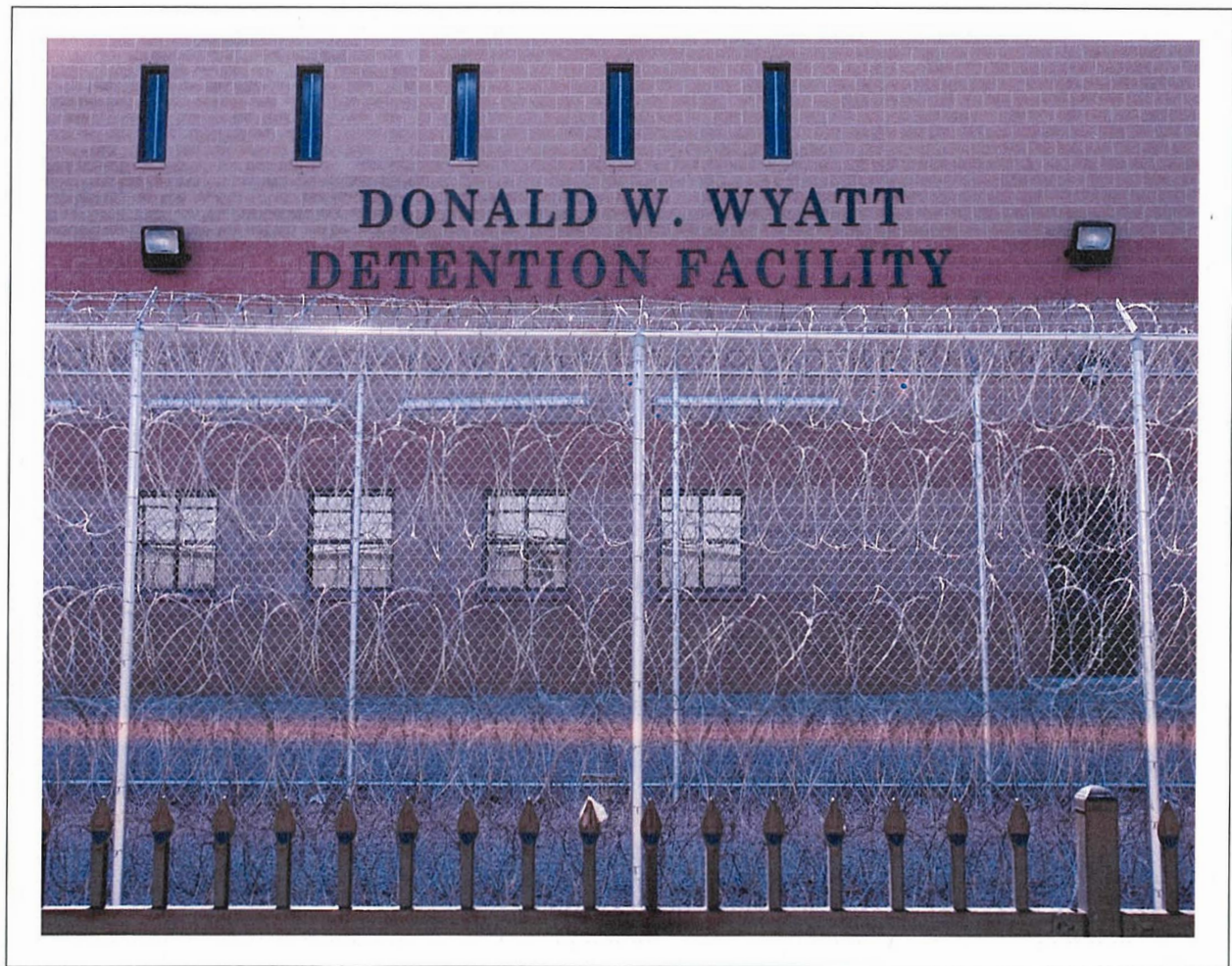


DONALD W. WYATT DETENTION FACILITY

PRISON RAPE ELIMINATION ACT (PREA)

ANNUAL REPORT – 2024



Approved: _____

A handwritten signature in blue ink, appearing to read "Michael Nessinger".

Michael Nessinger, Warden

Background

The Prison Rape Elimination Act (PREA) was signed into federal law in 2003 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 individuals from prison rape. PREA seeks to establish a “zero-tolerance” policy regarding rape, sexually abusive behavior and sexual harassment in federal, state and municipal correctional systems. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing rape, sexually abusive behavior and sexual harassment. In 2012, the United States Department of Justice (DOJ) issued the final PREA standards for: prisons and jails, lock-ups, community confinement facilities and juvenile facilities. These standards required DOJ audits of all facilities housing inmates every three (3) years.

The Donald W. Wyatt Detention Facility (DWWDF) underwent its first PREA audit in September 2014 and subsequent audits were conducted in October 2017 and February 2021. In December 2023, the facility underwent its fourth PREA audit. The facility was found to be 100% compliant with all PREA standards during this audit.

Facility Achievements in 2024

The Donald W. Wyatt Detention Facility continued to maintain compliance with the PREA jail standards as well as its internal policy #411 - Sexual Abuse and Sexual Harassment - Prevention and Intervention. Sexual Assault Forensic Examiners (SAFE)/Sexual Assault Nurse Examiners (SANE) and forensic examination services are provided by Rhode Island Hospital. The facility continues to maintain a Memorandum of Understanding (MOU) with Day One Crisis Intervention Center (“Day One”) of Providence, Rhode Island to provide advocacy services to detainees for emotional support services related to sexual abuse. Detainees can contact Day One in writing or by use of a dedicated hotline (both English and Spanish services are provided). All communication with Day One is confidential, unless the Center determines that the alleged victim is a danger to themselves or a third party.

Detainees also have access to our Professional Standards Unit (PSU) via a dedicated hotline number and may also contact the Office of the Inspector General (OIG) via telephone or in writing. During 2024, PSU received five (5) calls via the facility dedicated hotline related to potential PREA incidents. All five (5) calls resulted in PREA allegations that were reviewed by the PSU.

In 2023, the facility added the Rhode Island State Police (RISP) as a hotline. Detainees now have the ability to report sexual abuse/harassment via this hotline. The RISP did not receive any PREA-related phone calls in 2024.

The Donald W. Wyatt Detention Facility ensures that all current employees, contracted staff and volunteers receive a criminal background record check, at least every four (4) years which exceeds the PREA standard requirement.

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 2024.

The Director of Compliance has been assigned as the PREA Coordinator /PREA Manager since October 2016 and continues to fulfill the requirements and responsibilities of this position.

An annual review of the staffing plan and video monitoring system (including sightlines) were conducted to ensure adequate staffing levels and surveillance 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 all staff and detainees.

Purpose

The PREA Jail 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 collect 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 uniform 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” report conducted by the DOJ. The database also provides an ability to draw comparisons on various aspects of sexual abuse and harassment incidents. Some of those comparisons will be found in this report in the aggregated data section.

Aggregated Data on Sexual Abuse Allegations and Comparison to Prior Years

The DWWDF has a zero tolerance policy for sexual abuse/harassment that is covered in detail in Policy #411 - Sexual Abuse and Sexual Harassment - Prevention and Intervention. As such, every allegation, report and/or discovery of sexual activity is investigated as if a sexual abuse or sexual harassment event occurred. Only after a thorough investigation has been completed, is the event defined as a PREA violation or otherwise. It should be noted that unauthorized, but consensual sexual activity between detainees 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.
Unfounded:	An allegation that was investigated and determined not to have occurred.
Ongoing:	An allegation that is currently being investigated and a finding has not been determined.

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

Category	2024 - INVESTIGATIVE OUTCOME				
	Substantiated	Unsubstantiated	Unfounded	Ongoing	Total
Detainee-on-Detainee nonconsensual sexual acts	0	0	0	1	1
Detainee-on-Detainee abusive sexual contact	0	0	0	0	0
Detainee-on-Detainee sexual harassment	0	2	4	0	6
Staff-on-Detainee sexual misconduct	0	3	7	1	11
Staff-on-Detainee sexual harassment	0	1	9	0	10
Total	0	6	20	2	28

Category	2023 - INVESTIGATIVE OUTCOME				
	Substantiated	Unsubstantiated	Unfounded	Ongoing	Total
Detainee-on-Detainee nonconsensual sexual acts	0	0	0	0	0
Detainee-on-Detainee abusive sexual contact	0	0	3	0	3
Detainee-on-Detainee sexual harassment	0	0	1	0	1
Staff-on-Detainee sexual misconduct	1	0	6	1	8
Staff-on-Detainee sexual harassment	0	1	9	0	10
Total	1	1	19	1	22

Category	2022 - INVESTIGATIVE OUTCOME				
	Substantiated	Unsubstantiated	Unfounded	Ongoing	Total
Detainee-on-Detainee nonconsensual sexual acts	0	0	0	0	0
Detainee-on-Detainee abusive sexual contact	0	0	0	0	0
Detainee-on-Detainee sexual harassment	0	1	1	0	2
Staff-on-Detainee sexual misconduct	0	1	10	0	11
Staff-on-Detainee sexual harassment	0	0	1	0	1
Total	0	2	11	1	14

Comparison of PREA Cases (2023 – 2024)

The number of PREA allegations increased from twenty-two (22) cases in 2023 to twenty-eight (28) cases in 2024. Of the twenty-eight (28) cases investigated in 2024, six (6) were unsubstantiated, twenty (20) were unfounded, zero (0) was substantiated and one (1) is currently an ongoing investigation. There were four (4) allegations of sexual abuse / sexual harassment by an ICE detainee which was determined to be either unsubstantiated or unfounded.

The number of allegations pertaining to staff sexually harassing detainees remained the same. The majority of these cases were unfounded. The Compliance Assistant (i.e., PREA Instructor) will continue to ensure during 2025 training, staff are reminded that what they say to, and around, detainees may be misconstrued as sexually harassing comments.

Comparison of Investigative Outcomes (2023 – 2024)

The facility continues to average about ten (10) incidents a year that pertain to staff-on-detainee sexual misconduct. This can be attributed to the facility's continued educational efforts for staff, contractors, volunteers, and detainees. Investigative techniques and training and a strict adherence to the definitions established under the PREA standards are contributing factors to the comparable number of incidents from the previous year. More than one-half of the allegations pertained to voyeurism. The majority of voyeurism allegations result in an outcome of unfounded as staff are found to be performing job-related duties.

Identified Problem Areas and Corrective Action for 2024

PREA standards require a review of collected data in order to identify problem areas and establish plans of corrective action. Based on the statistical data alone, incidents within the facility are low compared to a review of available national data. There were no obvious problem areas identified in which corrective action was required.

A review of the physical plant was completed and did not reveal any "blind spots" or areas where staff and/or detainees may be isolated. 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. The housing units are staffed with one (1) correctional officer; however, if the detainee count exceeds seventy-two (72), a second officer may be posted in the unit for additional support. Each housing unit is equipped with cameras covering all areas of the unit. The unit officer along with the cameras ensures that there are no blind spots within the housing unit.

In 2024, the Director of Investigations was notified by the RI State police of an alleged sexual assault that happened in 2014. The matter was reviewed and the allegation was determined to be unsubstantiated; however, a review was conducted and policy change was recommended by the committee and completed by the Compliance Department. Other than the policy change, staffing levels remain adequate.

In 2024, the facility Information Technology (IT) Department has continued a surveillance system enhancement project in each housing unit along with additional areas of the facility. The IT Department has started installing 360 degree cameras, but only seven (7) housing units have been finished. In 2025, it is anticipated that this project will be completed by July 1st. This will enhance visual coverage in the housing units. These cameras have the capability of continuously recording every angle that is covered by the camera.

In 2024, the Warden added two unit sergeants to the facility staffing plan. Although the previous staffing plan met the requirements set forth by the PREA, these additions only enhance supervisor presence and coverage in all of the housing units.

In 2025, the IT Department will also finish installing cameras in the counselor offices in units B, C, D, and E. These units are staffed 24/7 and have cameras covering all areas of the unit; however, to enhance staff and detainee safety, cameras will be installed in these offices.

In 2025, the Compliance Department, IT and PSU will review all of the housing unit cameras to see if any modifications need to be made. As of the present time, all units remain and will remain staffed 24/7. All unit sightlines are covered by the camera surveillance system. These departments will look to place cameras in areas to further enhance coverage where it may be hard to see.

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, sexually abusive behaviors and sexual harassment.

The Donald W. Wyatt Detention Facility is confident that it has maintained, and will continue to maintain, 100% compliance with the PREA Jail Standards.

MN/dcd