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## Annual PREA Report FY2016

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The Regional Jail Authority (RJA) is committed to enhancing the safety and security of all RJA offenders. Each year the Regional Jail Authority collects accurate, uniform data of all Prison Rape Elimination Act (PREA) allegations submitted. By collecting, examining and comparing this year with previous years data the RJA prevention, detention and response of sexual abuse incidents is improved and negative trends can be more readily addressed before they become problem areas.

When it comes to sexual activity within the Jails, the policies and procedures are clear; **ALL SEXUAL ACTIVITY IS PROHIBITED**. Forced or coerced sexual activity and behavior by staff or inmate is a criminal act that merits criminal prosecution. All criminal acts are reported to the West Virginia State Police Office for investigation to ensure the perpetrator faces the full consequences of the law. Any form of substantiated consensual sexual activity that occurs within the jail by staff or inmate is also prohibited. All investigations are assigned one of three (3) possible determinations: **Substantiated**, an allegation which was investigated and determined to have occurred. **Unfounded**, an allegation which was investigated and determined not to have occurred. **Unsubstantiated**, an allegation which produced insufficient evidence to make a final determination of a substantiated or unfounded.

- **PURPOSE**

This document is an annual review that is used to assess and improve the effectiveness of the RJA sexual abuse prevention, detection, and response policies, practices and training pursuant to §115.88 and §115.89 of the national PREA standards. We review and aggregate incident-based sexual abuse data annually in order to improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training. This also includes identifying problem areas and taking corrective actions on an on-going basis. In addition, the current year's data and corrective actions are compared with those from prior years and then an assessment is made on the agency's progress in addressing sexual abuse. The assessment information is compiled in our PREA Annual Report and this report is published on the RJA website.

- **DATA**

The Regional Jail Authority collects data from every allegation and referral for investigation of sexual abuse and sexual harassment for both inmate-on-inmate and staff-on-inmate. The data contained in this report shows the aggregated data as well as a comparison between Fiscal Year (FY) 2013, FY 2014, FY 2015 and FY 2016. The information and graphs below depict a breakdown of sexual abuse and sexual harassment data; staff-on-inmate and inmate-on-inmate as well as the disposition of the reported allegations.

In FY 2016 there were a total of 57 allegations of inmate on inmate sexual abuse and 40 allegations of staff sexual misconduct and sexual harassment. The following chart represents all the reports received between 1 July 2015 and 31 June 2016 (FY 2016):

	Totals	FY 2016			
	Inmate On Inmate Nonconsensual Sexual Acts	Inmate On Inmate Abusive Sexual Contact	Inmate on Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
CRJ			1	5	
ERJ	1				
NCRJ	4	4	7	3	8
PHRJ		1	2	2	
SCRJ	3	1		2	
SWRJ		6	2	4	2
TVRJ	1	1	1	6	3
SRJ	2	3	5	2	
WRJ	2	3	3	1	1
NRJ	1	1	2		1
TOTAL	14	20	23	25	15
Grand Total	57			40	

• **ALL REPORTS COMPARATIVE ANALYSIS**

1. In FY 2013, the agency-wide reports received indicated 54 reported allegations of inmate-on-inmate sexual acts and a total of 36 reported allegations of staff sexual misconduct.
2. FY 2014, The RJA had a total of 89 allegations of inmate-on-inmate sexual acts and 50 allegations of staff sexual misconduct
3. FY 2015, we received a total of 117 allegations of inmate on inmate sexual acts and 92 allegations of staff sexual misconduct.
4. FY 2016 the RJA ended up with 57 allegations of inmate on inmate sexual abuse and 40 allegations of staff misconduct.

Historically, the RJA has collected and reported sexual abuse and sexual harassment data pursuant to the definitions and solicitation of the Bureau of Justice Statistics (BJS) Survey of Sexual Violence, which accounts for the following 4 categories: nonconsensual sexual acts, abusive sexual contacts, staff sexual misconduct, and staff sexual harassment. It is widely known that these categories fail to account for offender-on-offender sexual *harassment*. As a result and in an effort to implement best practice, in 2016 the RJA began compiling offender-on-offender sexual harassment data in addition to the 4 BJS categories. In doing so, the RJA comprehensively covers the definitions of sexual abuse and sexual harassment as outlined in the final PREA Standards.

When compared with FY 2015 we had 60 fewer allegations of inmate on inmate abuse and 52 fewer allegations reported of staff misconduct. This is attributed to the commitment of all RJA Staff, Administrators and RJA Management. We have continue to track inmate education and staff training. The new RJA PREA data collection process enables us to follow-up and track all PREA reports. We have also created a better reporting environment for all inmates and staff. We updated our PREA training and requirements for all staff, contractors, volunteers and inmates. In all of the allegations that were reviewed, it was clear that our staff is implementing the PREA information received and they are aware of the PREA guidelines and expectations. All PREA allegations are addressed immediately upon their receipt and all the allegations are immediately investigated.

- **SUBSTANTIATED COMPARATIVE ANALYSIS**

1. In FY 2013 we had a total of 10 inmate on inmate nonconsensual sexual acts. I do not have the information broken down by jails so I assigned one to each facility for comparison purposes. We also had 9 substantiated staff sexual misconduct reports.
2. In FY 2014 we had a total of 13 substantiated inmate on inmate sexual acts and 4 substantiated staff sexual misconduct reports.
3. FY (2015) we had a total of 13 substantiated inmate on inmate sexual acts and 7 substantiated staff sexual misconduct reports.
4. This FY 2016 we had 7 substantiated inmate on inmate sexual abuse and 6 substantiated staff sexual misconduct. These totals also includes sexual harassment.

When compared with FY2015 the substantiated inmate reports decreased by 6 (-6). When compared with FY 2013, and 2014 we had fewer reports. The decrease in reports is a direct correlation to the increased PREA related efforts that include staff focus group meetings with Just Detention International (JDI), and extensive PREA education for both staff and inmates. New Officers receive 3-4 initial hours of PREA training this is followed by 4-6 additional hours of PREA training at the Academy. In addition, all facilities receive monthly PREA information packet and this information is disseminated to all staff during daily briefings.

Substantiated staff misconduct reports decreased by 1 between FY 2015 and FY 2016. We continue on a downward trend when compared to FY2013 and FY 2014. The reason for this decrease is attributed to better trained Facility PREA Compliance Officers who are able to prevent, detect and investigate all PREA allegations in an efficient and expeditious manner using the audio and video monitoring capabilities installed in all our facilities.

## SUBSTANTIATED ALLEGATIONS

The following table is a breakdown of all the Substantiated allegations received in FY 2016.

	Substantiated by Month		FY 2016		
	Inmate On Inmate Nonconsensual Sexual Acts	Inmate On Inmate Abusive Sexual Contact	Inmate on Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
July	1			1	
Aug				1	
Sept					
Oct	1	1			
Nov	1			1	
Dec				1	
Jan				1	
Feb			1		
March					
April	1				
May		1			1
June					
TOTAL	4	2	1	5	1

## BREAKDOWN BY JAIL

Substantiated	FY 2016				
	Inmate On Inmate Nonconsensual Sexual Acts	Inmate On Inmate Abusive Sexual Contact	Inmate on Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
CRJ				1	
ERJ	1				
NCRJ	1	1		1	
PHRJ					
SCRJ	2			1	
SWRJ				1	
TVRJ				1	
SRJ			1		1
WRJ		1			
NRJ					
TOTAL	4	2	1	5	1
Grand Total	7			6	

- **RECCOMENDATIONS**

The RJA continues to implement best practice and the requirements of the PREA standards in order to address allegations of sexual abuse and sexual harassment of offenders. Leadership of the RJA is dedicated to on-going monitoring and corrective action in order to reach full PREA compliance and most importantly to maximize the sexual safety of all the RJA facilities. Creating culture change is a long and arduous process. As an agency, the RJA is steadily and continually making progress toward systemic change that fully integrates the intent of the PREA standards and the highest level of sexual safety. The RJA will continue working to improve existing staff training and will continue to work with the West Virginia Foundation for Rape Information and Services to better help and take care of victims of sexual abuse.

The following are recommended corrective actions needed to enhance our PREA requirements:

1. Revise 3052 PREA policy and inmpement lesson learned from the audit process.
2. Implement specialized training for all investigating Officers
3. Add surveillance cameras in all rover rooms.
4. Update and Implement the Sexual Abuse Incident Review Form.
5. Add PREA grievances to the RJA inmate handbook.

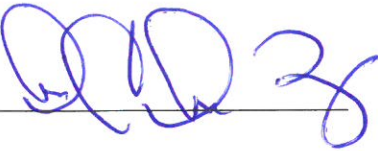
- **INCIDENT REVIEWS**

In accordance with RJA policy 3052, each facility is to conduct an after incident review within 30 days of completion of the investigation for all substantiated or unsubstantiated allegations of sexual abuse and staff sexual misconduct. From these reviews the following is a summary of those recommendations:

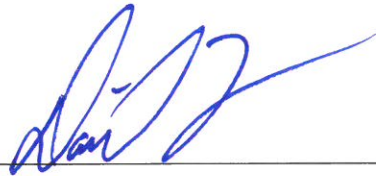
1. **PREVENTION:** All recommendations given on the previous years have been implemented. This FY we did not have any recommendation for improvement in this area.
2. **DETECTION:** In FY 2015 counselor involvement was recommended. This FY there is still a need for counselors to be a bit more involved in the ‘counseling’ process because they have the training, education and required skills to better serve inmates in this capacity.
3. **RESPONSE:** In FY 2015 no recommendations were given because no issues in the response category were found to be problematic or needing improvement. This FY no recommendations were given.
4. **DYNAMICS:** FY 2015 and FY 2016 no issues were identified as a problem area.

- **CONCLUSION**

The data of reported allegations when compared to last FY decreased. The decreased is attributed to the PREA compliance efforts implemented in FY 2015. Surveillance monitoring also increased in all facilities. Culture change is beginning to occur and we are steadily and continually making progress toward a systematic change that fully integrates the intent of PREA standards and the highest levels of sexual safety. The agency's efforts for reducing and eliminating staff on inmate and inmate on inmate sexual abuse have never been so organized and visible as they are today. We continue to work with Just Detention International to further bolster the confidence and integrity of our statewide PREA program.

/s/ 

Sgt. Louie C. Armendariz  
PREA Coordinator

/s/ 

Mr. David Farmer  
RJA Executive Director