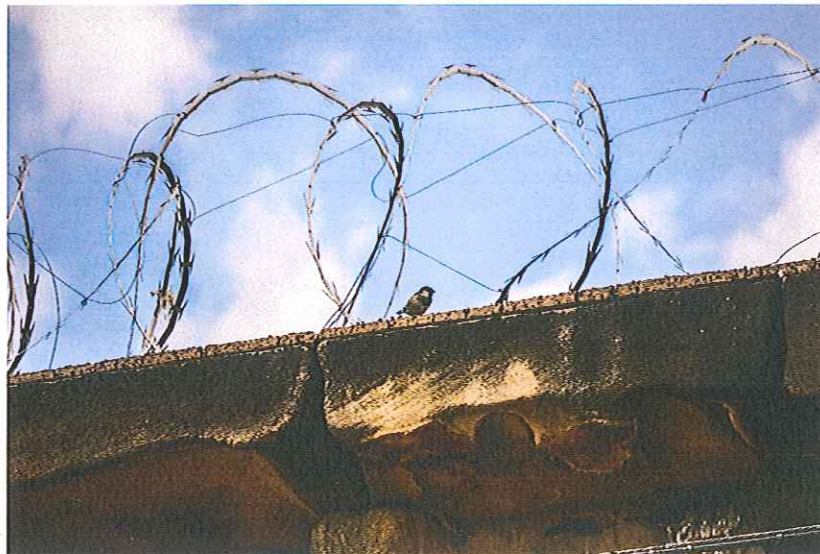




## West Virginia Division of Corrections Office of Research and Technology



## Addressing Sexual Abuse in Prisons Annual Report 2013

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August 2014

## 2013 Annual Assessment of WV DOC's Progress in Addressing Sexual Abuse

The Prison Rape Elimination Act (PREA) of 2003, 42 U.S.C. 15601 et seq., requires the Attorney General to promulgate regulations that adopt national standards for the detection, prevention, reduction and punishment of prison rape. The finalized PREA standards were released on August 20, 2012, with an implementation date of August 20, 2013.

Pursuant to standard § 115.88 of the Prison Rape Elimination Act, the West Virginia Division of Corrections (WVDOC) is required to:

(a) Review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:

(1) Identifying problem areas;

(2) Taking corrective action on an ongoing basis; and

(3) Preparing an annual report of findings and corrective actions for each facility, and the WVDOC as a whole.

(b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

(c) WVDOC's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.

(d) The WVDOC may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

### Data Collection:

During calendar year 2013, the Office of Research and Technology collected the referrals for investigations into allegations of inmate on inmate and staff on inmate sexual abuse in order to report findings to the Department of Justice for their annual Survey of Sexual Victimization. The data received is the basis for this section of the report.

In 2012 there were 85 reports of sexual victimization, and approximately 19% (16 events) of the 85 reported cases were found to be substantiated cases. For 2013, in the WVDOC, the number of allegations of sexual victimization increased dramatically, mostly due to the new data collection category of "inmate on inmate harassment". There were a total of 229 allegations of sexual victimization and 17% (39 cases) were found to be substantiated incidents. At the time the data was pulled, there were two ongoing investigations.

Chart 1

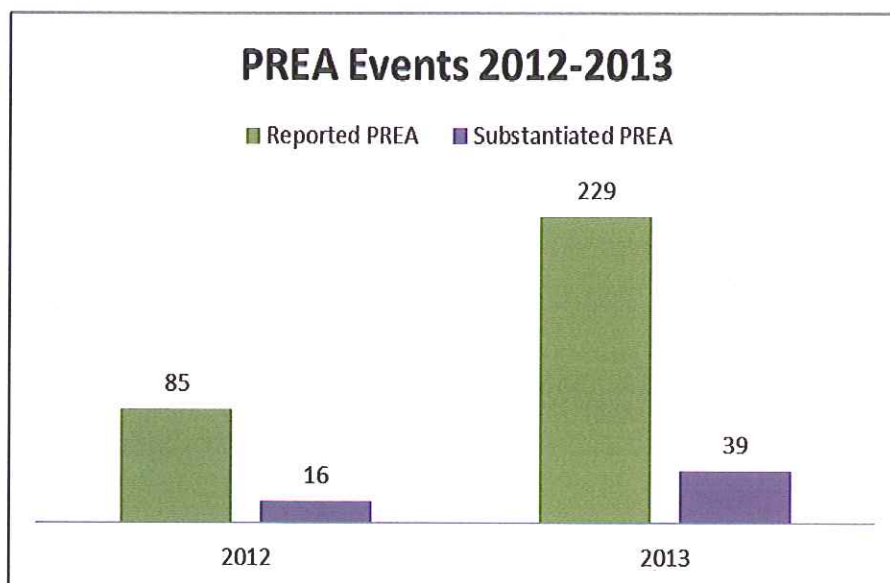




Table 1 shows a breakdown of types of PREA events reported in the WVDOC and the result of the investigation for 2013.

2013 PREA	Substantiated	Unsubstantiated	Unfounded	Ongoing Investigation	Total Reported
Abusive Sexual Contact	3	18	3	1	25
Non Consensual Sex Act	2	18	10	0	30
Inmate on Inmate Sexual Harassment	21	65	10	0	96
Staff Sexual Misconduct	9	26	8	1	44
Staff Sexual Harassment	4	21	9	0	34
<b>Total</b>	<b>39</b>	<b>148</b>	<b>40</b>	<b>2</b>	<b>229</b>

Table 2 below depicts the total number of PREA related allegations by facility in 2013.

Type of PREA Investigation by Facility						
	<i>Inmate/Inmate Abusive Sexual Contact</i>	<i>Inmate/Inmate Non Consensual Sex Act</i>	<i>Inmate/Inmate Sexual Harassment</i>	<i>Staff Sexual Misconduct</i>	<i>Staff/Inmate Sexual Harassment</i>	<i>Total Allegations Reported</i>
Anthony Correctional Center	4	4	9	2	0	19
Beckley Correctional Center	1	0	1	1	0	3
Charleston Work Release Center	1	0	0	0	0	1
Denmar Correctional Center	1	2	3	1	1	8
Huntington Work Release Center	0	1	0	3	0	4
Huttonsville Correctional Center	10	10	36	15	14	85
Lakin Correctional Center	0	0	6	2	0	8
McDowell County Correctional Center	1	1	2	1	0	5
Mount Olive Correctional Complex	3	9	8	10	12	42
Northern Correctional Facility	1	2	9	5	2	19
Ohio County Correctional Complex	0	0	1	0	1	2
Parkersburg Correctional Center	1	0	0	0	0	1
Pruntytown Correctional Center	0	1	4	3	0	8
St Marys Correctional Center	2	0	17	0	4	23
Salem Correctional Center	0	0	0	1	0	1
<b>Grand Total</b>	<b>25</b>	<b>30</b>	<b>96</b>	<b>44</b>	<b>34</b>	<b>229</b>

Table 3 below shows a breakdown of allegations versus substantiated events per facility in 2013.

Substantiated events by facility			
	Total Reported PREA Events	Substantiated PREA Events	% of Reported PREA that were Substantiated
Anthony Correctional Center	19	5	26.32%
Beckley Correctional Center	3	0	0.00%
Charleston Correctional Center	1	0	0.00%
Denmar Correctional Center	8	2	25.00%
Huntington Work Release Center	4	0	0.00%
Huttonsville Correctional Center	85	11	12.94%
Lakin Correctional Center	8	1	12.50%
McDowell County Correctional Center	5	5	100.00%
Mount Olive Correctional Complex	42	3	7.14%
Northern Correctional Facility	19	2	10.53%
Ohio County Correctinal Center	2	0	0.00%
Parkersburg Correctional Center	1	0	0.00%
Pruntytown Correctional Center	8	3	37.50%
St Marys Correctional Center	23	7	30.43%
Salem Correctional Center	1	0	0.00%
<b>Grand Total</b>	<b>229</b>	<b>39</b>	<b>17.03%</b>



## ***Analysis/Corrective Action:***

### ***WVDOC: 2013***

**Analysis:** Although there were drastically more reported allegations of sexual victimization from 2012 to 2013, the rate of *substantiated* incidences actually decreased from 18.8% to 17%. The reason for the increase in allegations is most likely attributed to an increase in inmate and staff awareness of PREA and the new reporting category of inmate on inmate sexual harassment. Both inmates and staff may have recently heard/read or seen high profile cases in newspapers, and on television, also raising awareness of the prison rape elimination act.

**Corrective Action:** Inmates are given policies and brochures at intake regarding WVDOC PREA Zero Tolerance. A PREA Screening Instrument must be completed within 24 hours of inmate reception into WVDOC custody. Readily available language interpretation software is in place for inmates with limited English proficiency and contracted medical/mental health staff are utilized to effectively communicate WVDOC PREA policies to inmates with disabilities. Orientation for inmates also includes inmate access to outside confidential support services for sexual abuse and sexual harassment. PREA posters have also been distributed, with information on how to report an allegation; these posters have been placed throughout the facilities.

**Analysis:** 34% of all PREA allegations reported in 2013 were staff on inmate related (staff on inmate sexual misconduct or staff on inmate sexual harassment); the majority, 42% were inmate on inmate Sexual Harassment and the remaining 24% were nonconsensual sex act or abusive sexual contact allegations.

**Corrective Action:** Beginning in 2013, it is mandatory that ALL WVDOC staff complete Staff Sexual Misconduct/PREA training annually. Previously staff only received PREA training during their Basic Academy training. We are hopeful that with this additional mandatory training which includes the most updated PREA policies, staff will be fully aware of the WVDOC's zero tolerance to staff and inmate sexual relationships and/or sexual harassment in prison.

### ***Correctional Facilities: 2013***

**Analysis:** See Tables 2 & 3 for a breakdown of reported and substantiated PREA related events from 2013 for each WVDOC facility.

It is noted in Table 2, Huttonsville Correctional Center had the most reported incidents of prison sexual victimization, with 37% of allegations, followed by Mt. Olive Correctional Complex with 18%. The facilities with the lowest number of reported events were Charleston Work Release, Parkersburg Correctional Center and Salem Correctional Center with one reported event each.

**Corrective Action:** Huttonsville and Mt. Olive are the two largest correctional facilities in the state composing of approximately 40% of all WVDOC offenders. Wardens from these institutions along with other wardens and administrators were tasked with the responsibility to ensure ALL DOC staff at every facility received training on the new PREA standards. Two of the three facilities with only one reported incident were work release type facilities, typically not having as many allegations, due to the nature of the facility and the relatively small amount of time offenders are in such facilities. Salem Correctional Center was a new facility, only opening its doors early in October 2013. All State WVDOC staff must complete annual PREA training and this past year all State WVDOC Investigators received specific training on the investigations of PREA allegations. WVDOC has also made anonymous third party reporting available through the WV Fusion Center. Offenders may either write or call the hotline by pressing #78 on their GTL phone system, to report allegations of sexual victimization.

**Summary:**

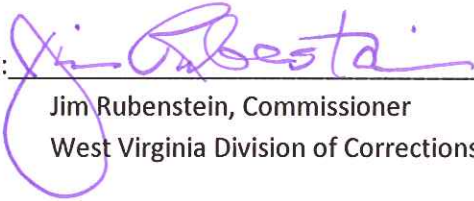
We hope that by demonstrating our belief in having zero tolerance for sexual abuse in prisons, through education and by following policies and procedures, that the West Virginia Division of Corrections (WVDOC) will stand united in its efforts to reduce incidents of sexual victimization in West Virginia prisons.

This year, posters and brochures were produced and displayed at various locations throughout our facilities in an effort to educate offenders and remind them that it is their responsibility to report allegations of sexual victimization and a PREA awareness video was created by the WVDOC for inmates to view at orientation.

The WVDOC continues to be committed to taking corrective actions to comply with the Prison Rape Elimination Act Standards. In 2013, we continued to modify and in some cases create new policies to demonstrate a "zero tolerance" for sexual abuse in our prison facilities. A training curriculum was established in 2012 and extended into 2013 in order to ensure that all WVDOC staff are not only made aware of the new policies/procedures but are instructed on the proper techniques in dealing with such events of prison sexual abuse should they occur.

It is our responsibility and part of our mission to enhance public safety by providing safe, secure, humane correctional facilities. This cannot be achieved without a collaborative effort amongst the staff and offenders of the West Virginia Division of Corrections.

Approved Signature: \_\_\_\_\_

  
Jim Rubenstein, Commissioner  
West Virginia Division of Corrections

Date

  
October 24, 2014