



WV Regional Jail & Correctional Facility Authority



Annual PREA Report FY2015

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, detection, and response to 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. 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 substantiated or unfounded.

PURPOSE:

This document is an annual review that is utilized 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 which 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 and FY 2015. 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.

There were a total of 117 allegations of inmate on inmate sexual acts and 92 allegations of staff sexual misconduct. The following chart represents all the reports received between 1 July 2014 and 31 June 2015 (FY 2015):

RJA TOTALS FY 2015					
INMATE ON INMATE SEXUAL ACTS				STAFF SEXUAL MISCONDUCT	
	Inmate on Inmate Nonconsensual	Inmate Abusive Sexual Acts	Inmate on Inmate Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
Jul	4	3	1	7	2
Aug	3	5	0	6	2
Sep	3	5	1	3	2
Oct	4	3	3	7	0
Nov	1	4	1	1	1
Dec	3	4	2	6	0
Jan	3	3	2	4	1
Feb	3	3	3	4	2
Mar	1	2	2	7	1
Apr	6	7	3	10	5
May	1	8	2	5	4
Jun	6	6	6	9	2
TOTAL	38	53	26	69	22
GRAND TOTAL	117			91	

ALL REPORTS COMPARATIVE DATA ANALYSIS:

1. In FY 2013, the agency-wide reports received were 54 reported allegations of inmate-on-inmate sexual acts and there were a total of 36 reported allegations of staff sexual misconduct.
2. FY 2014, we had a total of 89 allegations of inmate-on-inmate sexual acts and 50 allegations of staff sexual misconduct
3. FY 2015, we had a total of 117 allegations of inmate on inmate sexual acts and 91 allegations of staff sexual misconduct.

The increase of 28 more allegations reported this year is attributed to the total revamp of the RJA PREA data collection process, better follow-up, closer tracking of all PREA reports and a better reporting environment for all inmates and staff. In addition, we have also revamped our PREA training and requirements for all staff, contractors, volunteers and inmates. In all the allegations that were reviewed, it was clear that our staff is implementing the PREA information received and are also aware of the PREA guidelines, requirements and expectations. All PREA allegations were addressed immediately upon their receipt and were investigated promptly.

SUBSTANTIATED COMPARATIVE DATA ANALYSIS:

1. In FY 2013 we had a total of 10 Inmate on Inmate Nonconsensual Sexual Acts. The information is not broken down by jails so it is 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. This FY (2015) we had a total of 13 Substantiated Inmate on Inmate Sexual Acts and 7 Substantiated Staff Sexual Misconduct reports.

The substantiated inmate reports increased by 3 in FY 2014 when compared with FY 2013 and 10 for FY 2015 when compared with FY 2013. The increase in reports may be attributed to the increased implementation of PREA related efforts, inmate and staff focus groups meetings, and extensive inmate sexual abuse education program that began in 2014. This training built on previous inmate orientations and included new information published with PREA Standards. The focus groups that are currently being conducted at all RJA facilities are helping us educate, inform and change inmate culture. This has definitely attributed to inmates being more apt to report incidents of sexual abuse.

Substantiated Staff Misconduct reports decreased by 5 between FY 2013 and FY 2014. It increased by 3 this FY. The reason for this increase is attributed to better trained Facility PREA Compliance Officers who are able to detect and investigate all PREA allegations and the addition of 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 2015.

SUBSTANTIATED FY 2015	INMATE ON INMATE SEXUAL ACTS			STAFF SEXUAL MISCONDUCT	
	Inmate/Inmate Nonconsensual Acts	Inmate/Inmate Abusive Sexual Acts	Inmate/Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
Jul	0	0	0	0	0
Aug	0	2	0	0	0
Sep	1	1	0	0	0
Oct	0	0	1	0	0
Nov	0	1	1	0	0
Dec	1	1	0	0	0
Jan	0	0	1	0	0
Feb	0	0	0	1	0
Mar	0	0	2	0	0
Apr	0	3	0	1	1
May	1	1	1	0	0
Jun	2	3	0	3	1
TOTAL	5	12	6	5	2
GRAND TOTAL	23			7	

SUBSTANTIATED						
	FY 2013		FY2014		FY2015	
	Inmate/Inmate Sexual Acts	Staff Sexual Misconduct	Inmate/Inmate Sexual Acts	Staff Sexual Misconduct	Inmate/Inmate Sexual Acts	Staff Sexual Misconduct
CRJ	1	2	0	1	2	0
ERJ	1	0	0	0	1	2
NCRJ	1	0	0	0	8	3
PHRJ	1	0	1	0	1	0
SCRJ	1	1	0	0	0	1
SWRJ	1	3	0	0	0	0
TVRJ	1	2	6	0	1	0
SRJ	1	1	4	3	6	0
WRJ	1	0	2	0	4	1
NRJ	1	0	0	0	0	0
TOTALS	10	9	13	4	23	7

SUMMARY:

The Regional Jail Authority continues to implement proper adherences to all PREA standards. Allegations are being addressed immediately and investigated in an expeditious manner. The leadership of the Regional Jail Authority is dedicated to on-going monitoring and corrective action. 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 following are the corrective actions identified and currently being addressed at the RJA level.

CORRECTIVE MEASURES:

RJA and Just Detention International (JDI) are working to improve existing staff training of and buy-in to the agency's sexual abuse prevention program. This FY, RJA and JDI met with staff, volunteers and contractors at six of our ten (10) regional facilities and a class of cadets at the training academy. JDI conducted a two-part survey of staff members who came from different areas of jail operations including security, counseling, transportation, and medical. The groups also discussed survey questions given, conditions at the facility, and the quality of interactions between staff and inmates. During our meetings we found a number of indicators of good practice through these discussions:

1. Staff believe that the security of the facility trumps loyalty to individual staff or contractors engaged in misconduct.
2. Staff believe they will not face retaliation for reporting misconduct by other staff members.
3. Experienced staff believe that treating inmates with respect increases safety in facility and opens lines of communication. We also identified some ongoing challenges to culture change.
4. Based on comparing survey answers given by staff to those given by inmates, staff overestimate the degree to which inmates feel respected and the willingness of inmates to ask for help when they or another inmate is in danger.
5. Turnover among new staff members decreases the agency's ability to establish and maintain open communication with inmates. The inexperience of junior staff members results in conduct that degrades open communication between staff and inmates.
6. RJA and JDI are developing new inmate education protocols and materials that will directly address these and other inmate concerns.

INCREASED CAPACITY FOR SERVICES:

RJA continues to work with the Foundation for Rape Information and Services (FRIS) throughout the state to create an infrastructure for providing consistent and appropriate services. Some agencies are already actively working with local facilities and providing services when needed.

A contract with FRIS and a memorandum of understanding is currently being proposed. We are actively working on getting this contract signed. After the contract is signed the memorandum of understanding will be drafted.

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. Agency policies were not identified to be changed to prevent further sexual abuse incidents. Policy 3052 was revised and became effective 7/16/2013. Due to the recent PREA audits and the lessons learned this policy is being updated to better serve our inmate population and to better comply with all PREA requirements. In addition, the inmate handbook is being updated explaining the process of PREA grievances submission.
2. Last year the recommendations for improvement in **PREVENTION** were: predominately increasing video monitoring 37%. Other areas recommended were better Inmate Assessments 15%, Higher Staffing Levels 7%, Inmate Training 7%, Inmate Supervision 15% and 19% of the reviews gave no recommendation. All the above recommendations were implemented and we now have video monitoring capabilities in every RJA facility. This year we did not have any recommendation for improvement in this area.
3. Last FY, the recommendations for improvement in **DETECTION** were: adding cameras 74%. Better Staffing Observation 3%, Counselor involvement 3%, Increasing Staffing levels 3% and No recommendation was 17%. Inmate and staffing training has been enhanced this FY. Staff and

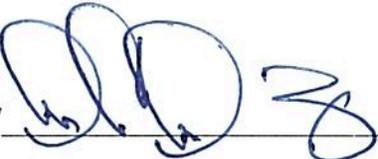
inmates are very much aware of PREA and the process for filing grievances and allegations. Currently, counselor involvement when it comes to helping and coordinating sexual abuse counseling with outside agencies is non-existent. There is a need for counselors to be more involved in the 'Counseling' process because they have the training, education and required skills to better serve inmates in this capacity.

4. Last FY the recommendations for improvement in **the RESPONSE** area were: video monitoring 33%, Officer Presence 11%, Enforcing Rules 3% and no recommendation was 53%. These recommendations were implemented and this FY no recommendations were given because no issues in the response category were found to be problematic or needing improvement.
5. Last FY in the **DYNAMICS** area that played a role in the alleged incidents were: Lesbian 30%, Gay 19%, Gender Identification 15%, Inmate Status 11%, Bisexual 8%, Race 4%, Mentally Handicapped 4% and No Dynamics 9%. This FY no issues were identified as a problem area.

CONCLUSION:

The Regional Jail Authority received a grant for funding for some PREA initiatives and we are currently working on those initiatives. The data of reported allegations when compared to last FY increased and in fact, it is expected that the numbers may increase during FY 2016. The slight increase is attributed to the PREA compliance efforts implemented in FY 2015. Surveillance monitoring also increased in all facilities. The investigative techniques training that typically best combats staff on inmate abuse was implemented. Most of the various elements within the corrective measures identified in last year's reports were addressed and completed. The agency's efforts for reducing and eliminating Staff on Inmate and Inmate on Inmate sexual abuse have never been so organized, continuous, and visible as they are today. This fact was validated by the 4 facilities audited this FY and attaining successfully PREA certification from the U.S. Department of Justice with no corrective measures deemed necessary.

The training efforts alone over the past year are equally incredible. The RJA is committed to continual and progressive culture change and will strive to adapt to and implement all requirements of the PREA standards. We continue working with Just Detention International to further bolster the confidence and integrity of our statewide PREA program.

/s/ 

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/s/ 

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