

Annual Internal Report on Sexual Assault Data

An Analysis of 2012 & 2013 Data within ODRC

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I. Introduction

Each year, the Ohio Department of Rehabilitation and Correction collects accurate, uniform data for every allegation of sexual abuse and completes the Survey of Sexual Violence (SSV) report. The SSV report provides information on every allegation of inmate on inmate and staff on inmate sexual abuse and is posted on the DRC Internet to make available to the public. The following analysis is DRC's annual internal report that targets confirmed inmate on inmate and staff on inmate sexual abuse incidents. This report provides a comparison of incidents from 2012 and 2013 and will be utilized by the DRC PREA Coordinator to identify problem areas and formulate corrective measures in efforts of reducing future incidents of sexual abuse. This report is the second internal report since DRC's full implementation of the PREA standards.

II. Data

The table attached to this report (**ODRC Sexual Assault Data 2012 & 2013**) provides the number of confirmed Staff on Inmate Contact Sexual Assaults and confirmed Inmate on Inmate Contact Sexual Assaults.

As depicted in the table, the number of staff on inmate contact sexual assaults drastically decreased from 39 incidents in 2012 to 3 incidents in 2013. After investigation it was determined that the reason for such a dramatic decrease is the fact that there was a reporting error within last year's internal PREA report. The actual number of confirmed staff on inmate sexual assaults for 2012 was 12. The reason it was erroneously reported as 39 instead of the correct number of 12 was due to "allegations" being reported rather than solely "confirmed" cases. Therefore, the actual decrease in confirmed staff on inmate sexual assaults was from 12 in 2012 to 3 in 2013. It should be noted that this error was properly reported within the DRC Institutional Climate Reporting System. Further investigation confirmed that the 3 cases involved contractors (Aramark) in the last quarter of 2013 and not DRC staff. There were still inappropriate relation cases involving DRC staff and inmate (letters, phone conversations, etc.); however, no cases involved confirmed sexual abuse acts.

The number of inmate on inmate confirmed sexual assaults illustrates an increase from 12 in 2012 to 18 in 2013. The most notable increase within this category is the ODRC female facilities (ORW, DCI, NEPRC) reported an increase in substantiated assaults from 1 case in 2012 to 8 cases in 2013. The Ohio Reformatory for Women represented the largest female facility increase in reports from 1 to 5. It is difficult to pinpoint a proven rationale for the increase in number of substantiated cases within ODRC female facilities. It is believed that the increased implementation of PREA related efforts throughout 2013 may definitely have attributed to inmates being more apt to report incidents of sexual abuse.

III. Problem Area Identification & Corrective Measures

Staff on Inmate Contact Assaults

1. **Location of Incidents:** As indicated earlier in this report, there was a substantial decrease from 12 to 3 confirmed cases in 2013 involving staff on inmate sexual abuse. There is a definitive commonality within the 3 confirmed cases in relation to location of incidents. Each involved private food service contractors within the last quarter of 2013.

Corrective Measures: Most directly related to the confirmed staff on inmate case locations, throughout 2014, the agency implemented annual PREA staffing plan processes that include the identification of potential blind spot concerns within each facility. During these evaluations, facility areas such as food service and any others with potential high staff on inmate contact periods paired with blind spot concerns were given high priority for increased camera placements. The primary difference with this year's evaluation is that actual camera additions have now occurred (approximately 1,300 throughout 2014). This measure is expected to positively impact efforts to reduce sexual assault cases as more awareness of camera coverage occurs with both staff and inmates. Camera coverage benefits will also be realized in providing more potential evidence for investigators when cases are alleged to have occurred in these locations.

Additionally, DRC implemented newly revised PREA driven policies that included PREA specific training being required for its volunteers and contractors. Again, as awareness of PREA education and actual cases involving staff/contractors/volunteers heightens, it is believed that efforts to reduce and/or eliminate sexual abuse will continue to be successful.

2. **After-Incident Review Information:** In addition to current after-incident review processes, the information relating to sexual abuse cases needed automation for ease of identifying more potentially valuable information. Such information is a critical agency need to fully equip DRC's best efforts to reduce sexual abuse cases.

Corrective Measures: ODRC is on track to have a fully implemented PREA investigation case automated tool in early 2015. The system was originally scheduled for mid-2014; however, a larger automated PREA assessment and classification system was implemented and the identified bugs and fixes to this system delayed the investigation tool. The investigation PREA system will be invaluable as it will be capable of auto-populating various aspects and characteristics within all sexual abuse and harassment cases occurring in ODRC facilities. Current information is very labor intensive to retrieve from hard copy SSV report formats. Of course, another major benefit the automated system will provide is real-time and/or remote monitoring of active cases being available for immediate evaluate for PREA compliance. Measures such as retaliation, monitoring activities, and notification of outcomes to victims can be tracked and rectified when necessary. Finally, the investigative tool will undoubtedly provide for more statistical information to be auto-generated and not reliant upon more time consuming efforts in retrieving information through Institution Investigators.

Inmate on Inmate Contact Assaults

- 1. Facility Types:** In 2013, the majority of the 18 cases occurred within a dorm-type setting (6) or program/common area (6) as opposed to in a cell (5). The remaining case occurred in a recreation area. The information available is limited from the SSV report in that it does not drill down further into actual location within the type of setting without a review of all paperwork for each incident.

Corrective Measures: The automated PREA case tool is again necessary for facilitating quick access to more detailed information with cases. For instance, all “dorm” type cases will be easy to review for more detailed information to potentially identify commonalities within each dorm that cases may be occurring. Substantiated and unsubstantiated cases are reviewed by the Sexual Abuse Review Team and details are evaluated for concerns at that time. However, the investigative automation will vastly expand quick and easy review process for all cases (unfounded) and sexual harassment cases as well.

- 2. Sexual Abuse Review Team Process:** There were cases that the Sexual Abuse Review Team (SART) processes were not completed on unsubstantiated cases as required or were completed on harassment cases when they were not required. Additional reviews of SART practices identified that some noncompliant issues were still not being identified (retaliation monitoring, inmate disciplined in unfounded cases, notices of unsubstantiated findings not sent to alleged victims).

Corrective Measures: The Bureau of Agency Policy & Operational Compliance conducted a review of several cases as indicated in the last annual PREA report. This review did serve its purpose in identifying problems that occurred or were not fully compliant with DRC policy requirements in abuse cases. However, more timely review of cases to facilitate earlier detection of issues is necessary. In addition to more timely reviews occurring other measures such as policy clarification, continued training, and increased frequency of communication is needed. In late 2014, all DRC PREA policies were successfully revised to improve policy direction to the field including the processes required in handling of inmate on inmate sexual abuse cases. DRC is implementing a full PREA Compliance Review (PCR) process that will be conducted at every facility during their annual internal management audit. The PCR process is intended to deliver more timely identification of potential noncompliance issues occurring at facilities so that immediate corrective measures can occur. Ultimately all of these efforts are believed to circle back to improve the agency’s goal of reducing and/or eliminating sexual abuse.

- 3. PREA Assessment & Classification Processes:** Inmates involved in sexual abuse allegations must be properly assessed and classified under the DRC PREA assessment system at the time the allegations are made and upon conclusion of the investigation.

Corrective Measures: A key element in reducing sexual abuse cases is by separating inmates with the potential for being abusive from those with potential of being abused. The implementation of the automated PREA assessment and classification system has greatly enhanced DRC staff’s ability to ensure separations between potential abusers and

victims are maintained. However, there were some cases reviewed where staff did not review and update PREA classification information during abuse investigations. The updated revisions to DRC policies clarify these expectations to staff. Throughout 2015, BAPOC will continue to conduct PREA related training sessions that will further explain the assessment and classification issues related to investigations. Additionally, PREA Compliance Review sessions should further augment corrective measures by identifying if special assessments are not being properly conducted during investigations.

4. **Inmate Reporting Methods:** The establishment of the third party reporting system for inmates to utilize has definitely increased the number of allegations being reported. However, the method of communicating these reports for investigation must be expanded to ensure there is no delay if an investigator is off for an extended timeframe.

Corrective Measures: The third party reporting method for ODRC has definitely attributed to a noticeable increase in the number of sexual abuse allegations being reported throughout 2014. In fact, in early 2014, DRC worked with the third party reporter to improve their review of reports by increasing the frequency of reviewing messages multiple times per day. Upon receiving the allegation, the DRC Chief Inspector's Office immediately forwards the report to the facility investigator for review. There were a few cases where investigations were delayed because the report was sent solely to the investigator and that person was off for an extended time (vacation, training). Therefore, reports are now sent to the facility investigator and the facility Warden, Assistant Chief Inspector, and DRC Investigations Coordinator to ensure all allegations are investigated timely.

IV. Conclusion

Although the data relating to staff on inmate sexual abuse cases revealed a sizeable decrease from 2012 to 2013; however, based on the 2014 reports it is not certain that this trend will continue. In fact, it is expected that numbers may escalate during 2014 as the DRC PREA compliance efforts, enhanced surveillance systems, improved investigative training modules, and other efforts throughout 2014 may likely increase the allegations being reported. The increase indicated in inmate on inmate abuse cases from 2012 to 2013 is perhaps attributed to the PREA compliance efforts implemented in 2013. Surveillance monitoring increases and investigative techniques training that typically best combat staff on inmate abuse were implemented much later in 2013 and early 2014.

There are various elements within the corrective measures identified in last year's report that were completed. The Sexual Abuse Review Team process was revised and fully implemented, the PREA assessment and classification automated tool was implemented, TOCI's population and staff issues appear resolved, and more information from sexual abuse cases is available from internal review documents created to track cases. However, in addition to this report's corrective measures, the previous internal report's measures must continue as follows:

1. PREA Compliance Review processes will not only be conducted at sites with external PREA audits. PCR sessions will be conducted at each site during the internal audits and results reported within facility IMA reports.

2. PREA Assessment and Classification processes will continually improve by ensuring special assessments are triggered in conjunction with initiating and concluding abuse investigations.
3. The PREA investigation automated tool needs to be fully implemented to improve the agency's ability to further drill down data when evaluating what types of facility environments/settings that confirmed sexual abuse are occurring within. Additionally, the other benefits from the automated system need to be realized (remote review and live monitoring of cases, auto-population of valuable data).
4. The Bureau of Agency Policy and Operational Compliance needs to continue leading and/or facilitating PREA related training efforts for various targeted DRC staff.

On a final note, the agency's efforts for reducing and/or eliminating staff on inmate and inmate on inmate sexual abuse have never been so organized, continuous, and visible as they are today. This fact is validated by DRC's excellent results with all 8 facilities audited in 2014 successfully attaining their PREA certification status with no corrective measures deemed necessary. The training efforts alone over the past year are equally incredible. The following training sessions were organized, led, and facilitated by BAPOC: PREA Compliance Manager Training 12/2013, Specialized Investigator Training 12/2013, PREA Risk Assessment Training 12/2013, Wardens Training 12/2013, PREA Incident Reporting Training 1/2014, External PREA Audit Training 1/2014, Chief Inspector's Office Training 4/2014, Ohio's PREA Efforts - PREA Resource Center 8/2014 (Salt Lake City, UT), Medical/Mental Health/UMC Video Conference 9/2014, Assessment System Training 8/2014, Investigator Video Conference 9/2014, Eleven PREA Facility Audits Training 10/2014, OCM Meeting & Training 11/2014, NE Region Summit Training 11/2014, Facility PREA Updates Training 12/2014.

The above mentioned and any identified additional efforts necessary will remain on course for improvement throughout 2015. External PREA audits will be conducted at an 13 adult correctional institutions (including both privately operated institutions) with a continued expectation of successfully attaining PREA certification without corrective action being necessary.



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**Ohio Department of Rehabilitation and Correction
Sexual Assault Data 2012 & 2013**

	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault
	2012	2012	2013	2013
AOCI	0	1	0	0
BECI	0	0	0	1
CCI	0	1	0	2
CRC	0	0	0	1
DCI	1	0	0	1
FMC	0	0	0	0
GCI	0	0	0	0
LECI	0	0	1	0
LOCI	0	0	0	2
LORCI	1	1	0	1
MACI	0	2	0	0
MANCI	2	2	1	2
MCI	0	1	0	0
NCI	0	0	0	0
NEPRC	0	0	0	2
ORW	6	1	1	5
OSP	0	0	0	0
PCI	0	1	0	0
RICI	0	1	0	0
RCI	0	0	0	1
SCC	1	1	0	0
SOCF	0	0	0	0
TOCI	1	0	0	0
TCI	0	0	0	0
WCI	0	0	0	0
TOTAL	12	12	3	18