

2016 Annual Internal Report on Sexual Assault Data

An Analysis of 2013-2015 Sexual Assault Data within Ohio Department of Rehabilitation and Correction

Prepared by:

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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 2013 through 2015 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 fourth internal report since DRC's full implementation of the PREA standards audit cycle in 2014. ODRC's adult correctional system become fully PREA certified in June 2016 with all 27 correctional facilities successfully completing their initial PREA audit.

II. Data

The tables attached to this report (**ODRC Sexual Assault Data 2013-2015 By Facility & ODRC Sexual Assault Data 2013-2015 By Security Level & Gender**) provide the number of confirmed Staff on Inmate Contact Sexual Assaults and confirmed Inmate on Inmate Contact Sexual Assaults. The focus of this analysis will be primarily by comparing the 2014 and 2015 statistics. However, some value is provided by illustrating the initial 2013 statistics and this will be discussed as well.

On a positive note, both the number of staff on inmate and inmate on inmate contact sexual assaults decreased from 2014 to 2015. Staff on inmate contact assaults dropped from 15 cases in 2014 to 12 cases in 2015. The majority (7) of these contact assaults involved DRC staff, with the remaining cases involving either contractors (3) or program providers (2). Certainly the most relevant factor within staff on inmate contact assaults is that half of the incidents occurred within DRC female facilities. Such an indicator is relevant as only 3 out of the 27 DRC facilities are female institutions. The number of inmate on inmate contact assaults decreased more significantly from 28 in 2014 to 18 in 2015. Consequently, 56% (10) of these contact assaults occurred within DRC female facilities. An in-depth review of all 18 cases revealed that only one was a violent-type sexual assault whereas all other cases involved inappropriate types of contact (ie. touching) that meet the definition of contact assault. Important to security level comparisons,

both categories of contact assaults (SOI, IOI) are expected as there were 0 cases substantiated within maximum security facilities (OSP, SOCF). Last, it is reassuring when evaluating the data from 2013 as staff on inmate sexual assault is now being identified at a much higher rate than prior to the PREA audit enforcement efforts. Interestingly, the number of confirmed inmate on inmate assaults dropped substantially (18, 28, 18) from 2014 to 2015.

Staff on Inmate Contact Assaults

Several cases involved inappropriate touching or physical contact with offenders and not actual violent sexual assault. Staff on inmate contact assault rates are significantly higher within DRC female facilities. Female facilities are elevated targets for increased PREA surveillance strategies and continued saturation of sexual assault education for offenders. PREA implementation efforts have definitely resulted in our abilities to substantiate more cases specifically with the additional avenues provided for anonymous reporting and improved investigative tools. Proactive staff activities aimed to reduce incidents of staff on inmate sexual assault in all our facilities must continue, especially within female institutions.

Inmate on Inmate Contact Assaults

Again, the characteristics of these incidents are not typically consistent with physical non-consensual sexual acts. Nearly all cases within this category involved inappropriate or unwanted physical contact (ie. touching) rather than sexual intercourse activities. There was one violent sexual assault case and it was effectively prosecuted resulting in a criminal conviction as well as a security level increase to the highest degree of control for the assailant. Examining the numbers within security levels and facility types, outside of maximum security single-celled locations, there were no significant differences between celled vs. dormitory environments.

- III. Problem Area Identification & Corrective Measures: The following highlights findings and corrective actions reported from confirmed sexual assaults for the agency as a whole. Findings and corrective actions for each facility with substantiated and unsubstantiated cases are also reviewed individually by the Agency PREA Coordinator and/or assigned PREA Audit Administrator. Each case's findings and corrective measures are shared directly with each facility's Operational Compliance Manager.**

Staff on Inmate Contact Assaults

- 1. Location of Incidents:** Incidents of staff on inmate contact assaults are significantly higher within female facilities.

Corrective Measures: The Regional PREA Administrators will be targeting assigned female facilities for quarterly PREA assessment site visits. These visits will include blind spot assessments, monitoring of any active cases, quality assurance reviews of Sexual Abuse Review Team activities, and meeting with Institutional Investigators to address PREA investigation issues.

- 2. Readily Accessible Incident Review Information:** The need for more readily accessible information still exists but has vastly improved with the recent launch of the PREA Incident Reporting System.

Corrective Measures: ODRC fully implemented the PREA Incident Reporting system in November 2016. Information is definitely more accessible as all investigative cases can be viewed as they are being completed. The Bureau of Operational Compliance will be identifying important components to have IT build an auto-populated incident review report within the system. This documentation will enable more efficient access to the critical information contained within PREA investigative cases to include after-incident reviews.

- 3. Contractor & Program Provider Targeting:** Nearly 50% of staff on inmate contact assaults involved a contractor or program provider.

Corrective Measures: PREA Administrator facility assessments will include a review of facility efforts with improving educating any contractors and/or other types of staff who have regular contact with offenders. Additionally, facility PREA assessments will make sure that areas with contractors (ie. Aramark food service) are being effectively monitored for inappropriate activities (ie. video surveillance).

Inmate on Inmate Contact Assaults

- 1. Facility Types:** The majority of cases occurred in female facilities. The most violent assault case occurred in a celled environment.

Corrective Measures: Again, increased targeted site visit strategies with PREA Audit Administrators to female facilities is being implemented. Housing assignments of PREA classified inmates within all facilities, including celled environments, are going to be increasingly monitored by PREA Audit Administrators. Additionally, increased direction to Operational Compliance Managers will be provided regarding the monitoring of housing, program, work, and educational assignment decisions of PREA classified offenders.

- 2. Inmate Disciplinary Actions:** There have been a few cases where the Rule 24 inappropriate relationship charge has been improperly applied to offenders that are involved with staff.

Corrective Measures: The Bureau of Agency Policy & Operational Compliance will require that PREA Administrators are notified of all rule 24 charges so they can be reviewed for appropriate utilization. Improper rule 24 convictions will be returned to Legal Services for modification.

- 3. PREA Assessment & Classification Processes:** Some offenders have been found to have had an improper PREA classification. In addition, special PREA assessments are sometimes not administered properly or timely during investigations.

Corrective Measures: The PREA Coordinator and/or assigned Regional PREA Administrators will be monitoring PREA classification decisions more closely. Facilities will be required to conduct a systemic review of their PREA classified offenders to ensure proper application of PREA classifications. Operational Compliance Managers and BOC

PREA staff will be able to more closely monitor special assessments during investigations with the availability of the PREA Incident System. Last, internal management audits will be reviewing additional aspects of the PREA classification processes, to include the newly implemented PREA DOTS flag, within each facility.

- 4. Mental Health Referrals:** Issues related to the various different mental health referral requirements for both Abusers and Victims have been identified by our facility reviews.

Corrective Measures: Policy language clarification within mental health directives and increased review of documented mental health referrals and encounters is a target for 2017.

IV. Conclusion: Continued Monitoring, Improvements, and Looking Forward

The data presented for 2015 indicating decreases in both the number of Staff on Inmate and Inmate on Inmate sexual assaults is a positive indicator for reducing sexual assault in ODRC. However, it is uncertain whether the same trend will appear in next year's data. The PREA audit enforcement process continues to evolve and consequently assault case identification practices continue to improve as well. Contributing factors to identifying more cases are not inclusive to audit enforcement processes. Additional factors are the continued education and anonymous reporting methods for staff and offenders, increased PREA involvement by multiple staff layers due to information technology tool access, and enhanced compliance monitoring strategies by the Bureau of Operational Compliance. Such efforts are also working to change the culture of more traditional thinking by not only making reporting sexual assault more acceptable and reducing fear of retaliation, but also embedding safer management strategies of PREA classified offenders within ODRC facilities.

Systemic Improvements

Improvements within many facets of ODRC PREA compliance efforts were achieved during 2016. Most notably, the London Correctional Institution was successful with its initial PREA certification audit to complete all 27 adult correctional facilities being PREA certified. ODRC was the first correctional system in the country to be both ACA accredited and PREA certified and was awarded the Lucy Webb Hayes award by the American Correctional Association in August 2016. ODRC also implemented the utilization of a PREA flag indicator into its Departmental Offender Tracking System. This vastly expanded staff awareness of offenders who have a PREA classification without jeopardizing offender confidentiality. The launching of the PREA Incident Reporting System was also a major improvement for the agency. Various stakeholders can now evaluate PREA case investigations and after incident review processes at any time. Such a system also improves the quality of records being retained and providing expedient access to the information. A final notable improvement deals with balancing the workload of conducting PREA investigations. ODRC improved PREA investigation caseload assignments by moving sexual harassment investigation responsibilities from Institutional Investigators to Operational Compliance Managers. OCM's complete the same specialized sexual abuse investigation training as our Institutional Investigators and are now handling harassment investigations. The above improvements are not inclusive, rather the most notable, for providing visible positive impact to the agency's PREA compliance efforts.

Looking Forward

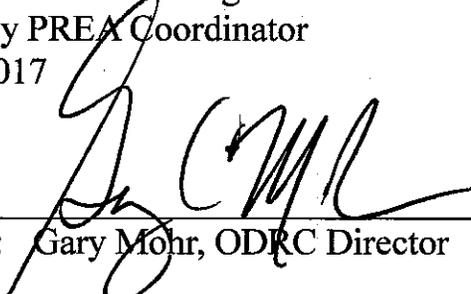
Corrective measures from each year are evaluated during the annual report process. Successful completion of corrective measures from last year include more proactive handling of offenders security classification processes that are verified abusers, implementation of a formalized quality assurance review process of substantiated cases, implementing improved internal management audit standards targeting timeliness of after incident review activities, and activation of the automated PREA Incident Reporting System. However, not all identified issues were entirely resolved. Therefore, in addition to this report's corrective measures, the previous internal report's actions must continue as follows:

1. The PREA classification assessment system and PREA classified offender management strategies must continue to be proactively monitored and reviewed for accuracy on a more regular basis.
2. Although improved from last year, the need for more readily accessible information from PREA incidents still exists. The goal of developing an auto-populated after-incident review form derived from the PREA Incident Reporting system is a priority for the upcoming year.
3. Several PREA issues were either added or enhanced within the ODRC internal management audit process as a means to improve certain issues. This effort was successful with implementing into the audit process, however follow up monitoring of recommendations from OSC level after-incident reviews is needed. A follow up system to evaluate recommendations from substantiated assault case reviews and/or noncompliant internal audit findings will be incorporated into the internal management audit system for 2017.

The upcoming PREA audit cycle is significant in that it marks the first round of facility PREA re-certification audits. These audits will subject our facilities to an evaluation of PREA compliance over an entire three year cycle so organization of records is a key component to success. The Bureau of Operational Compliance internal support efforts, including the internal management audit process, are also critical ingredients for DRC's continued PREA audit success. The above overview, findings, and recommendations will serve as a primary guide for ODRC's continued PREA efforts for 2017. Efforts will also be modified as necessary by any rulings and/or standard changes set forth by the PREA Resource Center/DOJ FAQ guidance.



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Approved By: Gary Mohr, ODRC Director

**Ohio Department of Rehabilitation and Correction
Sexual Assault Data 2013-2015**

	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault
	2013	2013	2014	2014	2015	2015
AOCI	0	0	0	1	1	0
BECI	0	1	1	0	2*	1
CCI	0	2	0	4*	0	1
CRC	0	1	0	2*	0	0
DCI	0	1	0	0	1	4
FMC	0	0	0	0	0	0
GCI	0	0	0	1	0	0
LECI	1	0	1	0	0	1
LOCI	0	2	1	1*	0	1
LORCI	0	1	0	1	2	0
MACI	0	0	2	1	0	0
MANCI	1	2	0	0	0	1
MCI	0	0	0	0	0	1*
NCI	0	0	0	0	0	0
NEPRC	0	2	3	3	0*	4*
ORW	1	5	2	5*	5	2*
OSP	0	0	0	0	0	0
PCI	0	0	0	5*	0	0
RICI	0	0	3	2	0	1
RCI	0	1	0	0	0	0
SCC	0	0	0	0	0	0
SOCF	0	0	0	0	0	0
TOCI	0	0	0	0	0	0
TCI	0	0	0	0	0	0
WCI	0	0	2*	2*	1	0
TOTAL	3	18	15	28	12	18

*adjusted from SSV report

**Ohio Department of Rehabilitation and Correction
Sexual Assault Data 2013-2015 (by Security Level & Gender)**

	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault	Staff on Inmate Contact Sexual Assault	Inmate on Inmate Confirmed Sexual Assault
	2013	2013	2014	2014	2015	2015
Security Level 1/2	0	5	7	15	3	5
Security Level 3/4	2	5	3	5	3	3
Security Level 4/5	0	0	0	0	0	0
Female Facilities	1	8	5	8	6	10
TOTAL	3	18	15	28	12	18