

# Leon County Sheriff's Office Prison Rape Elimination Act Annual Data Review Report



# 2022

*Submitted by: Tim Ruth, PREA Coordinator*

*February 15, 2023*

## **History**

The Prison Rape Elimination Act (PREA) was established in 2003 by the United States Congress in order to address the problems of sexual abuse and sexual harassment in correctional facilities. The major provisions of the PREA Standards include:

- ✓ Adherence to a zero-tolerance policy
- ✓ Development of standards for detection, prevention, reduction and punishment of prison rape.
- ✓ Collection and dissemination of information on the incident of prison rape

The goals of PREA align with the mission of the Leon County Detention Facility and the Leon County Sheriff's Office, in that we are committed to operating a safe, secure correctional system delivering quality programs and services while maintaining the dignity and respect of those we serve. In early 2013, the Leon County Sheriff's Office started implementing the 43 PREA standards that apply to adult jails and prisons. Additional training was implemented for staff and training for inmates was established. The Leon County Sheriff's Office appointed the first PREA Coordinator in 2014 and in September of 2015, the current PREA Coordinator assumed the duties. Sheriff Walt McNeil and Assistant Sheriff Steve Harrelson recognize the importance of the Leon County Sheriff's Office continuing to be PREA compliant in order to make the Leon County Detention Facility an even safer place for staff and inmates alike. The Leon County Detention Facility passed our PREA Audit on 03/24/2016. The facility received 5 exceeds standards, 35 meets standards and 3 exemptions during the audit.

On 08/31/2019, the Leon County Detention Facility passed our second PREA Audit. The Department of Justice revised the audit tool used by the PREA Auditors, making it harder for a facility to pass on its first attempt. However, the Leon County Detention Facility did pass the audit on our first attempt. The Leon County Detention Facility is only the 14th jail in the state to become PREA compliant. Even though the Leon County Sheriff's Office received full compliance with all PREA standards, the work is not done. The facility staff will continue to get even better training. The facility will be getting more, and even better video monitoring equipment all designed to enhance our existing monitoring capabilities.

On 07/13/2022, the Leon County Detention Facility passed our third PREA Audit. The Department of Justice again revised the auditing tool used by the PREA Auditors in an attempt to make it harder to pass the audit on the first attempt. In addition, two new standards were established from existing standards for a total of 45 standards for this audit. The Leon County Detention Facility not only passed the audit but out of the 45 established standards, we scored exceeds standard on a total of 7 standards. WE could not be any prouder of our staff for this accomplishment. Our next audit will be scheduled for the summer of 2025.

## **Purpose**

Pursuant to of the Prison Rape Elimination Act Standards, this report serves as an annual review required to assess and improve the effectiveness of the Leon County Detention Facilities policies, procedures and training as it relates to sexual abuse prevention, detection and response. The Leon County Sheriff's Office investigates all reported cases of sexual abuse and sexual harassment.

### **115.88 Data Review for Corrective Action**

*(a) The agency shall review data collected and aggregated pursuant to PREA Standard 115.87 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 on-going basis; and*
- (3) Preparing an annual report of its findings and corrective actions.*

*(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.*

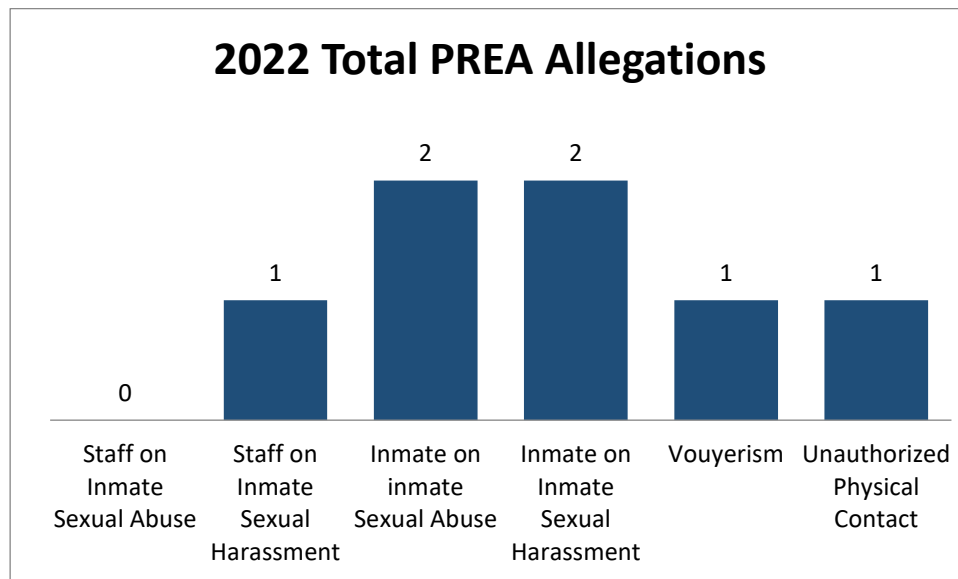
*(c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.*

## Collected Data

### 2022 PREA Incidents

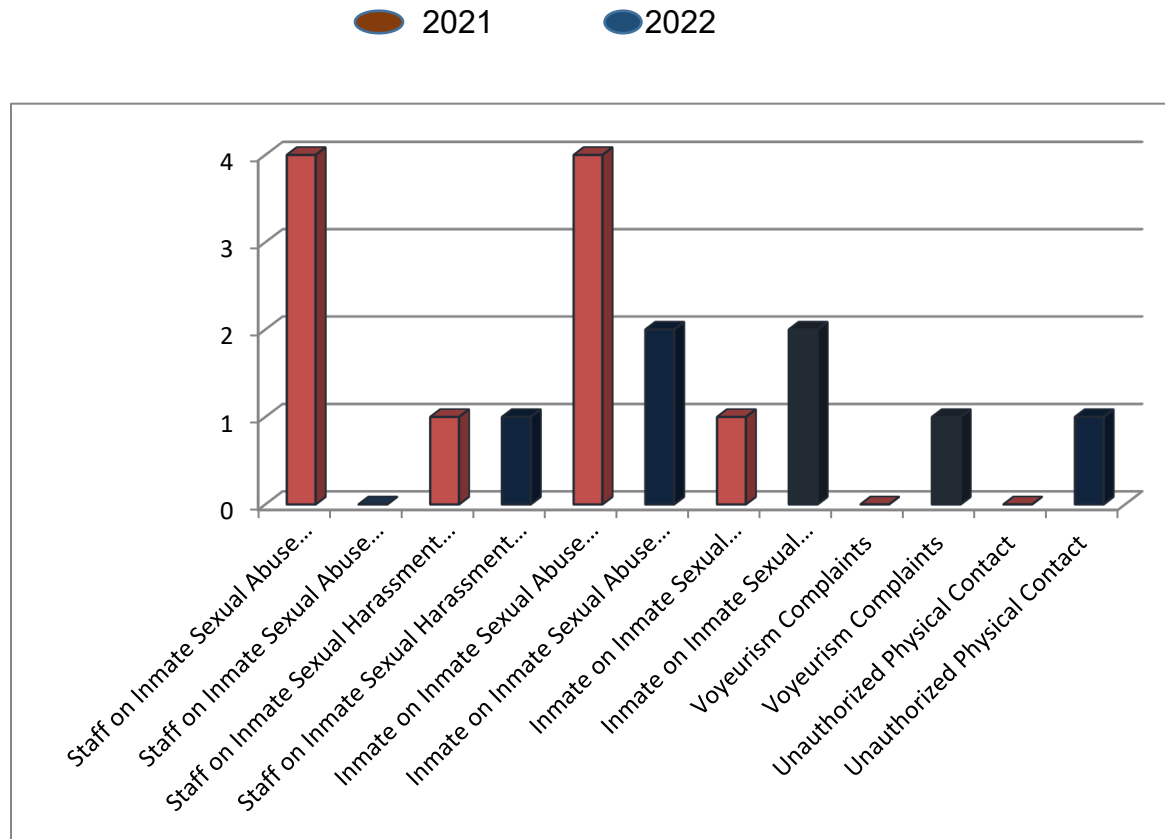
The Leon County Detention Facility collects data from the referrals for investigations of sexual abuse/misconduct and sexual harassment, to include both inmate on inmate and staff on inmate allegations.

The following graph indicates a breakdown of the sexual abuse and harassment allegations from 2022, which includes seven (7) reported incidents. This is three (3) less incidents than were reported in 2021. One (1) of the reported incidents in 2022 was an incident that occurred in another jurisdiction. That incident was reported to that agency for investigation and is not included in the graph below.



### Comparison of Reported Incidents

The following graph compares the number of reported incidents from 2021 (10) and 2022 (7) by the type of allegation.



The Average Daily Population (ADP): **2021 = 1115**

**2022 = 1135**

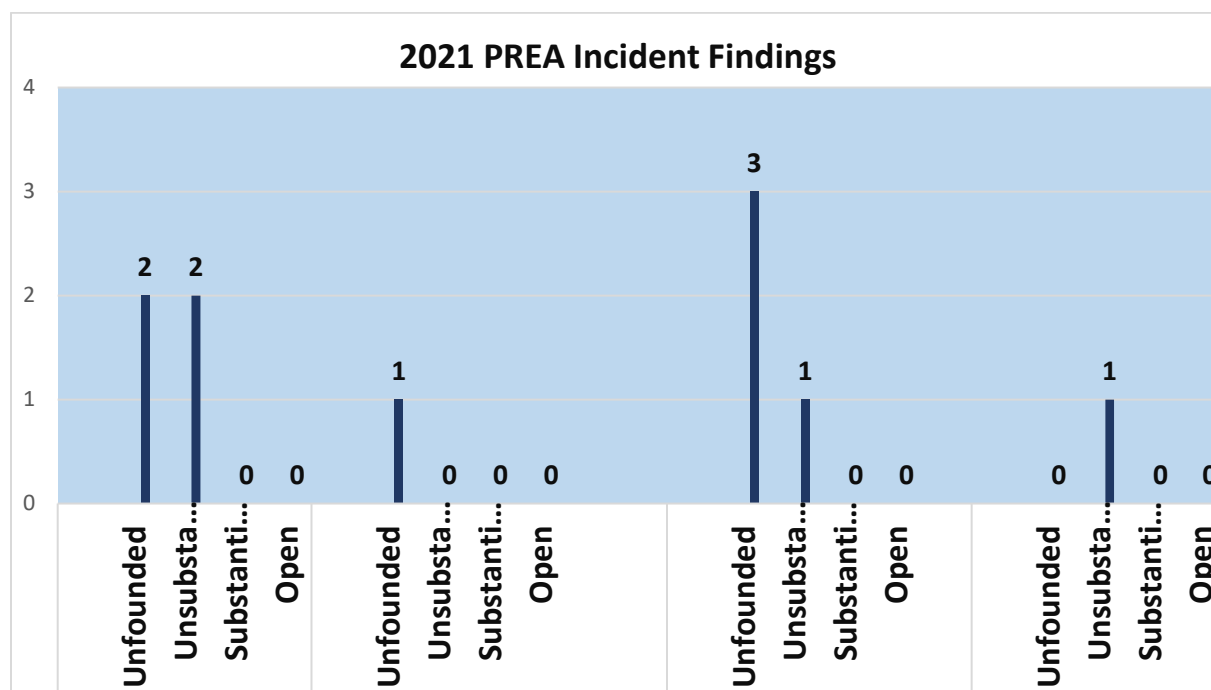
There were three (3) less incidents reported in 2022 than in 2021. There was a significant decrease in the number of reported cases of staff on inmate sexual abuse from four (4) in 2021 to zero (0) in 2022. The number of reported incidents of inmate-on-inmate sexual abuse also decreased from four (4) in 2021 to two (2) in 2022.

## Investigative Findings

At the conclusion of the investigation, whether administrative or criminal, a finding is determined based on the facts of the case. The incident findings as defined in the PREA Standards are as follows:

- Substantiated - The allegation was investigated and determined to have occurred.
- Unsubstantiated- The allegation was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- Unfounded - The allegation was investigated and determined not to have occurred.
- Open – The allegation is still being investigated or is awaiting evidence to return.

The following two (2) graphs represent a comparison of reported incidents of sexual abuse/sexual harassment from 2021 and 2022 by the final disposition. Any cases that are still under investigation are also listed.

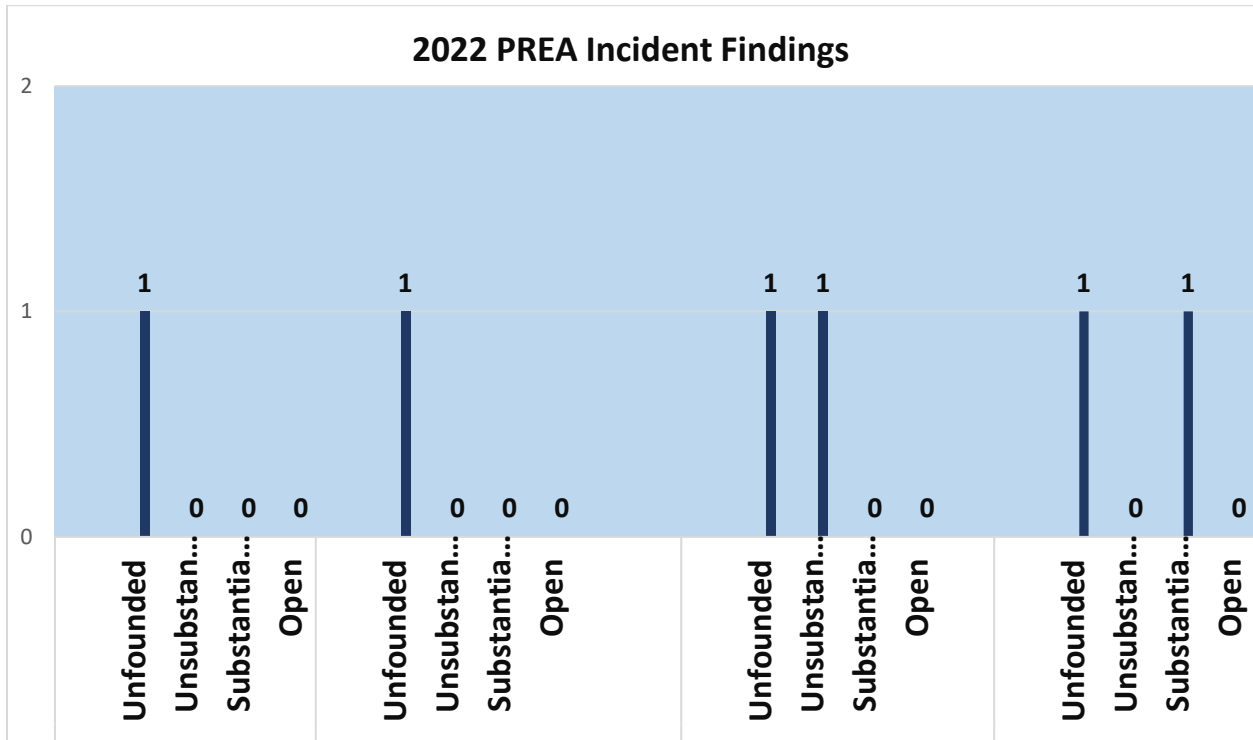


## 2021 Substantiated Incidents

There were no substantiated incidents in 2021 at the time of this report.

One (1) of the Inmate-on-Inmate Sexual Abuse cases was unfounded due to the investigation determining it was a third party reported case and the alleged victim denied being victimized. One (1) of the Staff on Inmate Sexual Abuse cases was unfounded due to the investigation determining it was a third party reported case and the alleged victim

was not incarcerated in the facility at the time of the alleged incident. The other unfounded case involved a report where the victim alleged the Officer entered his room and assaulted him, but video evidence shows the Officer never entered the inmate’s room and the inmate never exited the room on the day in question.



**2022 Substantiated Cases**

There was one (1) substantiated case of Inmate-on-Inmate Sexual Harassment in 2022 involving one inmate requesting sexual favors from another inmate. The suspect inmate was removed from the pod and given a disciplinary report for the incident and a separation was placed between him and the victim in the case.

In addition, there was one (1) case that involved an incident of alleged Voyeurism where a male staff member was alleged to have seen a female inmate in a state of undress in the female property/shower area. The investigation determined that the male Officer did not observe the inmate and that case was unfounded. However, all staff were reminded to knock before entering any area where inmates of the opposite sex from them may be present.

## **Ongoing Efforts**

### **Sexual Abuse Incident Reviews**

The Leon County Detention Facility conducts Sexual Abuse Incident Reviews on all allegations of sexual abuse (inmate on inmate) or staff sexual misconduct that are either substantiated or unsubstantiated, as required by the PREA Standards (115.86). These reviews are conducted by a review team comprised of the PREA Coordinator, the on-duty Watch Commander, Facility Investigator, Medical staff to include mental health practitioners, Operations Chief, and the Housing Captain(s). This review team evaluates the circumstances of each incident and makes recommendations for changes to either policy or practice in order to better prevent, detect or respond to sexual abuse. The team also evaluates staffing levels at the time of the incident; if the incident was motivated by any group dynamics; assesses the adequacy of the monitoring technology; and determines if there were physical barriers in the area that enabled the abuse.

There were no patterns or motivations identified in the reviews that were conducted in 2022 and no corrective action plans were developed based on these reviews. However, as newer technology is developed that would increase our ability to protect the inmates from any type of sexual abuse, the Leon County Detention Facility will evaluate and deploy these technologies if applicable.

### **Training and Education**

Training and education are critical components to the prevention of sexual abuse. A computer-based training on PREA is mandatory for all staff to complete on an annual basis and includes information on the Leon County Sheriff's Office and Leon County Detention Facility's zero tolerance policy and the staff's responsibilities regarding the prevention, detection, reporting and response to sexual abuse and sexual harassment. In addition, an overview of this information is also provided in the New Employee Orientation, which is mandatory for all newly hired staff as well as all Volunteers, Contract Employees, and Vendors.

The agency will continue to provide on-going training for staff and update the training as new information is available.

### **Risk Screening and Assessment**

The PREA Coordinator is enhancing the objective screening instrument utilized to identify potential victims and predators. We have also introduced two new forms to be used for classifying transgender and intersex inmates. This will include ongoing training and education with staff to ensure they understand the assessment process. This is so they can utilize the information with the goal of keeping separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. This is in accordance with the PREA Standards (115.41 and 115.42).



## **Department of Justice PREA Audit**

On 06/28-06/30 2022 , certified PREA Auditor Cynthia Swier completed a 3 day on site audit. The audit included a tour of the entire facility. During the tour, the auditor reviewed staffing, logs, physical plant, sight lines, camera coverage and tested the phone system for reporting allegations and facility operations. Following the tour, the auditor conducted staff and inmate interviews, a review of investigations, and random checks of personnel, medical and training records.

The final audit report was completed on 07/13/2022. The auditor indicated that the Leon County Detention Facility was in full PREA compliance, meeting all of the applicable standards and, in fact, exceeded the standard on 7 standards. The Leon County Detention Facility will be required to complete the next audit by August 2025. At this time, the Leon County Detention Facility has plans to conduct our next audit by June of 2025.

## **Conclusion**

The Leon County Detention Facility remains firmly committed to adhering to the PREA Standards and making necessary adjustments on an on-going basis in order to maintain compliance with the requirements. Additionally, the Leon County Detention Facility staff is committed to operating a safe and secure correctional facility and ensuring the safety and well-being of all incarcerated inmates.