

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



# 2019

*Submitted by: Tim Ruth, Agency-wide PREA Coordinator*

*January 16, 2020*

## **History**

The Prison Rape Elimination Act (PREA) was established in 2003 by the United States Congress in order to address the problem 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 agency wide PREA Coordinator in 2014 and in September of 2015, the current PREA Coordinator assumed the duties. Sheriff Walt McNeil and Major Ed Lee 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 and the facility will be getting more and even better video monitoring equipment all designed to enhance our existing monitoring capabilities.

## **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.*

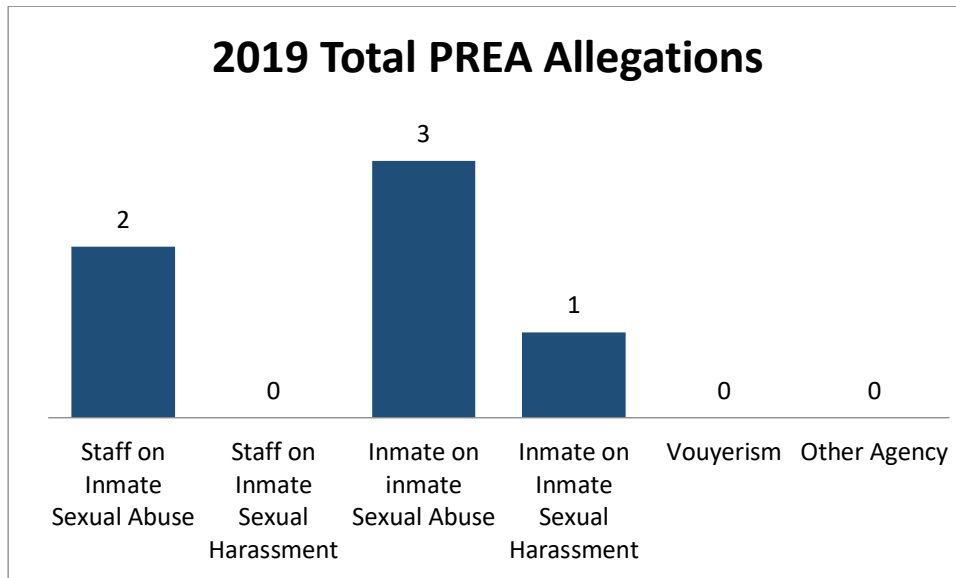
*(c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.*

## Collected Data

### 2019 PREA Incidents

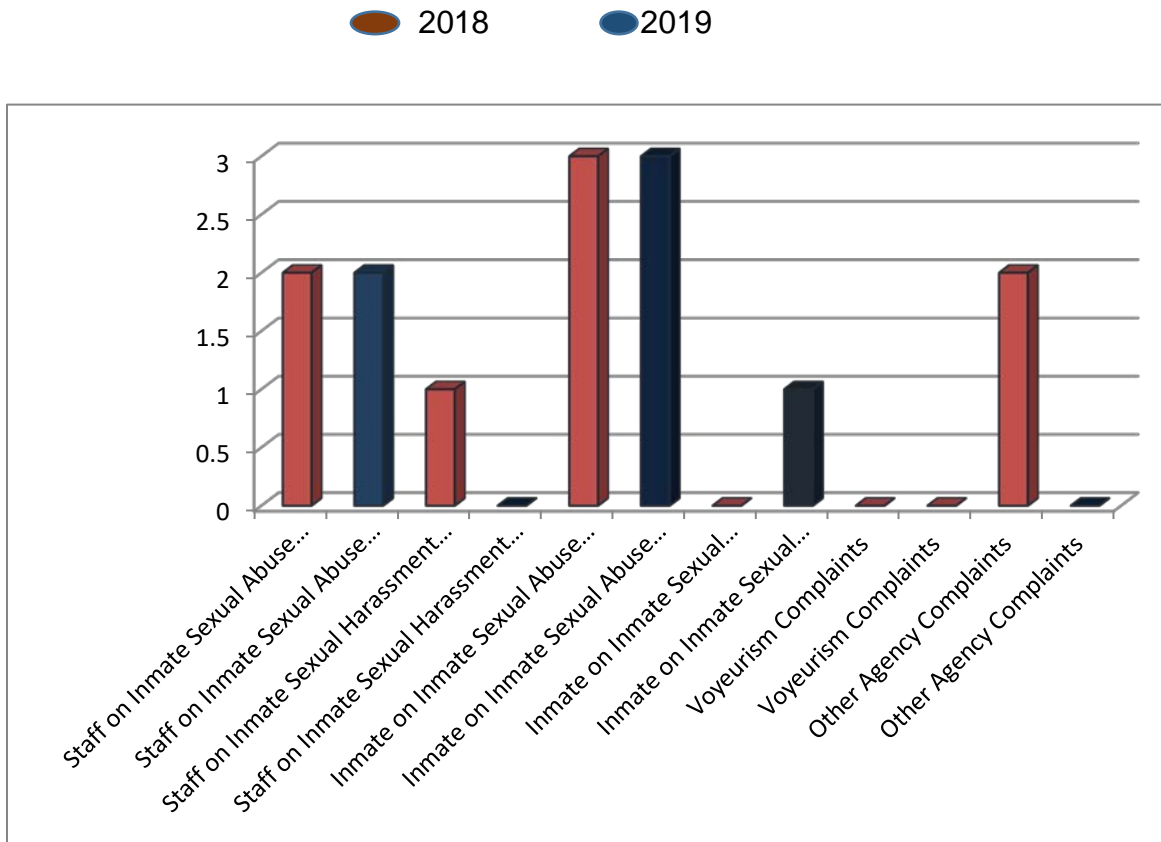
The Leon County Detention Facility collects data from the referrals for investigations of sexual abuse/misconduct and sexual harassment, to include both inmate on inmate and staff on inmate allegations.

The following graph indicates a breakdown of the sexual abuse and harassment allegations from 2019, which includes a total of six (6) reported incidents, a decrease of two (2) reports over 2018.



## Comparison of Reported Incidents

The following graph compares the number of reported incidents from 2018 (8) and 2019 (6) by the type of allegation.



The Average Daily Population (ADP): **2018 = 1063**

**2019 = 1056**

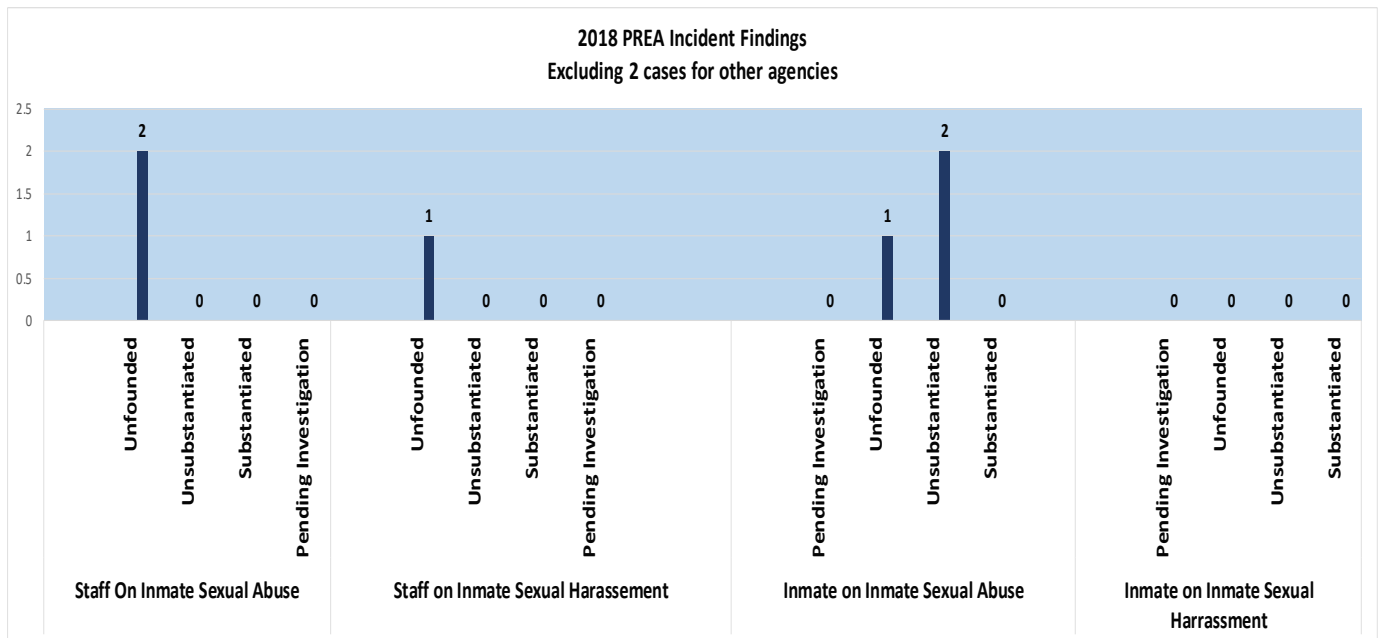
There was a slight decrease in the number of reported incidents in 2019 from the previous year. This decrease may be explained by the Detention Facilities ongoing efforts to ensure both staff and inmates are familiar with the PREA standards and enforce them appropriately.

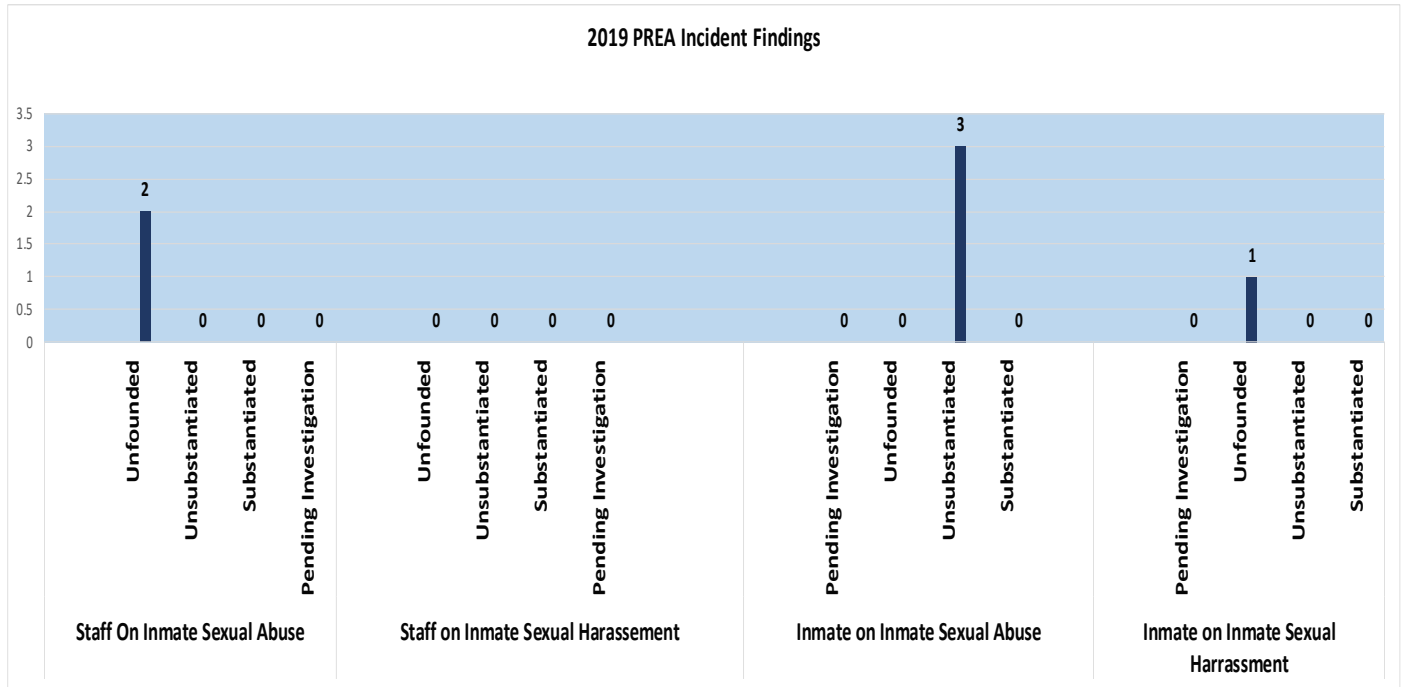
## Investigative Findings

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.

The following two (2) graphs represent a comparison of reported incidents of sexual abuse/sexual harassment from 2018 and 2019 by the final disposition. Any cases that are still under investigation are also listed. This is excluding two (2) cases referred to other agencies for investigation in 2018.





**2019 Substantiated Incidents**

There were no substantiated incidents 2019. In most cases, this was due to there not being enough evidence to conclude the incident occurred.

**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 Major, 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 2019 and no corrective action plans were developed based on these reviews. A new form to track possible retaliation for reporting an incident has been developed for use in 2020.

### 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 and 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, in accordance with the PREA Standards (115.41 and 115.42).

### Department of Justice PREA Audit

On 08/01 and 08/02 2019, certified PREA Auditor Kendra Prisk completed a 2 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 08/31/2019. The auditor indicated that the Leon County detention facility was in full PREA compliance, meeting all of the applicable standards. The Leon County Detention Facility will be required to complete the next audit by August 2022.

### 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 system and ensuring the safety and well-being of all incarcerated inmates.