



STATE OF INDIANA
Department of Correction

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2016 Sexual Assault Prevention Program Annual Report

This report provides a summary of the sexual incident report data collected in 2016, compares reporting data with the previous two years, summarizes problems identified and action plans, changes made to improve compliance with PREA standards, and identifies continued needs for compliance.

1. Summary of SIR data for 2016

2016 AGENCY TOTALS	Substantiated	Unsubstantiated	Unfounded	Ongoing Invest	Total	%
Inmate Sexual Harassment	12	51	31	2	96	.4
Abusive Sexual Contact	15	43	17	1	76	.3
Nonconsensual Sexual Act	3	20	14	0	37	.1
Staff Sexual Harassment	6	68	73	0	147	.6
Staff Sexual Misconduct	10	25	37	0	72	.3
Totals	46	207	172	3	428	
% *	.2	.8	.7	.01	1.6	

*The percentage was based on an average daily population for 2016 of 26065, excluding jail holds.

2. Comparison of 2016 SIR data with previous two years.

2015 AGENCY TOTALS	Substantiated	Unsubstantiated	Unfounded	Ongoing Inv	Total	%
Inmate Sexual Harassment	5	28	6	21	60	.2
Abusive Sexual Contact	6	28	16	5	55	.2
Nonconsensual Sexual Act	6	25	10	0	41	.2
Staff Sexual Harassment	3	62	19	2	86	.3
Staff Sexual Misconduct	8	22	14	5	49	.2
Totals	28	165	65	33	291	
% *	.1	.6	.2	.1	1.1	

*The percentage was based on the average daily population for 2015 of 27,387, excluding jail holds.

2014 AGENCY TOTALS	Substantiated	Unsubstantiated	Unfounded	Ongoing Inv	Total	%
Inmate Sexual Harassment	6	17	7	0	30	.1
Abusive Sexual Contact	9	21	4	1	35	.1
Nonconsensual Sexual Act	1	13	6	2	22	.08
Staff Sexual Harassment	1	24	5	1	31	.1
Staff Sexual Misconduct	2	15	10	0	27	.1
Totals	19	90	32	4	145	
% **	.07	.3	.1	.01	.5	

**The percentage was based on the average daily population for 2014 of 28,058, excluding jail holds.

For 2016, the total number of reports has increased in all categories, except nonconsensual sex acts, compared to 2015. Agency wide there was a 60% increase in staff sexual harassment reports, a 68% increase in staff sexual misconduct reports and a 66% increase in the total number of reports from 2015 to 2016. However, the total number of reports received in 2016 represents less than 2% of the average daily population for the agency. The continued increase in PREA reports can be attributed to an increase in staff and offender/student awareness of the Agency zero tolerance policy, an improved staff response and increased awareness by offenders/students of the ways to make a report.

The number of substantiated reports for the last three years is as follows:

2014 – 6 ISH, 9 ASC, 1 NCSA, 1 SSH, 2 SSM 19 total substantiated reports
2015 – 5 ISH, 6 ASC, 6 NCSA, 3 SSH, 8 SSM 28 total substantiated reports
2016 – 12 ISH, 15 ASC, 3 NCSA, 6 SSH, 10 SSM 46 total substantiated reports

The total number of substantiated reports in 2016 has increased over the total number for 2015. There was an increase in all incident types except for nonconsensual sex acts. The total number of substantiated reports represents .2% of the average daily population in 2016.

3. Problems identified and corrective actions taken.

During 2016, 22 IDOC facilities were audited by DOJ Certified PREA Auditors for compliance with the Prison Rape Elimination Act standards. In the Division of Youth Services, the Pendleton Juvenile Correctional Facility, Camp Summit Juvenile Boot Camp and Logansport Juvenile Correctional Facility Treatment and Intake were all found to be in full compliance with the Juvenile PREA standards. In the Adult Division, 17 prisons received a final audit report with a finding of full compliance with the Prison PREA Standards. Seven prisons and one juvenile facility did not have corrective actions to complete. One prison was still in the audit process working on a corrective action at the end of the year and achieved full compliance on March 5, 2017. Below is a summary list of corrective actions that were identified and completed for all audits:

- Cross gender viewing issues were identified in bathrooms, showers and video camera access by opposite gender staff. This was corrected by adding partial solid panel shower

curtains, partition walls, doors on toilet stalls, and modifying camera views or restricting access by opposite gender staff.

- Blind spots were identified in some facilities. These were mitigated by installing cameras, domed mirrors or closing the area off from offenders.
- The policy did not require the sexual violence assessment to be completed within 72 upon transfer and 30 day reviews of the SVAT were not being completed or documented as required in policy. The policy was changed to require a new SVAT within 72 hours of transfer and a 30 day review section was added to SVAT. The field was notified of these changes and provided detailed instructions.
- There were some instances found where the offender was not notified of the outcome of an investigation as required in policy and PREA standards. The affected facilities provided documentation of the notice to the offender during a specified corrective action period.
- There were some instances found where retaliation monitoring was not being done or documented as required in policy and PREA standards. The affected facilities documented retaliation monitoring on the Retaliation Monitoring form during the specified corrective action period.
- There were some instances found where sexual abuse incident reviews were not being completed or documented. The affected facilities completed sexual incident reviews at the monthly PREA Committee meeting and provided the auditor with the Sexual Abuse Incident Review form for during the specified corrective action period.
- Issues with investigation reports were identified during some audits. Investigation reports didn't document all required elements of standard 115.71, didn't document all persons that were interviewed or had a finding that was not supported by the evidence documented. The investigators and staff associated with investigations received additional training to meet the requirements of the standard.
- Male youthful offenders were being housed in an adult intake facility without sight and sound separation in the living area. The agency moved the intake process and housing of all male and female youthful offenders to the Division of Youth Services facilities. The Classification of Youthful Offenders policy was revised to cover this change. Youthful offenders are no longer housed in adult facilities.
- When sexual abuse victims were housed in protective custody and administrative restricted housing, the consideration of other housing alternatives was not being documented at some facilities. The PREA Housing Assignment Review form was created to specifically document that all housing alternatives were considered as required by the standard.
- There were some instances where criminal background checks were not completed within 5 years on current employees and contractors. These were corrected during the corrective action period.
- There were some instances where applicants were not asked if they had engaged in sexual abuse or harassment in previous institutional employment. This was corrected by the affected facilities during the corrective action period.
- The Sexual Abuse Prevention policy was updated to correct one definition and a few minor wording issues found by one auditor. All PREA brochures and training curriculum were also changed to match the policy change.

4. Steps taken by the Agency to meet PREA standards.

The following steps were taken to continue to work toward meeting the PREA standards in 2016:


- 22 facilities received a PREA audit from a DOJ certified auditor. Twenty one facilities received a final report of full compliance during 2016. Some minor policy changes were implemented to bring the agency into compliance. Training staff training curriculum and offender education materials were revised based on the changes in policy. The assessment process was modified to meet the standard. Several facilities completed corrective actions to address cross gender viewing issues and blind spots identified by auditors. All corrective actions were completed and approved by DOJ PREA auditors.
- The Agency entered into an MOU with five other states to conduct audits in adult facilities during Audit cycle two from August 2016 to August 2019.
- During 2016, the IDOC supported the Indiana Sheriff's Association's work to provide training and technical assistance to all Indiana jails through a Zero Tolerance PREA grant from the Bureau of Justice Assistance. With this funding, the ISA conducted twelve (12) regional PREA training sessions throughout the state of Indiana in 11 counties. The ISA created an offender education program that included posters and information brochures promoting a zero tolerance toward sexual abuse and sexual harassment. The ISA also produced a comprehensive policy that can be used in all Indiana jails.

5. Continued Needs for Compliance

- **Juvenile Facilities Compliance Issues**
3 out of 4 juvenile facilities will not meet the staffing ratio required in standard 115.313 by October 1, 2017. These facilities will need to find creative ways to better utilize staff to supervise students and request additional staff to meet the ratio.

6. Summary

The agency continues to identify compliance issues through internal audits and ODJ PREA audits. Twenty two facilities were audited during 2016. Twenty one were found to be in full compliance with the PREA standards after corrective actions were completed. Changes were made in policies and procedures to comply with PREA standards. The number of PREA reports continues to increase.

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Approved: 
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