



RHODE ISLAND DEPARTMENT OF CORRECTIONS

PRISON RAPE ELIMINATION ACT: ANNUAL REPORT – CALENDAR YEAR 2016

This Annual Report summarizes Calendar Year (“CY”) 2016 incident-based data and corrective actions taken in CY 2016 by the agency and all of its facilities to improve the effectiveness of current sexual misconduct prevention, detection and response policies, practices, and training within the Rhode Island Department of Corrections (RIDOC). This Annual Report is written in accordance with and pursuant to the national Prison Rape Elimination Act (PREA) Standards for Prisons and Jails: 115.87, 115.88 and 115.89. These standards require RIDOC to:

- Collect and aggregate incident-based sexual abuse data annually.
- Identify problem areas.
- Take corrective action on an ongoing basis.
- Prepare an annual report of its findings and corrective actions for the agency and each facility.
- Compare the current year’s data and corrective actions with those from prior years and provide an assessment of the agency’s progress in addressing sexual abuse.
- Publish the Annual Report on the RIDOC website to make it readily available to the public.

Overview

RIDOC’s Planning and Research Unit collects data for every allegation of sexual misconduct at facilities under RIDOC’s control, using standardized instruments and set definitions. The incident-based data includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

All allegations of sexual misconduct are entered in the RIDOC Facility Incident Database and investigated by either the Special Investigations Unit (“SIU”) or the Office of Inspections (“OI”). Additional data is collected during facility based Sexual Misconduct Incident Reviews for those allegations that are determined to be substantiated or unsubstantiated and entered into the RIDOC Facility Incident Database.

The RIDOC PREA Coordinator reviews collected data to (1) assess and improve the effectiveness of RIDOC’s sexual misconduct prevention, detection, and response efforts and (2) prepare the annual report.

Non-Consensual Sexual Acts (Inmate-Inmate)

Calendar Year	Number Reported	Substantiated
2014	6	3
2015	5	1
2016	8	0

In regard to investigations of allegations of non-consensual sexual acts (inmate-inmate), incidents were reported in the following RIDOC facilities during CY 2016:

- There were four (4) incidents that were investigated in the Intake Service Center (awaiting trial and sentenced males). Of the four (4) incidents investigated, two (2) were determined to be unsubstantiated and two (2) were determined to be unfounded.
- There was one (1) incident that was investigated in Maximum Security (sentenced males). The one (1) incident investigated was determined to be unfounded.
- There were three (3) incidents that were investigated in Medium Security (sentenced males). Of the three (3) incidents investigated, one (1) is ongoing, and two (2) were determined to be unsubstantiated.

Abusive Sexual Contact (Inmate-Inmate)

Calendar Year	Number Reported	Substantiated
2014	0	0
2015	9	1
2016	9	3

In regard to investigations of allegations of abusive sexual contact (inmate-inmate), incidents were reported in the following RIDOC facilities during CY 2016:

- There were two (2) incidents that were investigated in the Intake Service Center (awaiting trial and sentenced males). Of the two (2) incidents investigated, one (1) was determined to be substantiated and one (1) was determined to be unsubstantiated.
- There were five (5) incidents that were investigated in Medium Security (sentenced males). Of the five (5) incidents investigated, two (2) were determined to be unsubstantiated and three (3) were determined to be unfounded.
- There was one (1) incident that was investigated in Minimum Security (sentenced males). The one (1) incident investigated was determined to be substantiated.
- There was one (1) incident that was investigated in Women's Facility (awaiting trial and sentenced females). The one (1) incident investigated was determined to be substantiated.

Sexual Harassment (Inmate-Inmate)

Calendar Year	Number Reported	Substantiated
2014	5	5
2015	5	1
2016	9	2

In regard to investigations of allegations of sexual harassment (inmate-inmate), incidents were reported in the following RIDOC facilities during CY 2016:

- There were three (3) incidents that were investigated in the Intake Service Center (awaiting trial and sentenced males). Of the three (3) incidents investigated, one (1) was determined to be unsubstantiated and two (2) incidents were determined to be unfounded.
- There was one (1) incident that was investigated in Maximum Security (sentenced males). The one (1) incident investigated was determined to be substantiated.

- There were four (4) incidents that were investigated in Medium Security (sentenced males). Of the four (4) incidents investigated, one (1) case was substantiated, two (2) cases were unsubstantiated and one (1) case was unfounded.
- There was one (1) incident in Women's Facility (awaiting trial and sentenced females). The one (1) incident investigated was determined to be unfounded.

Sexual Misconduct (Staff-Inmate)

Calendar Year	Number Reported	Substantiated
2014	3	0
2015	0	0
2016	3	0

In regard to investigations of allegations of sexual misconduct (staff-inmate), incidents were reported in the following RIDOC facilities during CY 2016:

- There were two (2) incidents that were investigated in the Intake Service Center (awaiting trial and sentenced males). Of the two (2) incidents, one (1) was unsubstantiated and one (1) was unfounded.
- There was one (1) incident that was investigated in Maximum Security (sentenced males). The one (1) incident investigated was determined to be unsubstantiated.

Sexual Harassment (Staff-Inmate)

Calendar Year	Number Reported	Substantiated
2014	0	0
2015	0	0
2016	0	0

In regard to investigations of allegations of sexual harassment, there were no incidents reported in RIDOC facilities during CY 2016.

Comparative Data Analysis

There was an increase in the number of allegations reported involving non-consensual sexual acts, abusive sexual contact and sexual harassment in CY 2016 (26 allegations reported), when compared to CY 2015 (19 allegations reported) pertaining to inmate-inmate. However, there were no significant increases in the number of substantiated findings. As in previous calendar years, there were no substantiated cases of either staff-inmate sexual misconduct or staff-inmate sexual harassment in CY 2016.

The aforementioned statistical data reflects that all PREA allegations are taken seriously and are investigated thoroughly. The data also reflects the progress that has been made in the areas of staff and inmate education and in the reporting protocols for PREA allegations.

It is also important to take into consideration that inmates have been found to have utilized PREA allegations as a means to retaliate against staff and other inmates for non-PREA related reasons (i.e. - change of cellmate). This is reflected in the data that demonstrates when PREA allegations are investigated a majority of the number of PREA allegations are found to be allegations that are unsubstantiated or unfounded.

Corrective Actions

The RIDOC continues to implement best practices that are compliant with the PREA standards. These PREA best practices are utilized to: (1) improve RIDOC's sexual misconduct prevention, detection and response policies, practices, and training, (2) promote RIDOC's zero tolerance culture, and (3) maintain the safety and security of RIDOC's facilities thereby protecting its staff and inmate population.

In 2016, PREA Audits were conducted at four (4) RIDOC facilities: High Security, Maximum Security, Medium Security, and Minimum Security. During the Corrective Action Period, the agency and facilities responded to each of the standards where compliance could not be found. After a review of all submitted documentation, the PREA Auditor determined that each of the four (4) facilities audited in 2016 is in compliance with all PREA standards.

The following are the corrective actions taken by RIDOC in CY 2016:

Agency

- Hired a full time Agency PREA Coordinator.
- Educated each facility's Sexual Misconduct Incident Review Team on applicable PREA standards necessary to conduct and document such reviews.
- Trained each facility's PREA Compliance Manager on his/her duties and responsibilities.
- Provided PREA Refresher Information to all Uniform and Non-Uniform staff, including, but not limited to, the name and contact information for each facility's PREA Compliance Manager.
- Developed and implemented facility specific Sexual Abuse Incident Coordinated Response Plans and trained facility brass and investigative staff accordingly.
- Implemented Retaliation Monitoring in all facilities and trained facility brass and investigative staff accordingly.
- Revised several RIDOC policies to further comply with the PREA standards.
- Enhanced existing incident based reporting system.
- Expanded existing inmate record keeping system to more readily identify LEP inmates and whether they are Verbal LEP, Reading LEP, or both.
- Provided all facilities with a DVD that contains the PREA Video used for Inmate Education "What You Need to Know" in English, Spanish, and Hmong (all with subtitles); the RIDOC PREA Brochure Audio Recordings in English and Spanish; and the Day One at a Glance Program and Services Guide Audio Recordings in English and Spanish.
- Implemented a system to ensure that all inmates are screened for risk of being vulnerable or sexually abusive toward other inmates upon transfer between RIDOC facilities.

High Security

- Commenced distribution of RIDOC PREA Brochure and the Day One at a Glance Program and Services Guide to all inmates upon commitment to the facility.
- Installed a video monitor in the Committing Room to show the PREA Video used for Inmate Education "What You Need to Know" to all inmates upon commitment to the facility.
- Modified the showers in two (2) housing areas to address privacy concerns related to cross-gender supervision and viewing.
- Provided inmate education on the services of Day One.

Intake Service Center

- Installed shower curtains or doors in all housing shower areas to address privacy concerns related to cross-gender supervision and viewing.

Maximum Security

- Instituted the mandatory use of shower shorts for all inmates to address privacy concerns related to cross-gender supervision and viewing.
- Implemented the utilization of changing screens for inmates to dress outside of shower areas to address privacy concerns related to cross-gender supervision and viewing.
- Provided inmate education on the services of Day One.

Medium Security

- Installed shower curtains in all housing shower areas to address privacy concerns related to cross-gender supervision and viewing.
- Installed doors in the toilet areas of the gymnasium.
- Commenced distribution of RIDOC PREA Brochure and the Day One at a Gland Program and Services Guide to all inmates upon commitment to the facility.
- Provided inmate education on the services of Day One.

Minimum Security

- Installed shower curtains in all housing shower areas to address privacy concerns related to cross-gender supervision and viewing.
- Increased staff supervision of all shower areas.
- Commenced distribution of RIDOC PREA Brochure and the Day One at a Gland Program and Services Guide to all inmates upon commitment to the facility.
- Provided inmate education on the services of Day One.

Women's Facility

- Installed additional security mirrors to improve supervision in the facility.

As demonstrated by the data and corrective actions taken by RIDOC and all of its facilities in this Annual Report, RIDOC is committed to full implementation of the PREA standards and continues its efforts to improve and sustain its sexual misconduct prevention, detection and response policies, practices, and training.

Ashbel T. Wall, II

5/31/17

Ashbel T. Wall, II Director