



## Missouri Department of Corrections 2013 PREA Annual Report

The Missouri Department of Corrections takes the safety of the offenders in our custody very seriously, which includes safety from all forms of offender sexual abuse and harassment. While incarcerated within the Missouri Department of Corrections or residing within a community confinement facility, offenders have the right to be free from sexual abuse, harassment and retaliation. The Department maintains a strict “Zero Tolerance” policy; all offender sexual abuse and harassment allegations are taken seriously, investigated and prosecution sought when applicable.

### **History:**

The Missouri Department of Corrections [MDOC] has always strived to maintain a safe and secure environment for all offenders; however, with the passing of the Prison Rape Elimination Act of 2003 [PREA] an increased focus was placed on identifying and preventing sexual abuse and harassment within our system. In 2004, MDOC impaneled our first PREA Committee who began reviewing policies and practices of our department, collecting sexual abuse data and identifying areas of vulnerability within our facilities. The team focused on three main areas: the need to increase staff awareness of sexual abuse through training; education for the offender population and video monitoring equipment to enhance supervision and security. In January 2011, the department saw a renewed focus on the prevention of sexual abuse and harassment with the appointment of a fulltime PREA Coordinator and the empanelment of a new PREA Implementation and Oversight Committee with representation from all divisions, as well as, the Office of the Inspector General.

While awaiting the finalization of the PREA standards, the PREA Committee identified three priorities: enhanced training for staff to include specialized training for medical and mental health staff as well as specialized investigator training; expanded offender education; and screening and assessment tools to ensure appropriate housing and cell assignment. In June 2012, the PREA standards were finalized by the Department of Justice and MDOC quickly moved forward with implementation. Sixteen PREA implementation teams were chartered and chaired by department administrators from around the state that included assistant division directors, wardens, and deputy wardens. On September 8, 2012, a PREA kickoff meeting was held to educate the team chairs about PREA, answer questions and share the charter for each team. Each team was assigned one or more standards and was tasked with reviewing current MDOC policies, identifying best practices, and developing a plan to implement their assigned PREA standards into our current practice. The plans were forwarded back to the PREA Implementation and Oversight Committee in December 2012.

### PREA Progress in 2013:

2013 proved to be a very busy year in Department in regards to PREA. In January 2013, the Coordinated Response to Offender Sexual Abuse was implemented in all facilities. Utilizing the Coordinated Response ensures all allegations are consistently reported, appropriate notifications are made, victims receive services and investigations are initiated. During the first and second quarter of 2013 implementation plans were finalized, policies revised and protocols developed. August 1, 2013, marked the rollout date for the majority of PREA practices and policies throughout the department.

### DATA ANALYSIS:

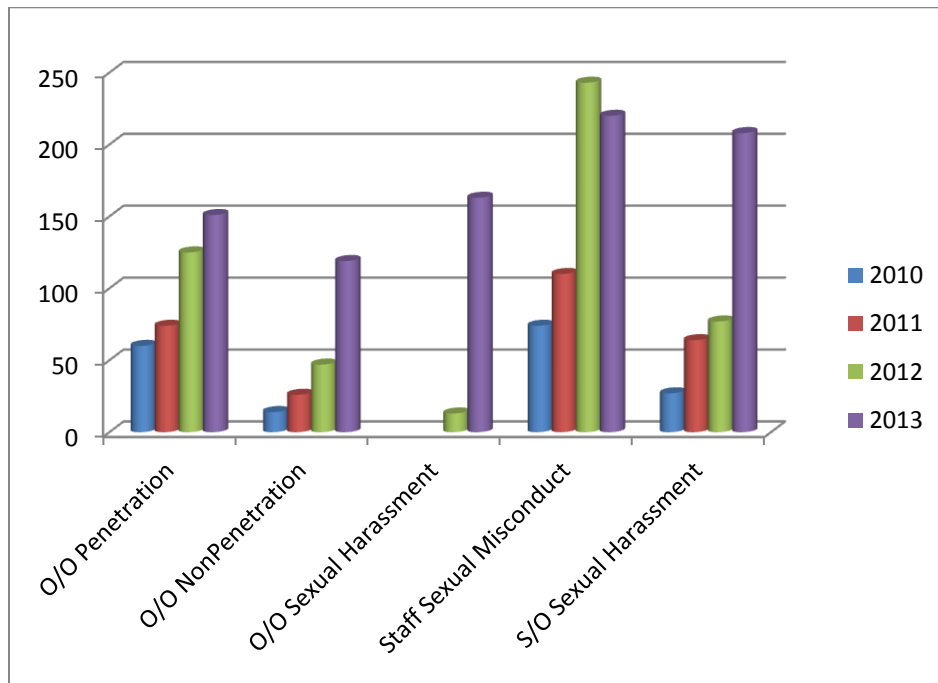
#### Prisons:

MDOC's prisons have experienced a significant increase in the number of allegations since 2010. The Department attributes this to the enhancement of PREA training that staff now receive, the comprehensive offender education and the multiple avenues offenders now have available to report offender sexual abuse and harassment.

While the total number of allegations has increased, we have seen a significant increase in the number of offender-on offender "non penetration" allegations [i.e. defined as abusive sexual contact by PREA standards] and offender-on-offender sexual harassment allegations as depicted by the graph below.

**NOTE: The MDOC has changed the terminology used when referring to offender-on-offender sexual abuse for ease of understanding by staff. As demonstrated in the graphs below, non consensual sexual acts are referred to as penetration allegations and abusive sexual contact is referred to as non penetration allegations.**

### Number of Allegations by Year and Incident Type

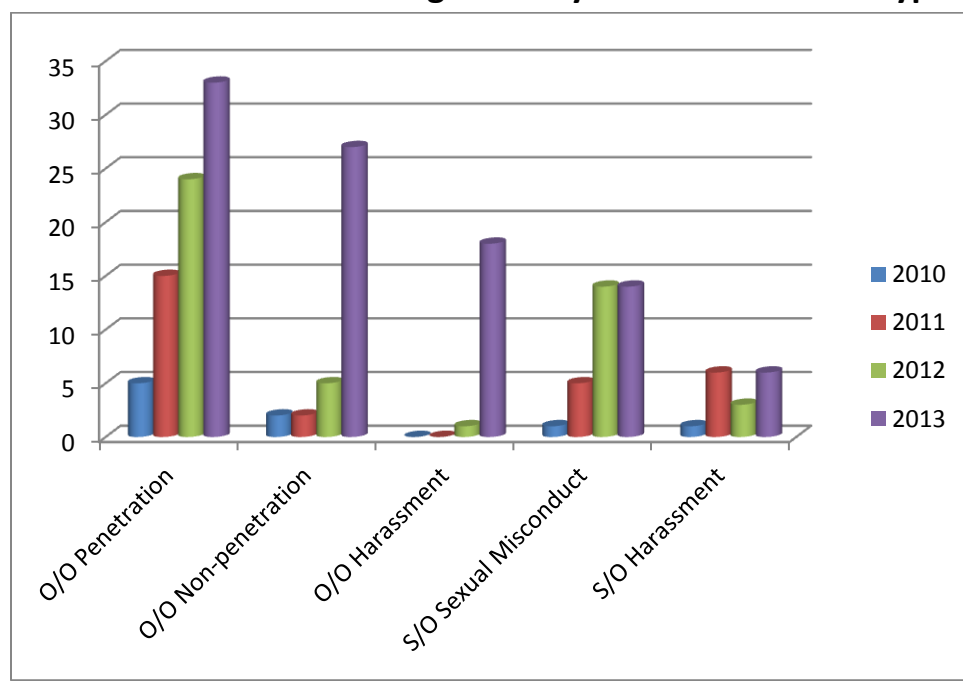


[O/O = Offender-on-Offender; S/O = Staff-on-Offender]

During the calendar year of 2013, 861 allegations were received and investigated in the Department’s 21 prisons which was a significant increase from 433 allegations in 2012. The Department attributes the increase to the emphasis placed on providing readily available and enhanced PREA information to both offenders and staff in 2013. This included staff training, offender education, posters, and brochures and well as an offender PREA hotline.

As demonstrated in the graph below, while the number of allegations has increased, so has the number of sustained findings. The Department believes this increase is due to the specialized training provided to investigators as well as medical and mental health staff. Investigators and health care staff now have the skills to interview potential victims and recognize the signs and symptoms of sexual abuse. We have also noticed a gradual shift in the culture within our facilities. This culture change is creating an environment where staff are aware of offender sexual abuse, can identify signs and symptoms and readily report.

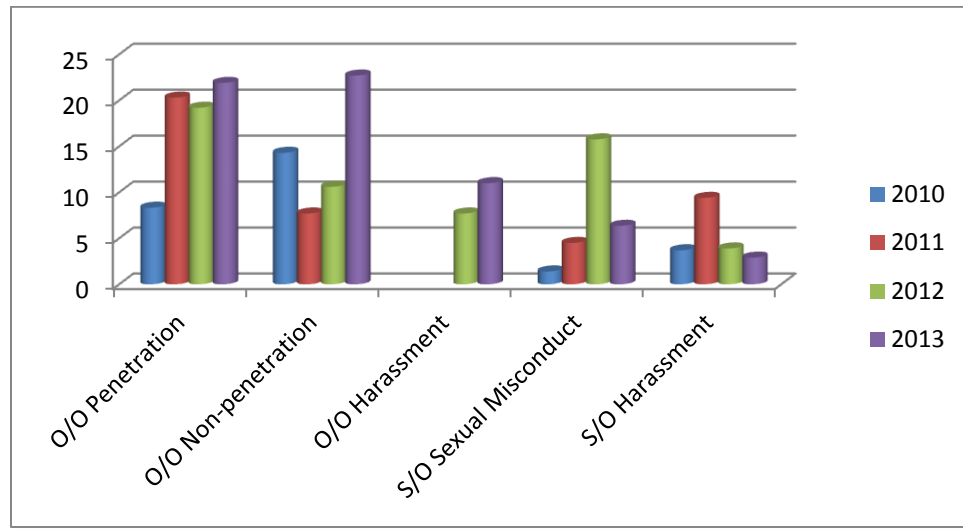
**Number of Sustained Allegations by Year and Incident Type**



**[O/O = Offender-on-Offender; S/O = Staff-on-Offender]**

As evidenced by the graph below, in 2013, MDOC saw an increase in the percent of sustained offender-on-offender sexual abuse and harassment allegations over the last four years. As the culture in our facilities shifts, it appears offenders’ confidence with our staff has increased.

### Percent of Sustained Allegations by Year and Incident Type



[O/O = Offender-on-Offender; S/O = Staff-on-Offender]

#### Community Confinement Facilities:

The Missouri Department of Corrections operates 8 Community Confinement Facilities throughout the state. The offenders residing in these facilities attend programming and work in the community. As depicted in the table below, the number of allegations has remained very low in Missouri Community Confinement Facilities since 2010 with no significant difference noted.

YEAR	Offender-on-Offender Nonconsensual Sex Acts [penetration]		Offender-on-Offender Abusive Sexual Contact [non-penetration]		Offender-on-Offender Sexual Harassment		Staff Sexual Misconduct		Staff Sexual Harassment	
	Allegations	Sustained	Allegations	Sustained	Allegations	Sustained	Allegations	Sustained	Allegations	Sustained
2010	1	0	1	0	n/a	n/a	0	0	0	0
2011	0	0	3	1	n/a	n/a	7	1	0	0
2012	1	0	1	0	0	0	3	0	0	0
2013	0	0	0	0	0	0	4	0	5	0

**CORRECTIVE ACTION:**

MDOC is serious in our commitment to eliminate offender sexual abuse and harassment in our facilities and we understand the need to identify and address issues as they arise. To ensure MDOC continues to improve our effectiveness on an ongoing basis, all sustained and not sustained incidents of offender sexual abuse are debriefed by a multidisciplinary team within 30 days from the close of an investigation. This process allows facilities to continuously identify areas for corrective action and take corrective steps in a timely fashion. To ensure ongoing trend analysis, incident based data is aggregated by incident type and facility each month and provided to MDOC administrators as well as Wardens and PREA Site Coordinators.

**ACCOMPLISHMENTS:**

Below are highlights of the accomplishments in 2013 to bring MDOC and our facilities into compliance with the PREA standards:

- To comply with 115.11 Zero Tolerance of Sexual Abuse and Sexual Harassment:
  - PREA Site Coordinators were identified at each MDOC facility. The Site Coordinator, i.e. Compliance Managers are tasked with providing oversight and ensuring compliance at their respective facility.
  
- To comply with 115.14 Youthful Offenders:
  - State statute was revised to increase the age of youthful offenders from under 17 years of age to 17 and under.
  - To ensure sight and sound separation of youthful offenders from the adult population, a housing unit at Farmington Correctional Center was renovated to house male youthful offenders from around the state. The housing unit provides sight and sound separation from adult offenders and contains programming areas, an ample area for outside activities as well as segregation cells.
  
- To comply with 115.15 Limits to Cross Gender Viewing:
  - Gender specific posts were identified within each facility.
  - The “non-contact search” was developed and piloted in female institutions. Training is being developed and will be delivered to security staff in the summer of 2014.
  - Facilities installed privacy barriers to prevent the cross gender viewing of offenders while in a state of undress or toileting.
  
- To comply with 115.16 Inmates with Disabilities and Inmates who are Limited English Proficient and 115.33 Inmate Education:
  - Offender education materials were developed and are available in multiple languages to include Braille and audio versions. Educational materials are readily available throughout an offender’s incarceration.

- An informational video, that includes PREA information, was created to be played in the reception and diagnostic centers while the offenders are waiting to be processed. The department recognizes the importance of providing PREA safety and reporting information to offenders before initial cell placement.
- To comply with 115.31 Employee Training, 115.32 Volunteer and Contactor Training, 115.34 Specialized Training: Investigations, 115.35 Specialized Training: Medical and Mental Health Care:
  - Multiple PREA trainings were developed or revised which includes volunteer and contractor training, specialized medical and mental health training, specialized investigator training, basic training as well as online training for all staff.
  - All departmental staff receives initial PREA training before having unsupervised contact with offenders as well as comprehensive PREA training within 30 days of hire.
  - Specialized medical and mental health training is updated and delivered on a yearly basis.
  - Investigators receive five days of specialized PREA investigator training prior to conducting offender sexual abuse investigations.
  - All unescorted volunteers and contractors receive PREA training prior to contact with offenders.
- To comply with 115.41 Screening for Risk of Victimization and Abusiveness:
  - A PREA Risk Assessment was developed and implemented in all facilities. The assessment informs housing, cell/bed assignment, programming and work assignments where applicable.
- To comply with 115.51 Inmate Reporting:
  - To provide an avenue outside of the department to report offender sexual abuse and harassment allegations, the department partnered with the Department of Public Safety's Crime Victims Services Unit to receive written allegations from offenders and forward to the PREA unit for processing.
- To ensure victims of offender sexual abuse have access to victim advocates:
  - MOUs for advocacy services were established with advocacy agencies across the state, however, due to limited funding, several advocacy agencies were unable to partner with us. To fill this gap in services, the department partnered with the Missouri Coalition against Domestic and Sexual Violence who provided advocacy training to all institutional Chaplains.