

Prison Rape Elimination Act

This report has been prepared in accordance with 115.87 in order to assesses and improve the effectiveness of its sexual abuse prevention, detection, response policies and training.

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The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct in correctional settings such as prison, jails, lockups, juvenile facilities and detention facilities. Sexual misconduct under the law includes:

- Client-on-Client sexual assault and abuse
- Staff-on-Client sexual misconduct (Sexual/inappropriate relationships with clients)

Sedgwick County Division of Corrections is committed to providing a safe and healthy environment for staff and offenders. The division shall promptly investigate and enforce laws and policies of “zero tolerance” relating to illegal acts, harassment of sexual misconduct in its facilities. The division provides a comprehensive sexual assault prevention and intervention program which includes: education, prevention, prompt intervention and discipline/prosecution of assailants and appropriate treatment for victims.

This report will summarize the efforts by the Sedgwick County Division of Corrections to achieve compliance with the federal standards of the Prison Rape Elimination Act (PREA).

Definitions:

Substantiated - An allegation was investigated and determined to have occurred.

Unsubstantiated – An allegation was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded – An allegation was investigated and determined not to have occurred.

Policy Development

The SCDOC has enacted several new policies, specifically related to PREA, over the last three years. In addition to the new policies; several existing policies have been updated to enhance, prevent and eliminate sexual misconduct. The PREA policies are located on the Division of Corrections website under SCDOC Administrative policies; however specific program policies are available upon request.

- ✓ Implemented policy for the JDF/JRF Housing Classification (screening for victimization and abusiveness tool 3.0909 and 3.0909.1).

Training

All Sedgwick County Division of Corrections employees, contractors and volunteers received annual PREA training and policy review.

- ✓ PREA Standards and zero tolerance for sexual abuse and harassment;
- ✓ Understanding and addressing Undue Familiarity;
- ✓ First responder (secure and non-secure) expectations;
- ✓ LGBTQI (Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex) and victimization;
- ✓ Recognizing the physical, behavioral and emotional signs of sexual assault.

The LGBTQI committee meets once a month to review policies and to discuss best practices for dealing with this unique population. The committee will present a list of recommendations to the executive supervisory team by June 30, 2017.

Sexual Abuse Review Board (SARB)

The director established and selected the SARB on July 24, 2015 in accordance with the PREA standard 115.386 and SCDOC PREA policy 1.301. There are 3 board members that will serve for one year and may be reappointed by the director. The board appointment begins July 1st and ends June 30th.

The SARB reviews all PREA allegations within 30 days of the conclusion of the investigation. The board considers whether allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse. There are several areas of consideration for the board to review which include motivators for the allegation, physical barriers, staffing levels and technology.

Client Education

In all the licensed facilities, all clients are educated by staff within 30 days of intake on their rights to be free from sexual abuse, sexual harassment and to be free from retaliation for reporting such incidents. The training includes:

- ✓ Rules and expectations regarding inappropriate sexual behaviors;
- ✓ Education and awareness on PREA;
- ✓ How to report incidents of sexual abuse/assault and their responsibility.

All clients have access to PREA information pamphlets (English and Spanish), posters (English and Spanish), videos, handbooks, Kansas Protection Report Center (hotline), website, management and PREA Coordinator telephone number for contact and assistance.

Screening Tool

The SCDOC has adopted the federal standard 115.341 and 115.342 to screening clients upon admission for risk of sexual abuse victimization or sexual abusiveness toward other clients. The use of the screening tool is used to help housing, bed assignment, victimization level, education, and programming with the goal of keeping all clients safe and free from sexual abuse.

- ✓ SCYP/ARES uses the Colorado Victimization Tool
- ✓ JDF / JRF uses the SCDOC Juvenile Services Housing Classification victimization tool.
 - Positive outcomes include a heightened knowledge and awareness of youth who show signs of victimization or that of being abusive.

Cooperative Agreements and Contracts

The SCDOC has entered into several agreements/contracts with other agencies in order to provide the best services to our clients.

- ✓ Wichita Area Sexual Assault Center
- ✓ Comcare Crisis Center
- ✓ Sedgwick County Sheriff's Department
- ✓ Via Christi St. Joseph Hospital (SANE/SART exams)
- ✓ Kansas University Medical Center

Statistics

SCDOC has 3 licensed juvenile facilities and 1 adult facility, which are the following:

- ✓ Sedgwick County Youth Program at 622 East Central in Wichita, KS. This program is for male juvenile offenders age 16.5 to 22 with a bed capacity of 15.
- ✓ Juvenile Detention Facility at 700 South Hydraulic in Wichita, KS. The detention houses any youth age 10 to 18 with a bed capacity of 108.
- ✓ Juvenile Residential Facility at 881 South Minnesota in Wichita, KS. The program is for any youth age 10 to 18 with a bed capacity of 24.
- ✓ Adult Residential and Service Center at 623 East Elm in Wichita, KS. This is an adult program with a funding capacity of 65 beds.

Sedgwick County Youth Program

PREA Allegations of Staff-on-Client	2015	2016
Substantiated	0	0
Unsubstantiated	0	1
Unfounded	0	0
Investigation Ongoing	0	0
Total	0	1

PREA Allegations of Client-on-Client	2015	2016
Substantiated	0	0
Unsubstantiated	0	0
Unfounded	0	0
Investigation Ongoing	0	0
Total	0	0

Adult Residential and Service Center

PREA Allegations of Staff-on-Client	2015	2016
Substantiated	2	0
Unsubstantiated	0	0
Unfounded	0	0
Investigation Ongoing	0	0
Total	2	0

PREA Allegations of Client-on-Client	2015	2016
Substantiated	0	0
Unsubstantiated	0	0
Unfounded	0	0
Investigation Ongoing	0	0
Total	0	0

Juvenile Detention Facility

PREA Allegations of Staff-on-Client	2015	2016
Substantiated	0	0
Unsubstantiated	1	4
Unfounded	0	0
Investigation Ongoing	0	0
Total	1	4

PREA Allegations of Client-on-Client	2015	2016
Substantiated	0	1
Unsubstantiated	1	5
Unfounded	0	1
Investigation Ongoing	0	0
Total	1	7

Juvenile Residential Facility

PREA Allegations of Staff-on-Client	2015	2016
Substantiated	0	0
Unsubstantiated	0	0
Unfounded	0	0
Investigation Ongoing	0	0
Total	0	0

PREA Allegations of Client-on-Client	2015	2016
Substantiated	1	1
Unsubstantiated	7	4
Unfounded	1	1
Investigation Ongoing	0	0
Total	9	6

Staffing Plan

The SCDOC complies with 115.313 the federal and state licensing requirements for staffing ratios of a minimum of 1:8 during client waking hours and 1:16 during client sleeping hours. All the SCDOC facilities meet this requirement on a daily basis and have never deviated from the staffing plan.

Youth Residential Centers II have a lower standard of staffing ratio of 1:7 during waking hours and 1:10 during client sleeping hours to meet licensing requirements K.A.R. 28-4-271(d)(3). Those standards are being met on a daily basis.

Monitoring Technology

All SCDOC facilities have camera video and recording capabilities in their facilities; however no audio.

Sedgwick County Youth Program (SCYP) upgraded video network and cameras in 2014. The SCYP program also replaced three exterior cameras and added a center hall camera for the SCYP lounge and D-dorm.

Juvenile Detention Facility created and implemented a “hotline” telephone for clients to make private and anonymous reports of sexual abuse and sexual misconduct.

Juvenile Detention Facility upgraded to a new Com-tec server and upgraded Com-tec computer stations to Windows 7.

Juvenile Residential Facility (JRF) upgraded video networking and cameras in March 2007.

The Adult Residential Facility added a dayroom camera in the female dorm.

Summary

Sedgwick County Division of Corrections has been proactive in the development of policies for detection, prevention, reduction and punishment of sexual abuse and sexual harassment in all of its facilities (juvenile and adult). We continue to update our policies to better guide our staff and clients regarding incidents of sexual abuse.

The PREA Sexual Abuse Review Board (SARB) was established in 2015 and appointments serve for one year terms. The review board conducts a review of every sexual abuse investigation on every allegation; unless the allegation has been determined to be unfounded. The board meets within 30 days of the conclusion of every internal investigation and makes recommendations within the guidelines of the PREA standard 115.386. Any staff involved in sexual misconduct with substantiated findings may be terminated from employment and are not eligible for rehire.

Informational brochures and posters (English and Spanish) continue to be distributed to all the SCDOC facilities for clients, families, volunteers and contractors on reporting sexual abuse and sexual misconduct. The information was added to the Sedgwick County Division of Corrections website and has been made available to the public.

In September 2015, the Sedgwick County Youth Program (SCYP) operated by Sedgwick County Division of Corrections completed their PREA audit and became certified as compliant with PREA standards by the Department of Justice (DOJ) and the Kansas Department of Corrections (KDOC). This is a highly audacious task to prepare, develop and implement and staff worked diligently to ensure readiness. This certification demonstrates a continued commitment to operating a safe and secure facility for our clients and staff. In 2017, the Juvenile Detention Facility and Juvenile Residential Facility will complete work to ensure PREA compliance for the upcoming PREA audits as required from the Juvenile Detention Alternatives Initiative.

There were a total of 18 reported allegations and administrative investigations in 2016; 16 incidents met the PREA criteria and 1 incident was referred to law enforcement for investigation. Of the 16 PREA incidents, 2 were substantiated.