

Prison

Rape

Elimination

2018

Act

This report has been prepared in accordance with 115.87 in order to assess 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

SCDOC has enacted several new policies, specifically related to PREA, over the last five 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 intranet site under SCDOC Administrative policies; however specific program policies are available upon request.

- ✓ Piloted and implemented the new Juvenile Services Housing Classification Tool (screening for victimization and abusiveness tool 1.301.9a).
- ✓ Created the PREA Retaliation Monitoring form 1.301.4.
- ✓ Developed and implemented the PREA Investigation Summary form, 1.301.2.

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.

Performance Measures	2018 Actual
Number / percentage of clients that received PREA training	*** 1,395 / 99.8%
Number / percentage of staff that received PREA training	321 / 100%
Number / percentage of volunteers and contractors that received PREA training	129 / 100%
Number / percentage of licensed facilities with a PREA audit and full compliance with standards	*1/33%
Number of allegations reported and reviewed	**28 / 29
Number of substantiated violations	3

*Field Training Program mock audit occurred at JDF in October 2018.

**One ongoing law enforcement investigation from 2018.

*** Three youth left before PREA training could be completed in the allowed 72 hour timeframe.

The LGBTQI committee met monthly to review policies and best practices for dealing with this unique population from 2016 – 2018. The committee presented recommendations to add LGBTQI training at the New Employee Corrections Academy (NECA). LGBTQI, gender / age specific and mandated reporting information will be added to the PREA and NECA training curriculum in 2019.

Two UbiDuo devices were purchased in 2018. These devices will allow deaf / hard of hearing clients to communicate face to face using the device in real time. The UbiDuo meets federal regulations and requirements, including the Americans with Disabilities Act (ADA), that ensure no individual with a disability shall be treated differently due to the absence of auxiliary aids and services.

SCDOC collaborated with Communications and created a volunteer / contractor training video to ensure all volunteers / contractors receive the same level of PREA training. The [PREA Training video](#) can be found on the County website.

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. The board consists of three members, serving a one-year term, which may be reappointed by the director. The board appointment begins July 1st and ends June 30th of the next year.

The SARB reviews all PREA allegations within 30 days of the conclusion of the investigation. The board considers whether allegations 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.

In 2018, the SARB committee reviewed 28 allegations of which 3 were substantiated, 3 were unfounded and 22 were unsubstantiated. There is one ongoing law enforcement investigation from 2018. All 28 allegations were reviewed by the SARB committee and feedback was provided to the PREA Compliance Managers (PCM). All PCMs responded to the feedback within 5 business days and provided satisfactory corrective action.

Client Education

In all the DOC facilities, all clients are educated by staff within 10 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.

SCDOC collaborated with Communications and created a client training video to ensure all clients receive the same level of PREA training.

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.

- ✓ JDF / JRF use the SCDOC Juvenile Services Housing Classification victimization tool, 1.301.9a.
 - Positive outcomes include a heightened knowledge and awareness of youth who show signs of victimization or that of being abusive.
- ✓ The Adult Residential and Service Center uses the Screening for Victimization and Abusiveness tool, 1.301.9b.

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
- ✓ Sedgwick County Sheriff's Department
- ✓ Via Christi St. Joseph Hospital (SANE/SAFE exams)
- ✓ Wellpath (formerly CCS)

An agreement was signed with the Wichita Area Sexual Assault Center (WASAC) in October 2018 that will provide advocacy services to accompany and support the victim through the forensic medical examination process and investigatory interviews at no cost to either the victim or the Division of Corrections.

COMCARE signed a Letter of Support that shows their support for the division so that they may improve the quality of life for those affected by trauma and to show their support to being a PREA resource for the clients we serve. The letter of support was signed by COMCARE on August 25, 2017.

Statistics

SCDOC has 2 licensed juvenile facilities and 1 adult facility, which are the following:

- ✓ 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 Work Release at 623 East Elm in Wichita, KS. The Adult Residential and Work Release program has a total capacity of 165 beds.

Adult Residential and Work Release

PREA Allegations of Staff-on-Client	2015	2016	2017	2018
Substantiated	2	0	0	0
Unsubstantiated	0	0	0	8
Unfounded	0	0	1	1
Investigation Ongoing	0	0	0	0
Total	2	0	1	9

PREA Allegations of Client-on-Client	2015	2016	2017	2018
Substantiated	0	0	0	3
Unsubstantiated	0	0	0	3
Unfounded	0	0	0	0
Investigation Ongoing	0	0	0	0
Total	0	0	0	6

Juvenile Detention Facility

PREA Allegations of Staff-on-Client	2015	2016	2017	2018
Substantiated	0	0	0	0
Unsubstantiated	1	4	10	6
Unfounded	0	0	1	1
Investigation Ongoing	0	0	0	1
Total	1	4	11	8

PREA Allegations of Client-on-Client	2015	2016	2017	2018
Substantiated	0	1	0	0
Unsubstantiated	1	5	3	4
Unfounded	0	1	0	0
Investigation Ongoing	0	0	0	0
Total	1	7	3	4

Juvenile Residential Facility

PREA Allegations of Staff-on-Client	2015	2016	2017	2018
Substantiated	0	0	0	0
Unsubstantiated	0	0	0	1
Unfounded	0	0	0	0
Investigation Ongoing	0	0	0	0
Total	0	0	0	1

PREA Allegations of Client-on-Client	2015	2016	2017	2018
Substantiated	1	1	2	0
Unsubstantiated	7	4	1	0
Unfounded	1	1	1	1
Investigation Ongoing	0	0	0	0
Total	9	6	4	1

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 1:14 during client sleeping hours. All juvenile SCDOC facilities meet this requirement on a daily basis and have never deviated from the staffing plan. All SCDOC facilities completed their Annual PREA Staffing Plan reviews in 2018.

Monitoring Technology

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

Juvenile Detention Facility (JDF) continues to upgrade Com-tec equipment and updates / adjusts cameras to reduce blind spots as they are identified.

Adult Residential and Work Release continues to add and upgrade cameras on their current camera system.

Juvenile Residential Facility (JRF) camera system was installed in March 2007.

All SCDOC facilities utilize the Department of Children and Families Kansas Protection Report Center abuse hotline for clients to make private and anonymous reports of sexual abuse and sexual misconduct.

Next Steps

JDF was approved to upgrade the facilities Com-tec camera system in 2019.

JRF is submitting a Capital Improvement Project in 2019 to replace their camera system in 2020.

ARES / Work Release is planning to upgrade their system in 2019, to include video and audio.

Develop a memorandum of understanding with Via Christi St. Joseph Hospital for SANE/SAFE exams.

The JDF PREA Gap Analysis was received by the PREA Resource Center Field Training Program on December 21, 2018. The Division of Corrections will work to resolve all corrective action in 2019.

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. 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 in our division.

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 Sedgwick County Division of Corrections [website](#) contains PREA Annual Reports, PREA resources and the [Online PREA Training for Volunteers and Contractors](#). Two UbiDuo devices were purchased in 2018. The UbiDuo meets federal regulations and requirements, including the Americans with Disabilities Act (ADA), that ensure no individual with a disability shall be treated differently due to the absence of auxiliary aids and services.

In October 2018, the Sedgwick County Juvenile Detention Facility (JDF) participated in the PREA Resource Field Training Program Audit. This consisted of a mock PREA audit for future PREA auditors to receive their PREA Auditor Certification and training. The audit team consisted of five training staff and five auditor trainees. The week long mock audit was an audacious task, in which the auditors reviewed division policies and procedures, 12 months of PREA investigation files, conducted a facility inspection, interviewed various levels of staff from all shifts, client interviews, reviewed training records, and audited volunteer, contractor and staff files. Corrections staff from all levels made a positive impression on the audit team and helped facilitate the audit process. The PREA Gap Analysis was submitted to SCDOC on December 21, 2018. The Division of Corrections will work to resolve all recommended corrective action in 2019.

There were a total of 29 reported allegations and administrative investigations in 2018; 22 incidents were unsubstantiated, 3 were unfounded, 3 were substantiated, and 1 investigation is ongoing.