



MEMORANDUM

TO: Lisa Helton, Interim Commissioner of the Tennessee Department of Correction

THROUGH: Kimberly Gulden, Deputy Inspector General

FROM: Blake Pollock, TDOC Statewide PREA Coordinator

DATE: October 6, 2022

SUBJECT: PREA FY 2021-2022 Annual Report

General Information

The Prison Rape Elimination Act (PREA) was established in 2003 under the leadership of President George W. Bush. The act mandated the Department of Justice (DOJ) to establish standards to eliminate prison rape, including in all correctional settings. The goal of the PREA is to eliminate sexual abuse and sexual harassment of those incarcerated. The PREA standards were published in May 2012. The standards require all prisons, local jails, juvenile detention facilities, police lockups, and community confinement facilities to adhere to the provisions set forth by the PREA Act.

PREA Standard 115.88 requires this annual report to be prepared to include the progress made in addressing sexual abuse, current fiscal year data, data comparison, and corrective actions. As required, this report will be made available to the public on the TDOC internet website.

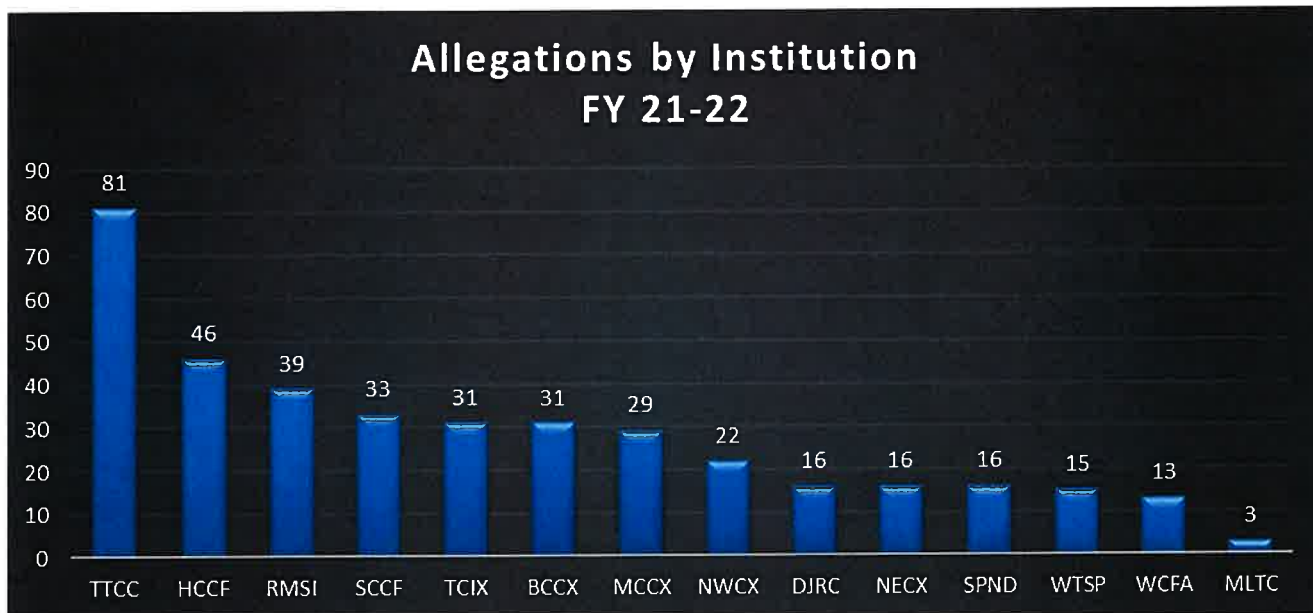
Progress

During Fiscal Year 2021-2022, the Tennessee Department of Correction (TDOC) had DOJ PREA Compliance Audits at Bledsoe County Correctional Complex (BCCX), Northwest Correctional Complex (NWCX), Women's Therapeutic Residential Center (WTRC), and West Tennessee State Penitentiary (WTSP). All of these institutions were certified compliant with the PREA standards through independent certification by Department of Justice PREA auditors. CoreCivic also had a PREA Compliance audit at South Central Correctional Facility (SCCF) during this fiscal year and was certified compliant. TDOC took a proactive approach to prepare for the audit process change by conducting PREA audits in the DOJ's Online Audit System (OAS). We began using the OAS a year prior to the mandatory use of the system so that staff would have a full understanding of the Online Audit System. Training on the DOJ OAS was conducted with all PREA Compliance Managers and Facility PREA Coordinators (AWTs). In addition, compliance with PREA standards is reviewed during Annual Inspections conducted at all sites. All facilities under the direction of TDOC are certified PREA

compliant. While PREA compliance is a continuous pursuit, TDOC is committed to a zero-tolerance stance toward sexual harassment and sexual abuse. All PREA allegations are investigated thoroughly, and actions are taken against staff as well as inmates upon the substantiation of an allegation.

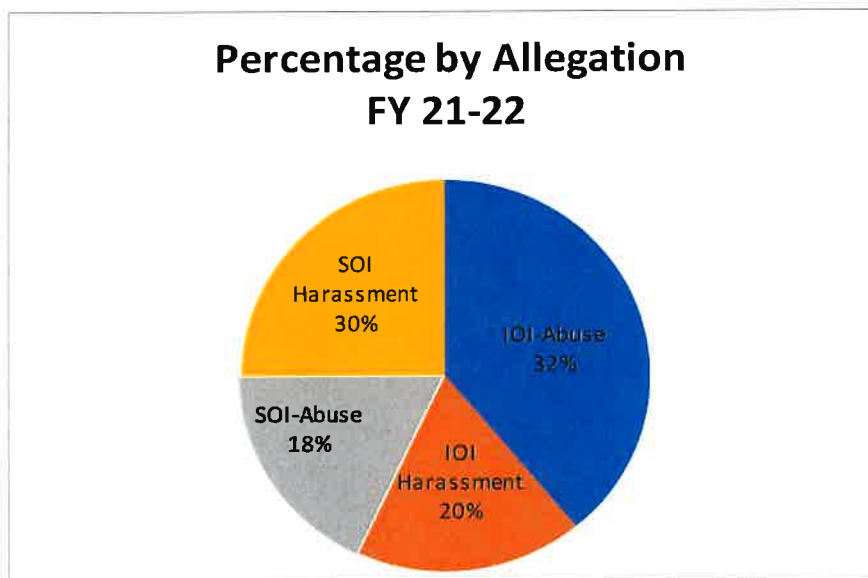
Current Fiscal Year Data

During FY 2021-2022, there were a total of 391 allegations entered into the PREA Allegation System.



Of the 391 allegations made, 225 were Inmate-on-Inmate (IOI) and 166 were Staff-on-Inmate (SOI).

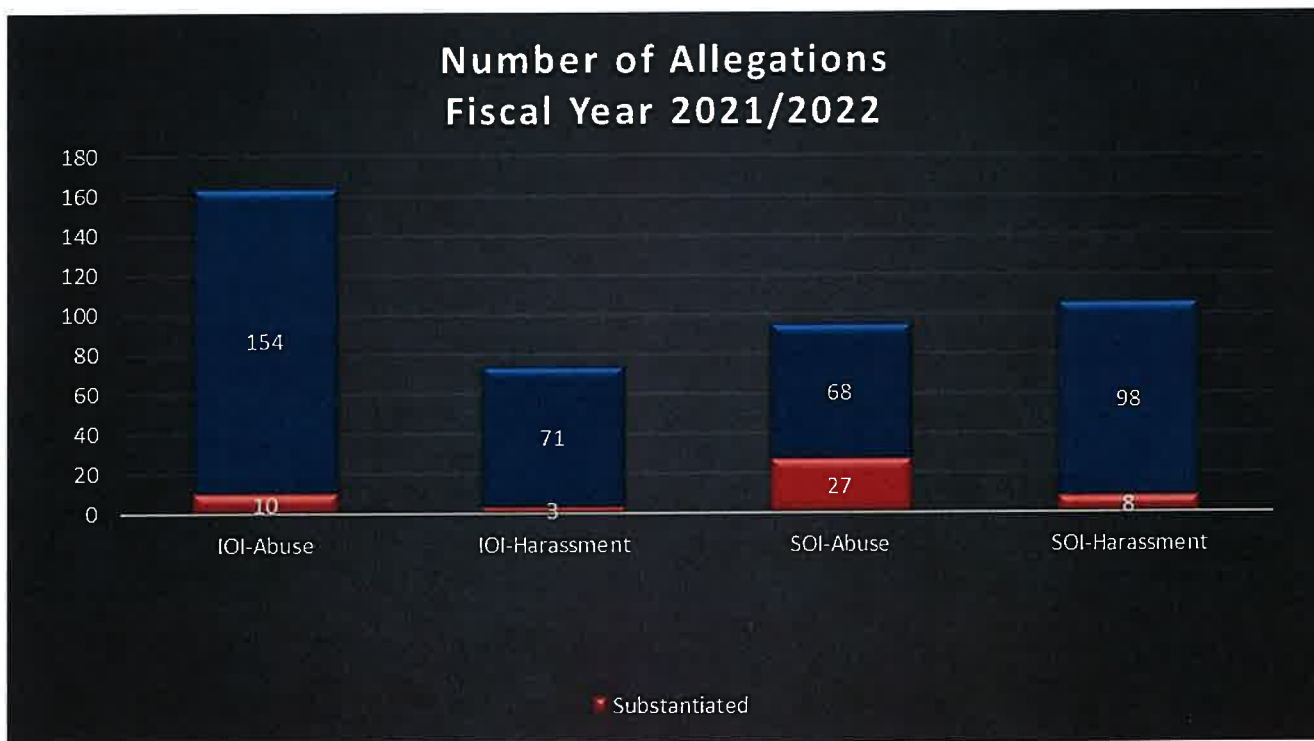
The allegations made are divided into four categories: Inmate on Inmate Sexual Abuse (154), Inmate on Inmate Sexual Harassment (71), Staff on Inmate Sexual Abuse (68), and Staff on Inmate Sexual Harassment (98).



Current Fiscal Year Data (Continued)

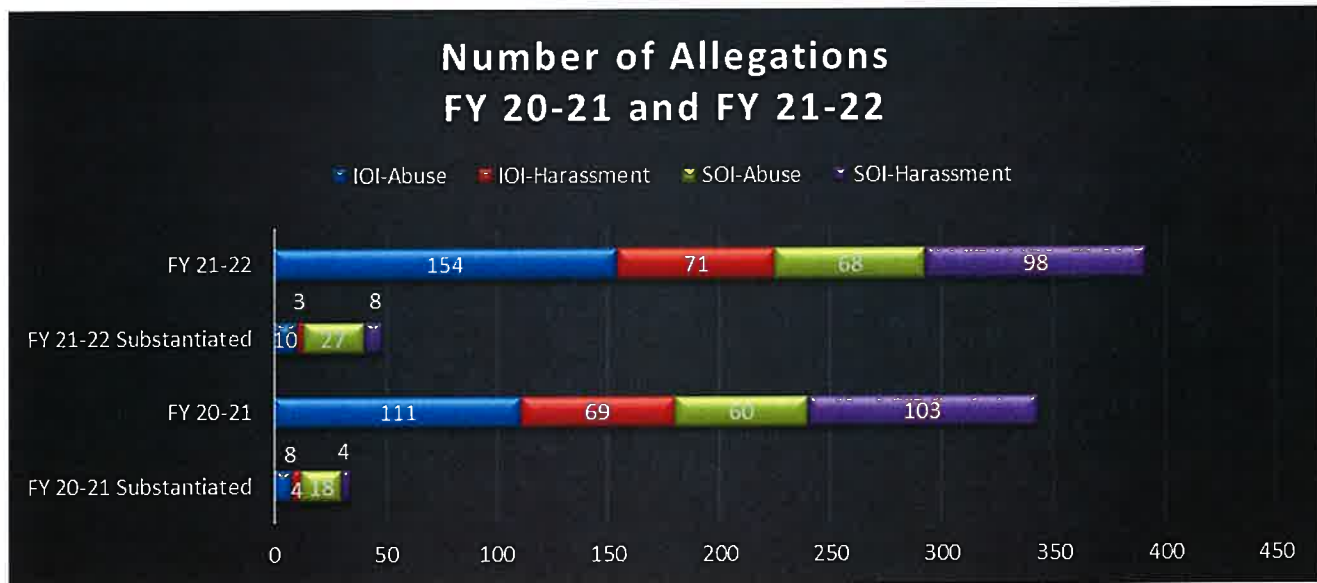
Ten of the 154 Inmate on Inmate (IOI) Sexual Abuse allegations were substantiated. The substantiated sexual abuse allegations occurred at the following locations: BCCX (1), DJRC (1), NECX (1), RMSI (2), TCIX (2), and TTCC (3). Three of the 71 Inmate on Inmate Sexual Harassment allegations were substantiated. The substantiated sexual harassment allegations occurred at the following locations: BCCX (1), RMSI (1), and SPND (1).

Twenty-seven of the 68 Staff on Inmate (SOI) Sexual Abuse allegations were substantiated. The substantiated sexual abuse allegations occurred at the following locations: BCCX (2), HCCF (2), MCCX (8), MLTC (1), NECX (1), SCCF (3), SPND (2), TCIX (3), TTCC (2), WCFA (1), and WTSP (2). Eight of the 98 Staff on Inmate Sexual Harassment allegations were substantiated. The substantiated sexual harassment allegations occurred at the following locations: BCCX (2), DJRC (2), NWCX (1), RMSI (1), and TCIX (2).



Comparison of Data

Allegations	FY 21/22	FY 21/22	FY 20/21	FY 20/21
		Substantiated		Substantiated
Inmate on Inmate Sexual Abuse	154	10	111	8
Inmate on Inmate Sexual Harassment	71	3	69	4
Inmate on Inmate Totals	225	13	180	12
Staff on Inmate Sexual Abuse	68	27	60	18
Staff on Inmate Sexual Harassment	98	8	103	4
Staff on Inmate Totals	166	35	163	22
Grand Totals	391	48	343	34



Corrective Actions

Substantiated allegations continue to be dealt with through disciplinary means for inmates and staff. Inmates were disciplined as appropriate through the disciplinary process for Sexual Harassment and referred for criminal prosecution for incidents of substantiated Sexual Abuse. Staff disciplinary action ranged from counseling and written warnings to termination for Sexual Harassment depending on the severity of the act. For substantiated cases of Staff on Inmate Sexual Abuse, all staff were referred for criminal prosecution. Inmate abuse of the allegation system is handled through the TDOC disciplinary process and referred for outside prosecution if warranted.

The Sexual Assault Response Team (SART) continues to conduct a PREA walk-through monthly at all facilities to identify and eliminate blind spots and PREA hazards. SART team members will continue to utilize the PREA audit spreadsheets while conducting the monthly PREA walk-through. The monthly walk-through allows staff to continuously measure the PREA knowledge of Staff and provide on-the-spot training when warranted. It also allows the facilities to measure how acclimated offenders have become with facility staff which is an important component of the inmates being comfortable reporting PREA allegations. The SART and Institutional Investigators thoroughly investigate all PREA allegations to determine if an allegation is substantiated, unsubstantiated, or unfounded. All investigations are documented in the TDOC PREA Allegation System.

Additional Notes

Inmate on Inmate unsubstantiated allegations typically lack sufficient corroborating evidence to support a substantiation finding. Unfounded allegations were usually noted as attempts to get a cell partner in trouble or at least moved to another unit or facility. Unfounded/unsubstantiated Staff on Inmate allegations of Sexual Abuse/Sexual Harassment were noted as attempts by inmates to get staff moved out of housing units/program areas or to get the staff into trouble with their superiors.


PREA Standard 115.86 requires an incident review of each alleged sexual abuse incident unless the incident was unfounded. This review must consist of the following individuals: line supervision, upper management, medical/mental health care, and the institutional investigator. This review committee can recommend corrective action after reviewing the incident and is required to ensure compliance with their recommendations unless exigent circumstances are noted by the facility Warden. Recommendations were made for additional cameras, blind-spot mirrors, and in some cases additional supervision of the inmates or area(s) during this fiscal year.

Staff and inmate education are important factors in the prevention, detection, and response to all allegations of sexual abuse or sexual harassment. Continuing education keeps our staff and inmates aware and alert to our zero-tolerance policy and the actions we will take to protect everyone. Monthly conference calls are held with Facility PREA Coordinators (AWTs) and PREA Compliance Managers to administer PREA refresher training and convey pertinent information and changes.

Staff are given tools to assist in maintaining PREA Compliance and reminded of how important each of their roles is in ensuring TDOC remains vigilant.

Future Audits

PREA compliance is a continuing mandate. During the Fiscal Year 2022-2023 Debra K. Johnson Rehabilitation Center (DJRC), Hardeman County Correctional Facility (HCCF), Lois DeBerry Special Needs Facility (SPND), Riverbend Maximum Security Institution (RMSI), and Whiteville Correctional Facility (WCFA) will have their fourth PREA Audit as mandated by the Department of Justice. PREA Compliance is a priority for TDOC with all facilities positioned to remain compliant with established PREA standards.

Approved: 
Lisa Helton, Interim Commissioner, TDOC

Pc Debbie Inglis
 Bobby Straughter
 Lee Dotson
 Rachel Riley-Coe
 Lisa Helton
 Kelly Young