

2016 Annual PREA Report

Knox County Sheriff's Office Corrections Division

This is the Knox County Sheriff's Office 3rd annual report of data collected and aggregated pursuant to Prison Rape Elimination Act (PREA) Standard 115.88-PREA Annual Report. The purpose of this report is to assess and improve the effectiveness of the agency's sexual abuse prevention, detection, and response policies, practices, and training. Facilities included in this data collection are the Knox County Jail, Roger D. Wilson Detention Facility, and the Knox County Work Release Center.

KCSO 2016 ANNUAL PREA REPORT

General Information:

The Prison Rape Elimination Act (PREA) was passed into law in 2003 by President George W. Bush. The act mandated zero tolerance of sexual abuse inside correctional facilities and developed standards to detect and prevent sexual abuse and sexual harassment of those incarcerated. This report serves as an annual review to assess and improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training within the Knox County Sheriff's Office Corrections Division, pursuant to §115.88 and §115.89 of the national PREA standards. Therein, the Knox County Sheriff's Office will:

1. Review and aggregate incident-based sexual abuse data annually in order to improve the effectiveness of sexual abuse prevention, detection, and response policies, practices, and training to include:
 - a. Identifying problem areas;
 - b. Taking corrective action on an on-going basis; and
 - c. Preparing an annual report of its findings.
2. Compare the current year's data and corrective actions with those from prior year's and provide an assessment of the agency's progress in addressing sexual abuse.
3. Publish the annual report of its findings and corrective actions on the Knox County Sheriff's Office website.

2016 Accomplishments:

KCSO Facilities: All Knox County Facilities have maintained compliance with all PREA standards for the purpose of preventing, detecting, and eliminating sexual abuse and sexual harassment of inmates in our custody. Over 100 cameras have been installed throughout the Roger D. Wilson Detention Facility for better prevention and detection.

Staff: Through continual education of staff, volunteers and contractors, the Knox County Sheriffs' Office Correction's Division has established and maintained a culture of zero-tolerance of sexual abuse and sexual harassment.

Inmates: Continued mandatory PREA training was provided to all inmates and has provided increased awareness of safe reporting mechanisms and counseling services available to them. Additional tablets have been placed in our different housing areas to continue providing additional methods for reporting PREA incidents.

KCSO 2016 ANNUAL PREA REPORT

PREA DEFINITIONS:

Historically, the Knox County Sheriff's Office has collected and reported sexual abuse and sexual harassment data pursuant to the definitions and solicitation of the Bureau of Justice Statistics (BJS) Survey of Sexual Victimization, which accounts for the following five categories: **Inmate on Inmate nonconsensual sexual acts, Inmate on Inmate abusive sexual contacts, Inmate on Inmate sexual harassment, staff sexual misconduct, and staff sexual harassment.**

In 2013 the KCSO began compiling reports of sexual abuse and sexual harassment. In doing so, the KCSO comprehensively covers the definitions and data collection of sexual abuse and sexual harassment as outlined in the PREA standards.

PREA Standard §115.6 specifically defines sexual abuse in terms of inmate-on-inmate, staff-on-inmate, along with sexual harassment and voyeurism. The Knox County Sheriffs' Office utilizes the PREA definitions:

Sexual abuse includes—

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;

KCSO 2016 ANNUAL PREA REPORT

- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

KCSO 2016 ANNUAL PREA REPORT

PREA Incident Types by allegation:

Substantiated: Investigated and determined to have occurred.

Unsubstantiated: Investigated, however not enough evidence to determine an incident had occurred.

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

Ongoing: Investigation has not been completed.

Investigations:

Every allegation made is investigated. If an allegation of sexual abuse is substantiated, the perpetrator will be charged with a criminal act and KCSO will work closely with prosecutors to ensure prosecution. Any reports made in bad faith will also be referred to prosecutors, and criminal and/or disciplinary charges will be pursued.

Inmates and incidents included in data collection:

Inmates housed in any KCSO Correctional Facility between January 1st 2016 and December 31, 2016.

Any incident of sexual misconduct, sexual harassment, or sexual abuse involving inmate-on-inmate or staff-on-inmate.

General Information:

Number of individuals –

Incarcerated in a KCSO facility on December 31, 2016

Male 927 **Female** 260

Admitted to KCSO facilities during 2016

Male 27468 **Female** 7597

Incarcerated individuals between January 1st, 2016 and December 31st, 2016 (Average number)

Male 958 **Female** 279

KCSO 2016 ANNUAL PREA REPORT

Allegation Information:

Inmate on Inmate nonconsensual sexual acts between January 1, 2016 and December 31, 2016?

Number Reported:	0
Substantiated:	0
Unsubstantiated:	0
Unfounded:	0
Ongoing:	0

Inmate on Inmate abusive sexual contacts between January 1, 2016 and December 31, 2016?

Number Reported:	0
Substantiated:	0
Unsubstantiated:	0
Unfounded:	0
Ongoing:	0

Inmate on Inmate sexual harassment between January 1, 2016 and December 31, 2016?

Number Reported:	10
Substantiated:	2
Unsubstantiated:	4
Unfounded:	4
Ongoing:	0

Staff sexual misconduct between January 1, 2016 and December 31, 2016?

Number Reported:	3
Substantiated:	0
Unsubstantiated:	0
Unfounded:	3
Ongoing:	0

Staff sexual harassment between January 1, 2016 and December 31, 2016?

Number Reported:	4
Substantiated:	0
Unsubstantiated:	2
Unfounded:	2
Ongoing:	0

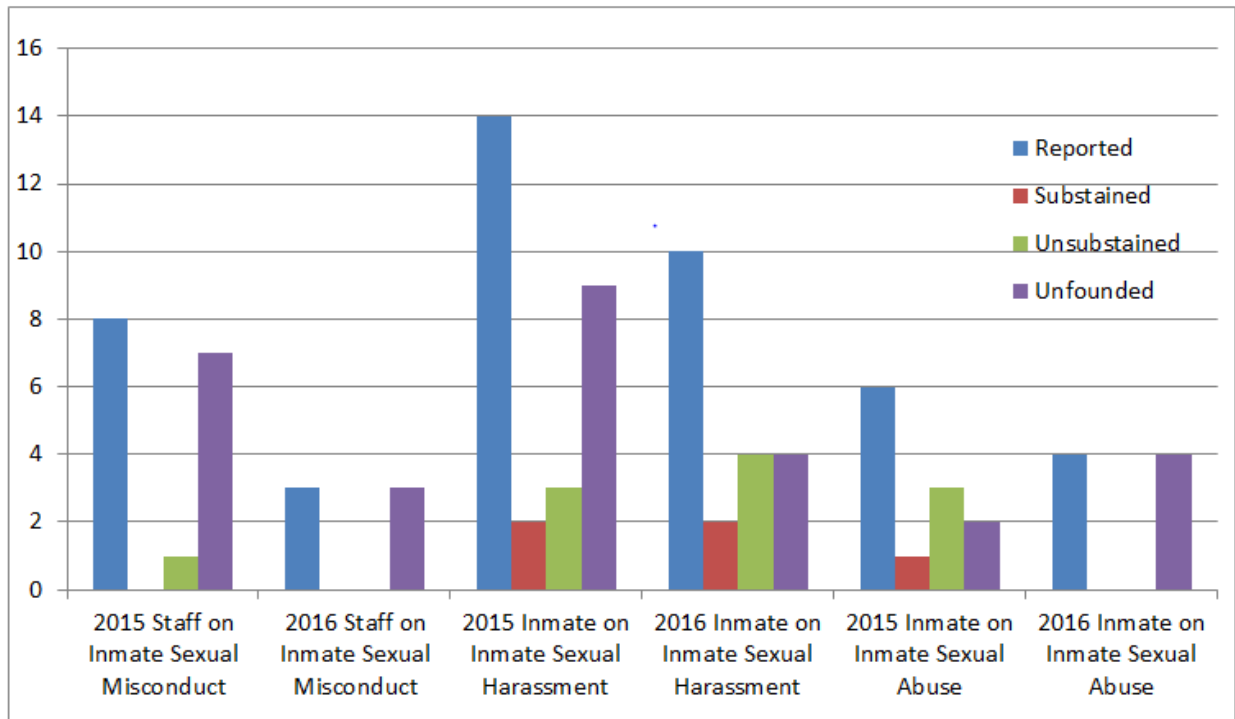
KCSO 2016 ANNUAL PREA REPORT

Staff sexual abuse between January 1, 2016 and December 31, 2016?

Number Reported:	3
Substantiated:	0
Unsubstantiated:	0
Unfounded:	3
Ongoing:	0

The following graph depicts a breakdown of the 2015 and 2016 sexual abuse and sexual harassment data; staff-on-offender and offender-on-offender. Data from all Knox County Correctional Facilities comprises this data.

2015-2016 Data Comparison



Incident Reviews:

PREA standard 115.86 requires an incident review of each alleged sexual abuse incident, unless the incident was unfounded. The review must consist of the following individuals: line supervision, upper-management, medical/mental health care staff and an investigator. The team recommends corrective action after reviewing an incident and monitors to ensure compliance with their recommendations.

In assessing and reviewing the two substantiated incidents occurring in 2016, the following was determined:

- Both cases were cases of inmate on inmate sexual harassment.

KCSO 2016 ANNUAL PREA REPORT

- Each incident occurred at the Roger D. Wilson Detention Facility.
- One sexual harassment incident reported occurred in a common area. The other occurred at a work detail location in the kitchen of the facility.
- Upon report of each incident the perpetrator was transferred to another housing area or separated from the victim.
- The incident review team determined we had sufficient staffing to provide prevention, detection, and response. The incident review team also determined that adequate video monitoring was in place.