



2021 Annual PREA Report

Knox County Sheriff's Office Corrections Division

This is the Knox County Sheriff's Office 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 2021 ANNUAL PREA REPORT

2021 Accomplishments

KCSO Facilities: All Knox County Facilities have maintained compliance with all PREA standards to prevent, detect, and eliminate sexual abuse and sexual harassment of inmates in our custody. The agency's third PREA audit, initially scheduled for November 2020, was delayed due to the pandemic and conducted in June 2021. The three-day comprehensive assessment included site reviews of all facilities, interviews with staff and inmates, and documentation review. Auditors found that all KCSO facilities met or exceeded all National PREA Standards for Prisons and Jails.

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

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

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 under §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 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 ongoing basis, and
 - c. Preparing an annual report of its findings.
2. Compare the current year's data and corrective actions with those from prior years 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.

PREA DEFINITIONS:

Historically, the Knox County Sheriff's Office has collected and reported sexual abuse and sexual harassment data according to the definitions and solicitation of the Bureau of Justice Statistics (BJS) Survey of Sexual

KCSO 2021 ANNUAL PREA REPORT

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. 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 defines sexual abuse in terms of inmate-on-inmate, staff-on-inmate, 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 encompasses

- **Abusive Sexual Contact** 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 another instrument.

AND

- **Nonconsensual Sex Acts**, which includes
 - (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;
- (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;

KCSO 2021 ANNUAL PREA REPORT

- (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 their 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 their cell to perform bodily functions; requiring an inmate to expose their buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or 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

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 not to 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 1, 2021, and December 31, 2021.

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

KCSO 2021 ANNUAL PREA REPORT

General Information:

Number of individuals –

Incarcerated in a KCSO facility on December 31, 2021

Male 747 Female 164

Admitted to KCSO facilities during 2021

Male 13987 Female 5862

Incarcerated individuals between January 1, 2021, and December 31, 2022 (**Average number**)

Male 780 Female 183

Allegation Information:

Inmate on Inmate nonconsensual sexual acts between January 1, 2021, and December 31, 2021

Number Reported:	<u>1</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>0</u>
Unfounded:	<u>1</u>
Ongoing:	<u>0</u>

Inmate on inmate abusive sexual contact between January 1, 2021, and December 31, 2021

Number Reported:	<u>5</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>3</u>
Unfounded:	<u>2</u>
Ongoing:	<u>0</u>

Inmate on inmate sexual harassment between January 1, 2021, and December 31, 2021

Number Reported:	<u>6</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>6</u>
Unfounded:	<u>0</u>
Ongoing:	<u>0</u>

Staff sexual misconduct between January 1, 2021, and December 31, 2021

Number Reported:	<u>1</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>0</u>

KCSO 2021 ANNUAL PREA REPORT

Unfounded:	<u>1</u>
Ongoing:	<u>0</u>

Staff sexual harassment between January 1, 2021, and December 31, 2021

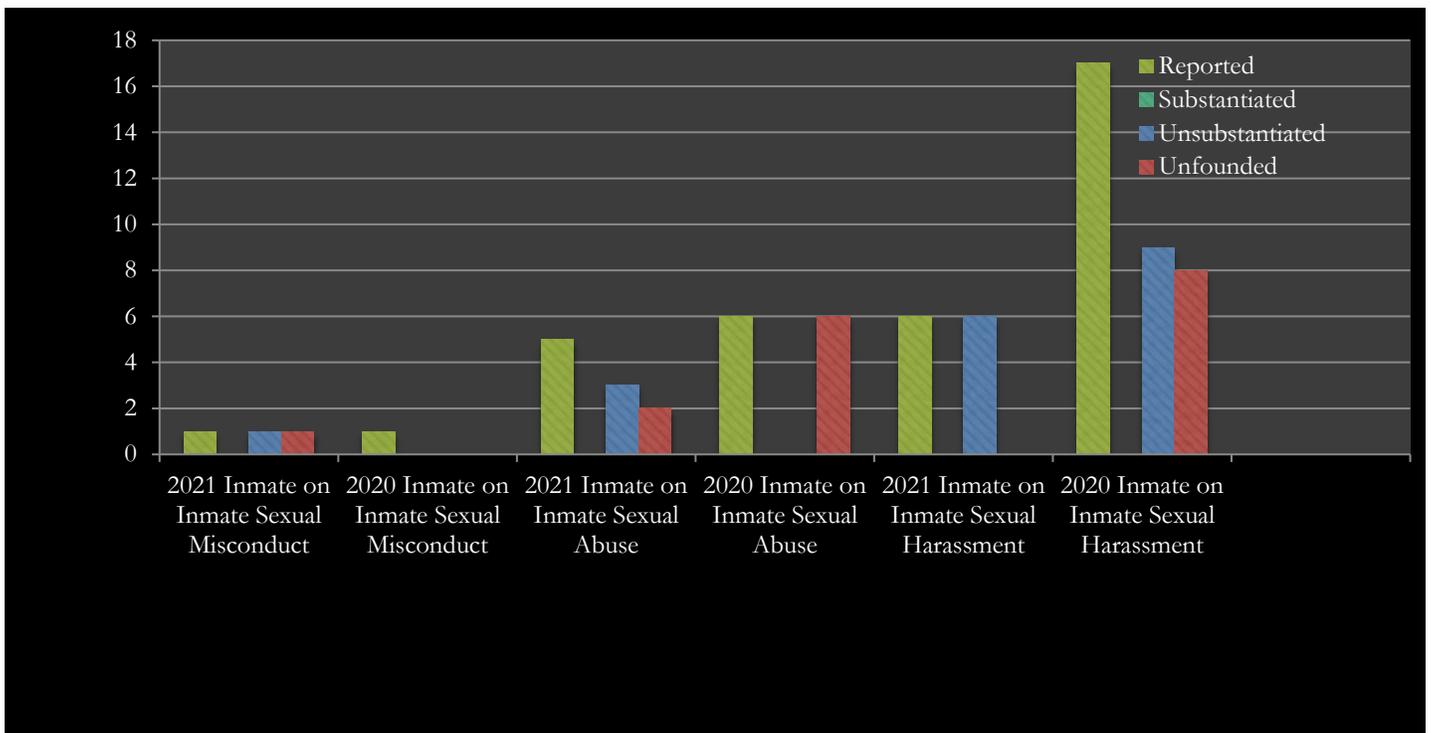
Number Reported:	<u>2</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>1</u>
Unfounded:	<u>1</u>
Ongoing:	<u>0</u>

Staff sexual abuse between January 1, 2021, and December 31, 2021

Number Reported:	<u>3</u>
Substantiated:	<u>0</u>
Unsubstantiated:	<u>1</u>
Unfounded:	<u>1</u>
Ongoing:	<u>0</u>

The following graph depicts a breakdown of the 2020 and 2021 sexual abuse and sexual harassment data; staff-offender and offender-on-offender. Data from all Knox County Correctional Facilities comprise this data.

2020-2021 Data Comparison



KCSO 2021 ANNUAL PREA REPORT

Incident Review:

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. After reviewing an incident, the team recommends corrective action and monitors to ensure compliance with their recommendations.

Based on a review of the 2021 investigations:

- The review team considered whether the allegations or investigations indicated a need to change policy or practice to better respond to sexual abuse and determined no changes to policy or practice were indicated.
- The review team assessed whether monitoring technology should be deployed or augmented to supplement supervision by staff and determined that, although monitoring technology was not a factor in any 2021 reported incidents, additional cameras would be beneficial in some housing areas. Therefore, an upgrade to the BlackCreek System was recommended and approved in September 2021. BlackCreek is the touchscreen security control and closed-circuit television (CCTV) system for the corrections division. The system is capable of recording all cameras 24/7, and video images are stored on RAID hard drives. The upgrade and added cameras will allow staff to observe common areas where blind spots may exist more effectively.