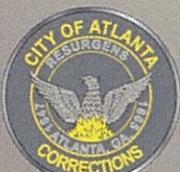
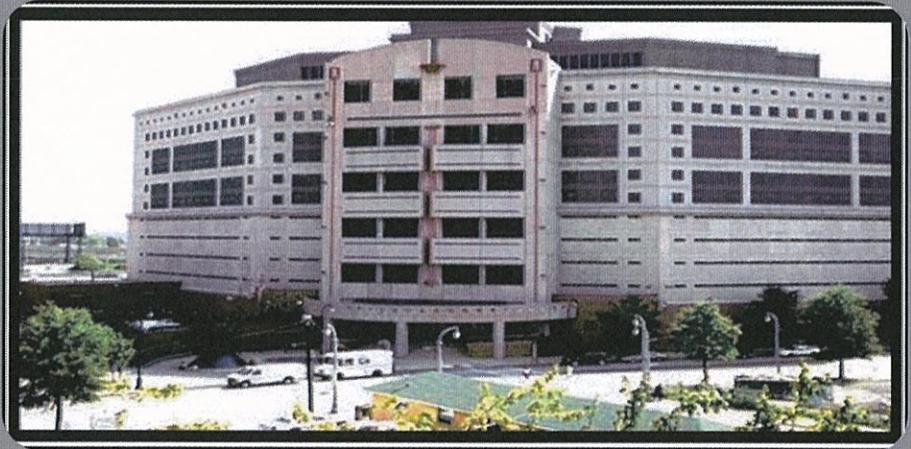


2015

PREA ANNUAL REVIEW

City of Atlanta Department of Corrections



Chief Patrick "Pat" Labat

Prepared by: Dr. Tracey Elam.
PREA COORDINATOR
ATLANTA CITY DETENTION CENTER

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Introduction

In response to the ongoing issue of sexual abuse in confinement settings, Congress unanimously passed the Prison Rape Elimination Act (PREA) in 2003. The final rule for this federal act went into effect in 2012. Among many other measures, the final rule called for PREA audits and for the publication of information related to incidents of sexual abuse that occur in confinement settings. During an audit in September 2015, the Atlanta City Detention Center (ACDC) was found to be in full compliance with PREA standards. In our efforts to maintain compliance with PREA, the ACDC Sexual Assault Response Team (SART) was convened in early 2016 to review the allegations of incidents of inmate sexual abuse that occurred at ACDC between January 2015 and December 2015.

During 2015, ten (10) reports of inmate sexual abuse were received. Of these reports, eight (8) of the allegations of sexual abuse were allegations of inmate to inmate sexual harassment or abuse and the remaining allegations were allegations of staff to inmate sexual harassment or sexual abuse. This report contains a comparative data analysis of all allegations of inmate sexual abuse that were generated during the year 2015. The allegations that were investigated fall into two categories of inmate sexual abuse: sexual assault and sexual harassment. One of three final determinations can be made regarding each allegation: substantiated, unsubstantiated, or unfounded. The definitions for these terms are provided below and reflect the PREA and ACDC definitions for these terms. Additionally, a number of the PREA-related process improvements that were implemented by ACDC in 2015 are outlined in this document.

Definitions of Terms

Sexual abuse of an inmate by another inmate 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:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus.
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument:
- 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 by a staff member, contractor, or volunteer includes any other following acts, with or without consent of the inmate or detainee.

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus.
- 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;
- 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;

Definitions of Terms ... cont.

- 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, contactor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in preceding paragraphs of this section.

Sexual assault of an inmate is defined as sexual physical contact **without** the other person's expressed (i.e. implied or legal) **consent** or when the other person is unconscious or otherwise physically incapable of resisting or when verbal or written sexual proposals threatens or harasses another person.

Sexual harassment is the 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 toward another. It also includes repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contactor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about one's body or clothing, or obscene language or gestures.

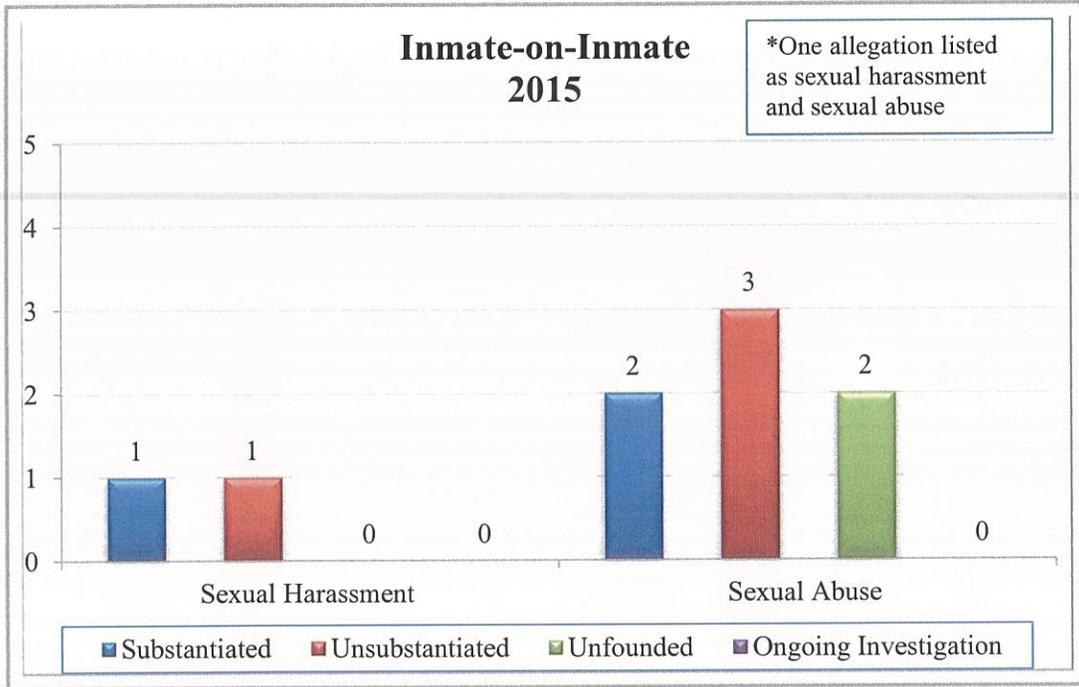
Substantiated is defined as the finding of an allegation that has been investigated and determined to have occurred.

Unfounded is defined as the finding of an allegation that has been investigated and determined not to have occurred.

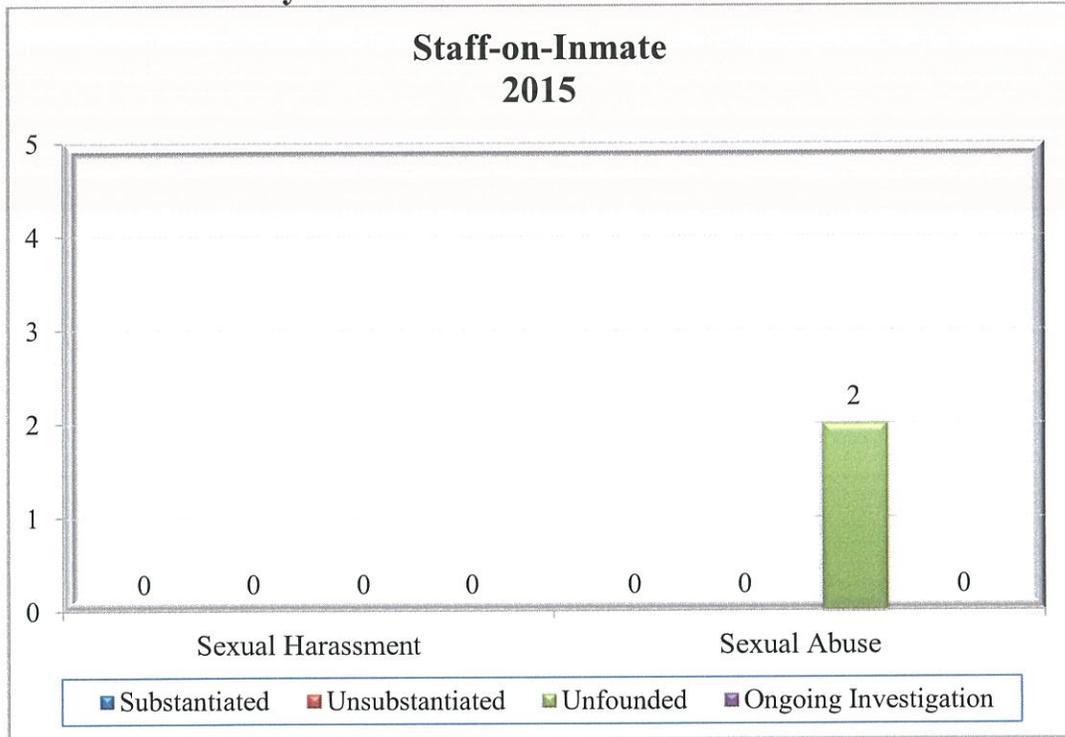
Unsubstantiated: the finding of an allegation that has been investigated, but not enough evidence exists to determine whether or not the incident occurred.

Comparative Data Analysis

2015 Survey of Sexual Violence & Sexual Victimization



2015 Survey of Sexual Violence & Sexual Victimization



Process Improvements

The following process improvements related to our agency's efforts to protect inmates from sexual abuse occurred in 2015:

- All staff members were provided with materials delineating their first responder responsibilities, including a wallet-sized, plastic "ACDC PREA Response Card" that can be kept on their person at all times and a booklet that contains that serves as a guide for employees, contractors, and volunteers.
- Multiple staff trainings were conducted in 2015. Mass PREA training was provided to all staff members, contractors, and volunteers in May 2015. Other trainings included Roll Call training that was specific to ACDC's LGBTI PREA policy and PREA trainings that were posted to the electronic document-sharing platform, Power DMS.
- In July 2015, a total of ninety (90) mirrors were installed in Intake and in other areas in the facility to enhance monitoring efforts.
- A thorough review of the existing PREA policy occurred, leading to and revisions to the policy and the decision to divide the policy into six (6) smaller policies. The new policies were distributed to all staff via Power DMS.
- High visibility PREA signage was placed throughout the facility (including all areas that are accessed by inmates) to inform individuals of ACDC's zero-tolerance policy related to inmate sexual abuse.
- The facility utilizes both security cameras within the facility and body cameras for sworn staff to heighten the facility's ability to provide supervision and monitoring to ensure inmate safety. Additionally, vehicles that are used to transport inmates are equipped with cameras that provide avenue by which to supervise and monitor inmates.

Conclusion

The Atlanta City Detention Center was audited for PREA compliance in September 2015 and found to be in full compliance with this federal act; the detention center was found to have exceeded the standards in four (4) areas. ACDC is committed to remaining compliant with the PREA standards and providing an exceptional level of protection for all individuals confined at this facility. This annual review and the transparency it provides reinforce our commitment to our efforts to support a Corrections environment with zero-tolerance for inmate sexual abuse.

Declaration

We, the undersigned declare that the foregoing is true and correct.

Executed this 19th day of May, 2016, at
two-thirty, PM.

Tracey Elam EdD, LPC

Dr. Tracey Elam

P.R.E.A Coordinator- Atlanta City Detention Center

Chief

Patrick "Pat" Labat

Chief of Corrections- Atlanta City Detention Center

