

# 2019 PREA REVIEW



*Interim Chief Reginald A. Mitchell*

*Overview*

The Atlanta City Detention Center (ACDC) is a municipal jail that houses inmates who have been charged with City ordinance or traffic offenses, as well as detainees who have warrants for other jurisdictions. In the past, ACDC boarded detainees on behalf of federal agencies, such as the United States Marshals Service (USMS) and the U. S. Immigration and Customs Enforcement (ICE). However, ACDC ceased the practice of boarding federal detainees in 2018. This decision, along with other initiatives such as Cash Bail Reform, led to a dramatic decrease in the inmate population. Most arrestees are now eligible for self-bonds with only a small number of arrestees remaining in the facility long enough to be housed.

**ACDC Total Incarcerations (2018 & 2019)**

<i>Year</i>	<i>2018</i>	<i>2019</i>
<u><i>Total Incarcerations</i></u>	<b>21,735</b>	<b>20,107</b>

The decreased inmate population likely led in the decrease in sexual assault allegations at the Atlanta City Detention Center. Despite the low number of incarcerated individuals, ACDC remains committed to complying with the Prison Rape Elimination Act (PREA) by maintaining a zero-tolerance stance regarding inmate sexual abuse. In support of that goal, ACDC convened a multi-disciplinary team to review all reports of inmate sexual abuse from 2019. The collected data was analyzed to assist the agency with identifying areas for improvement and developing corrective action plans that will be outlined below. Members of the review team and their respective roles on the team are as follows:

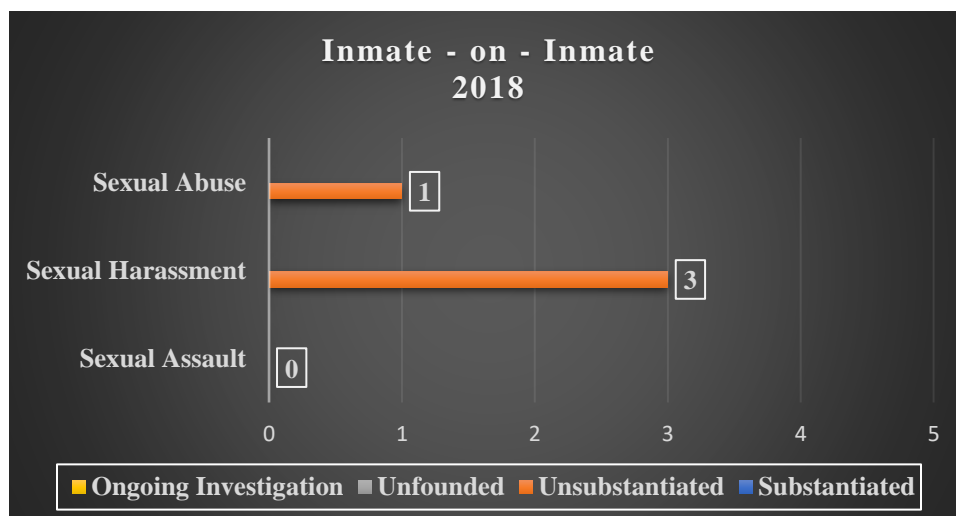
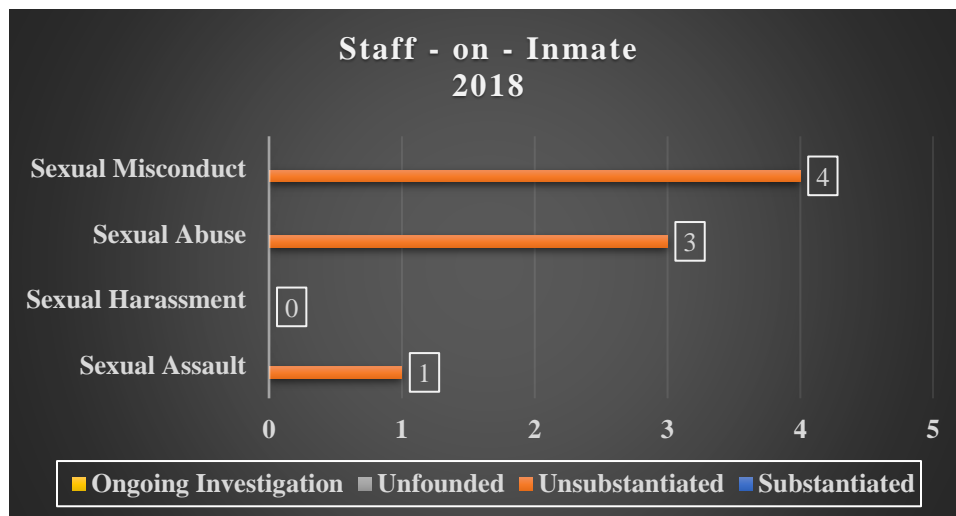
**Review Team Members**

- Dr. Tracey Elam, PREA Coordinator
- Major N. Johnson, Facility Commander
- Captain R. Sales, Office of Professional Accountability (Administrative Investigations)
- Lieutenant J. Dade, Classification Unit Supervisor
- Ms. O. Lynn Cross, Mental Health Supervisor
- Ms. Q. Parks, Accreditation Manager
- Ms. C. Pillows, LPN (Health Services representative)

### Comparison of 2018 and 2019 PREA Cases

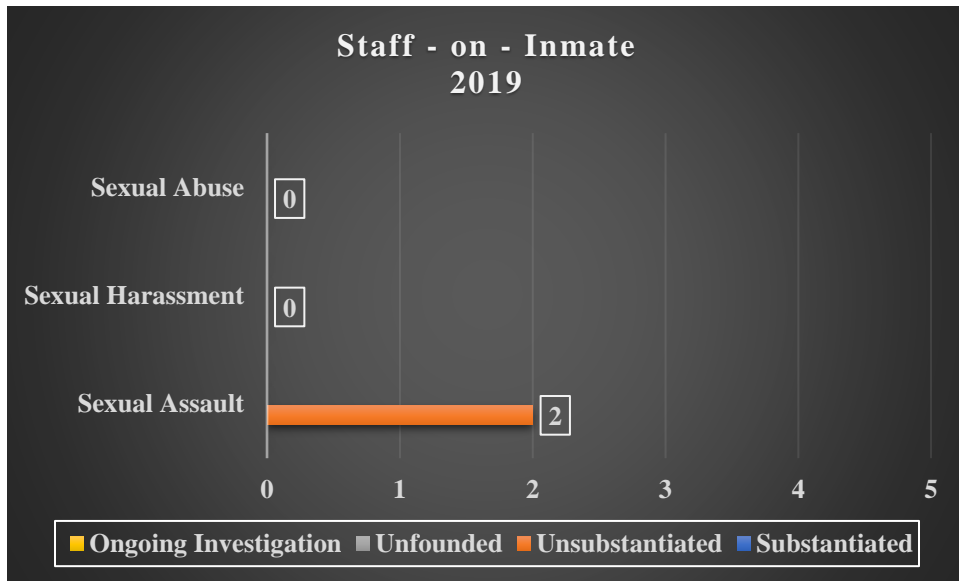
During 2018, ACDC received twelve (12) reported PREA incidents. Eight (8) were staff-to-inmate sexual allegations and the remaining four (4) were inmate-to-inmate sexual allegations. Of the eight (8) staff-to-inmate sexual allegations, four (4) were for sexual misconduct, three (3) were for sexual abuse, and one (1) was for sexual assault. Of the four (4) inmate-on-inmate allegations, three (3) were for sexual harassment, and one (1) was for sexual abuse. Four (4) of the twelve (12) reports involved ICE detainees as victims and the remaining allegations involved City inmates as victims. All twelve (12) of the reports were determined to be **unsubstantiated** by ACDC's Office of Professional Accountability (OPA).

### **2018 Survey of Sexual Violence & Sexual Victimization**



In 2019, there were three (3) reported PREA incidents. Two (2) of these reports were of staff-to-inmate sexual allegations and the remaining case was an inmate-to-inmate sexual allegation. The two (2) staff-to-inmate allegations were for staff sexual assault and the one (1) inmate-on-inmate allegation was for sexual harassment. All three (3) cases were ruled **unsubstantiated** by ACDC's OPA.

### **2019 Survey of Sexual Violence & Sexual Victimization**



**Areas for Improvement/Corrective Action Items**

<b><u>Areas for Improvement</u></b>	<b><u>Corrective Action Items</u></b>
Decreased average length of stay with most arrestees receiving self-bonds prior to being relocated to housing units	<ul style="list-style-type: none"><li>• Continue to monitor inmate safety in Intake; continue to provide PREA orientation in Intake</li></ul>
Unannounced supervisor rounds for PREA	<ul style="list-style-type: none"><li>• Supervisors to continue making rounds in housing units, as well as Intake and Court.</li></ul>

*Conclusion*

ACDC is a PREA compliant facility that has a zero-tolerance policy toward inmate sexual abuse. In our ongoing efforts to ensure that our practices match this policy, ACDC engages in an annual review of the previous year's data related to reports of inmate sexual abuse. The multi-disciplinary review team's analysis of the data generates is committed to remaining compliant with the PREA standards and providing an exceptional level of protection for all individuals confined at this facility. This review and the transparency it provides reinforce our commitment to our efforts to support a Corrections environment with zero-tolerance for inmate sexual abuse.

### **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;
- 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 the incident occurred