

MEMORANDUM

TO: Tony Parker, Commissioner of the Tennessee Department of Correction

THROUGH: Kristy D. Carroll-Grimes, Director of Compliance
Donna L. Turner, Director of the Office of Investigations and Compliance

FROM: Thomas Joplin, TDOC PREA Coordinator

DATE: November 2, 2017

SUBJECT: PREA FY 2016-2017 Annual Report

General Information

The Prison Rape Elimination Act (PREA) was established in 2003 by then President George W. Bush. The act mandated the Department of Justice to establish standards to eliminate prison rape which includes 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 of 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.

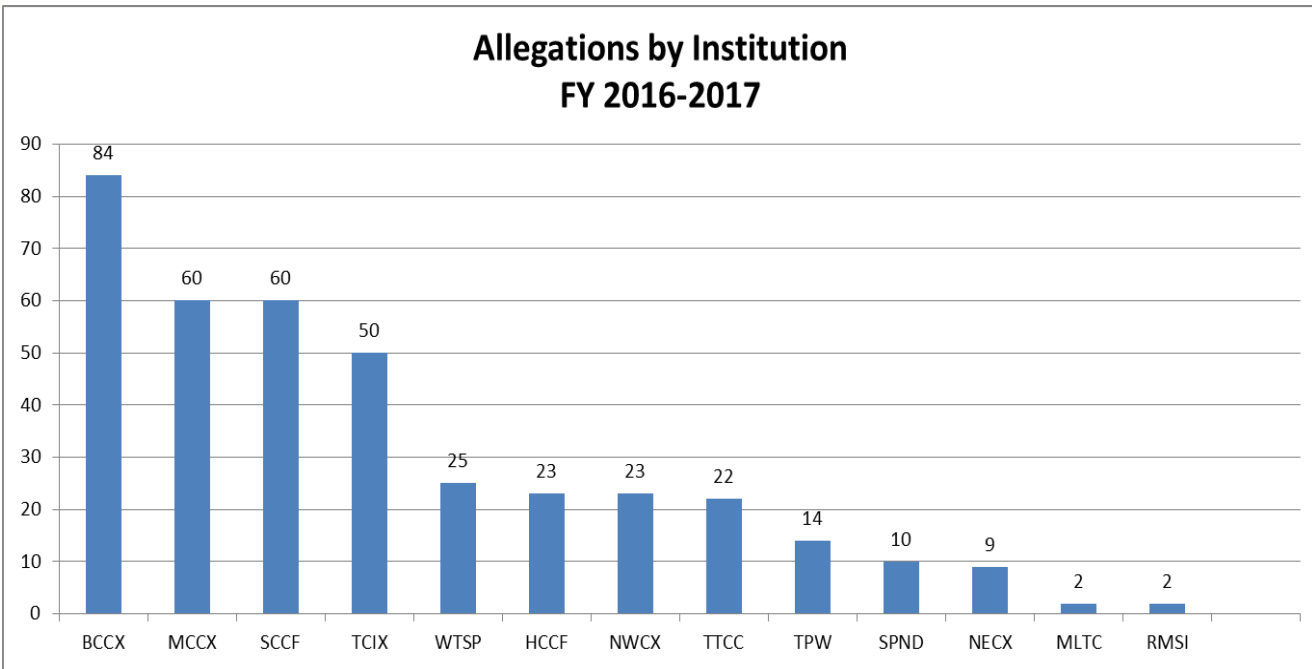
PREA standard 115.88 requires this annual report be made readily available to the public and at a minimum requires the report to include progress in addressing sexual abuse, data, data comparison and corrective actions. This report shall be available on the TDOC Internet website.

Progress

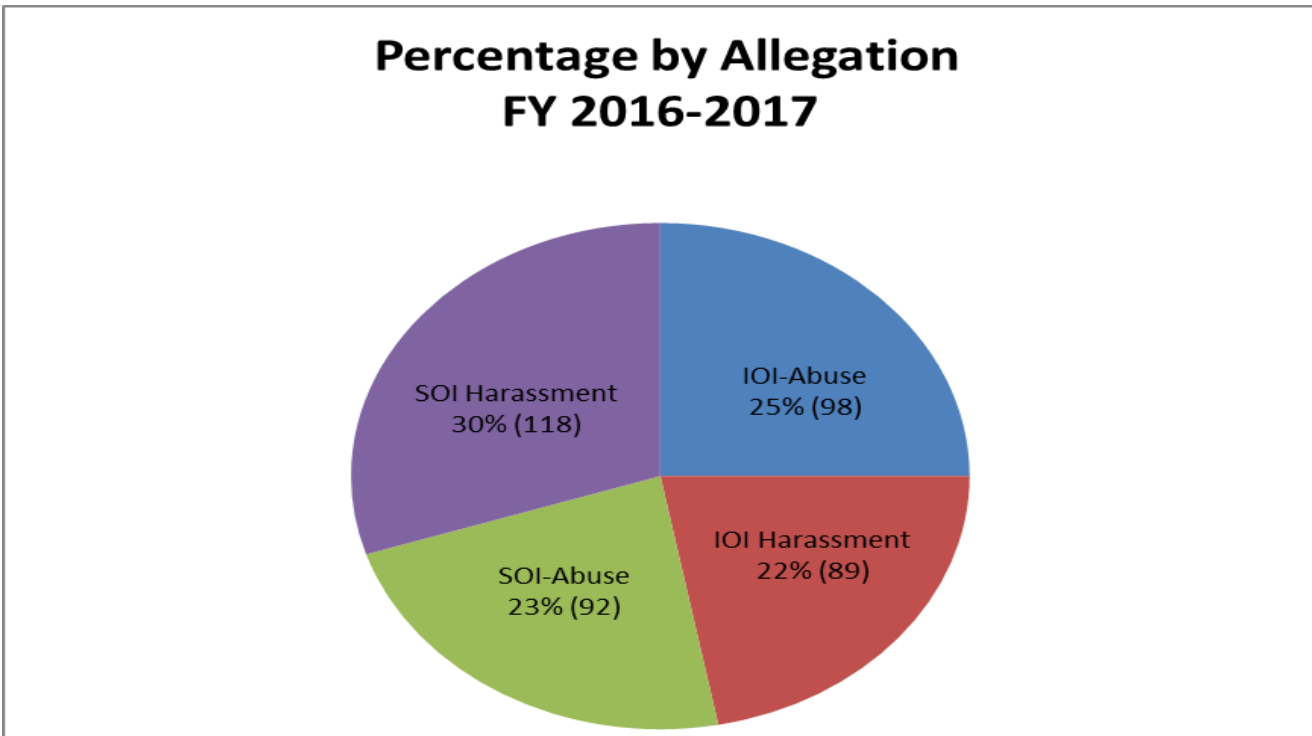
During Fiscal Year 2015-2016, the Tennessee Department of Correction (TDOC) had PREA Compliance Audits at Mark Luttrell Transition Center (MLTC), Northwest Correctional Complex (NWCX), Bledsoe County Correctional Complex (BCCX) and West Tennessee State Penitentiary (WTSP). All four were certified compliant with the PREA standards through independent certification from the Department of Justice auditors. Core Civic also had a PREA audit at South Central Correctional Facility (SCCF) during this fiscal year, and it was certified compliant as well. As of the date of this report, the only facility not certified PREA compliant is Trousdale Turner Correctional Center (TTCC). This is due to them opening in January 2016. Their PREA audit was conducted July 31, 2017 through August 1, 2017, and their initial report was received on September 25, 2017. The facility is in the process of making their corrective action as required by the interim report.

Allegations

During FY 2016-2017 there were a total of 397 allegations entered on the PREA Allegation System (PAS).

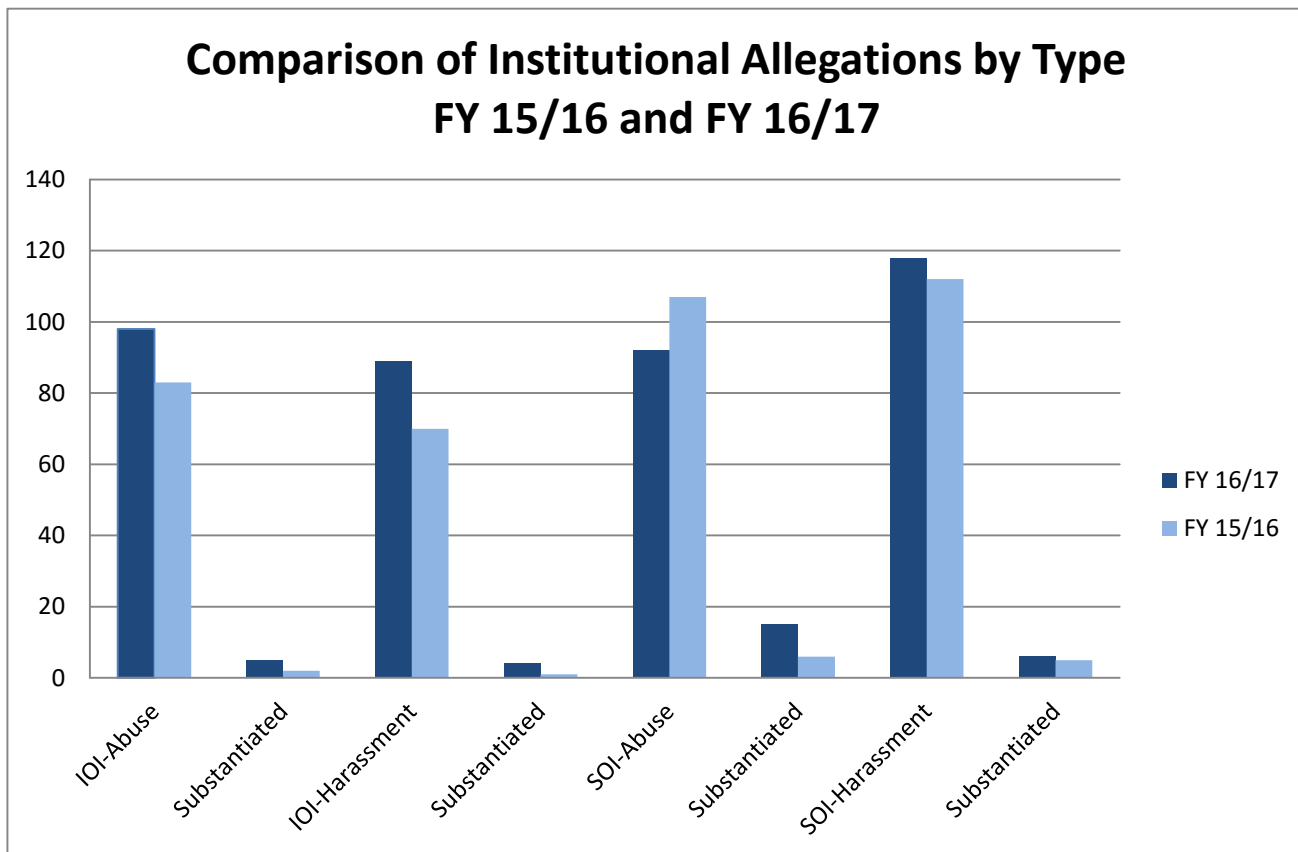


Of the 397 allegations made, 187 were Inmate-on-Inmate (IOI) and 210 were Staff-on-Inmate (SOI). The allegations made are divided into four categories: Inmate on Inmate Sexual Abuse, Inmate on Inmate Sexual Harassment, Staff on Inmate Sexual Abuse, and Staff on Inmate Sexual Harassment.

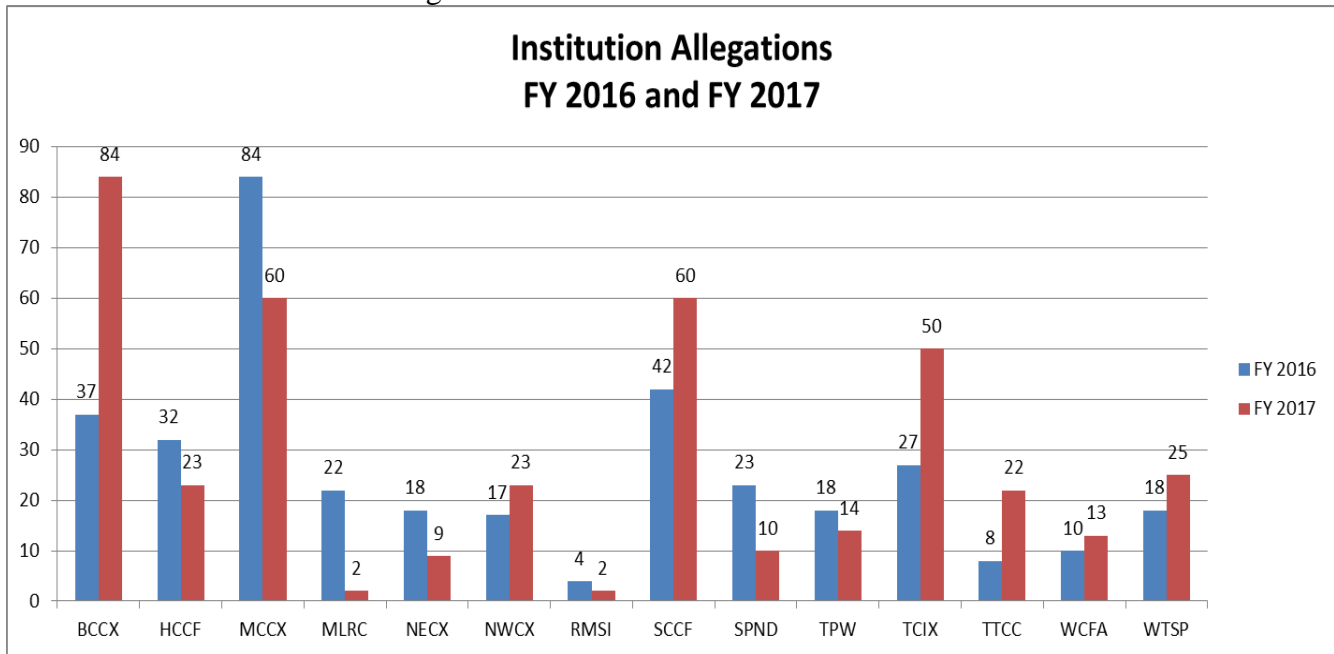


Of the 98 Inmate on Inmate Sexual Abuse allegations, five were substantiated. These substantiated allegations occurred once at the following locations: Bledsoe County Correctional Complex (BCCX), Hardeman County Correctional Facility (HCCF), South Central Correctional Facility (SCCF), DeBerry Special Needs Facility (SPND), and Tennessee Prison for Women (TPW). Of the 89 Inmate on Inmate Sexual Harassment allegations, four were substantiated. These occurred once at the following locations: Hardeman County Correctional Facility (HCCF), Morgan County Correctional Complex (MCCX), Turney Center Industrial Complex (TCIX), and Tennessee Prison for Women (TPW).

There were 92 Staff on Inmate Sexual Abuse allegations, of which fifteen were substantiated. Four occurred at Bledsoe County Correctional Complex (BCCX), one at Morgan County Correctional Complex (MCCX), one at Northeast Correctional Complex (NECX), two at Riverbend Maximum Security Institution (RMSI), two at Turney Center Industrial Complex (TCIX), two at Tennessee Prison for Women (TPW), one at Trousdale Turner Correctional Center (TTCC), and two at West Tennessee State Penitentiary (WTSP). There were 118 Staff on Inmate Sexual Harassment allegations and six were substantiated. One occurred at Hardeman County Correctional Facility (HCCF) and five at Turney Center Industrial Complex (TCIX).



For the prior FY, 2015-2016, allegations for Inmate on Inmate totaled 153, with 83 being Sexual Abuse and 70 being Sexual Harassment. There were two substantiated cases of Inmate on Inmate-Sexual Abuse and one substantiated case of Inmate on Inmate-Sexual harassment. Staff on Inmate allegations totaled 219, with 107 allegations of Sexual Abuse and 112 cases of Sexual Harassment. There were six substantiated allegations of sexual abuse and five for sexual harassment.



Corrective Actions

Substantiated allegations continue to be dealt with through disciplinary means for inmates and staff. Inmate abuse of the allegation system can be handled through the TDOC disciplinary process using Violation of State Law or Defiance. Staff disciplinary action ranged from counseling to written warnings to termination for Sexual Harassment, and substantiated cases of staff on inmate abuse were referred for criminal prosecution.

The Sexual Assault Response Team (SART) continues to conduct a PREA walk through on a monthly basis to identify and eliminate blind spots and PREA hazards. The SART and Investigators thoroughly investigate all allegations to determine if an allegation is substantiated, unsubstantiated, or unfounded. They base their findings on the available evidence and document their findings accordingly.

Observations

Staff and inmate education is an important factor in the prevention, detection, and response to all

allegations of sexual abuse or sexual harassment. Continuing education will keep our staff and inmates aware and alert to our zero tolerance policy and the actions we will take to protect them all.

Inmate on Inmate unsubstantiated allegations normally fall into the “he said-he said” category, without sufficient evidence to make a true determination. Unfounded allegations were usually noted as attempts to get a cell partner in trouble or at least moved to another unit. Staff on Inmate allegations of Sexual Abuse/Sexual Harassment was 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/behavioral health care and investigator. The SART can recommend corrective action after reviewing the incident and will monitor to ensure compliance with their recommendations. Recommendations were made for additional cameras, blind-spot mirrors, and in some cases, additional supervision of the inmates or area(s).

Future Audits

PREA compliance is a continuing requirement. During Fiscal Year 2017-2018 Riverbend Maximum Security Institution (RMSI), DeBerry Special Needs Facility (SPND), Tennessee Prison for Women (TPW), Turney Center Industrial Complex (TCIX), Morgan County Correctional Complex (MCCX), Northeast Correctional Complex (NECX), and Mark Luttrell Transition Center (MLTC) will have their second PREA Audit as mandated by the Department of Justice. As the audits continue, all of our facilities are positioned to remain compliant with established PREA standards.

Pc Chuck Taylor
 Debbie Inglis
 Wes Landers
 Bobby Slaughter
 John Fisher
 Debra Johnson
 David Sexton
 Tony Howerton
 Tim Oliver
 Cindy Dunning