

## MEMORANDUM

**TO:** Tony C. Parker, Commissioner of the Tennessee Department of Correction

**THROUGH:** Kimberly Gulden, Director of Compliance  
Donna L. Turner, Director of the Office of Investigations and Compliance

**FROM:** Thomas Joplin, TDOC PREA Coordinator

**DATE:** September 10, 2018

**SUBJECT:** PREA FY 2017-2018 Annual Report

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### 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.

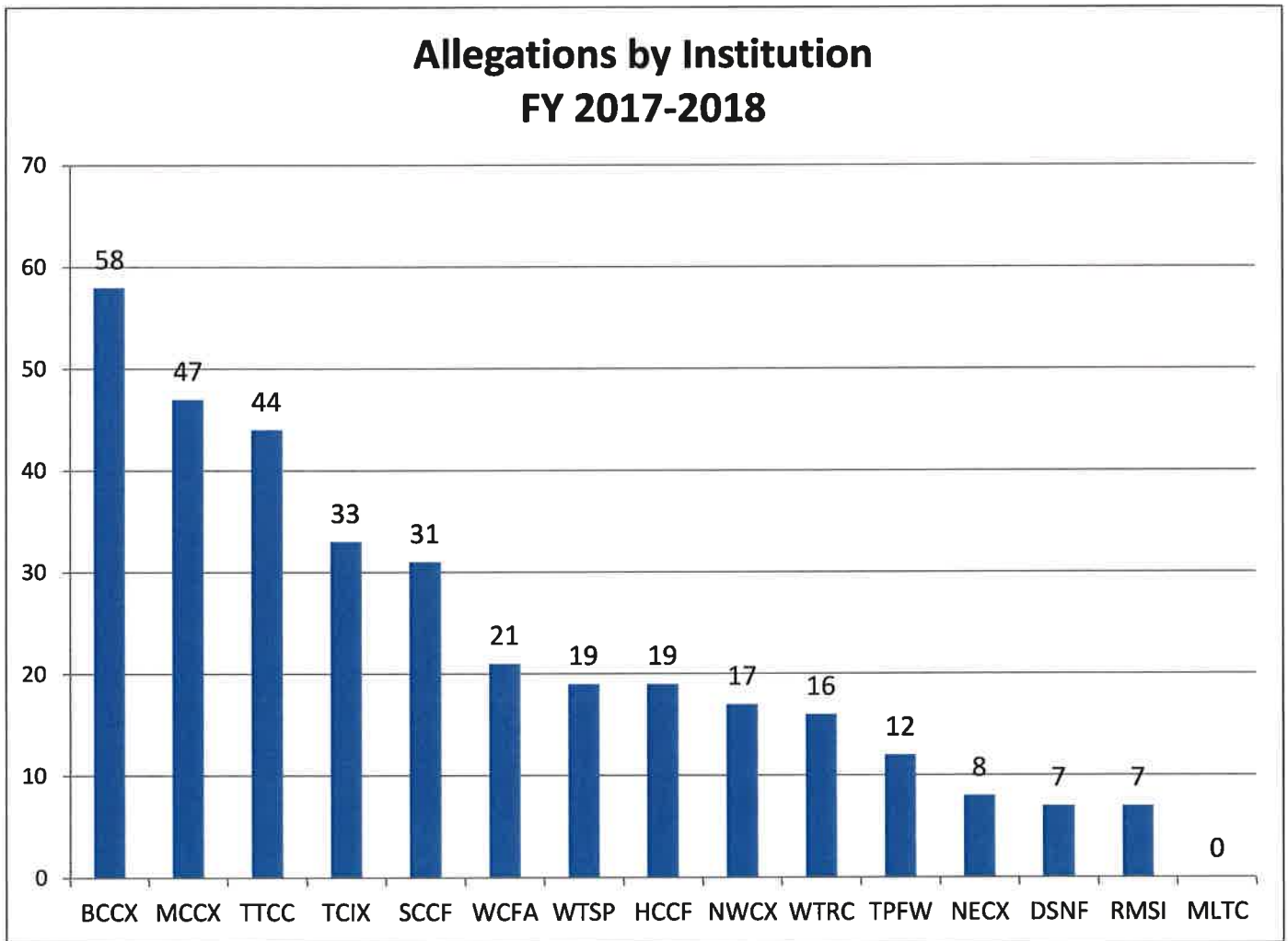
PREA standard 115.88 requires this annual report be made readily available to the public and at a minimum requires the report to include progress in addressing sexual abuse, current fiscal year data, data comparison, and corrective actions. This report is required to be available to the public on the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

### Progress

During Fiscal Year 2017-2018 the Tennessee Department of Correction (TDOC) had PREA Compliance Audits at RMSI, DSNF, TPFW, MCCX, TCIX, and NECX. All were certified compliant with the PREA standards through independent certification by Department of Justice PREA auditors. CoreCivic also had a PREA Compliance audit at TTCC during this fiscal year, and the facility was certified compliant as well.

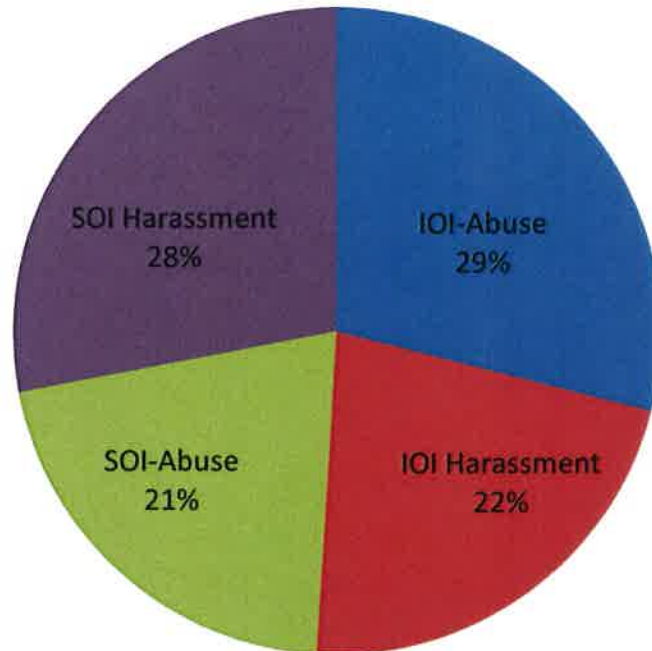
**Allegations**

During FY 2017-2018, there were a total of 339 allegations entered on the PREA Allegation System (PAS).



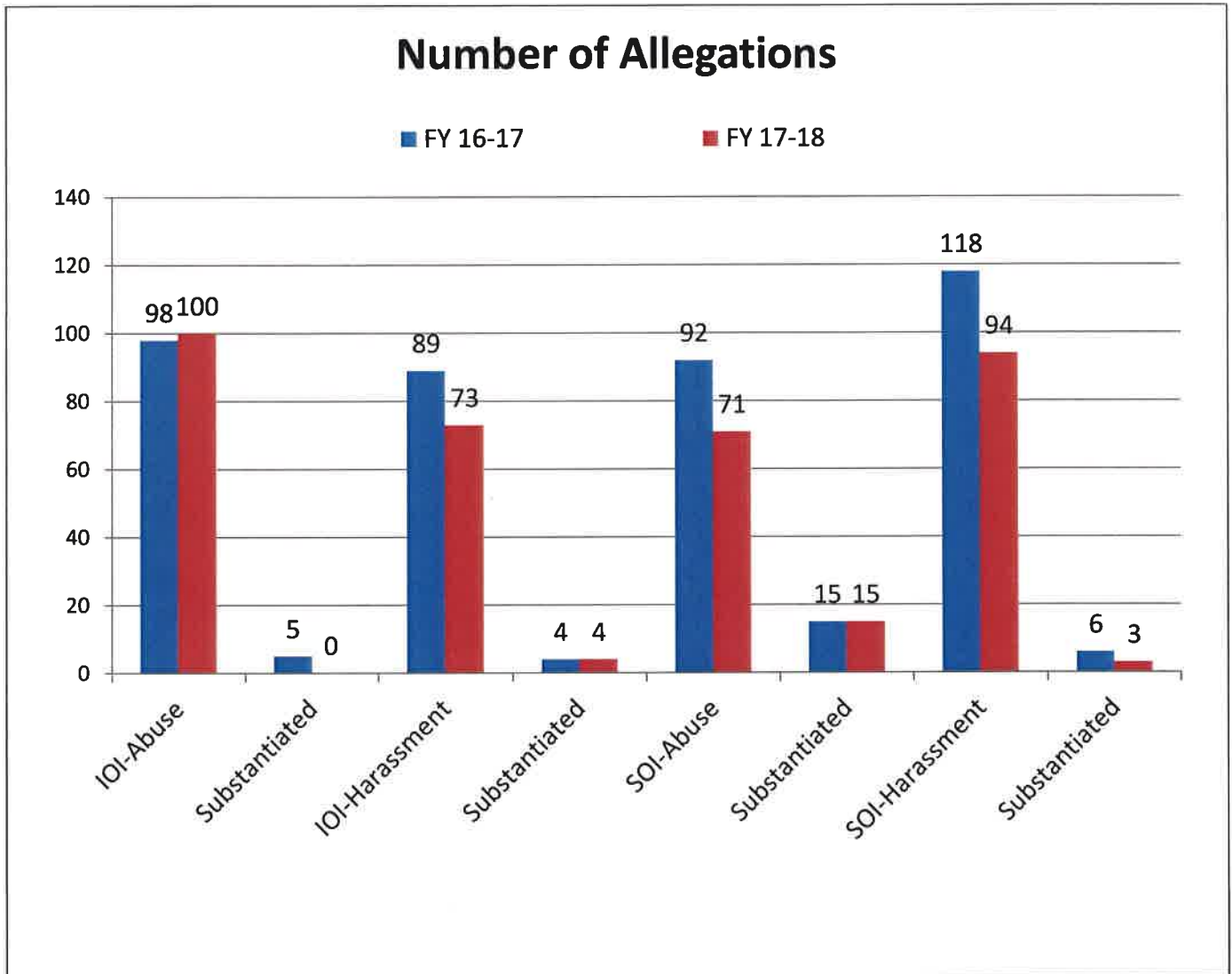
Of the 339 allegations made, 173 were Inmate-on-Inmate (IOI) and 166 were Staff-on-Inmate (SOI). The allegations made are divided into four categories: Inmate on Inmate Sexual Abuse (100), Inmate on Inmate Sexual Harassment (73), Staff on Inmate Sexual Abuse (72), and Staff on Inmate Sexual Harassment (94).

### Percentage by Allegation FY 2017-2018

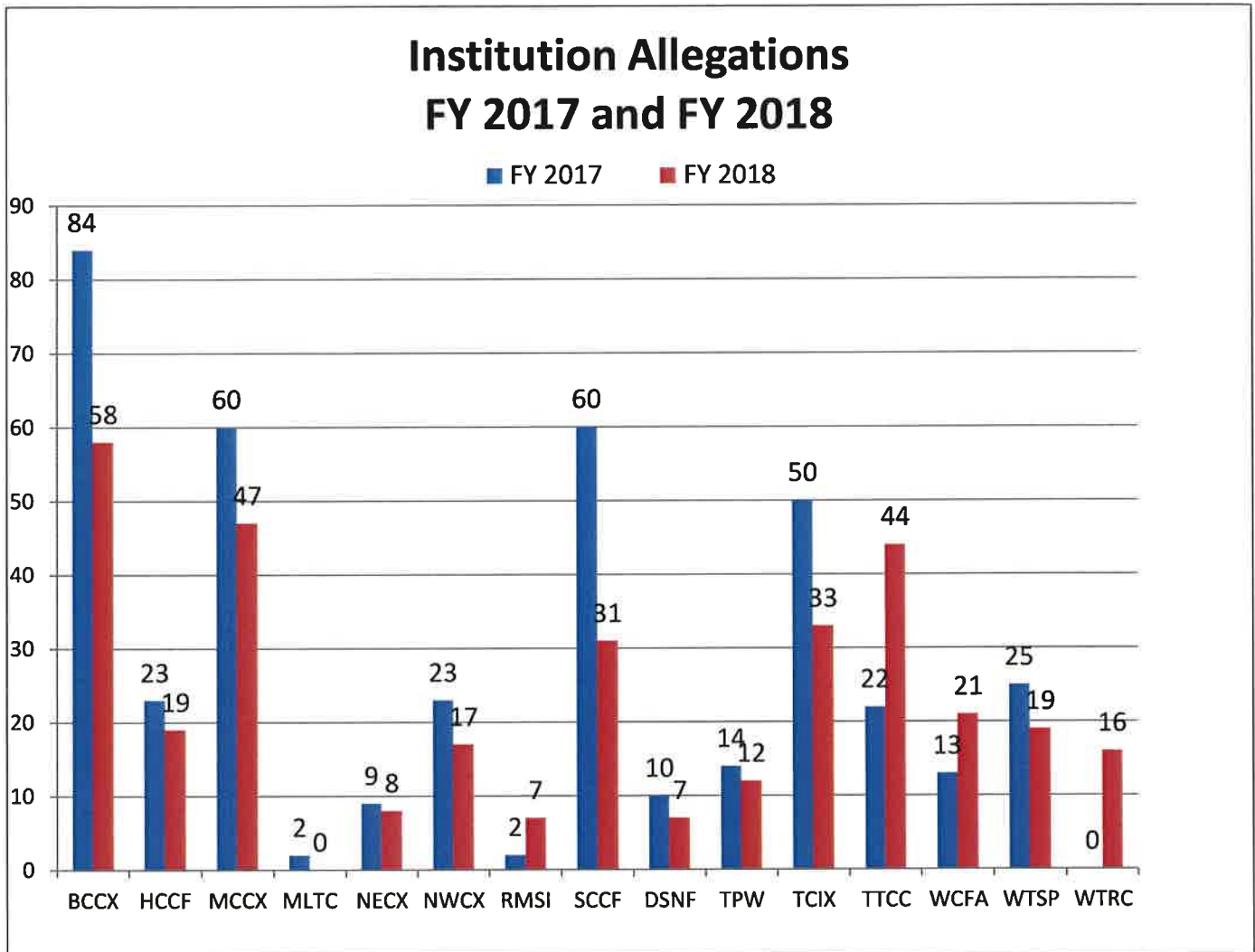


Of the 100 Inmate on Inmate Sexual Abuse allegations, none were substantiated. Of the 73 Inmate on Inmate Sexual Harassment allegations, four were substantiated. These occurred at the following locations: BCCX (2), RMSI (1) and SCCF (1).

There were 72 Staff on Inmate Sexual Abuse allegations, of which fifteen were substantiated. These occurred at BCCX (3), MCCX (1), NEXC (1), SCCF (1) TCIX (2), TPW (2), TTCC (2), WCFA (2) and WTSP (1). There were 94 Staff on Inmate Sexual Harassment allegations, and three were substantiated. These occurred at TPFW (2) and WTRC (1).



For the prior fiscal year, 2016-2017, allegations for Inmate on Inmate totaled 187, with 98 being Sexual Abuse and 89 being Sexual Harassment. There were five substantiated cases of Inmate on Inmate-Sexual Abuse and four substantiated cases of Inmate on Inmate-Sexual Harassment. Staff on Inmate allegations totaled 210, with 92 allegations of Sexual Abuse and 118 cases of Sexual Harassment. There were fifteen substantiated allegations of Sexual Abuse and six 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 and if warranted, criminal prosecution. Staff disciplinary action ranged from counseling and written warnings to termination for Sexual Harassment and substantiated cases of Staff on Inmate Sexual 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 Institutional 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 or facility. Staff on Inmate allegations of Sexual Abuse/Sexual Harassment were 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/mental health care, and investigator. This review committee can recommend corrective action after reviewing the incident and are required to ensure compliance with their recommendations unless exigent circumstances are noted by the facility Warden. 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 mandate. During the Fiscal Year 2018-2019 NWCX, BCCX, WTSP, WTRC and SCCF 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.

Approved:



Tony Parker, Commissioner, Tennessee Department of Correction

pc: Chuck Taylor	Bobby Straughter	Debra Johnson	Tim Oliver
Debbie Inglis	Lee Dotson	Darren Settles	Cindy Dunning
Wes Landers	John Fisher	Kevin Myers	