

2016

Annual PREA Review



Chief Patrick Labat

Introduction

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 are boarded on behalf of federal agencies, such as the United States Marshals Service (USMS) and the Immigration and Customs Enforcement (ICE). ACDC is 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 2016. The collected data was analyzed to assist the agency with identifying areas for improvement and developing corrective action plans that will be outlined below.

ACDC Reported PREA Allegation Data

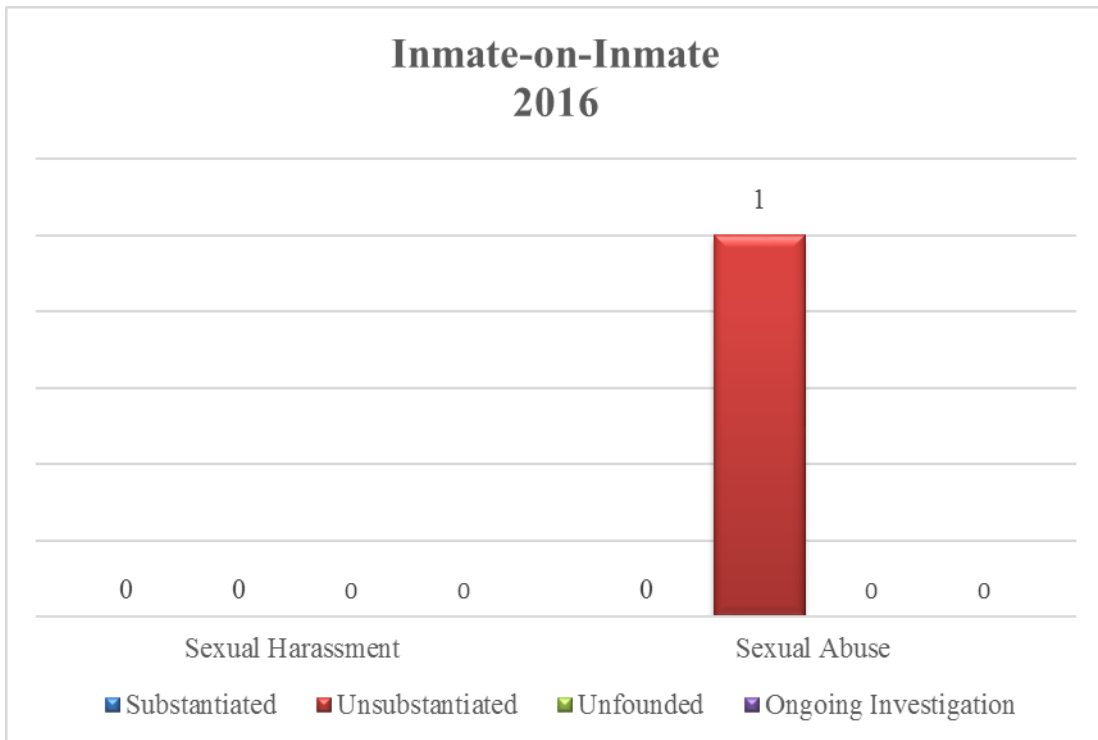
This report summarizes all allegations of inmate sexual abuse data from 2016 and compares it with the data gathered and analyzed from sexual abuse reports from 2015. During 2016, eleven (11) reports of inmate sexual abuse were received. Of these reports, eight (8) of the allegations of sexual abuse were allegations of inmate to inmate sexual harassment or abuse and the remaining allegations were allegations of staff to inmate sexual harassment or sexual abuse. Four of the eleven reports involved ICE detainees as alleged victims. In 2015, of the ten (10) 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.

The allegations that were investigated fall into two categories of inmate sexual abuse: sexual assault and sexual harassment. Additionally, one of three final determinations can be

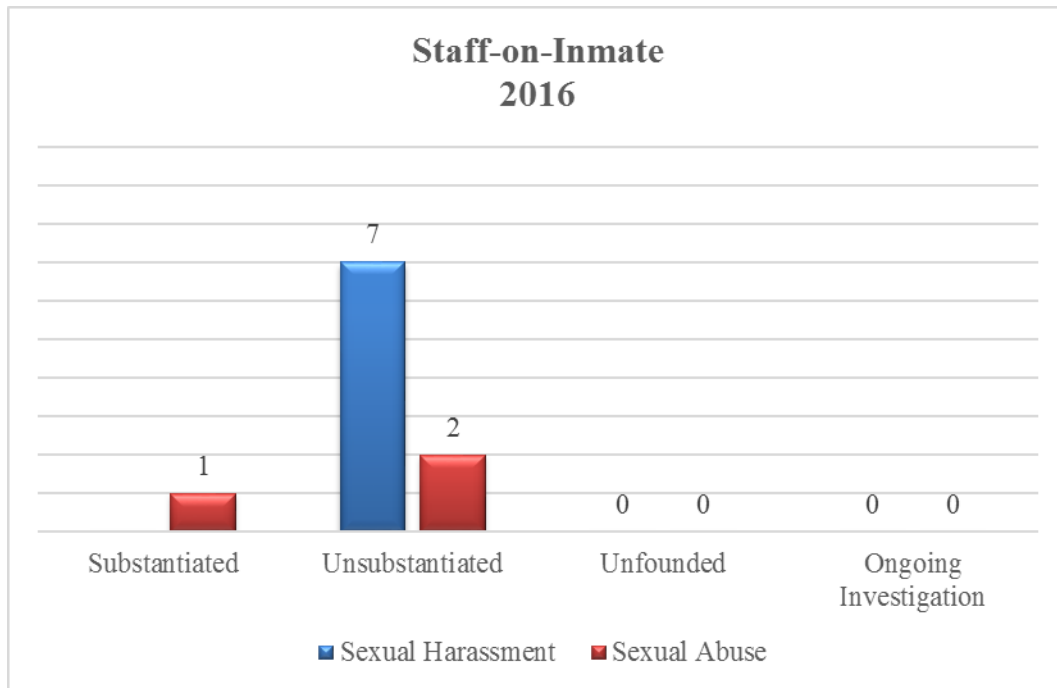
made regarding each allegation: substantiated, unsubstantiated, or unfounded. The definitions for these terms are provided below and reflect the PREA and ACDC definitions for these terms.

Comparative Data Analysis

2016 Survey of Sexual Violence & Sexual Victimization



2016 Survey of Sexual Violence & Sexual Victimization



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, contractor, 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

Areas for Improvement/Corrective Action Items

<i>Areas for Improvement</i>	<i>Corrective Action Items</i>
Increased cultural awareness when interacting with ICE detainees and other inmates/detainees from various cultural backgrounds	<ul style="list-style-type: none"> • Utilize in-service training and roll call training to discuss cultural differences in corrections settings • After safety concerns have been addressed, consider using male officers to conduct frisk searches with male ICE detainees when the option is available • Utilize detainee orientation to advise ICE detainees that female officers perform the same duties as male officers at this facility
More effective communication with staff about inmate/detainee sexual abuse risk factors	<ul style="list-style-type: none"> • Train/retrain staff on how to access flags in the jail management system to check for risk to perpetrate/vulnerability for inmate sexual abuse • A proposed plan to place a rule in the jail management system that allows only supervisors to move possible/known PREA perpetrators to housing locations
An environment that allowed for the formation	<ul style="list-style-type: none"> • ICE female detainees were moved into

<p>of inappropriate relationships developing among inmates/detainees on a specific housing unit</p>	<p>single person cells to discourage the formation of inappropriate relationships with cellmates</p> <ul style="list-style-type: none"> • Watch commanders and other supervisors received an email asking them to discuss ICE female detainee housing issues in roll call • Officers were tasked with being more vigilant in monitoring inmate interactions on the housing units
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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 annual review of 2016 PREA investigations and the transparency it provides reinforces our commitment to our efforts to support a Corrections environment with zero-tolerance for inmate sexual abuse and our commitment to providing an exceptional level of protection for all individuals confined at our facility.