



Davidson County Sheriff's Office (DCSO)
Prison Rape Elimination Act (PREA) of 2003
2015 Annual Report

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1. **PREA Purpose:**

- a. The agency shall review data collected in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, by:
 - Identifying problem areas;
 - Taking corrective action on an ongoing basis; and
 - Preparing an annual report for each facility and the entire agency.
- b. Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- c. The agency's report shall be approved by the agency head and made readily available to the public through its website.
- d. The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

2. **Agency's Duty:**

The PREA Annual Report for calendar year 2015, (January 1 thru December 31), has been prepared in accordance with 115.88 of the PREA Standards to address PREA issues and upgrade staff effectiveness in the DCSO in the areas of sexual abuse prevention, detection, and response policies and training. In subsequent years, the information collected for this report will be used to identify problem areas and to take corrective action on an ongoing basis.

3. **PREA Background:**

The **Prison Rape Elimination Act (PREA) of 2003** is the first United States federal law passed dealing with the sexual assault of prisoners. The bill was signed into law on September 4, 2003 by President George W. Bush. PREA was designed to eliminate rape in confinement settings. PREA also mandated the publication of standards to ensure compliance and improve prevention, detection and response strategies in addressing sexual abuse and assault. The standards went into effective in August of 2012 and cover prevention planning, responsive planning, training and education, screening for risk, reporting, official response, investigations, discipline, medical and mental health care, data collection, and audits. PREA seeks to establish a zero-tolerance policy regarding rape and sexual abuse in federal, state, county and city correctional systems, including prisons, jails, police lock-ups, and other confinement facilities for adults and juveniles.

The goal of PREA is to prevent, detect, respond, and eliminate sexual abuse and sexual harassment of inmates in correctional facilities; this includes inmate on inmate and staff on inmate. This report reflects the agency's efforts to comply with the goals of PREA in all DCSO facilities.

4. DCSO "Zero Tolerance" Policy:

The goal of PREA align with the mission of the DCSO which states: "As a law enforcement agency committed to public safety, we strive to be the leader in the field of corrections, service of civil process, and innovative community-based programs, emphasizing: Accountability, Diversity, Integrity, and Professionalism." Therefore, the DCSO has established a "zero tolerance" policy relating to all forms of sexual abuse and sexual harassment of inmates, either by staff or other inmates within its jail facilities.

It is the policy of the DCSO to provide an appropriately safe, humane, and secure environment for all inmates, employees, contractors, and volunteers, free from risk of sexual abuse by maintaining preventive and intervention programs that ensures effective procedures for preventing, detecting, responding, investigating and tracking incidents or allegations of sexual abuse and sexual harassment. The DCSO will ensure such incidents are reported, investigated, and addressed appropriately.

Medical staff will provide medical care as needed, and order the inmate transported for hospital care as medically appropriate. Mental health staff will assess the need for crisis intervention, and provide those services as necessary. The policy will ensure that administrative disciplinary actions, and/or criminal sanctions are forwarded against any inmate, staff, contractor, or volunteer found to have committed sexual abuse or sexual harassment against an inmate.

PREA Investigations:

All allegations of sexual abuse and sexual harassment will be investigated administratively and criminally. Administrative investigations such as sexual harassment and sexual abuse are the responsibility of DCSO Investigators and staff (PREA Compliance Manager, Facility Administrator, Chief of Security, and Security Lieutenant). All staff who investigate PREA incidents receives specialized training for investigations mandated by PREA standard 115.34.

Criminal investigations such as sexual abuse are the responsibility of the Metro Nashville Police Department (MNPD). MNPD will determine if a forensic examination is warranted. MNPD detectives collaborate with the District Attorney's Office to determine whether to pursue criminal prosecution. The DCSO Investigator follows the progress of the criminal case, and acts as liaison to the MNPD detective conducting the criminal investigation.

5. PREA definitions:

Initial Inquiry Complaint - An investigation conducted by an institutional investigator on a sexual abuse allegation where during the initial investigation the disposition was determined to be unfounded based on recanted statement, bunched video, physical impossibility, and additional evidence/relevant documentation and reviewed by the facility administrator.

- Inmate on Inmate Sexual Abuse (IOISA)
- Inmate on Inmate Sexual Contact (IOISC)
- Inmate on Inmate Sexual Penetration (IOISP)
- Inmate on Inmate Sexual Harassment (IOISH)
- Staff on Inmate Sexual Abuse (SOISA)
- Staff on Inmate Sexual Penetration (SOISP)
- Staff on Inmate Sexual Contact (SOISC)
- Staff on Inmate Indecent Exposure (SOIIE)
- Staff on inmate voyeurism (SOIV)
- Staff on Inmate Sexual Harassment (SOISH)

6. Dispositions of Sexual Abuse /Sexual Harassment Allegation

Substantiated Allegation - An allegation that was investigated and determined to have occurred.

Unfounded Allegation - An allegation that was investigated and determined not to have occurred.

Unsubstantiated Allegation - An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

7. Jail Facilities

- Criminal Justice Center (CJC)
- Hill Detention Center (HDC)
- Correctional Development Center-Males (CDM)
- Correctional Development Center- Females (CDF)

8. Current Achievement

DCSO continues to make strides to ensure the implementation of the PREA standards and that the requirements are being demonstrated by providing a safe and secure

environment for inmates. This progress prompted our request to submit to a PREA audit conducted by American Correctional Association (ACA), certified auditor, Tom Eisenschmidt of Syracuse, New York on September 14-16, 2015. A three-day audit was conducted for all DCSO facilities, and included the interviewing of staff and inmates, tour of all jails, and reviewing documents, reports, policies and procedures. DCSO successfully passed the audit on February 19, 2016.

9. Aggregate Data for 2015:

During the fiscal year of 2015, there were a total of 48 sexual abuse allegations that were reported by inmates, staff, or third party reporting, which met the PREA’s reporting guidelines. There were a total of 32 Initial Inquiry allegations reported and investigated, but was determined to be unfounded during the initial (inquiry) investigation because of inmate recanting statement, bunched video, physically impossible, and additional evidence/relevant documentation. All Initial Inquiry cases are investigated, reviewed, and documented by the Compliance Manager, Facility Administrator, and PREA Coordinator to ensure all allegations of sexual abuse and sexual harassment complaints are investigated.

Chart 1: Shows the breakdown of types of PREA allegations reported and the result of the investigation for 2015.

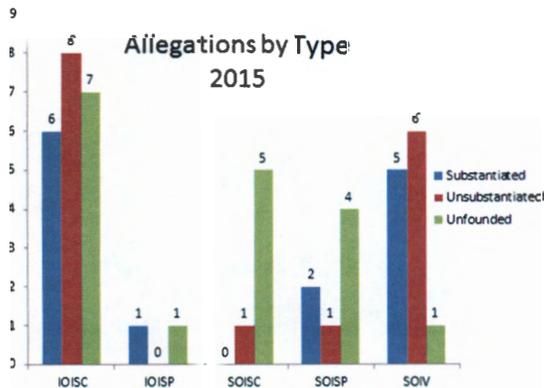


Chart 2: Shows the breakdown of IOISA PREA allegations reported, the result of the investigation, and the facility where the allegations occurred for 2015.

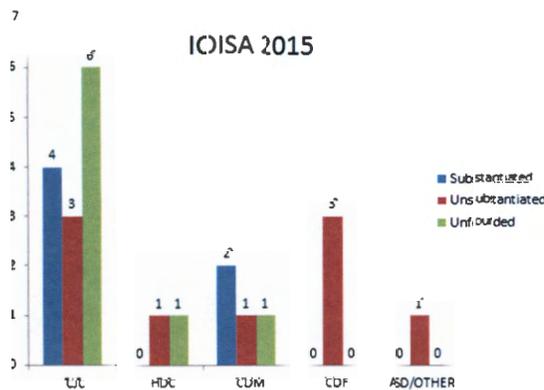


Chart 3: Shows the breakdown of SOISA PREA allegations reported, the result of the investigation, and the facility where the occurred for 2015.

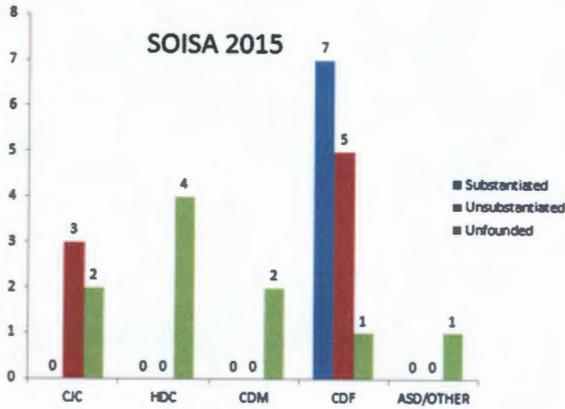
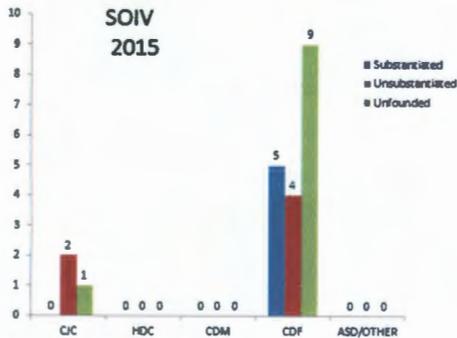
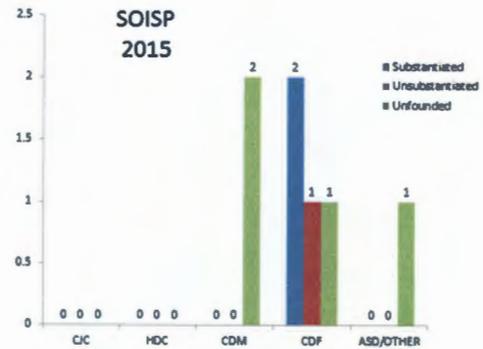
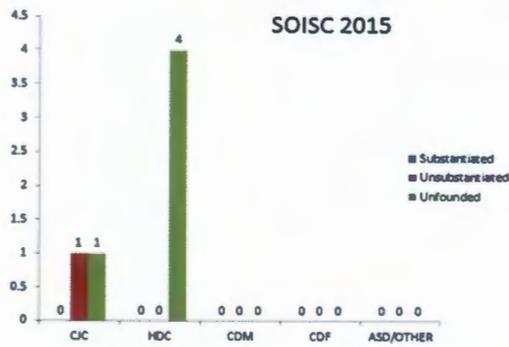


Chart 4, 5, and 6: Shows the SOISC, SOISP, SOIV type of PREA allegation reported, the result of the investigation, and the facilities where they occurred.



10. 2014-2015 Data Comparison:

The data identifies positive progress with continued efforts to reduce and eliminate PREA incidents in the agency. In comparison with data from 2014 and 2015, the agency received the same total of SA allegations in both years, 48. See Chart 7 below.

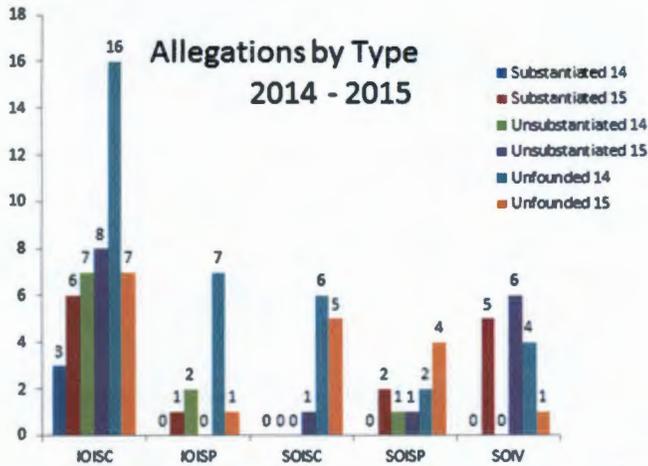


Chart 8: There was a decrease in allegations of IOISA by 12 allegations in 2015.

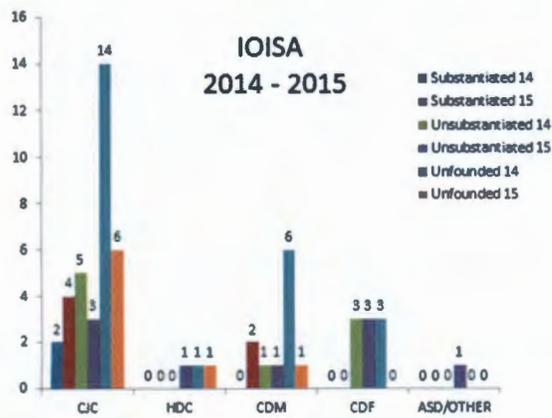
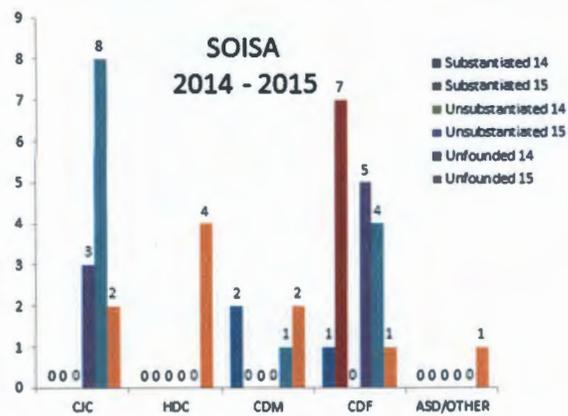
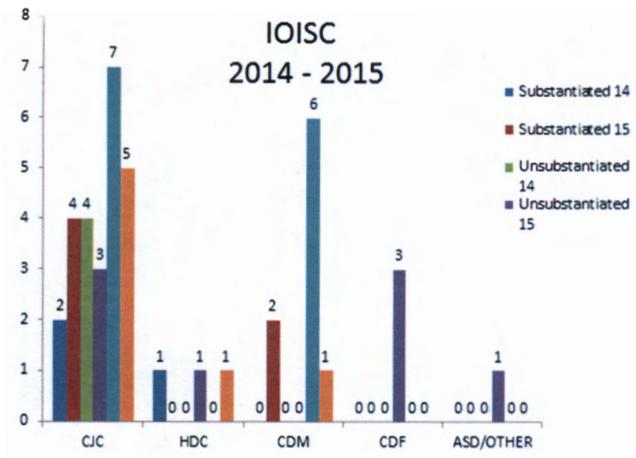


Chart 9: There was an increase in SOISA by 8 allegations due to one incident that generated the majority of the SOISA in 2015, causing 7 substantiated SOISA incidents.



See chart 10: There were 3 more substantiated allegations of IOISC allegations in 2015.



Significant growth continues to be the primary efforts in the progress toward PREA Compliance for the agency. As always, our goal is to continue to reduce PREA allegations, promote a positive environment for inmates to report, and staff response to be professional, positive, and in a timely manner. The agency continues to improve staff and inmates PREA Awareness through Training, Policies, Procedures, and Practices of this agency.

The above statistical information reflects that all allegations are taken seriously and investigated thoroughly, as progress continues in areas of education, communication, documentation, and reporting methods. This, combined with a consistent, positive, and professional culture established within our facilities, has resulted in our inmates feeling safe to report incidents and our staff responding in a timely fashion to addressing these incidents.

11. Summary:

DCSO has made great strides by obtaining PREA certification. The agency continues to work to ensure inmates are safe and secure, while maintaining a zero tolerance culture for all forms of sexual abuse and sexual harassment.

Approved by:


 Sheriff Daron Hall

4.21.16

 Date