

# Kentucky Department of Corrections 2014 PREA Annual Report

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***The Kentucky Department of Corrections mandates zero tolerance toward all forms of sexual abuse and sexual harassment.***

The Prison Rape Elimination Act of September 4, 2003 (Public Law 108-79) was enacted by Congress to address the problem of sexual assault in all US penal facilities.

PREA supports the elimination, reduction and prevention of sexual assault/rape within our prisons, community corrections centers and local jails. PREA applies to Offender-on-Offender and Staff-on-Offender sexual misconduct.



**Steven L. Beshear**

**Governor**

**J. Michael Brown**

**Secretary**

**Justice & Public Safety Cabinet**

**LaDonna Thompson**

**Commissioner**

**Department of Corrections**

## KDOC 2014 PREA Annual Report – March 16, 2015

(In accordance with 28 CFR § 115.88)

The Kentucky Department of Corrections (KDOC) has long embraced the principles associated with the Prison Rape Elimination Act of 2003 (PREA). Years before PREA was passed, the KDOC had taken steps to actively train its staff on prohibited contact and inappropriate relationships as we worked toward prevention of sexual abuse within our facilities. In 2010, the Commonwealth of Kentucky demonstrated its zero tolerance of sexual abuse in confinement facilities by taking legislative action that made it a felony to commit such an act.

KDOC currently has 12 prisons and 36 contracted Community Confinement Facilities under its direct control; the last Community Confinement Facility coming on-line in March 2015.

Through working our strategic plan in 2014, KDOC was able to identify problem areas or areas lacking compliance and bring those areas of non-compliance, into compliance. The corrective actions below are based upon substantiated and unsubstantiated reports.

The Green River Correctional Complex had a substantiated case of inmate on inmate sexual abuse on 11/14/2014. The Incident Review Team recommended that one of their shower areas needed new shower curtains to allow for better supervision.

The Kentucky Correctional Institution for Women had four recommendations from substantiated and unsubstantiated allegations of Staff to Inmate and Inmate to Inmate sexual abuse. The first was from 07/25/2014 which was a substantiated incident of staff to inmate. The Incident Review team recommended additional video surveillance to area of incident. On 09/09/2014, an incident regarding an unsubstantiated allegation of sexual abuse between staff to inmate occurred. The incident Review team recommended additional video surveillance to the area of

alleged incident. The next was from 11/21/2014 that regarded an unsubstantiated allegation of inmate to inmate. The Incident Review Team recommended additional video surveillance to the area of incident. The next was from 12/19/2014. This incident was found to be substantiated and involved staff to inmate. The Incident Review Team recommended additional video surveillance.

The Little Sandy Correctional Complex had a substantiated incident of staff to inmate sexual abuse reported on 03/01/2014. The Incident Review team recommended that their visitation procedures be revised.

The Western Kentucky Correctional Complex had two allegations of staff to inmate sexual abuse. The first was reported on 02/01/2014. It regarded a substantiated incident. The Incident Review team recommended additional video surveillance. The allegation was reported 09/11/2014. The Incident Review team recommended additional video surveillance.

It is important to note that all wardens at each of the facilities mentioned above approved all recommendations submitted by the Incident Review Teams.

Some examples of the progress made in addressing sexual abuse are the continued PREA training for all staff, contractors and volunteers along with revisions to multiple policies to better guide our staff and offenders regarding incidents of sexual abuse. We continue to train PREA investigators across the state; including PREA investigators within our local facilities.

PREA Risk Assessment functionality was added to the Kentucky Offender Management System (KOMS) allowing institutional staff to conduct risk assessments for their inmate populations. This followed extensive staff training in the Screening for Risk of Sexual Victimization and Abusiveness.

In 2014, PREA audits were conducted at three institutions within the KDOC. Kentucky Correctional Institution for Women, Bell County Forestry Camp and

Western Kentucky Correctional Complex were all found 100% compliant by the Bureau of Justice.

An overall comparison of the incident based data collected for all facilities in 2013 and 2014 are as follows:

| <b>ADULT INSTITUTIONS</b>                |             |             |
|------------------------------------------|-------------|-------------|
| <b>TOTAL ALLEGATIONS OF SEXUAL ABUSE</b> | <b>2013</b> | <b>2014</b> |
| Substantiated                            | 14          | 33          |
| Unsubstantiated                          | 39          | 102         |
| Unfounded                                | 35          | 109         |
| <b>TOTAL</b>                             | <b>88</b>   | <b>244</b>  |

| <b>ADULT INSTITUTIONS</b>                     |             |             |
|-----------------------------------------------|-------------|-------------|
| <b>TOTAL ALLEGATIONS OF SEXUAL HARASSMENT</b> | <b>2013</b> | <b>2014</b> |
| Substantiated                                 | 6           | 8           |
| Unsubstantiated                               | 8           | 55          |
| Unfounded                                     | 1           | 9           |
| <b>TOTAL</b>                                  | <b>15</b>   | <b>72</b>   |

| <b>COMMUNITY CONFINEMENT FACILITIES</b>  |             |             |
|------------------------------------------|-------------|-------------|
| <b>TOTAL ALLEGATIONS OF SEXUAL ABUSE</b> | <b>2013</b> | <b>2014</b> |
| Substantiated                            | 11          | 4           |
| Unsubstantiated                          | 17          | 9           |
| Unfounded                                | 1           | 7           |
| <b>TOTAL</b>                             | <b>29</b>   | <b>19*</b>  |

\* One case remains open at time of calculation

| <b>COMMUNITY CONFINEMENT FACILITIES</b>       |             |             |
|-----------------------------------------------|-------------|-------------|
| <b>TOTAL ALLEGATIONS OF SEXUAL HARASSMENT</b> | <b>2013</b> | <b>2014</b> |

|                 |          |           |
|-----------------|----------|-----------|
| Substantiated   | 0        | 4         |
| Unsubstantiated | 3        | 5         |
| Unfounded       | 1        | 2         |
| <b>TOTAL</b>    | <b>4</b> | <b>11</b> |

In comparison to 2013, we believe there has been significant growth in the progress made toward PREA Compliance for KDOC as evidenced in the PREA audit results conducted within three institutions. The above statistical information reflects that all allegations are taken seriously and investigated thoroughly; as progress continues in areas of education and reporting methods. Importantly, a more conducive reporting environment within our confinement facilities has resulted in our inmates feeling safe to report PREA related incidents.

Consideration must also be given to the fact that inmates have utilized reporting a PREA allegation as a means of retaliation toward undesirable staff and fellow inmates for reasons other than PREA related incidents.

To view the aggregated data broken down by facility for 2014, click on the following links:

[Adult Institutions](#)

[Community Service Centers](#)

Approved by:




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LaDonna H. Thompson

Commissioner, Kentucky Department of Corrections