

Kentucky Department of Corrections

2024 PREA Annual Report



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

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



Andy Beshear

Governor

Keith Jackson

Secretary

Justice & Public Safety Cabinet

Cookie Crews

Commissioner

Department of Corrections

KDOC 2024 PREA Annual Report

(In accordance with 28 CFR § 115.88)

Introduction

The Kentucky Department of Corrections (KDOC) has long embraced the principles associated with the Prison Rape Elimination Act of 2003 (PREA). Prior to the passage of PREA, the KDOC took active steps to train department staff to refrain from prohibited contact and inappropriate relationships with offenders while also working toward the prevention and elimination of sexual abuse within KDOC facilities. In 2010, the Commonwealth of Kentucky demonstrated its effort to ensure zero tolerance of sexual abuse in confinement facilities by taking legislative action that made it a felony to commit such an act.

At the close of calendar year 2024, the KDOC operated thirteen (13) designated adult institutions and contracted with one (1) privately-operated institution to house KDOC inmates. This facility, the Lee Adjustment Center, is operated by CoreCivic. The KDOC contract with CoreCivic mandates that the facility be compliant with all PREA standards and is subject to monitoring by the KDOC to ensure its compliance.

Also, at the close of calendar year 2024, the KDOC held contracts with twenty-nine (29) community confinement facilities to house KDOC offenders. These facilities include sixteen (16) Re-entry Service Centers (halfway houses) and thirteen (13) Recovery Kentucky Centers. In addition, the KDOC has a Memorandum of Understanding (MOU) with one (1) Re-entry Service Center to house KDOC offenders. All community confinement facilities are required to be compliant with PREA standards and undergo inspection visits from KDOC PREA staff to ensure their compliance.

Sexual Abuse Incident Review Recommendations

At the conclusion of each sexual abuse investigation that was found to be either substantiated or unsubstantiated, a sexual abuse incident review was conducted at the facility in accordance with PREA standard 115.86. Through these reviews, facilities would identify problem areas or areas lacking compliance and would address each. This identification process allowed the KDOC to bring the identified problem areas or areas of non-compliance into compliance and to enhance the safety of its inmate population. The below corrective actions are the result of these reviews.

The Kentucky Correctional Institution for Women had a recommendation from one (1) unsubstantiated case of inmate-to-inmate sexual abuse from June 2024 to adjust camera angles.

The Kentucky State Penitentiary had a recommendation from one (1) unsubstantiated case of inmate-to-inmate sexual abuse from October 2024 to add additional cameras.

The Kentucky State Reformatory had a recommendation from one (1) substantiated case of staff-to-inmate sexual abuse from November 2024 to add additional cameras.

The Luther Luckett Correctional Complex had a recommendation from one (1) unsubstantiated case of inmate-to-inmate sexual abuse from April 2024 to add a transgender inmate support group.

The Southeast State Correctional Complex had a recommendation from one (1) unsubstantiated case of inmate-to-inmate sexual abuse from August 2024 to adjust night light switches.

The Western Kentucky Correctional Complex had a recommendation from one (1) unsubstantiated case of staff-to-inmate sexual abuse from May 2024 to add additional cameras.

All wardens or their designee at each facility approved of all recommendations submitted by the incident review teams.

Continued Progress

Throughout 2024, the KDOC continued to make progress toward better addressing sexual abuse within its facilities. First, PREA Branch staff provided training in several areas. Specialized training courses were conducted for new PREA investigators and included participants from local jail facilities, Probation and Parole, and community confinement facilities. In addition, a refresher training was provided for current PREA investigators from adult institutions. This training was designed to provide updated information to those staff already trained and designated as PREA investigators and was developed by the PREA Branch in 2023. Other courses conducted included training for new PREA Compliance Managers as well as for staff charged with conducting PREA Risk Assessments.

Second, the PREA Branch continued to utilize its agency documentation files and file compilation tool, which had been developed in 2020 for use by PREA Compliance Managers across the state. This, along with implementation of an annual review schedule, continues to ensure that documentation is monitored and maintained during non-audit years. Documentation reviews were conducted for nine (9) KDOC facilities who did not have a PREA audit scheduled during 2024.

Finally, the PREA Branch continued its collaboration with the Kentucky Association of Sexual Assault Programs (KASAP) by collaborating with a Sexual Abuse Response Team Advisory Committee throughout 2024. The PREA Branch also continued to offer its Certified Volunteer training for advocates from local rape crisis centers in an online format, ensuring that training is available on a continuous basis and that advocates can provide services as necessary to incarcerated survivors of sexual abuse. Victim advocates are able to meet with incarcerated survivors either in-person or virtually based on availability and needs.

PREA Audits

In 2024, PREA audits were conducted at three (3) KDOC institutions: Eastern Kentucky Correctional Complex, Little Sandy Correctional Complex, and Southeast State Correctional Complex. Each institution was found to be in full compliance with the PREA standards. All audits were conducted by an out-of-state auditor who had received specialized PREA auditor training via the United States Department of Justice (DOJ).

Currently all thirteen (13) KDOC adult correctional facilities as well as the privately-operated Lee Adjustment Center are PREA compliant as affirmed by DOJ-certified PREA auditors and are now in a cycle of re-compliance audits.

All community confinement facilities contracted by the KDOC are required to receive either an audit by a DOJ-certified PREA auditor or a compliance review by the PREA Branch during each year of the audit cycle, which runs from August 20 through August 19 in accordance with the federal PREA Management Office (PMO). Reviews by the KDOC PREA Branch are conducted either onsite or in a virtual format depending on the proximity of the facility's next projected DOJ PREA audit.

From January through December 2024, nine (9) facilities underwent a DOJ PREA audit and nineteen (19) facilities received compliance reviews by KDOC PREA Branch staff. Three (3) facilities received both a KDOC compliance review and a DOJ PREA audit. Two (2) facilities did not receive a review but are scheduled for a DOJ PREA audit during the first half of 2025 to coincide with the current PMO audit cycle.

Data Review

An overall comparison of incident-based data collected for all state-operated facilities from 2020 through 2024 is as follows:

ADULT INSTITUTIONS

TOTAL ALLEGATIONS OF SEXUAL ABUSE

	2020	2021	2022	2023	2024
Substantiated	15	11	20	15	17
Unsubstantiated	86	54	59	68	92
Unfounded	46	49	45	38	31
Total	147	114	124	121	140

ADULT INSTITUTIONS

TOTAL ALLEGATIONS OF SEXUAL HARASSMENT

	2020	2021	2022	2023	2024
Substantiated	7	6	3	8	4
Unsubstantiated	44	44	43	34	35
Unfounded	12	14	8	6	5
Total	63	64	54	48	44

The KDOC continues to evaluate this data to ensure that accurate information is reported to the Department of Justice annually. The PREA Branch utilizes a monthly tracking system for allegations of sexual abuse and sexual harassment. All investigations of sexual abuse and sexual harassment are reviewed by the PREA Branch to ensure that the allegations fall within the definitions outlined in C.F.R. §115.6 and that investigation outcomes are appropriate given the evidence collected. This monthly tracking allows data to be reviewed on an ongoing basis for accuracy.

The KDOC investigates all allegations of staff and inmate misconduct, including allegations of non-repeated sexual harassment and other non-sexual allegations of misconduct, in accordance with departmental policy regarding investigations.

In 2024, total allegations of sexual abuse increased by approximately 16% compared to the previous year, while allegations of sexual harassment declined by approximately 9%. Comparing the past five (5) years of data, allegations of sexual abuse and sexual harassment have fluctuated but remain lower than the number reported in 2020. The KDOC strives to maintain a culture where offenders can report allegations of sexual abuse and sexual harassment without fear and with the confidence that those allegations will be investigated appropriately. Facility leadership teams continue to focus on recruitment of new staff as well as monitor for blind spot areas and enhance video monitoring with additional camera surveillance whenever possible in order to deter and prevent sexual abuse.

Not included in the above data are allegations stemming from those facilities with which the Department contracts for the confinement of offenders, including community confinement facilities and the privately-operated Lee Adjustment Center, as this data is reported separately from that of state-operated facilities to the United States Department of Justice. As a result, the KDOC monitors incident-based data for these facilities separately. For calendar years 2020 through 2024, these facilities had the following data:

LEE ADJUSTMENT CENTER

TOTAL ALLEGATIONS OF SEXUAL ABUSE

	2020	2021	2022	2023	2024
Substantiated	2	0	2	3	0
Unsubstantiated	1	1	7	5	3
Unfounded	4	3	3	3	5
Total	7	4	12	11	8

LEE ADJUSTMENT CENTER

TOTAL ALLEGATIONS OF SEXUAL HARASSMENT

	2020	2021	2022	2023	2024
Substantiated	0	0	0	1	0
Unsubstantiated	0	0	2	3	0
Unfounded	0	0	1	0	1
Total	0	0	3	4	1

COMMUNITY CONFINEMENT FACILITIES

TOTAL ALLEGATIONS OF SEXUAL ABUSE

	2020	2021	2022	2023	2024
Substantiated	5	2	3	1	7
Unsubstantiated	16	7	17	12	16
Unfounded	2	1	2	2	0
Total	23	10	22	15	23

COMMUNITY CONFINEMENT FACILITIES

TOTAL ALLEGATIONS OF SEXUAL HARASSMENT

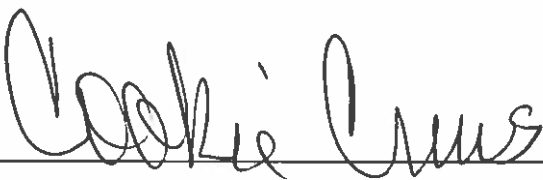
	2020	2021	2022	2023	2024
Substantiated	4	2	2	1	3
Unsubstantiated	5	7	8	8	2
Unfounded	0	1	0	0	0
Total	9	10	10	9	5

Analysis of data from these facilities indicates an increase in the prevalence of sexual abuse allegations from 2021 to 2022, perhaps due to facilities resuming normal operations following the COVID-19 pandemic. An overall review of these allegations over the past five years indicates that the rate of such allegations has fluctuated. While these are not state-operated facilities, the KDOC continues to monitor allegations and investigations stemming from these facilities and offers resources, such as informational posters and staff training, as needed to assist in the prevention and detection of sexual abuse and sexual harassment.

Conclusion

The KDOC continues to employ a zero-tolerance policy for all forms of sexual abuse and sexual harassment and strives to maintain a culture of secure reporting for both staff and inmates. All complaints are taken seriously and investigated thoroughly. When cases are substantiated, perpetrators are sanctioned appropriately and, when warranted, referred to law enforcement. The Department continues to make every effort to reduce and eliminate instances of sexual abuse and sexual harassment within its facilities.

Approved by:



Cookie Crews

Commissioner, Kentucky Department of Corrections