

WINNEBAGO COUNTY SHERIFF'S CORRECTIONAL FACILITY



Prison Rape Elimination Act

2019 PREA Coordinator's Annual Report

This report has been prepared in accordance with §115.87 and §115.88 of the PREA Standards in order to address and improve the effectiveness of the Winnebago County Correctional Facility in sexual abuse prevention, detection, and response policies, practices, and training. The information collected for this report will be used to identify problem areas and to take corrective action on an ongoing basis.

Prison Rape Elimination Act (PREA)

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct in correctional settings. The Winnebago County Sheriff's Office is committed to a zero-tolerance for sexual abuse or assault of detainees/inmates, either by staff or other detainees/inmates. It shall be the policy of the Winnebago County Sheriff's Office Corrections Bureau to provide a safe and secure environment for all detainees, employees, contractors and volunteers, free from the threat of sexual abuse or assault by ensuring effective procedures for preventing, reporting, responding to, investigating and tracking incidents or allegations of sexual abuse or assault. The Corrections Bureau shall ensure that investigations are conducted in a manner that avoids unnecessary embarrassment or indignity to the detainee/inmate. It shall also be the policy of the Winnebago County Sheriff's Office to pursue administrative, disciplinary and/or criminal sanctions against any detainee/inmate, staff member, contractor or volunteer found to have committed sexual abuse or assault against a detainee/inmate. It shall be the responsibility of any staff member to provide immediate first-aid to the victim and to refer the detainee/inmate to the appropriate medical facility.

General Information

During 2013, there were 15,629 new admissions into the Winnebago County Correctional facility, 10,919 males and 4,710 females with an Average Daily Population (ADP) of 953.

During 2014, there were 15,044 new admissions into the Winnebago County Correctional facility, 10,575 males and 4,469 females with an Average Daily Population (ADP) of 837.

During 2015, there were 13,156 new admissions into the Winnebago County Correctional facility, 9,499 males and 3,657 females with an Average Daily Population (ADP) of 690.

During 2016, there were 12,854 new admissions into the Winnebago County Correctional Facility, 9,184 males and 3,670 females with an Average Daily Population (ADP) of 771.

During 2017, there were 11,971 new admissions into the Winnebago County Correctional Facility, 8,523 males and 3,448 females with an Average Daily Population (ADP) of 802.

During 2018, there were 11,787 new admissions into the Winnebago County Correctional Facility, 8,557 males and 3,230 females with an Average Daily Population (ADP) of 839.

During 2019, there were 11,044 new admissions into the Winnebago County Correctional Facility, 8,094 males and 2,950 females with an Average Daily Population (ADP) of 848.

The population of the jail generally runs around 87-88% males and 12- 13% females and the jail has a maximum capacity of 1324.

PREA Report Findings

Definitions of Findings

- **Substantiated:** Allegation investigated and the investigation indicated that the alleged event did occur.
- **Unsubstantiated:** Allegation investigated and insufficient evidence to make a determination as to whether or not event occurred.
- **Unfounded:** Allegation investigated and investigation indicated alleged event did not occur.
- **Ongoing:** Investigation is ongoing.

The table below indicates the number of PREA reports by type and Disposition that occurred each year.

Incident Type	Unfounded	Substantiated	Unsubstantiated	Ongoing	Totals
January – December 2013					
Inmate on Inmate Nonconsensual Sexual Acts	0	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
2013 Totals	0	0	0	0	0
January – December 2014					
Inmate on Inmate Nonconsensual Sexual Acts	1	0	0	0	1
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
2014 Totals	1	0	0	0	1
January – December 2015					
Inmate on Inmate Nonconsensual Sexual Acts	0	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	1	0	2	0	3
Inmate on Inmate Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
2015 Totals	1	0	2	0	3
January – December 2016					
Inmate on Inmate Nonconsensual Sexual Acts	0	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0	0
Staff Sexual Misconduct	0	0	0	0	0
Staff Sexual Harassment	0	0	0	0	0
2016 Totals	0	0	0	0	0

Incident Type	Unfounded	Substantiated	Unsubstantiated	Ongoing	Totals
January – December 2017					
Inmate on Inmate Nonconsensual Sexual Acts	4	0	0	0	4
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	1	0	0	0	1
Staff Sexual Misconduct	4	0	1	0	5
Staff Sexual Harassment	3	0	0	0	3
2017 Totals	12	0	1	0	13
January – December 2018					
Inmate on Inmate Nonconsensual Sexual Acts	5	0	3	0	8
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	2	5	0	0	7
Staff Sexual Misconduct	3	0	0	0	3
Staff Sexual Harassment	0	0	0	0	0
2018 Totals	10	5	3	0	18
January – December 2019					
Inmate on Inmate Nonconsensual Sexual Acts	1	0	1	0	2
Inmate on Inmate Abusive Sexual Contact	0	0	0	0	0
Inmate on Inmate Sexual Harassment	4	6	3	0	13
Staff Sexual Misconduct	1	0	1	0	2
Staff Sexual Harassment	1	0	0	0	1
2019 Totals	7	6	5	0	18

PREA Incident Reviews

The Winnebago County Correctional Facility has implemented a Sexual Abuse Incident Review group per PREA Standard §115.86. Under this Standard, the Corrections Bureau must conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such review will ordinarily occur within thirty (30) days of the conclusion of the investigation. The review team will include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. The Corrections Bureau will implement the recommendations for improvement, or document its reasons for not doing so.

Review Criteria:

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
2. Consider whether the alleged incident was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the allegation occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;

5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to the above requirements and any recommendation(s) for improvement and submit such report to the facility head and the PREA Coordinator.

Analysis/Corrective Action

There was one occurrence reported as "Inmate on Inmate Nonconsensual Sexual Acts", four reported as "Inmate on Inmate Sexual Harassment", one reported as "Staff Sexual Misconduct", and one reported as "Staff Sexual Harassment" all incidents were investigated and the investigations indicated alleged event did not occur and therefore they are unfounded.

There were six occurrences reported as "Inmate to Inmate Sexual Harassment", all incidents were investigated and the investigations indicated that the alleged event did occur and therefore they were substantiated.

There was one occurrence reported as "Inmate to Inmate Nonconsensual Sexual Acts", three reported as "Inmate to Inmate Sexual Harassment", one reported as "Staff Sexual Misconduct", all incidents were investigated and insufficient evidence to make a determination as to whether or not event occurred so therefore they were unsubstantiated.

There was a slight change in reporting categories during 2019, which could be contributed to the increased education the inmates received during the year.

Based upon an analysis of the incidents listed in 2019, the following Recommendations for corrective action(s) were taken.

- 1) PREA educational flyers and New PREA Brochures added to inmate tablets.
- 2) New PREA Tab installed on tablets for earlier access to material and reporting information.
- 3) PREA Video playing in booking area for inmates to watch.
- 4) Additional cameras added to the holding cells and a plan to install additional cameras throughout the facility on a monthly basis when funding allows is in place.

Information specific to identifying personal information that could identify staff or detainees/inmates, the facility layout, or any disciplinary records of staff or detainees/inmates has been redacted from this report.

Approved By: _____

Sheriff Gary Caruana

Date: 01/31/2020