

WINNEBAGO COUNTY SHERIFF'S CORRECTIONAL FACILITY



Prison Rape Elimination Act

2015 PREA Coordinator's Annual Report

This report has been prepared in accordance with §115.87 and o§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 2012, there were 16,046 new admissions into the Winnebago County Correctional Facility, and the Average Daily Population (ADP) was 1019. During 2013, there were 15,629 new admissions into the facility and the ADP was 953. During 2014, there were 15,044 new admissions into the facility and the ADP was 837. During 2015, there were 13,156 new admissions into the facility and the ADP was 690. The population 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.
- **Non-PREA:** Allegation investigated and investigation indicated PREA alleged event did not occur.
- **Ongoing:** Investigation is ongoing.

The table below indicates the number of “*Detainee/Inmate Against Detainee/Inmate,*” “*Staff Against Detainee/Inmate,*” and “*Detainee/Inmate Against Staff*” reports that occurred each year.

January - December	Detainee/Inmate Against Detainee/Inmate Reports	Staff Against Detainee/Inmates Reports	Detainee/Inmate Against Staff Reports
2012	0	0	0
2013	0	0	0
2014	1	0	0
2015	2	0	1

The table below indicates the findings of the investigations into “*Detainee/Inmate Against Detainee/Inmate*” PREA allegations listed in the PREA Report Activity table above.

January – December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	0	0	0
2013	0	0	0	0	0
2014	0	0	1	0	0
2015	0	2	1	0	0

The table below indicates the findings of the investigations into **“Staff Against Detainee/Inmate”** PREA allegations listed in the PREA Report Activity table on the preceding page.

January – December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	0	0	0
2013	0	0	0	0	0
2014	0	0	0	0	0
2015	0	0	0	0	0

The table below indicates the findings of the investigations into **“Detainee/Inmate Against Staff”** PREA allegations listed in the PREA Report Activity table on the preceding page.

January – December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	0	0	0
2013	0	0	0	0	0
2014	0	0	0	0	0
2015	1	0	0	0	0

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

The one occurrence involving an “inmate on staff” incident that occurred in 2015, involved an inmate in the mental health unit. The incident took place as a medical staff employee was passing out medication while being accompanied by a corrections supervisor. The incident concerned an inappropriate exposure by a male inmate to a female medical practitioner. There were no other factors which contributed to this incident and the inmate has a history of such inappropriate conduct.

One incident reported as an “inmate on inmate” occurrence was determined to be consensual by admission of the “victim” and was reported as forced because the “suspect” failed to provide his coffee as was agreed to in the “exchange” between the inmates, therefore, this incident was unfounded.

The second occurrence reported as an “inmate on inmate” incident was determined to be unsubstantiated. This incident took place in a cell that was double bunked. Both inmates had requested housing together. After the sexual assault was reported, both inmates agreed that a sexual act had occurred, however, the victim stated it was forced; the suspect stated it was consensual. Upon review of the investigation by the State’s

Attorney's Office, due to the conflicting stories and a lack of witnesses or other physical evidence to support a charge, no criminal charges were authorized. This incident was determined to be unsubstantiated.

Based upon an analysis of the three incidents listed in 2015, there are no recommendations for any corrective action(s) to be taken.

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.