

## INFORMATION PAPER

DAPM-ACC

29 July 2022

SUBJECT: 2021 Army Corrections Command (ACC) Annual Prison Rape Elimination Act (PREA) Report

1. **PURPOSE.** To publish the annual report and aggregate incident-based sexual abuse data collected as per §115.87 of Title 28, Code of Federal Regulations (C.F.R.), Part 115 (U.S. Department of Justice National Standards to Prevent, Detect and Respond to Prison Rapes under the Prison Rape Elimination Act (Prisons and Jails Standards) occurring at Army correctional facilities within the United States.

### 2. DISCUSSION.

a. The Prison Rape Elimination Act of 2003 (PREA; Public Law 108-79), was enacted to address sexual abuse problems in confinement facilities. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment for prison rape cases. PREA requires all confinement facilities to collect and report detailed information regarding sexual victimization of prisoners. The Act applies to public, private and federal institutions that house adult or juvenile offenders. Presidential Memorandum "Implementing the Prison Rape Elimination Act," May 17, 2012 directed Department of Defense (DoD) to implement PREA. Directive-type Memorandum (DTM) - 081, "Department of Defense Implementation of the Prison Rape Elimination Act (PREA)", February 10, 2013, required all Services to develop and implement policy and procedures to satisfy the requirements of PREA.

b. The Army published ACC Policy Letter #14 as the primary guidance for Army correctional facilities to implement policy and procedures to comply with PREA standards. ACC continues to enforce its zero tolerance policy on sexual abuse and sexual harassment involving prisoners. ACC's goals remain having safer facilities and promoting a reporting culture, free from retaliation. Enforcement of the National PREA standards continues to assist ACC in upholding operational security. Continued training and awareness supports ACC's efforts in protecting potentially vulnerable prisoners from sexual abuse. This is accomplished by ACC facilities striving to identify those prisoners that are at potential risk of being sexual abusers or victims. All allegations of sexual abuse and sexual harassment, regardless of severity or merit, are investigated. All sexual abuse allegations are immediately reported to the U.S. Army Criminal Investigation Division (USACID) to be investigated. For the Department of the Army, USACIDC is the applicable Military Criminal Investigation Organization (MCIO) for investigating sexual infractions Non-criminal (e.g., administrative) investigations within an Army correctional facility generally falls under the cognizance of the facility commander. After review of an allegation, if it doesn't fall under their authority, USACID may refer the allegation back to the facility investigative section.

c. ACC collects data from each facility on all allegations of sexual abuse and sexual harassment, reviews staffing plans and works in conjunction with facilities to enhance and upgrade Closed Circuit Television (CCTV) surveillance. The data is reviewed, then utilized to assess and improve the effectiveness of its sexual abuse prevention, detection, training trends, future budget requirements and response to policies /procedures. The data is used to complete the U.S. Department of Justice Survey of Sexual Victimization (SSV) when requested.

d. ACC had 649 prisoners confined on December 31, 2021. This number of new admissions to ACC facilities was 290, 321 releases and the average daily population was 705.

e. The ACC conducted several meetings with subject matter experts from the United States Disciplinary Barracks (USDB) and the Midwest Joint Regional Correctional Facility (MWJRCF) to discuss redesigning the PREA screening sheets and reviewing and updating ACC's PREA Policy #14. Notable areas that were addressed include; timelines for rescreening prisoners after initial screening and for any PREA allegations.

f. The Army's PREA Coordinator and the Facility's Compliance Managers continued to reinforce PREA standards and update staff on DoD policies during TEAMS training and watch mount training.

g. In 2021, MWJRCF began upgrading its camera systems to improve compliance with PREA policies. The upgrades included improved camera quality (low light, and zoom ability), and enhanced camera coverage in areas where frisk searches were conducted. Additional cameras were added to cover areas that had crucial blind spots and the capacity for video storage was increased, which enhanced video quality and extended the number of days' video footage could be stored.

h. In July 2021, Mr. Thomas Eisenschmidt (Department of Justice certified PREA auditor) conducted PREA audits at the USDB and MWJRCF. Both facilities were found compliant with all standards and each facility exceeded requirements for three standards.

i. Based on the review of the data collected, the Army's efforts to have safer facilities, promote an improved reporting culture, and combat sexual abuse and sexual harassment in Army correctional facilities has been successful. The Army is committed to PREA and to ensuring its correctional facilities are safe for both prisoners and staff.

j. As required by §115.89 of 28 C.F.R. Part 115, this annual report is being made available to the public on the Office of the Provost Marshal General's (OPMG) website at <https://www.army.mil/opmg>.

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<b>2020</b>			
Facility	<b>Allegations of Staff on Prisoner Sexual Abuse</b>		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	4
MWJRCF	0	0	0
NWJRCF	0	0	0

<b>2020</b>			
<b>Allegations of Prisoner on Prisoner Sexual Abuse</b>			
Substantiated	Unsubstantiated	Unfounded	
1	0	0	
2	0	1	
0	0	0	

<b>2021</b>			
Facility	<b>Allegations of Staff on Prisoner Sexual Abuse</b>		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	4
MWJRCF	0	1	7
NWJRCF	0	0	0

<b>2021</b>			
<b>Allegations of Prisoner on Prisoner Sexual Abuse</b>			
Substantiated	Unsubstantiated	Unfounded	
0	0	1	
2	1	2	
0	0	0	

Key:  
 United States Disciplinary Barracks (USDB)  
 Midwest Joint Regional Correctional Facility (MWJRCF)  
 Northwestern Joint regional Correctional Facility-JBLM (NWJRCF)

		<b>2020</b>		
Facility	<b>Allegations of Staff on Prisoner Sexual Harassment</b>			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	0	6	
MWJRCF	0	0	0	
NWJRCF	0	0	0	

		<b>2020</b>		
	<b>Allegations of Prisoner on Prisoner Sexual Harassment</b>			
	Substantiated	Unsubstantiated	Unfounded	
	0	0	0	
	0	0	4	
	0	0	0	

		<b>2021</b>		
Facility	<b>Allegations of Staff on Prisoner Sexual Harassment</b>			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	0	5	
MWJRCF	0	0	0	
NWJRCF	0	0	0	

		<b>2021</b>		
	<b>Allegations of Prisoner on Prisoner Sexual Harassment</b>			
	Substantiated	Unsubstantiated	Unfounded	
	0	0	4	
	1	2	0	
	0	0	0	

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