

INFORMATION PAPER

DAPM-ACC

20 June 2017

SUBJECT: 2016 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 Rape 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 of prison rape. PREA also 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 in whole or develop its own standards within 180 days. DoD accepted the PREA standards as written. 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. Army Corrections Command 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 in assisting ACC in upholding good operational security. Continued training and awareness support ACC's efforts in protecting potentially vulnerable prisoners from sexual abuse. This is accomplished by ACC's facilities striving to identify those prisoners that are at risk for being potential sexual abusers or victims. ACC Policy letter #35 is the base policy for facilities to implement policy and procedures to comply with PREA standards. 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 Investigative Command (USACIDC) for investigation. For the Department of the Army, USACIDC is the applicable Military Criminal Investigation Organization (MCIO) for investigations. Non-criminal (e.g., administrative) investigations occurring within an Army Correctional Facility generally fall under the cognizance of the facility commander. After review of an

allegation, USACIDC may have the local facility investigation section investigate a sexual abuse allegation.

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

d. ACC had 781 prisoners confined on December 31, 2016. The number of new admissions to ACC facilities was 410, and the average daily population was 788.

e. In 2016, there was an increase in the number of substantiated cases of sexual abuse reported against staff members. Due to the increase, an adjustment was made to the initial and annual staff training. Allegations of sexual harassment by staff and prisoners decreased slightly and remained low. The enclosed table provides a facility comparison of sexual abuse and sexual harassment allegations by staff and prisoners in 2015 and 2016.

f. In 2016, ACC in coordination with the Army Review Boards Agency (Corrections Oversight Office), conducted an Army PREA working group to discuss a review of ACC's PREA policy. The group reviewed the MOU with USACIDC and discussed topics relevant to improving the effectiveness sexual abuse prevention, detection and response policies, practices and training. A number of initiatives, development of new programs and modifications of existing programs resulted from those meetings, including:

(1) Revision of ACC's PREA policy.

(2) Analysis of using SHAREPOINT to develop better tracking and reporting of allegations using a standardized program.

(3) Reviewed and revised staff training slides by adding past allegation incidents to share lessons learned and best practices.

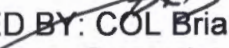
g. The Army's PREA Coordinator and the Facilities Compliance Managers continued to receive PREA training at professional conferences such as the American Correctional Association and Correctional Accreditation Manager's Association conferences. The PREA Coordinator also attended a joint military service training seminar, PREA Facilitator Training.

h. The Northwestern Joint Regional Correctional Facility (NWJRCF) received a PREA Audit (Adult Prisons & Jail) August 14-16, 2016. The final report was issued November 10, 2016. The NWJRCF was evaluated on 43 standards with the following results: met the standards in 39 areas; exceeded the standards in two areas; and two standards were listed non-applicable.

i. Based on the review of the data collected, the Army's efforts to have safer facilities, promote a reporting culture, and to combat sexual abuse and sexual harassment in Army Correctional Facilities have 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 (OPMG) website at <https://www.army.mil/opmg>.

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2015			
Facility	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	3
MWJRCF	0	0	1
NWJRCF	0	0	1

2015			
Allegations of Prisoner on Prisoner Sexual Abuse			
Substantiated	Unsubstantiated	Unfounded	
0	1	0	
2	0	6	
1	0	0	

2016			
Facility	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	1	3
MWJRCF	2	0	0
NWJRCF	1	1	1

2016			
Allegations of Prisoner on Prisoner Sexual Abuse			
Substantiated	Unsubstantiated	Unfounded	
0	0	1	
0	0	3	
1	0	0	

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

		2015		
Facility	Allegations of Staff on Prisoner Sexual Harassment			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	0	2	
MWJRCF	0	0	0	
NWJRCF	0	0	0	

		2015		
Facility	Allegations of Prisoner on Prisoner Sexual Harassment			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	2	0	
MWJRCF	0	0	0	
NWJRCF	0	0	0	

		2016		
Facility	Allegations of Staff Sexual Harassment			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	0	0	
MWJRCF	0	0	0	
NWJRCF	1	0	0	

		2016		
Facility	Allegations of Prisoner Sexual Harassment			
	Substantiated	Unsubstantiated	Unfounded	
USDB	0	0	0	
MWJRCF	0	0	1	
NWJRCF	0	1	0	

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