

INFORMATION PAPER

DAPM-ACC

26 August 2019

SUBJECT: 2018 Army Corrections Command Annual Prison Rape Elimination Act Report

1. **PURPOSE.** To publish the annual report and aggregate incident-based sexual abuse data pursuant to 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 (PREA) of 2003 (Public Law 108-79) was enacted to help address sexual abuse in confinement facilities. Major provisions of PREA include the development of standards for detection, prevention, reduction, and punishment of prison rape. PREA requires all confinement facilities to collect and report detailed information regarding sexual victimization of prisoners. PREA 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 the Department of Defense (DoD) to implement PREA in whole, or develop DoD's 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 (ACC) continues enforcing its zero tolerance policy pertaining to sexual abuse and sexual harassment involving prisoners. ACC remains committed to its goal of maintaining facilities free of sexual misconduct, in which active reporting is encouraged and retaliation is prohibited. ACC's enforcement of the National PREA standards contributes to the facilities operational security. Training and awareness programs facilitate ACC's efforts to identify and protect potentially vulnerable prisoners from sexual abuse. Pursuant to ACC Policy, all allegations of sexual abuse and sexual harassment are investigated. All sexual abuse allegations are immediately reported to the U.S. Army Criminal Investigation Command (USACIDC) for investigation. For the Department of the Army, USACIDC is the applicable Military Criminal Investigation Organization (MCIO) for criminal investigations.

c. ACC collects data pertaining to allegations of sexual abuse and sexual harassment from all facilities. ACC also 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 sexual abuse prevention,

detection and response policies/procedures. The data helps identify training needs, trends, future budget requirements, and policy or procedures which require corrective actions. The data is also used to complete the U.S. Department of Justice Survey of Sexual Victimization.

d. 710 prisoners were confined in ACC facilities on December 31, 2018. The number of new prisoners admitted to ACC facilities was 360. The average daily population was 714.

e. In 2018, ACC and the Army PREA working group discussed and reviewed ACC's policy pertaining to PREA. The group reviewed ACC's memorandum of understanding with USACIDC, and discussed topics relevant to improving the effectiveness of sexual abuse prevention, detection and response. The following actions resulted from those meetings:

(1) Revision of ACC's PREA policy.

(2) Development and implementation of SHAREPOINT to track allegations using a standardized program.

(3) Review and revision of staff training slides; adding vignettes of previous incidents in order to share lessons learned and best practices.

f. The Army's Facilities Compliance Managers continued to receive PREA-related training at professional conferences, including those hosted by the American Correctional Association and Correctional Accreditation Manager's Association.

g. The Midwest Joint Regional Correctional Facility (MWJRCF), Ft. Leavenworth, Kansas, received a PREA Audit (Adult Prisons & Jail) May 1-3, 2018. The final report was issued November 1, 2018. The MWJRCF was evaluated on 43 standards. The report provided the following results: met the standard in 38 areas; exceeded the standard in 5 areas.

h. The data indicates the Army is successfully maintaining safe facilities that promote reporting and prevention of sexual abuse and sexual harassment. The Army is committed to ensuring its correctional facilities are safe for both prisoners and staff in accordance with PREA.

i. This annual report is available to the public on the Office of the Provost Marshal General (OPMG) website at <https://www.army.mil/opmg>.

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Facility	2017		
	Allegations of Staff on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	1
MWJRCF	0	0	0
NWJRCF	0	0	3

	2018		
	Allegations of Staff on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	2
MWJRCF	0	0	0
NWJRCF	0	0	0

	2017		
	Allegations of Prisoner on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
	0	1	0
	2	0	1
	0	0	0

	2018		
	Allegations of Prisoner on Prisoner Sexual Harassment		
	Substantiated	Unsubstantiated	Unfounded
	0	1	3
	0	0	3
	0	1	1

Key:

United States Disciplinary Barracks (USDB)

Midwest Joint Regional Correctional Facility (MWJRCF)

Northwestern Joint regional Correctional Facility~JBLM (NWJRCF)

Facility	2017		
	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	1	11
MWJRCF	0	0	0
NWJRCF	1	0	2

	2018		
	Allegations of Staff on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
USDB	0	0	7
MWJRCF	0	0	3
NWJRCF	0	0	2

	2017		
	Allegations of Prisoner on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
	0	0	2
	0	0	0
	0	0	0

	2018		
	Allegations of Prisoner on Prisoner Sexual Abuse		
	Substantiated	Unsubstantiated	Unfounded
	0	0	1
	0	0	1
	1	0	1

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