

Burnet Intermediate Sanction Facility Prison Rape Elimination Act (PREA) Annual Report — Calendar Year 2018

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of offenders in confinement settings. On August 20, 2012, the PREA Standards Final Rule, to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment behind bars was released prompting the revision of the Texas Department of Corrections and Rehabilitation (ISF) PREA Policy.

ISF's PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations against ISF offenders. A further purpose of this policy is to provide guidelines for the successful community re-entry of offenders.

ISF continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against offenders. Staff and offenders are educated on the departments zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

Substantiated allegations — an allegation that was investigated and determined to have occurred
Unsubstantiated allegation — an allegation that was Investigated and insufficient evidence was obtained to determine if the allegation did or did not occur

Unfounded allegation — an allegation that was investigated and proven not to have occurred
Ongoing Investigation — the investigation was initiated and is on-going

STATISTICS:

The following are statistics of reported allegations within ISF Adult Institutions, by Category:

➤ Inmate on Inmate Nonconsensual Sexual Acts

	2018	
Substantiated	0	
Unsubstantiated	0	
Unfounded	0	
On- going Investigation	0	
Total:	0	

Nonconsensual sex acts is defined as contact of any person without his or her consent, or by coercion, or contact of a person who is unable to consent or refuse AND contact between the penis and vagina or the penis and the anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus or penetration of the anal or genital opening of another person by the hand, finger, or other object.

➤ Inmate on Inmate Abusive Sexual Contact

	2018	
Substantiated	0	
Unsubstantiated	0	
Unfounded	0	
On- going Investigation	0	
Total:	0	

Abusive sexual contact is defined as contact of any person without his or her consent, or by coercion, or contact of a person who is unable to consent or refuse AND Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

➤ Inmate on Inmate Sexual Harassment

	2018	
Substantiated	0	
Unsubstantiated	0	
Unfounded	0	
On- going Investigation	0	
Total:	0	

Inmate on inmate sexual harassment is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another offender.

Staff is inclusive of employees, volunteers, and independent contractors assigned to an institution, community correctional facility, or headquarters. ISF's zero tolerance policy holds all staff accountable when it is proven that they have violated the policy. Please remember, the legal concept of "consent" does not exist between staff and offenders; any sexual behavior between them constitutes sexual misconduct and subjects the staff member to disciplinary action and/or to prosecution under the law.

➤ Staff Sexual Harassment

To include all allegations on Staff	0	
Substantiated	0	
Unsubstantiated	0	
Unfounded	0	
On- going Investigation	0	
Total:	0	

SUMMARY

Zero Allegations

ISF continues to progress in addressing sexual abuse by continually monitoring for allegations of sexual abuse, staff sexual misconduct, and sexual harassment. If any issues or trends are identified they are addressed immediately. This may include modifications to existing policy, procedure* education or training.



Facility Director

12/28/18

Date