

Butte Pre-Release/Women's Transitional Center Annual Comparative Reports (§115.287 and §115.288) for the year 2021.

Butte Pre-Release/Women's Transitional Center posts an annual report of PREA investigations and outcomes.

The following are standardized definitions offered by the Prison Rape Elimination Act. This ensures everyone is using the same language, and has the same understandings of key terms.

Sexual abuse includes:

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above.
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her

buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Substantiated allegation means an allegation that was investigated and determined to have occurred.

Unfounded allegation means an allegation that was investigated and determined not to have occurred.

Unsubstantiated allegation means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

The following annual reports offer a yearly comparison of the number of PREA Investigations completed based upon receipt of reports/complaints of sexual abuse or sexual harassment. All reports are investigated.

Butte Pre-Release/Women's Transitional Center has compiled the following data regarding PREA reports, and subsequent PREA investigation results for the year of **2021**

Butte Pre-Release/Women's Transitional Center; 2021

There were (3) PREA Investigations in 2021

Inmate Allegations Made Towards Staff in 2021:

Sexual Abuse: (0) Unsubstantiated (1) involving a female resident and a male staff member.
Substantiated (0) Unfounded

Sexual Harassment: (0) Unsubstantiated (1) Substantiated involving a male resident and a male staff member (0) Unfounded

Voyeurism: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Inmate Allegations Made Towards Inmates in 2021:

Sexual Abuse: (0) Unsubstantiated (0) Substantiated (0) Unfounded

Sexual Harassment: (0) Unsubstantiated. (1) Substantiated involving 2 female residents (0) Unfounded

DATA Comparison

While looking at data from the previous two years, it is evident staff along with the residents are more educated about PREA. In 2021 there was 2 reported case of sexual harassment. One incident was staff on resident and the other was inmate on inmate. There was 1 reported incident of sexual staff misconduct. This involved a male staff member and a female resident and was found to be substantiated. All of the residents in these cases were notified of the outcome of the investigation. Retaliation was monitored and no reports of retaliation have been reported. It is apparent reporting mechanisms are visible to both staff and residents and it is BPRC/WTC has taken a pro-active role in attempting to reduce prison rape. The code of silence still exists for residents and staff alike however when comparing results to previous years its shows both are reporting. The BPRC/WTC has taken steps in the orientation process to make sure residents and staff is made aware of the importance of reporting as soon as the incident occurs if possible. All offenders and staff are made aware on a continuous basis of the BPRC/WTC zero tolerance policy on prison rape.

In the past year, staff has had extensive training on the reporting mechanism for PREA. The results have been outstanding.

Due to the Covid 19 pandemic, the treatment staff and administration staff have had deviate from their assigned duties in order to cover both the BPRC/WTC floors. These deviations were due to staff shortages.

Pursuant to PREA standards for data review (§115.288), the following will serve as an annual review for 2021 in order to assess and improve the effectiveness of BPRC/WTC's sexual abuse and sexual harassment prevention, detection, response policies and training.



Mike Thatcher, CEO of CCCS Inc.

3/17/22
Date



Marwan Saba, PREA Coordinator

1/29/22
Date



Travis Hettick, Program Administrator

1/29/22
Date