

Butte Pre-Release/Women's Transitional Center Annual Comparative Reports (§115.287 and §115.288) for the year 2017

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 2017.

Butte Pre-Release/Women's Transitional Center; 2017

There were (4) PREA Investigations in 2017.

Inmate Allegations Made Towards Staff in 2017:

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

Sexual Harassment: (2) Substantiated (male staff and a female resident.) (Female staff and male resident) (0) Unsubstantiated (0) Unfounded

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

Inmate Allegations Made Towards Inmates in 2017:

Sexual Abuse: (0) Unsubstantiated (0) Substantiated (1) Unfounded

Sexual Harassment: (1) Unsubstantiated involving female inmates (0) Substantiated (0) Unfounded

DATA Comparison

While looking at data from the previous years, it is evident staff along with the residents are more educated about PREA so we have an increase in reporting than the previous years. In 2016 there were 6 PREA investigations. There was one sexual abuse substantiated. This was staff on inmate. There was 1 unsubstantiated staff on inmate sexual harassment, 1 staff on inmate substantiated sexual harassment and 2 unfounded staff on inmate sexual harassment. There was 1 unfounded resident on resident sexual harassment. 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 as evident in one particular case when a staff member failed to report due to fear of retaliation. Although breaking the code of silence is extremely difficult, continuous training for staff and resident on PREA education has made reporting easier and without fear of retaliation as both staff and residents are coming forward with sexual abuse and harassment issues. Retaliation is monitored and no reports of retaliation have been reported. It should be noted that all reports made in 2017 were made in good faith. One employee was terminated due to a sexual harassment allegation and one resident was offered a room change due to sexual harassment by another resident. All offenders and staff are made aware on a continuous basis of BPRC/WTC zero tolerance policy on prison rape. Upon arrival residents receive PREA education within 7 days of intake and all new employees are educated in PREA and PREA policies.

In the past year the BPRC/WTC camera surveillance has been updated with the addition of cameras in the kitchen area and the Resident Assistance offices on each floor. Additional cameras are needed in areas but currently are covered by staff.

Please allow the above mentioned information to serve as the BPRC/WTC programs annual review for 2017. These numbers are reviewed annually in order to assess and improve the effectiveness of BPRC/WTC zero tolerance for sexual abuse and sexual harassment policies.



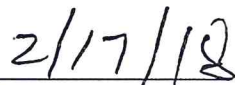
Mike Thatcher, CEO of CCCS Inc.



Date



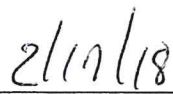
Marwan Saba, PREA Coordinator



Date



Jay Grant, Program Administrator



Date