

WATCH/CCP West Annual Comparative Reports (§115.287 and §115.288) for the year 2016.

WATCH/CCP West 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.

WATCH/CCP West has compiled the following data regarding PREA reports, and subsequent PREA investigation results for the year of 2016.

WATCH/CCP West 2016

There was (1) PREA Investigation in 2016.

Offender Allegations Made Towards Staff in 2016:

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

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

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

Offender Allegations Made Towards Offenders in 2016:

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

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

Pursuant to PREA standards for data review (§115.288), the following will serve as an annual review for 2016 in order to assess and improve the effectiveness of WATCH/CCP West’s sexual abuse and sexual harassment prevention, detection, response policies and training.

WATCH/CCP West completed its first audit regarding the level of compliance with implementation of 39 PREA Standards, which includes compliance of many subsets of each standard on November 16-18, 2016. Ken Arnold, DOJ Certified PREA Auditor of Castle Rock, ID completed the audit.

The final report was provided January 20, 2017, to WATCH/CCP West reporting 03 exceeded standards; 33 met standards; 0 not met standards; and 03 not applicable. The summary of the **final audit findings** for WATCH/CCP West is listed below.

Number of standards exceeded:	03
Number of standards met:	33
Number of standards not met:	00
Number of standards not applicable:	03

The following (3) PREA Standards were found to have exceeded standard compliance:

115.211 Zero Tolerance of Sexual Abuse and Sexual Harassment

A PREA Compliance Acknowledgement is issued to all contractors, visitors, and volunteers each time they enter WATCH-CCP West. Potential entrants are instructed to read this Acknowledgement and affix their signature to the same. The Acknowledgement addresses definitions of sexual abuse, sexual harassment, and voyeurism. Additionally, the same includes a certification of understanding of the requirements of PREA as scripted in the document, verbiage regarding zero tolerance towards any form of sexual abuse and sexual harassment, and verbiage regarding immediate reporting of any knowledge of sexual abuse or sexual harassment. This document serves as a constant PREA reminder to affected individuals entering the confines of WATCH-CCP West. An important segment of PREA familiarity is engrained in potential entrants each and every time they visit the facility, which goes above and beyond the standard.

115.273 Reporting to Residents

WATCH/CCP West policy stipulates following the investigation in an offender’s allegation of sexual abuse or sexual harassment in the facility, the offender will be informed of the findings-whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

The practice of reporting to residents for cases of sexual harassment in addition exceeds the standard for reporting, which requires only the reporting of abuse cases.

115.286 Sexual Abuse Incident Reviews

WATCH/CCP West PREA policy stipulates that WATCH/CCP West shall conduct a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse or sexual harassment investigation including whether the allegation has not been substantiated, unless the allegation has been determined to be unfounded. The review will include all members of Sexual Assault Review Team (SART). Although no administrative or criminal investigations for sexual abuse were conducted during the audit period, an administrative investigation for sexual harassment was conducted. Following the investigation for the sexual harassment case which was determined to be "Unfounded", and accordingly, pursuant to this provision, a sexual abuse incident review (SART) was not required. Despite this, a SART was conducted with respect to this incident and investigation. This exceeded expectations with respect to the PREA standard.


Mike Thatcher, CEO of CCCS Inc.

2/27/17
Date


Marwan Saba, PREA Coordinator

2/27/17
Date

Alex Vukovich
Alex Vukovich, Program Administrator

2/27/17
Date