

**Phelps County Corrections
Prison Rape Elimination Act (PREA)
Annual Report 2019**



2019 PREA Report

Approved: 

Gene Samuelson, Sheriff

Phelps County Corrections

Prison Rape Elimination Act (PREA)

PREA Background:

The Prison Rape Elimination Act (PREA) was signed into Federal Law in 2003 by President George W. Bush. It was created to address the problem of sexual misconduct in all confinement facilities. In 2012, the U.S. Department of Justice released national PREA standards to prevent, detect and respond to sexual abuse and sexual harassment in confinement facilities. The PREA Act requires all federal, state, and local corrections agencies to have a zero-tolerance policy regarding rape in prison, jails, police lockups, and community confinement facilities.

Phelps County Corrections has a zero-tolerance policy relative to sexual misconduct. Phelps County Corrections complies with federal and state laws as they pertain to PREA, sexual violence and sexual misconduct.

Definitions:

- **Substantiated**-A substantiated allegation means an allegation that was investigated and determined to have occurred.
- **Unsubstantiated**-An 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.
- **Unfounded**-An unfounded allegation means an allegation that was investigated and determined not to have occurred.
- **Ongoing**-The investigation has not been completed.

Annual Report:

Since 2012, when the final PREA standards came into effect, Phelps County Corrections has made multiple revisions to facility policies to better guide our employees, volunteers, vendors and inmates with regard to incidents of sexual abuse and harassment. We employ a PREA Coordinator to ensure compliance with all PREA standards. It is the policy of Phelps County Corrections to provide training to all staff, inmates, contractors and volunteers to prevent sexual misconduct and to fully investigate and prosecute those involved in such conduct. Every allegation made is investigated thoroughly. If an allegation of sexual abuse is substantiated, the perpetrator will be charged with a criminal act and the Phelps County Sheriff's Office will work closely with the prosecutors to ensure prosecution.

There is a system in place to collect data on incidents of a sexual nature. Phelps County Correctional staff collects accurate, uniform data for every allegation of sexual abuse under its direct control. The facility PREA Coordinator compiles incident based sexual abuse data annually. The following table illustrates data collected between [January 1, 2018] and [December 31, 2018].

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The following chart reflects aggregated data absent any events investigated that did not constitute a PREA violation:

Allegations Substantiated Unsubstantiated Unfounded Ongoing Investigation

	Allegations	Substantiated	Unsubstantiated	Unfounded	Ongoing investigation	Total results
Detainee on detainee non-consensual sexual acts						
Detainee on Detainee abusive sexual contact						
Detainee on Detainee Sexual Harassment						
Staff on Detainee sexual misconduct	1		1			1
Staff on Detainee Sexual harassment						
Staff on Detainee abusive sexual contact						
totals	1		1			1

General Information Detainees incarcerated at Phelps County Corrections
December 31, 2019 Male 17 Female 4

Detainees booked into Phelps County Corrections during 2019 Male 419
Female 112

Average Detainee Daily Population between January 1, 2019 and December 31, 2019
Male 37 Female 4

A review of the statistical data demonstrated shows that there was (1) Allegation during the current reporting period. Phelps County Corrections strives to train and educate at all levels of the facility towards the goal of prevention, detection, and response to incidents of sexual abuse and harassment inside its facility. The names of the individuals involved have been excluded from this report in order to ensure safety and security.

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Identified Problem Areas and Corrective Action

PREA standards require a review of collected data in order to identify problem areas and establish plans of corrective action. Based upon statistical data alone, the rate of incidents within the facility is extremely low. There are no obvious problem areas to address in assuring continued compliance with PREA Jail Standards. Phelps County Corrections continues to review, enhance and improve its current policies and procedures in an effort to not only continue to meet the PREA Standards, but to exceed them.

Resolved Problem Areas from 2018

Phelps County Corrections had no specific problem areas to be addressed from 2018. The facility continues to provide comprehensive PREA education and training to all staff, contractors, volunteers, vendors and detainees on the facilities zero tolerance on all forms of sexual assault and sexual harassment. Phelps County Corrections is confident that we have maintained and will continue to maintain 100% compliance with the PREA standards.