

Iowa Department of Corrections
510 East 12th Street
Des Moines, IA 50319

Tel 515-725-5701
Fax 515-725-5799
www.doc.state.ia.us



PREA ANNUAL REPORT

July, 2018

Trends and figures based on data collected for 2017 calendar year and prior years.



ANNUAL PREA REPORT 2018

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Background

The Prison Rape Elimination Act (PREA) was passed unanimously by Congress and signed into law by President George W. Bush in 2003. In 2012, the Department of Justice (DOJ) published final standards to govern implementation of the purposes of PREA which are to enable corrections systems to better detect, prevent, reduce, and punish for sexual violence committed against offenders who are housed in this nation's corrections and confinement systems. This Annual PREA Report is prepared and published pursuant to PREA Standard 115.88.

This year the U.S Department of Justice requested the Governor's Office to provide a copy of all final audit reports completed to date from (August 20, 2016-August 19, 2017) for confinement facilities under operational control of the executive branch of a state. These facilities include all nine institutions and the State Training School for Boys in Eldora, Iowa. All certification requirements and supplemental documentation was forwarded to DOJ by October 16, 2017.

Annual reports to DOJ/BJIS

The Iowa Department of Corrections (IDOC) has reported PREA investigation data to DOJ, Bureau of Justice Statistics (BJS), for the Iowa Corrections System from 2006 through 2017.

Governor's Certification

Upon completion of the final year of the first audit cycle, all of the institutions under operational control of the executive branch, Office of the Governor, has met the requirements of all PREA standards and is fully certified.

Data Comparison 2017 and Prior Years

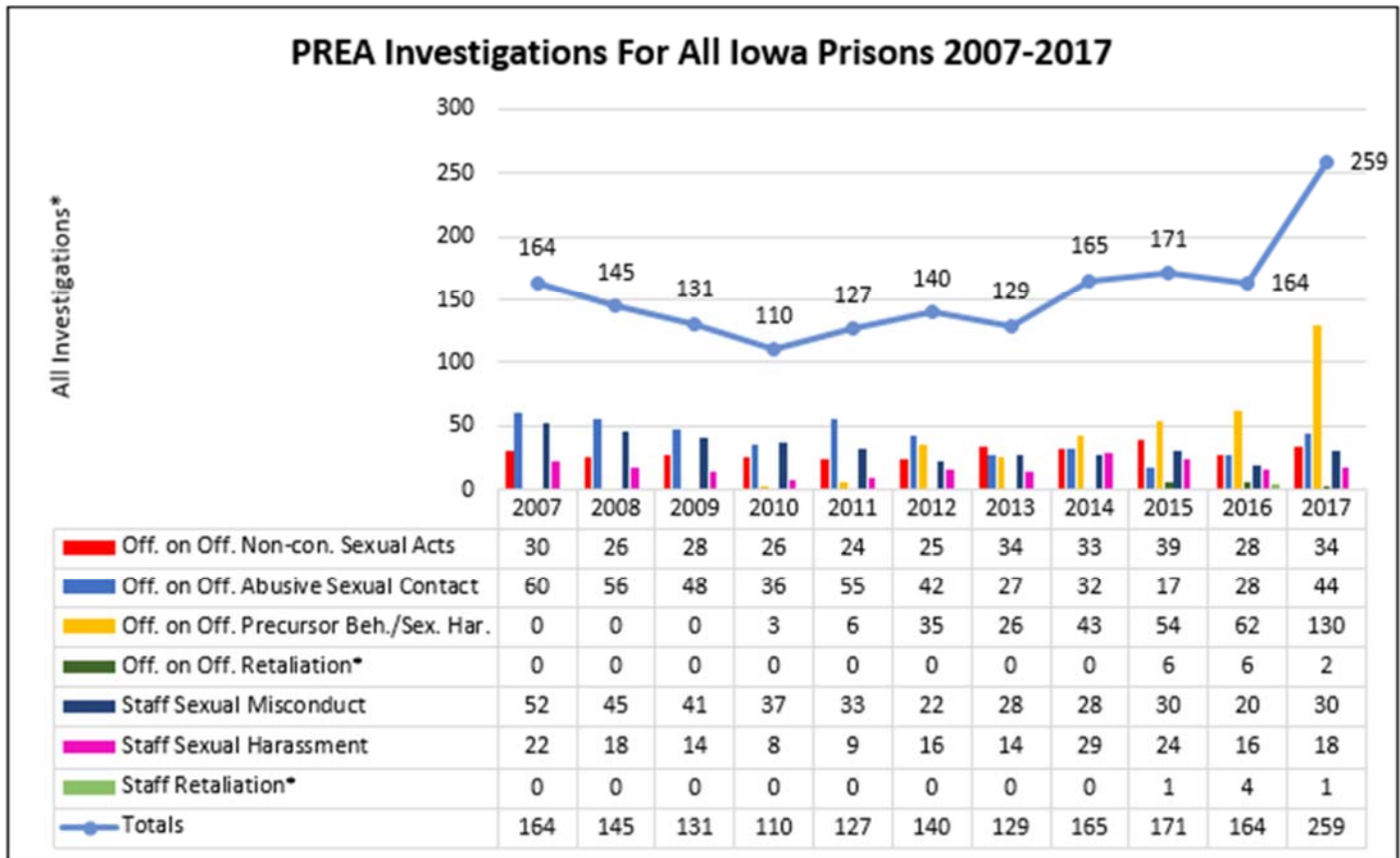
Investigation data for Iowa prisons is set forth in the charts below.

1. Investigative Trends for All Prisons
2. Investigative Trends by Prison
3. Trends for Prison Populations and Investigations
4. Offender on Offender Allegations - Sexual Assault
5. Offender on Offender Allegations - Sexual Abuse
6. Offender on Offender Allegations - Precursor Behavior/Sexual Harassment
7. Staff, Contractor, or Volunteer on Offender Allegations - Sexual Misconduct
8. Staff, Contractor, or Volunteer on Offender Allegations - Sexual Harassment



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1. TRENDS - PREA INVESTIGATIONS FOR ALL PRISONS



* All Investigations include: Substantiated, Unsubstantiated, Unfounded and Other findings.

* Offender on Offender Precursor Behavior investigation case type did not begin until 2010.

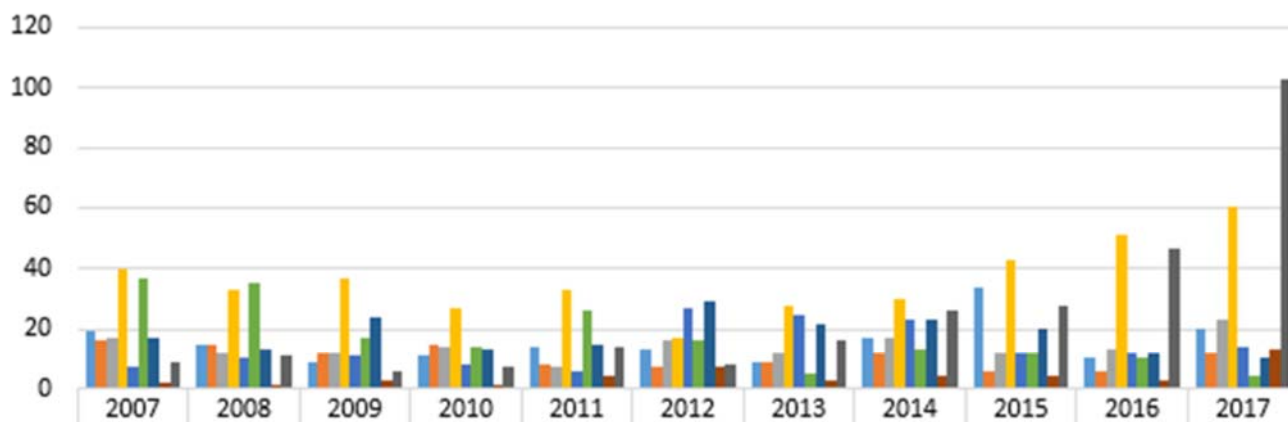
* 2015 was the first year for all PREA Retaliation case types.



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2. TRENDS - PREA INVESTIGATION TOTALS BY PRISON

**Total PREA Investigations Per Prison
From 2007 to 2017**

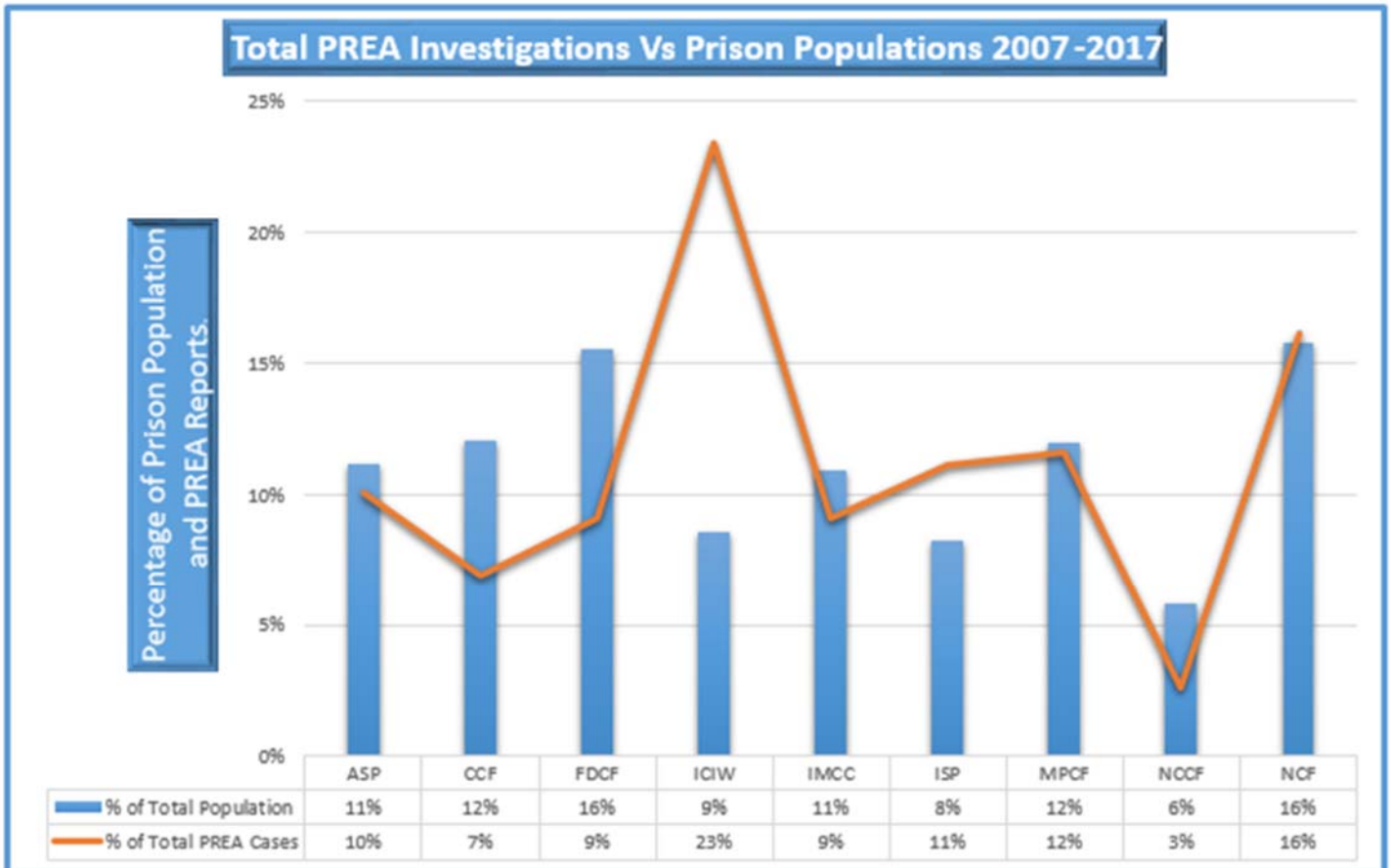


	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
ASP	19	15	9	11	14	13	9	17	34	10	20
CCF	16	15	12	15	8	7	9	12	6	6	12
FDCF	17	12	12	14	7	16	12	17	12	13	23
ICIW	40	33	37	27	33	17	28	30	43	51	60
IMCC	7	10	11	8	6	27	25	23	12	12	14
ISP	37	35	17	14	26	16	5	13	12	10	4
MPCF	17	13	24	13	15	29	22	23	20	12	10
NCCF	2	1	3	1	4	7	3	4	4	3	13
NCF	9	11	6	7	14	8	16	26	28	47	103



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3. TRENDS - PRISON POPULATIONS AND PREA INVESTIGATIONS



This graph shows each prison’s population percentage based on the 2017 year end total prison population of 8,358 offenders.

Also shown is the percentage of each institution’s share of PREA cases based on the total number of PREA investigations concluded from the beginning of 2007 to the end of 2017.



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PREA investigations are conducted and findings are formed according to the content of definitions prescribed by BJS

4. OFFENDER-ON-OFFENDER ALLEGATIONS

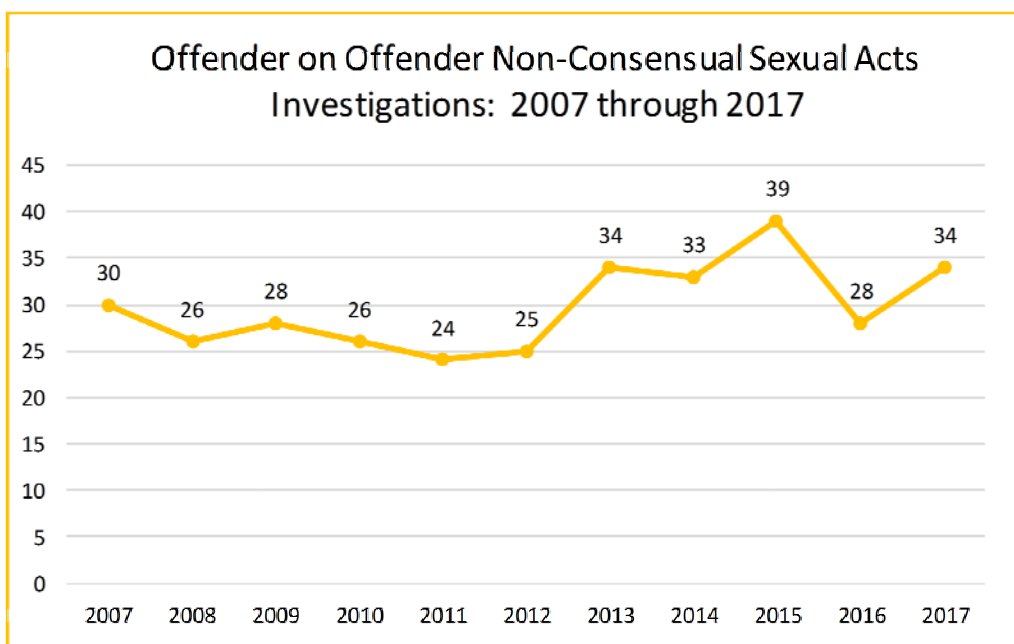
Sexual Assault / Abuse

(Non-consensual Sexual Acts)

The victim does not consent, is coerced by overt or implied threats of violence, or is unable to consent or refuse and the contact consists of:

- Contact between genitalia or between genitalia and anus including penetration, however slight.
- Contact between the mouth and genitalia or anus.
- Penetration of the anal or genital opening of another person by a hand, finger, or other object, or other instrument ; and

INVESTIGATION TOTALS FOR ALL PRISONS STATEWIDE





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5. OFFENDER-ON-OFFENDER ALLEGATIONS

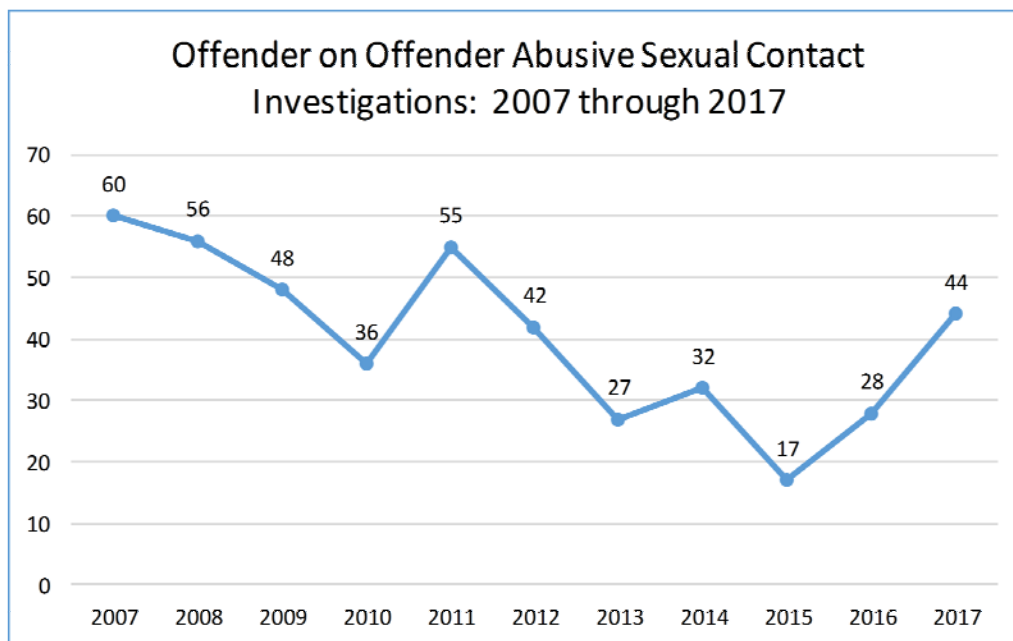
Sexual Assault / Abuse

(Abusive Sexual Contact)

The victim does not consent, is coerced by overt or implied threats of violence, or is unable to consent or refuse and the contact consists of:

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
- Excludes contact incidental to a physical altercation with no sexual intent for the assault.

INVESTIGATION TOTALS FOR ALL PRISONS STATEWIDE





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6. OFFENDER-ON-OFFENDER ALLEGATIONS

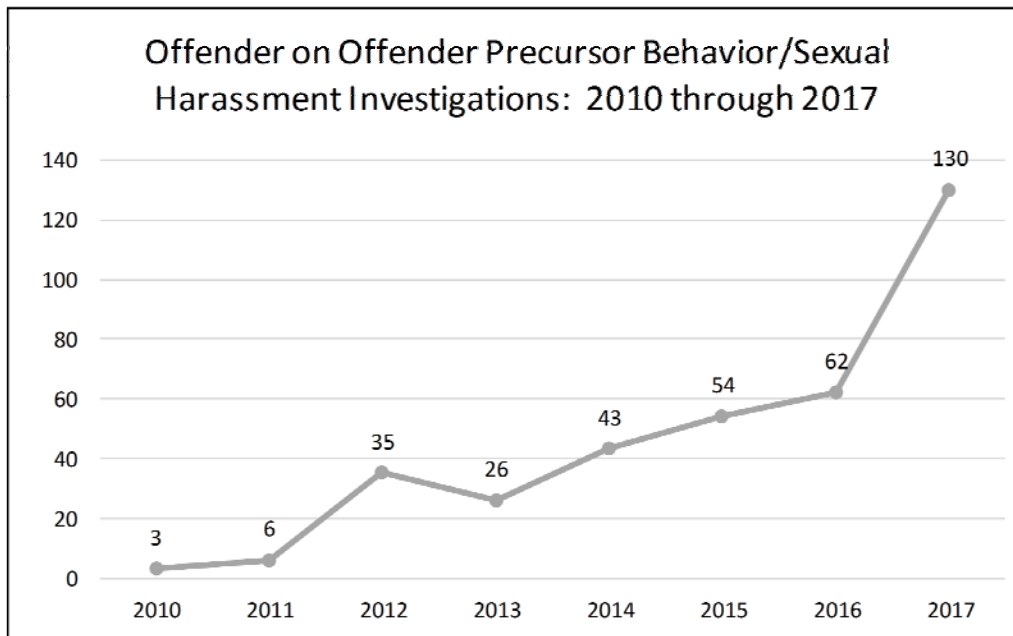
Precursor Behavior / Sexual Harassment

(Intent to obtain non-consensual sexual acts and/or Sexual Harassment)

All other acts the intent of which are to force, harass, intimidate, or otherwise compel an unwilling offender into any sex act. This includes any behavior that exhibits:

- 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
- Coercion and voyeurism.
- Grooming.
- Overt or implied threats of violence where sexual acts would appear to be imminent for the purpose of accomplishing sex acts against an offender who would not otherwise consent. This includes protective pairing.

INVESTIGATION TOTALS FOR ALL PRISONS STATEWIDE





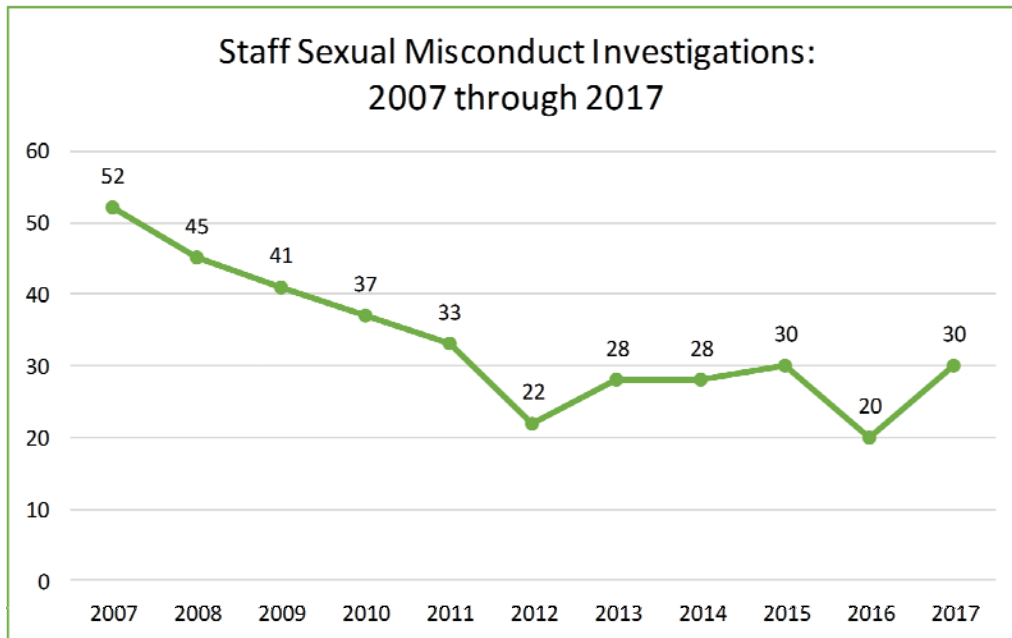
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7. STAFF, CONTRACTOR, OR VOLUNTEER ON OFFENDER ALLEGATIONS Sexual Misconduct / Sexual Abuse

Any behavior or act of a sexual nature directed toward an offender, whether it appears to be consensual or nonconsensual, including:

- Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire.
- Completed, attempted, threatened, or requested sexual acts.
- Occurrences of indecent exposure including display of uncovered genitalia, buttocks, or breasts, invasion of privacy.
- Voyeurism for sexual gratification including invasion of privacy unrelated to official duties, such as staring or glaring at an offender using the toilet for a longer period of time than necessary for security checks, requiring an offender to expose buttocks, genitals or breasts for reasons not related to approved security measures or normal medical procedures, or taking images of the same.

INVESTIGATION TOTALS FOR ALL PRISONS STATEWIDE





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8. STAFF, CONTRACTOR, OR VOLUNTEER ON OFFENDER ALLEGATIONS Sexual Harassment

Sexual Harassment Includes:

- Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive nature by one inmate, detainee, or resident directed toward another; and
- Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or residents 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.

INVESTIGATION TOTALS FOR ALL PRISONS STATEWIDE





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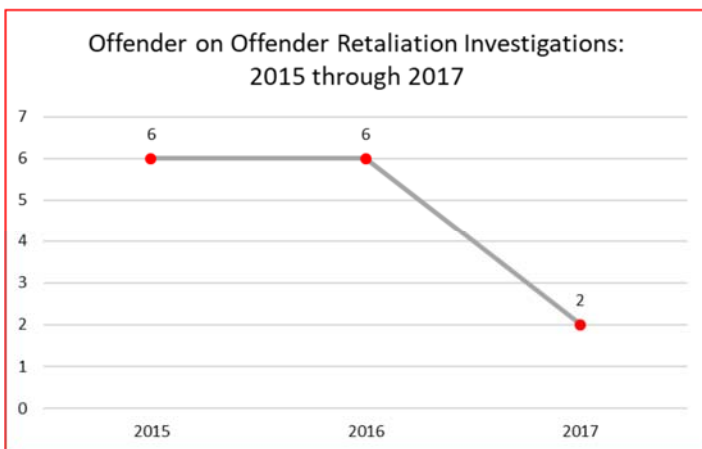
10. BOTH STAFF, CONTRACTOR, OR VOLUNTEER ON OFFENDER ALLEGATIONS AND OFFENDER ON OFFENDER ALLEGATIONS.

Retaliation

Includes, but is not limited to, acts of vengeance, covert or overt action or threat of action, or harassment against an offender, staff, contractor, or volunteer in response to a complaint of sexual violence or cooperation in the reporting or investigation thereof, regardless of the merits or the disposition of the complaint.

- Unnecessary discipline, changes in work program assignments.
- Unjustified transfers and/or placements.
- Denials of privileges or services.
- Intimidation, threats, assaults, or other physical violence.

2015 was the first year IDOC has tracked retaliation as a specific PREA case type and in 2017, with all prisons reporting, there were:



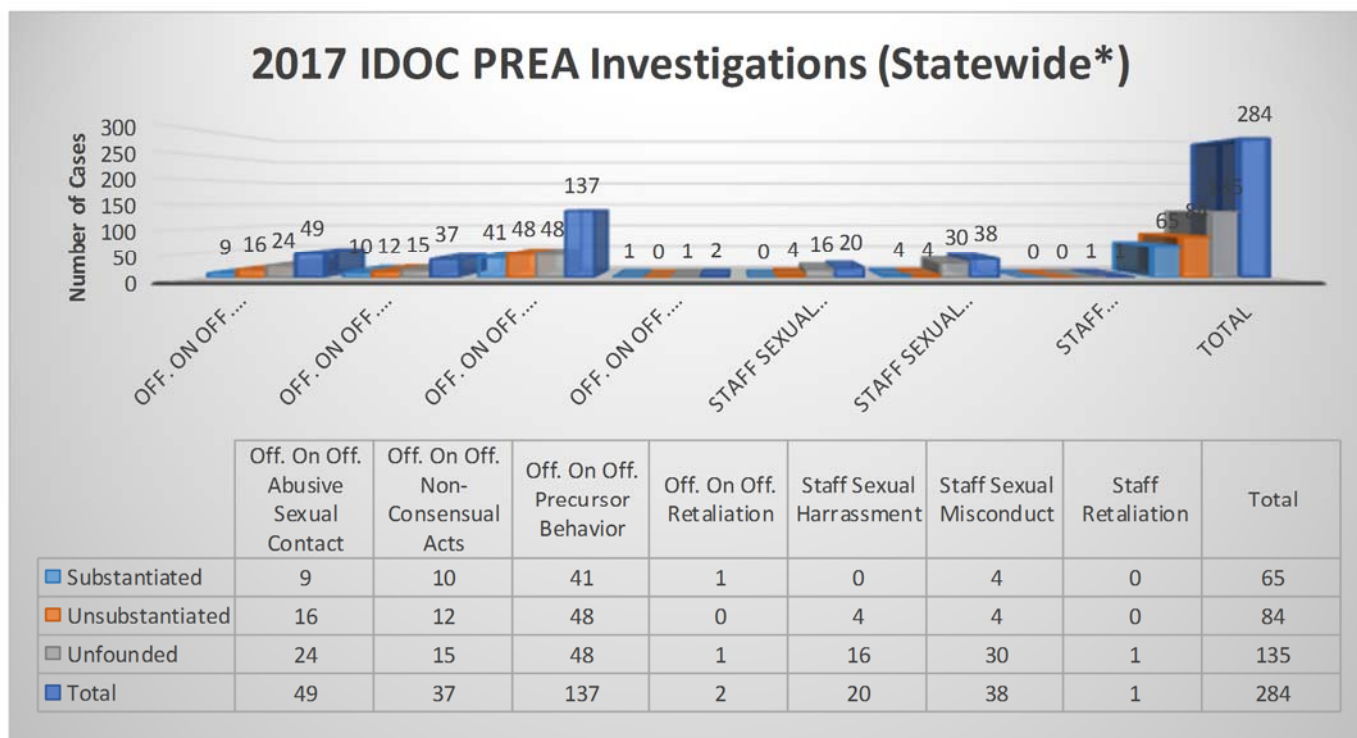


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11. PREA INVESTIGATION CASE FINDINGS.

Upon completion, investigators conclude an investigation with one of three official findings for the allegation:

- **SUBSTANTIATED:** The investigation found a preponderance of evidence that shows the allegation to be true.
- **UNSUBSTANTIATED:** The evidence is insufficient to prove the allegation true or false. A preponderance of credible evidence could not be obtained. The evidence is inconclusive and cannot show whether the allegation did, or did not happen.
- **UNFOUNDED:** A preponderance of evidence indicates the allegation to be untrue. Does not mean the investigation failed to prove the misconduct happened.
- **OTHER:** Not an official finding. “Other” has been used in the past to conclude rare cases with special circumstances. No cases with a finding of “Other” were reported in 2017.



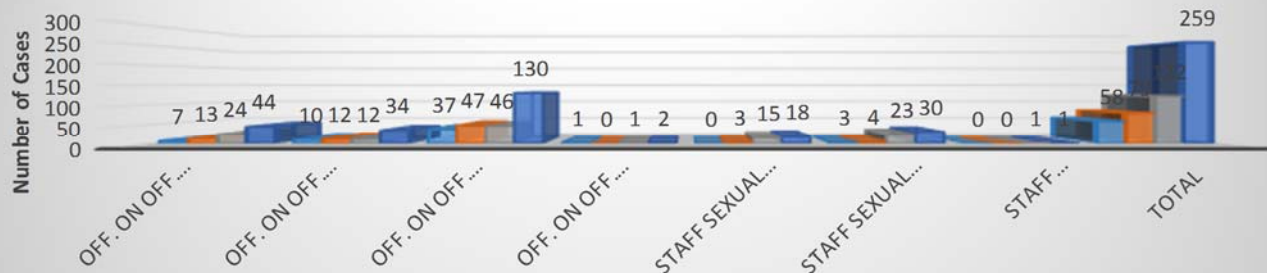
*Includes CBCs



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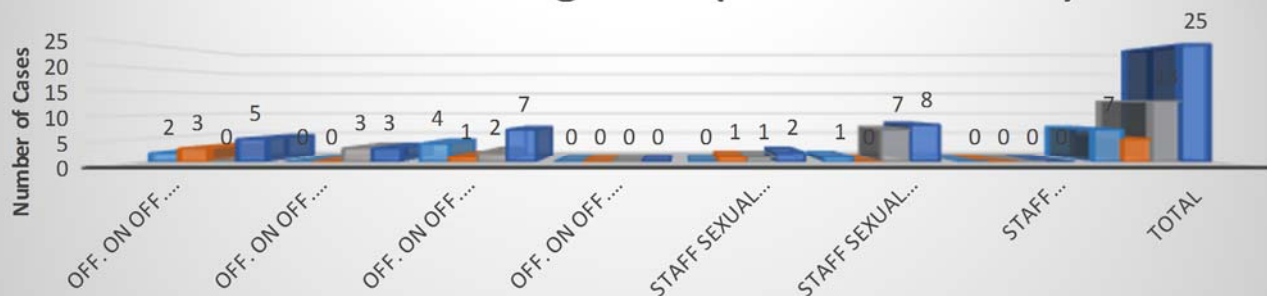
FINDINGS CONTINUED...

2017 PREA Investigations (Prisons)



	Off. On Off. Abusive Sexual Contact	Off. On Off. Non-Consensual Acts	Off. On Off. Precursor Behavior	Off. On Off. Retaliation	Staff Sexual Harrassment	Staff Sexual Misconduct	Staff Retaliation	Total
Substantiated	7	10	37	1	0	3	0	58
Unsubstantiated	13	12	47	0	3	4	0	79
Unfounded	24	12	46	1	15	23	1	122
Total	44	34	130	2	18	30	1	259

2017 PREA Investigations (CBCs All Districts)



	Off. On Off. Abusive Sexual Contact	Off. On Off. Non-Consensual Acts	Off. On Off. Precursor Behavior	Off. On Off. Retaliation	Staff Sexual Harrassment	Staff Sexual Misconduct	Staff Retaliation	Total
Substantiated	2	0	4	0	0	1	0	7
Unsubstantiated	3	0	1	0	1	0	0	5
Unfounded	0	3	2	0	1	7	0	13
Total	5	3	7	0	2	8	0	25



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As a result of the data gathered and reported during Investigations, PREA Audits and Incident Reviews, the IDOC prisons and community based corrections continue to utilize information provided to educate all staff and offenders in the area of PREA and maintaining a zero tolerance culture in all of Iowa's institutions and residential facilities. All facilities audited in this cycle successfully met all PREA standards. Please review [IDOC website](#) for summary of Audit Findings for the following facilities (**Press "Ctrl + n" and left click to activate hyperlinks**):

FDCF: Fort Dodge Correctional Facility .

MPCF: Mount Pleasant Correctional Facility.

ASP: Anamosa State Penitentiary.

The State Training School for Boys in Eldora prepared for and successfully passed their PREA audit again this cycle. See their website linked here: <https://dhs.iowa.gov/mhds/mental-health/in-patient/juvenile-facility/eldora>.

Community Based Corrections Residential Facilities and their website links:

- 1st JD Waterloo Residential Facility: <http://www.firstdcs.com/prea/default.html>
- 2nd JD Marshalltown Residential Facility: <http://2nddcs.com/PREA.html>
- 3rd JD Sioux City Residential Facility: (No website, contact 3rd District for info.)
- 5th JD Fort Des Moines Residential Facility: <http://fifthdcs.com/PREA.cfm>
- 6th JD Larry Nelson / Gerald Hinzman Facility: <http://iowacbc.org/prea/>
- 8th JD Burlington Residential Facility: <http://www.8thjdcbc.com/offenderservices.html>

For additional information and review of the findings refer to CBC websites



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SVP (Sexual Violence Propensity) The project ended in September 2017 and met its research goals with the findings resulting in the consultants proposal to enter into a joint venture with Iowa and other female institutions (when funded) to develop the gender specific assessment tool for women and pilot it in Iowa and other states. This project is currently in progress.

SVS History and Methodology The Bureau of Justice Statistics (BJS) began the Survey of Sexual Violence (renamed the Survey of Sexual Victimization) in 2004. It is an annual collection mandated by the Prison Rape Elimination Act of 2003 (PREA) to measure the incidence of prison rape. The survey is based on official administrative records of correctional systems and facilities, and covers all federal prisons, state prisons, and facilities operated by the U.S. military and Immigration and Customs Enforcement, and a representative sample of local jails, jails in Indian country, and privately operated jails and prisons. The U.S. Census Bureau currently serves as the data collection agent.

- **Sampling:** The sample designs for BJS's 2012, 2013, 2014, and 2015 Survey of Sexual Victimization (SSV, formerly Survey of Sexual Violence) varied for each type of facility covered by the Prison Rape Elimination Act of 2003.
- **Federal and state prisons:** For each year, the survey included the Federal Bureau of Prisons and all 50 state adult prison systems. Prison administrators reported on allegations and substantiated incidents of sexual victimization that occurred within publicly operated adult prison facilities only, and excluded allegations and incidents involving federal or state inmates in other facilities, such as privately operated prisons or jails.

Data Assessment

After review of investigation data, incident reports, and corrective actions taken by the prisons, and residential facilities the Director and Inspector General continue to monitor IDOC's progress and to manage current processes and procedures for detecting, preventing, reducing, and punishing perpetrators of sexual violence in Iowa prisons. The IDOC continues to implement the requirements of the PREA standards and to make changes that are determined to be necessary through on-going review.

Signature on file at Iowa DOC

July 30, 2018

Jerry W. Bartruff, Director
Iowa Department of Corrections

Date