

Pitt County Detention Center Prison Rape Elimination Act (PREA) - Annual Report for 2022

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of offenders in confinement settings. On August 20, 2012, the PREA Standards Final Rule, to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment behind bars was released prompting Pitt County Sheriff's Office (PCSO), Pitt County Detention Center (PCDC) to start the implementation of PREA standards.

PCDC PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct, and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations against PCDC offenders. A further purpose of this policy is to provide guidelines for the successful community re-entry of offenders.

PCDC continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against offenders. Staff and offenders are educated on the Department's zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

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

Unsubstantiated allegation: an allegation that was investigated and insufficient evidence was obtained to determine if the allegation did or did not occur.

Unfounded allegation: an allegation that was investigated and proven not to have occurred.

Ongoing investigation: the investigation was initiated and is continuous.

STATISTICS:

The following are statistics of reported allegations within PCDC, by category:

- **Inmate on Inmate Nonconsensual Sexual Acts**

	2016	2017	2018	2019	2020	2021	2022
Substantiated	0	0	0	0	0	0	0
Unsubstantiated	1	0	0	0	0	0	0
Unfounded	1	1	0	0	0	0	0
Ongoing Investigation	0	0	0	0	0	0	0
Total	2	1	0	0	0	0	0

Inmate on Inmate Nonconsensual Sex Acts is defined as, contact of an offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND contact between the penis and vagina or the penis and anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus or penetration of the anal or genital opening of another person by the hand, finger, or other object.

In 2022, the number of allegations for Inmate on Inmate Nonconsensual Sex Acts continued to be zero. From the start of PREA implementation in 2016 until year 2022; PCDC had no substantiated allegations of Inmate on Inmate Nonconsensual Sex Acts.

- **Inmate on Inmate Abusive Sexual Contact**

	2016	2017	2018	2019	2020	2021	2022
Substantiated	0	0	0	0	0	0	0
Unsubstantiated	0	0	0	0	0	0	0
Unfounded	2	1	0	1	0	0	0
Ongoing Investigation	0	0	0	0	0	0	0
Total	2	1	0	1	0	0	0

Inmate on Inmate Abusive Sexual Contact is defined as contact of an offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

In 2022, the number of allegations for Inmate on Inmate Abusive Sexual Contact continued to be zero. From the start of PREA implantation in 2016 until year 2022; PCDC had no substantiated allegations of Inmate on Inmate Abusive Sexual Contact.

- **Inmate on Inmate Sexual Harassment**

	2016	2017	2018	2019	2020	2021	2022
Substantiated	0	0	0	0	0	1	0
Unsubstantiated	0	0	0	2	1	1	2
Unfounded	1	6	4	8	8	7	2
Ongoing Investigation	0	0	0	0	0	0	0
Total	1	6	4	10	9	9	4

Inmate on Inmate Sexual Harassment is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another offender. This definition was added to PCDC’s PREA policy in response to its inclusion in the PREA Standards.

In 2022, the number of allegations for Inmate on Inmate Sexual Harassment was 4. In 2021, the number of allegations for Inmate on Inmate Sexual Harassment was 9, which equates to a decrease of 56 percent. From the start of PREA Implementation 2016 until year 2022; PCDC had 1 substantiated allegation of Inmate on Inmate Sexual Harassment.

- **Staff on Inmate Sexual Misconduct**

	2016	2017	2018	2019	2020	2021	2022
Substantiated	0	0	0	0	0	0	0
Unsubstantiated	0	0	0	1	0	0	0
Unfounded	1	0	2	0	1	0	0
Ongoing Investigation	0	0	0	0	0	0	0
Total	1	0	2	1	1	0	0

Staff on Inmate Sexual Misconduct is defined as threatened, coerced, attempted, or completed sexual contact, assault or battery of an offender by staff. Staff is inclusive of employees, volunteers, and independent contractors assigned to an institution, community correctional facility, conservation camp, parole, or headquarters. PCDC's zero tolerance policy holds all staff accountable when it is proven they have violated the policy. The legal concept of "consent" does not exist between staff and offenders; any sexual behavior between them constitutes sexual misconduct and subjects the staff member to disciplinary action and/or to prosecution under the law.

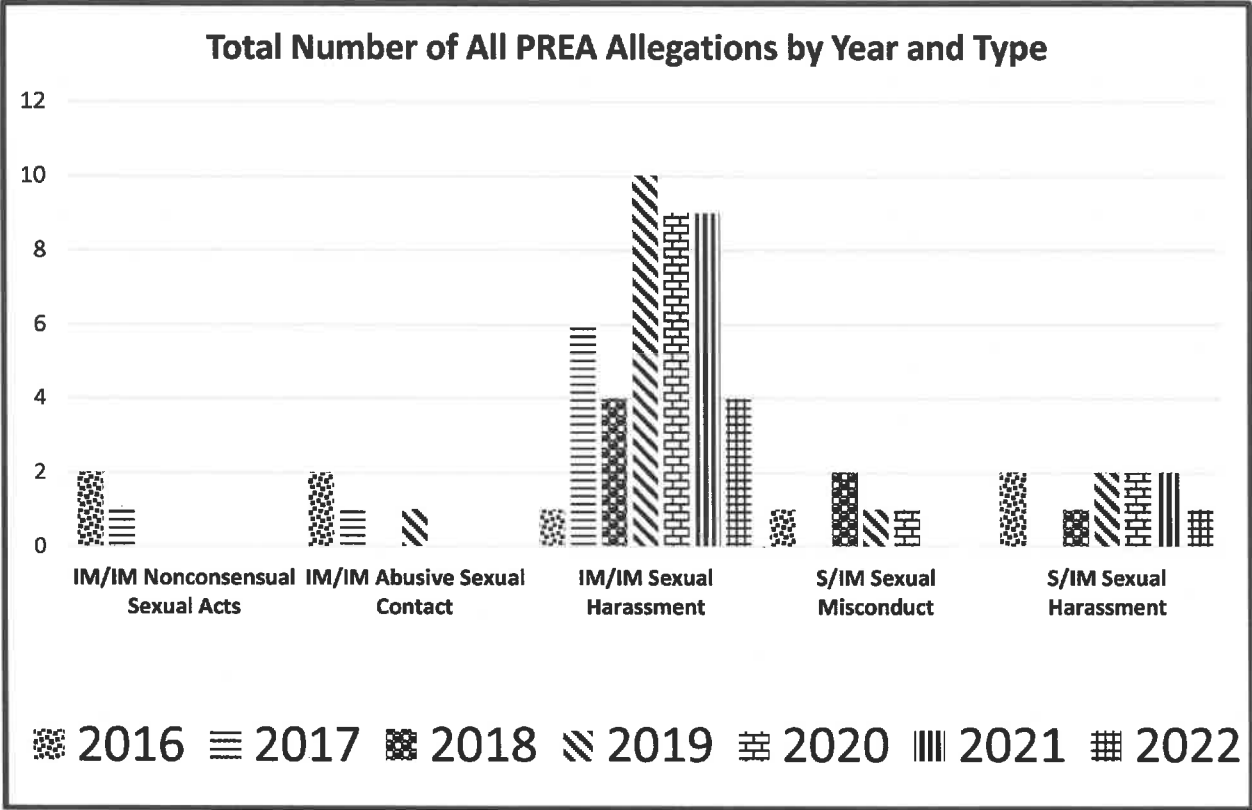
In 2022, the number of allegations for Staff on Inmate Sexual Misconduct continued to be zero. In 2021, the number of allegations for Staff on Inmate Sexual Misconduct was also zero, which equates to no increase or decrease in allegations. From the start of PREA Implementation 2016 until year 2022; PCDC had no substantiated allegations of Staff on Inmate Sexual Misconduct.

- **Staff on Inmate Sexual Harassment**

	2016	2017	2018	2019	2020	2021	2022
Substantiated	0	0	0	0	0	0	0
Unsubstantiated	0	0	0	0	0	0	0
Unfounded	2	0	1	2	2	2	1
Ongoing Investigation	0	0	0	0	0	0	0
Total	2	0	1	2	2	2	1

Staff on Inmate Sexual Harassment is defined as, repeated verbal comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive derogatory comments about body or clothing, or obscene language or gestures to an offender by a staff member, contractor, or volunteer.

In 2022, the number of allegations for Staff on Inmate Sexual Harassment was 1. In 2021, the number of allegations for Staff on Inmate Sexual Harassment was 2, which equates to a decrease of 50 percent. From the start of PREA Implementation 2016 until year 2022; PCDC had no substantiated allegations of Staff on Inmate Sexual Harassment.



[IM/IM = Inmate on Inmate; S/IM= Staff on Inmate]

SUMMARY:

The total number of combined allegations decreased from 11 in 2021, to 5 in 2022, a total decrease of 55 percent. PCDC saw the average daily population increase by only 1 from 346 in 2021 to 347 in 2022. Inmate on Inmate Sexual Harassment was included in the PREA Federal Standards in 2012 and additional education for both staff and inmates were provided via tablet, kiosk and email training. This additional education was provided by the PREA Coordinator to staff and the use of tablets and kiosks for inmates. The training included more policies and educational awareness of sexual harassment and PREA concerns. Contributing to the decrease of Staff on Inmate Sexual Harassment allegations and Inmate on Inmate Sexual Harassment allegations for 2022 is an ongoing focus on additional education and training for staff and inmates.

PCDC had no allegations of Inmate on Inmate Nonconsensual Sexual Acts, Inmate on Inmate Abusive Sexual Contact or Staff on Inmate Sexual Misconduct in the years of 2021 or 2022.

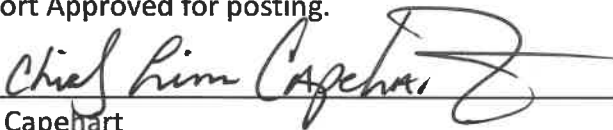
In 2022, PCDC had no substantiated allegations of harassment or misconduct involving inmates or staff. In 2021, PCDC had 1 substantiated allegation of Inmate on Inmate Sexual Harassment, no inmate nonconsensual sexual acts or contacts and no substantiated allegations of harassment or misconduct involving staff.

Some of the changes PCDC has implemented during the previous calendar year include:

- Staff newly assigned to conduct sexual abuse investigations received eight hours of specialized training.
- Staff received more education and training throughout the year reference Sexual Harassment and PREA concerns.

PCDC continues to progress in addressing sexual abuse by continually monitoring all allegations of sexual abuse, staff sexual misconduct and sexual harassment. Each allegation is investigated by trained investigators, reviewed by Command Staff and followed-up by trained Medical and Mental Health providers. If any issues or trends are identified, they are immediately addressed by our Incident Review Team. Some modifications may include existing policy, procedures, education, or training and could take into consideration physical plant limitations and the need for additional video monitoring equipment.

Report Approved for posting.



Lim Capelhart
Chief of Detention Services
Pitt County Sheriff's Office

3-20-23
Date