

Georgia Department of Corrections

Annual PREA Report

Calendar Year 2012

The Prison Rape Elimination Act of 2003 (PREA) was enacted to establish an environment of sexual safety within confinement facilities. Key components of this law include an emphasis on zero tolerance for sexual abuse of incarcerated offenders and established protocols to prevent, detect, and report allegations of sexual harassment, sexual misconduct, and/or sexual assault. In August 2012 the Bureau of Prisons published standardized guidelines promulgated by the Attorney General of the United States.

Standards 115.87 and 115.88 are detailed below and form the basis for this report:

Standard 115.87 - Data Collection

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
- (e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.
- (f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

Standard 115.88 - Corrective Action

- (a) The agency shall review data collected and aggregated pursuant to Standard 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
 - (1) Identifying problem areas;
 - (2) Taking corrective action on an ongoing basis; and
 - (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.
- (b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- (c) The agency's report shall be approved by the agency head and made readily available to the public through its web site or, if it does not have one, through other means.

- (d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

DATA COLLECTION

All PREA allegations are recorded and tracked through a secure database that can be accessed by prison administrators, investigative staff, and agency managers.

ANALYSIS

This report provides a review of the incident-based and aggregate data collected for Calendar Year 2012, beginning with PREA rule implementation on August 20 and ending December 31. The report does not include comparisons to data from the prior year, as this constitutes the first report of its kind. Only the aggregate numbers will be reported annually on the website. There will be no reporting by institution, victim’s name or perpetrator’s name to insure the integrity of the process, protect the security of the institution, and encourage the reporting of all PREA allegations in future years.

COMPILED DATA

The following table represents PREA allegations received during the reporting period from all confinement facilities operated under the authority of the Georgia Department of Corrections (GDC), including thirty-one state prisons, six substance abuse centers, thirteen transitional centers, and nine probation detention centers. Data was also collected from four private prisons.

Month	Sexual Assault I/M – I/M	Sexual Assault Staff – I/M	Sexual Harassment I/M-I/M	Sexual Harassment Staff – I/M	Referred to Internal Investigations Unit
August	0	2	10	12	5
September	5	2	24	37	9
October	4	6	37	43	11
November	2	5	23	36	12
December	5	8	21	29	10
TOTAL	16	23	115	157	47

Data derived from GDC’s Investigations database shows that as of December 31, 2012, four of the forty-seven cases received from institutions had been forwarded to a District Attorney’s office for prosecution. Three of the cases involved staff, and one case involved an inmate perpetrator. Seventeen inmate-on-inmate cases and seven staff-on-inmate cases had been closed as unsubstantiated because evidence was not sufficient to determine guilt or innocence. Investigation of the remaining nineteen cases was ongoing.

Agency audits conducted between August and December 2012 indicated no problems with staffing, utilization of safe housing, designation of Sexual Assault Response Teams (SART), or collection of forensic evidence in incidents involving penetration. However, some visibility issues were noted and are being addressed by facility-level and agency-level managers. Also, installation of a PREA Hotline was completed in all facilities, which provides an additional method by which sexual abuse allegations may be reported with no cost to incarcerated individuals.