

Newport News Sheriff's Office

# Prison Rape Elimination Act Annual Report

January 1, 2018 – December 31, 2018



This report has been prepared in accordance with §115.87 to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. In subsequent years, the information collected for this report will be used to identify problem areas and to take corrective action on an ongoing basis.

## **Background**

The Prison Rape Elimination Act was passed in 2003. The purpose of the act was to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape. In 2009, the U.S. Attorney General received a final report on proposed standards, and in 2012, a final rule was published in the Federal Register.

## **Summary**

PREA certification and re-certification depend on each agency's full compliance with PREA standards. Compliance is determined every 3-years using a thorough audit conducted by external experts who have no association with the Newport News Sheriff's Office or Newport News City Jail/Newport News Adult Detention Center. PREA audits aim to determine compliance with the Prison Rape Elimination Act (PREA).

The Newport News Sheriff's Office achieved initial certification with the PREA standards first audit cycle with 100% compliance in January 2015. Our next audit is will be scheduled in 2021, and this report summarizes the extensive effort by the Newport News Sheriff's Office to continue compliance with The Prison Rape Elimination Act 2003.

NNSO has a zero-tolerance policy on issues about sexual abuse, sexual harassment, or sexual misconduct. Our agency is continuously working to implement new policies, training requirements, and standards for the detection, prevention, reduction, and penalties of sexual abuse or sexual harassment violation. Reporting data collected provides vital information to assist in improving processes. This report aims to identify any problem areas, find solutions to these issues, and explain the findings.

## **Reported PREA Incident Data**

No matter when the incident occurred, NNSO attempts to collect data on all PREA incidents. Each incident is reviewed and, if necessary, investigated. In 2018, there were a total of three allegations of sexual Harassment investigated. Concluding the investigations, all were unfounded allegations of inmate-on-inmate sexual harassment.

Investigative Results:

The following table reflects the dispositions of all reported inmate-on-inmate allegations comparing 2016, 2017, and 2018.

**Newport News City Jail/Adult Detention Center**  
Inmate-on-Inmate Allegations

<b>Nonconsensual Sexual Act</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Substantiated</b>	0	0	0
<b>Unsubstantiated</b>	0	0	0
<b>Unfounded</b>	0	1	0
<b>Investigation on-going</b>	0	0	0
<b>Total</b>	0	1	0

<b>Abusive Sexual Contact</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Substantiated</b>	0	1	0
<b>Unsubstantiated</b>	0	0	0
<b>Unfounded</b>	0	1	0
<b>Investigation on-going</b>	0	0	0
<b>Total</b>	0	2	0

<b>Sexual Harassment</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Substantiated</b>	0	0	0
<b>Unsubstantiated</b>	0	0	0
<b>Unfounded</b>	0	1	3
<b>Investigation on-going</b>	0	0	0
<b>Total</b>	0	1	3

Investigative Results:

The following table reflects the dispositions of all reported staff-on-inmate allegations comparing 2016, 2017, and 2018.

**Newport News City Jail/Adult Detention Center**

Staff-on-Inmate Allegations

Staff Sexual Misconduct	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	0	0
Investigation on-going	0	0	0
Total	0	0	0

Staff Sexual Harassment	2016	2017	2018
Substantiated	0	0	0
Unsubstantiated	0	0	0
Unfounded	0	1	0
Investigation on-going	0	0	0
Total	0	1	0

**Training**

Newport News Sheriff's Office security staff received annual PREA training and policy review. All new hires are required to have initial PREA training during the orientation process. Also, they will be required to take PREA refresher courses as part of their yearly training requirements.

Training includes:

- PREA Standards and zero tolerance for sexual abuse and harassment;
- First responder expectations and reporting;
- Recognizing the physical, behavioral, and emotional signs of sexual assault;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates;
- Inmate's right to be free from sexual abuse;
- The dynamics of sexual abuse and sexual harassment in confinement;
- The common reactions of sexual abuse and sexual harassment victims
- How to avoid inappropriate relationships with inmates; and
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities

All contractors or volunteers that may have contact with inmates are given an orientation about the zero-tolerance policy, how to report an allegation and the consequences for violating the policy. The contractors and volunteers sign documentation that they understand their responsibility.

Newport News City Jail employs a PREA Coordinator to ensure compliance with PREA Standards according to PREA Standards 115.11 (NNSO Policy PREA 115.11).

### **Corrective Action**

Data review for corrective action PREA Standard 115.88

NNSO reviews data collected and aggregated under PREA standard 115.87 in orders and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including:

1. Identifying problem areas;
2. Taking corrective action on an ongoing basis; and
3. Preparing an annual report its findings from its data review and any corrective actions for NNSO

The following is a summary of recommendations:

- Continue to provide PREA training and education to current/new hires, staff, volunteers, and contractors
- Continue annual PREA refresher training for current staff
- Send additional staff members to PREA Investigation training

## Glossary:

The PREA Annual Report uses the definitions provided by the Survey of Sexual Victimization, 2016: *Local Jail Jurisdictions Summary Form*. The survey uses the purposes of sexual abuse provided by 28 C.F.R. 115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003).

**Inmate-on-inmate nonconsensual sexual act-** involves sexual contact with a victim without his or her consent or with a victim who cannot consent or refuse. Such acts include:

- Contact between the penis and the vagina or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vagina, or anus;
- Penetration of another person's anal or genital opening, however slight, by hand, finger, object, or another instrument.

**Inmate-on-inmate abusive sexual contact-** involves sexual contact with a victim without his or her consent or with a victim who cannot consent or refuse. Such acts include:

- Intentional touching, directly or through the clothing of any person's genitalia, anus, groin, breast, inner thigh, or buttocks.
- Incidents in which the intent was to exploit sexually (rather than to harm or debilitate).
- EXCLUDE incidents in which the contact was incidental to a physical altercation.

**Inmate-on-inmate sexual harassment-** 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 directed toward another.

**Staff-on-Inmate sexual victimization-** includes both consensual and nonconsensual acts perpetrated on an inmate by staff. The staff consists of an employee, volunteer, contractor, official visitor, or another agency representative. Family, friends, and other visitors are excluded.

**Staff sexual misconduct-** includes any act or behavior of a sexual nature directed toward an inmate by staff, including romantic relationships. Such acts include:

- Intentional touching of 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, invasion of privacy, or staff voyeurism for sexual gratification.

**Staff sexual harassment-** includes repeated verbal statements or comments of a sexual nature to an inmate by staff. Such statements include:

- Demeaning references to an inmate's sex or derogatory comments about his or her body or clothing;
- Repeated profane or obscene language.



**Newport News Sheriff's Office**

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If you have any information regarding an inmate who has been sexually abused or encountered sexual harassment while under the custody of Newport News Sheriff's Office, please call (757) 778-9366 or email [sheriff@nnva.gov](mailto:sheriff@nnva.gov)

\*Corrections made on 01/15/2019

