

# Hall County

# Correctional Institute

Prison Rape Elimination Act  
(PREA)

Annual Report 2018



## **Introduction**

The Hall County Correctional Institute has a “Zero Tolerance” policy regarding the sexual assault, abuse, or harassment of any offender in our custody or control. Whenever anyone is alleged to have committed any form of sexual assault, abuse or harassment a criminal and/or administrative investigation will be thoroughly conducted. Criminal investigations are conducted by the Hall County Sheriff’s Office. Any person determined to have committed a criminal offense will be referred to the Hall County District Attorney for criminal prosecution. A specially trained investigator will conduct all administrative investigations internally. Any person that has committed a violation of a county policy or procedure will be referred for administrative disciplinary action up to and including termination of employment.

## **Development**

There were no investigations completed by this institution prior to June 1, 2015 as we became compliant with the Federal PREA Standards. There were laws, policies, and procedures in place to protect offenders from sexual abuse and sexual harassment, but these were not based on the Federal Standards. Warden Walt Davis created the position of PREA Compliance Manager and designated Captain Frank Sosebee to assume this role for the department. Analyses of the Federal Standards were compiled and policies and procedures were developed. This ensured our department would come into full compliance with all standards in preparation for a federal audit to be completed prior to August 19, 2016. There are 43 standards for Adult Prisons and 40 Standards for Community Confinement that are required for the Hall County Correctional Institute that will require policy and procedure modification to ensure compliance.

## **2018 Complaints & Corrective Actions**

In 2018, offenders/residents filed one complaint and disciplinary corrective action was substantiated.

## **2018 Changes Initiated**

The transition to our new facility took place on March 14, 2016. We have added an additional 61 cameras, total of 101 cameras throughout our institution. The construction of a new building adjacent to our institution was completed in 2016 and four cameras were installed to monitor inmate movement. This new building inside the perimeter gate is utilized as a staging area for morning detail call out. We gave our employees, volunteers and contractors an updated pocket guide "Staff First Responder Duties" for sexual abuse and sexual harassment. Monthly management meetings are conducted related to PREA procedures and other topics. Continued enhanced PREA training has been implemented for all volunteers entering our institution by our SART team. Our medical team completes annual PREA training by our facility SART team and through on-line training at NIC. All our employees both certified and non-certified completes annual PREA on-line training through NIC and during in-service training. Extensive annual

training for our SART team and shift supervisors is completed annually through Georgia Department of Corrections, National Institute of Corrections, and Georgia Public Safety Training Center. PREA informational posters are placed throughout our facility for offenders/residents, staff, volunteers and citizens. Implementation and proper documentation for announcing PREA rounds are completed. A procedure for announcing and documenting opposite gender presence for all housing areas was implemented. Our facility introduced a housing plan for PREA victims/aggressors through our screening and classification process and has been a contributing factor reducing complaints. Procedures were developed and initiated; this gives our offenders/residents the ability of reporting sexual abuse via telecommunication, through staff and third party reporting or directly to the Georgia Department of Corrections Inmate Affairs. We have updated the inmate handbook related to our Zero Tolerance Policy for sexual assault and misconduct. The inmate handbook is available for inmates to review on the Kiosk System 24/7. PREA policies have been reviewed and updated for 2018; Federal and GDC policies are followed.

## **Definitions**

### *Sexual Abuse*

Of an offender, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the offender, detainee, or resident:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraph (1) through (5) of this definition;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender, detainee, or resident;

8. Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an offender, detainee, or resident by staff for reasons unrelated to official duties.

*Sexual Harassment or Sexual Misconduct*

Repeated and unwelcome sexual advances, request for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender, detainee, or resident directed towards another. Repeated verbal comments or gestures of a sexual nature to an offender, detainee, or resident 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.

*Substantiated Allegation*

An allegation that was investigated and determined to have occurred.

*Unsubstantiated Allegation*

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 allegation that was investigated and determined not to have occurred.

*Referral to Outside Agency*

An allegation was investigated and that the investigation was then referred to another agency with sufficient legal authority to complete the investigation and take the appropriate action.

## **2018 Statistics**

### **Total Allegations Reported in 2018: 1**

<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Referral to Outside Agency</b>
<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

### **Inmate on Inmate Harassment: 0**

<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Referral to Outside Agency</b>
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### **Inmate on Inmate Abuse: 1**

<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Referral to Outside Agency</b>
<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

### **Staff on Inmate Harassment: 0**

<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Referral to Outside Agency</b>
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### **Staff on Inmate Abuse: 0**

<b>Substantiated</b>	<b>Unsubstantiated</b>	<b>Unfounded</b>	<b>Referral to Outside Agency</b>
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## **Specific Case Discussed**

- Case 18-001 involves a threat of sexual misconduct by an offender against another offender. The investigation provided proof to substantiate the report. No policy change required; not motivated by group affiliation; no physical barriers; adequate staffing; technology consideration none discussed; discussed disciplinary violation, isolated from all dorms, re-classification to an aggressor and a disciplinary transfer.