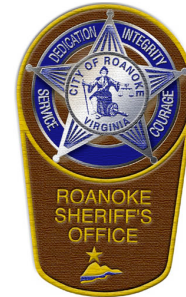




# Roanoke Sheriff's Office

## Prison Rape Elimination (PREA)

### Annual Report Fiscal Year 2022



**Date:** July 28, 2022

The following information contains aggregated data collected during fiscal year July 1, 2021 – June 30, 2022 in accordance with Sheriff's Operating Instructions (SOI) 3.33 –Prison Rape Elimination Act.

#### **PREA Reporting**

As of August 19, 2013, in accordance with the Prison Rape Elimination Act, the agency began collecting data on all allegations of sexual misconduct and harassment, both inmate-on-inmate and staff-on-inmate. According to SOI 3.33, any staff member, volunteer or contractor of the Sheriff's Office is mandated to report allegations of sexual misconduct.

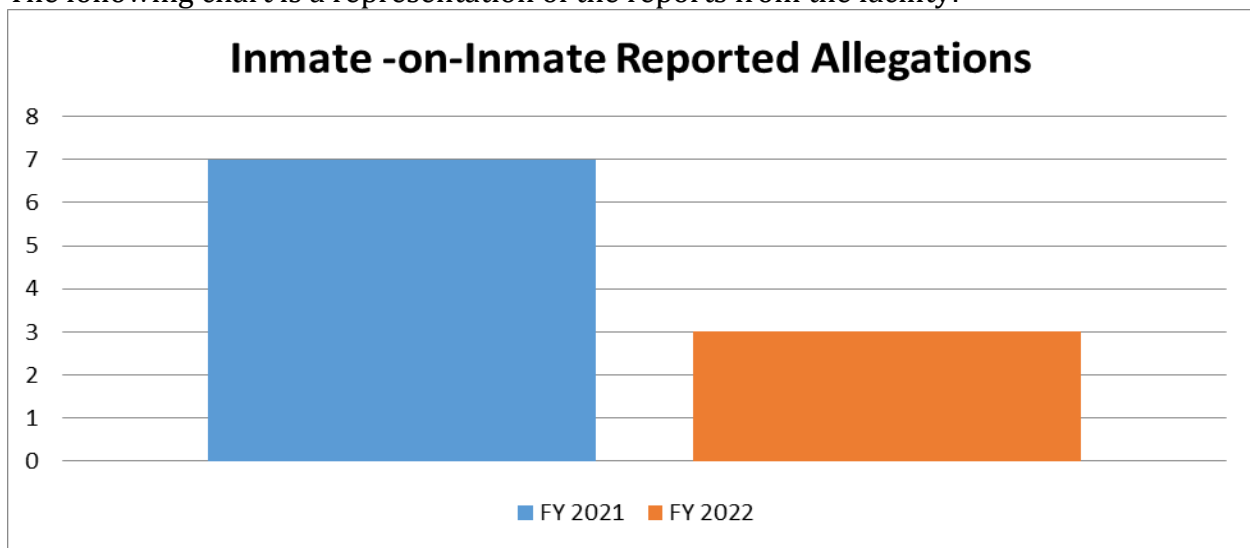
#### **Population**

During this period, 4,035 inmates were admitted to the Roanoke City Jail. The average daily population for the past 12 months of this period was 322 inmates.

#### **Inmate-on-Inmate Allegations**

There were 7 reported allegations of inmate-on-inmate acts of sexual misconduct in fiscal year 2021 as compared to 3 for FY2022.

The following chart is a representation of the reports from the facility:



### **Sexual Acts Defined**

Inmate-on-inmate Sexual Acts are categorized as Sexual Abuse and Sexual Harassment. Sexual abuse of an inmate or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contacting incidental to a physical altercation.

Sexual Harassment is defined as repeated or unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate or detainee to another.

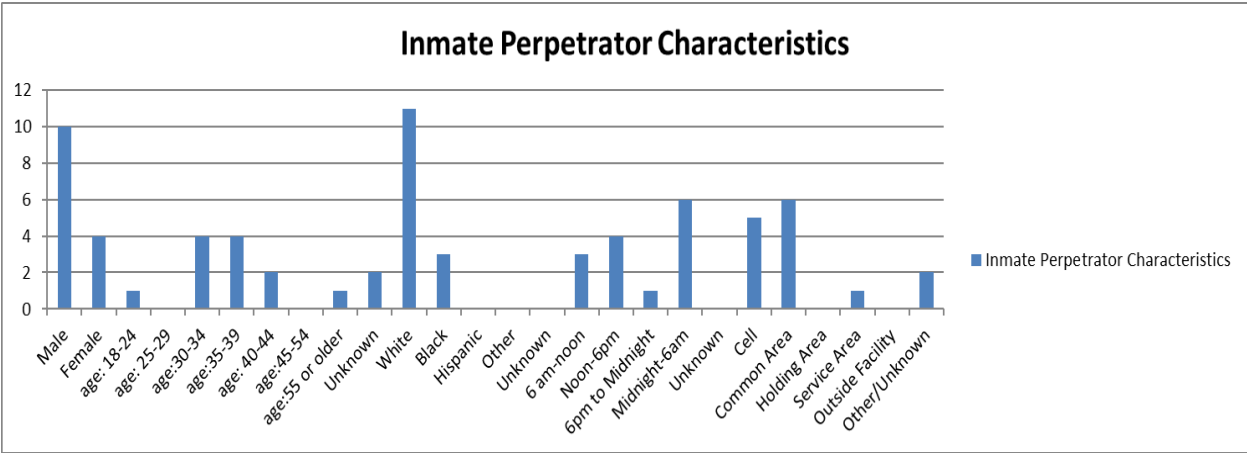
### **Investigative Findings**

The following table is a breakdown of the dispositions of all reported allegations.

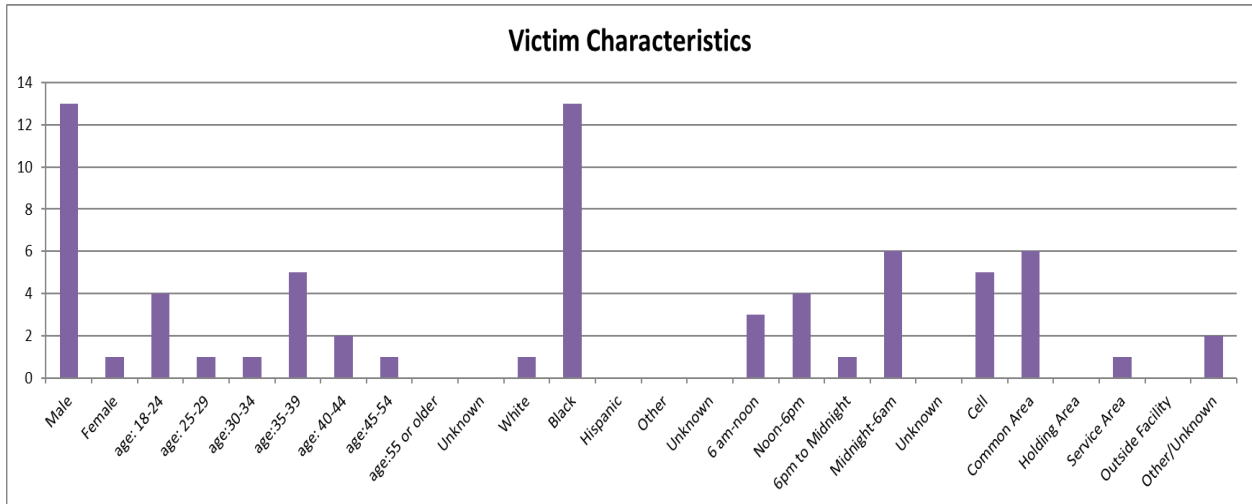
<b>INMATE-ON-INMATE SEXUAL ACTS</b>			
<b>Sexual Assault / Abuse</b>			
Unfounded	Substantiated	Unsubstantiated	Investigation on-going
1	1	0	0
<b>Sexual Harassment</b>			
Unfounded	Substantiated	Unsubstantiated	Investigation on-going
0	1	0	0

### **Demographic Information**

The following Inmate Perpetrator Characteristics chart shows statistical information provided for substantiated inmate-on-inmate sexual acts. The chart highlights each inmate's gender; age group; race; time of day and where the incident occurred.



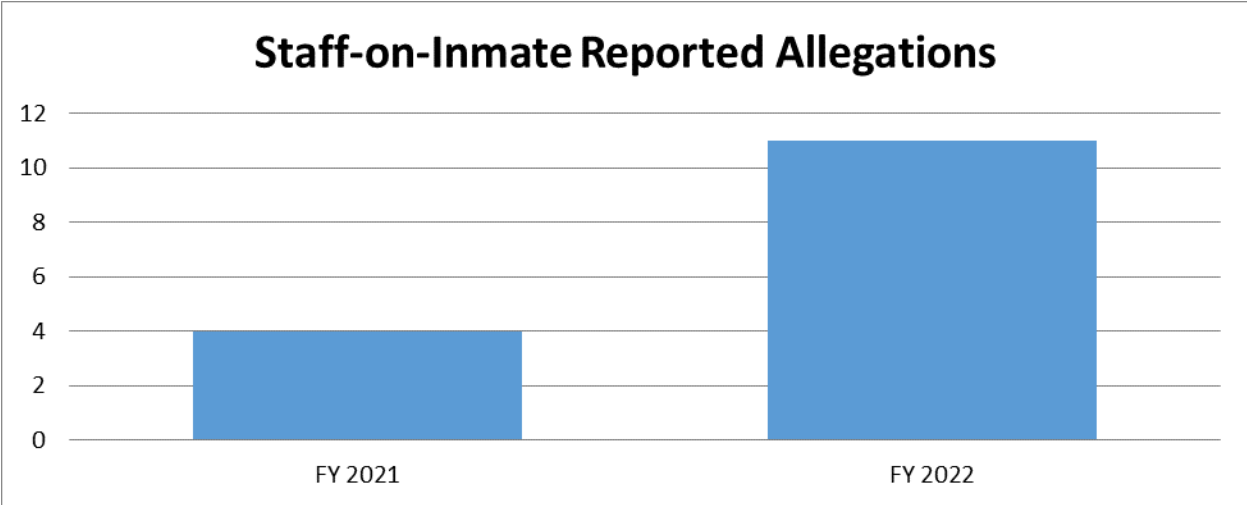
The following Inmate Victim Characteristics chart shows statistical information provided by the substantiated inmate-on-inmate sexual acts. The chart highlights the victim inmate’s gender; age group; race; time of day and where the incident occurred.



**Staff on Inmate Allegations**

There were three substantiated claims of sexual misconduct between staff and inmates. All of the staff members involved were contractors operating services within the jail and appropriate disciplinary actions were utilized. The remaining eight allegations were determined to be unfounded. Three of the allegations were made by a single inmate targeting specific staff members. The remaining allegations were the result of Deputies following jail policies under specific circumstances such as over-clothing searches and placing inmates on suicide watch. In each of these instance it was found that the Deputies had followed all related policies and procedures and their actions were appropriate for the circumstances warranting them.

The following chart is a representation of the reports from the facility:



**Sexual Acts Defined**

Staff sexual misconduct is categorized in two categories; Staff Sexual Misconduct and Staff Sexual Harassment. Sexual misconduct includes but is not limited to, all sexual behavior, including voyeurism, directed toward an inmate in the custody of the Roanoke City Sheriff’s Office. Sexual misconduct includes acts or attempts to commit acts of sexual contact, sexual abuse, and sexual harassment. Furthermore, sexual misconduct includes conversations or correspondence, which demonstrates or suggests a romantic or intimate relationship between an inmate and a Sheriff’s Office employee or contractual employee, volunteer or any other individual in a position of authority over an inmate. All sexual contact between these persons is defined as sexual misconduct regardless of consent. Sexual Contact shall include, but is not limited to; all forms of sexual contact as well as the intentional touching, either directly or through clothes.

Staff Sexual Harassment includes, but is not limited to, repeated verbal comments or gestures of a sexual nature to an inmate, 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 and gestures.

**Investigative Findings**

The following table is a breakdown of the dispositions of the reported staff sexual misconduct allegations.

STAFF SEXUAL MISCONDUCT			
Staff Sexual Misconduct			
Unfounded	Substantiated	Unsubstantiated	Investigation on-going
4	2	0	0
Staff Sexual Harassment			
Unfounded	Substantiated	Unsubstantiated	Investigation on-going
4	1	0	0

### **Training**

In FY 2022, all staff completed refresher training regarding PREA and the RSO policies regarding sexual misconduct. All new hires are required to undergo initial PREA training during the orientation process. Additionally, they are required to take PREA refresher courses as part of their yearly training requirements.

Currently, there are twenty Specialized Investigators (115.34) that have personally attended PREA specific training as well as completed refresher training using an online training course provided by RELIAS.

Contractors and volunteers that may have contact with inmates are educated on the facility's zero tolerance policy and how they may detect, prevent and respond to allegations of sexual misconduct (115.32). Every contractor or volunteer that may have contact with Inmates, is given an orientation about the zero-tolerance policy, how to report an allegation, and the consequences for violating the policy. Further, contractors and volunteers sign documentation that they understand their responsibility.

All of the inmates (100%) housed prior to the implementation date of PREA were educated by viewing a video that explained what PREA was as well as how to report any allegation or knowledge of sexual misconduct. When new inmates are booked into the facility, they also receive education in written format and a video presentation. Each inmate is also given a handbook to keep that has all reporting and prevention information.

The following chart represents the facility's status of completion.

	Staff Training	Volunteer / Contractor Training	Inmate Training
<b>All Staff</b>	100%	100%	100%
<b>Investigative Staff</b>	100%		

In accordance with PREA Standard 115.11, the Roanoke City Jail employees a PREA Coordinator, to ensure compliance with PREA Standards.

## **FY 2022 Accomplishments**

Completed physical and technology improvements, which included the following:

- Began JMS Migration to new and updated software.
- Updated layout of main control monitors and created a map to ensure consistency of security.
- Security updates to OS installed.
- Updated kiosks in Inmate Living Quarters.
- Updated electronic security passes.
- Upgraded Annex door security panels.
- Updated UPS systems for video security and replaced batteries.
- Updated firewall for protecting jail kiosk systems.
- Third floor jail intercom updated with back-up in main control.
- Second video security firewall update.
- Replaced obsolete computers.

Formalized community stakeholder partnerships:

- Conducted review of MOA with SARA-Roanoke, a non-profit advocacy organization, for support services and executed with new stakeholders signatures;
- Conducted a review of existing support services with the Roanoke City Police Department by LOU and executed with new stakeholder signatures and worked closely with investigators on sexual assault reports occurring outside the facility, before intake at the jail; and
- Continued and enhanced volunteer and contractor training.

Continued staff training which included the following:

- New and existing staff completed PREA related educational courses as part of the basic academy as well as ongoing annual in-service which includes, a video on the expectations of professional conduct by staff, introduction to PREA, recognizing individuals in crisis and Cross Gender Searches.
- During this reporting period, one staff member completed a specialized pre-employment background investigation training course.

Continued Inmate Education, which included the following:

- PREA educational and awareness posters are located throughout the facility to inform inmates as well as visitors about PREA and how to report;
- Continued with formal due process avenue to resolve PREA outcomes via the grievance process;
- Disseminated additional PREA information to each housing unit and recreation area.
- Continued with delivery of PREA educational information at time of intake, as well as video presentation and materials to inmates at time of classification.
- Maintained inmate access to third party reporting as well as educational and informational resources via Video and Phone system. Access to available information includes, but is not limited to, PREA, Inmate Handbook and Community Corrections Programs.

- Continued use and integration of education and reporting with inmate access to wireless tablets which allows anonymous communications with staff, access to educational information as well as the inmate handbook and other source references.

#### Results:

Ongoing inmate education as to what is and what is not sexual assault and sexual harassment, as well as how to report such concerns using the various available avenues, to include, anonymously and third party, has shown results as inmate complaints are being received and responded to.

Substantiated investigation findings concerning inmate-on-inmate incidents have remained low with 1 sexual assault being substantiated and 1 sexual harassment allegation being substantiated this reporting period.

Dedicated screening during the intake process resulted in 6 allegations of sexual misconduct, occurring at other facilities, being brought forward. In all such cases, this information was reported to the originating facility, as required by law. The Roanoke City Sheriff's Office staff facilitated information flow and arranged for the delivery of medical and/or mental health services.

Additionally, our screening process identified 6 individuals who alleged being a victim of sexual assault just prior to arrest. In these cases, staff facilitated the delivery of medical and/or mental health services and worked closely with our law enforcement partners in the jurisdiction where the incident was alleged to have occurred.

#### **External Review**

The Prison Rape Elimination Act (PREA) standards became effective August 20, 2012. Certification and re-certification is dependent upon each agency's full compliance of PREA standards. Compliance is determined every 3-years by means of a thorough audit which is conducted by external experts, certified by the US Department of Justice, who have no association with the Roanoke City Sheriff's Office or Roanoke City Jail. The purpose of PREA audits are to determine compliance with the Prison Rape Elimination Act (PREA).

During the month of August 2014, a routine Prison Rape Elimination Act (PREA) audit of the Roanoke City Jail was conducted for initial certification. The Roanoke City Jail was found to be fully compliant with federal PREA standards. From April 6 to July 19, 2017, a routine Prison Rape Elimination Act (PREA) audit of the Roanoke City Jail was conducted and again the Roanoke City Jail was found to be fully compliant.

The 2020 PREA Audit began April 2, 2020 with documentation review that lasted several months. However, the "Onsite" portion of the audit was rescheduled from June to September by the US Department of Justice in accordance with pandemic precautions as issued by the US CDC and other health authorities. The onsite portion of the audit finally took place August 5-7, 2020 and the audit was finalized in September with a final report issued. As before, the audit consisted of a review of all PREA policies for the Roanoke City Sheriff's Office, a physical inspection of the Roanoke City Jail, review of all documentation,



and interviews with staff, contractors, volunteers, and inmates. Again, the Roanoke City Jail was found to be fully compliant with federal PREA standards.

During this time period, the Roanoke City Jail underwent a 3-day, unannounced, inspection conducted by the Virginia Department of Corrections from April 6-7, 2021 and again May 24-26, 2022. Both onsite audits included inspection of our physical facility, records, procedures and interviews of both inmates and staff and found the Roanoke City Jail to be fully compliant.

Closely associated with the PREA program, three independent representatives of the American Correctional Association (ACA) audited our facility June 2-4, 2021 and found the Roanoke City Jail fully compliant on all applicable standards, to include those related to and overlapping PREA standards. These routine audits of the Roanoke City Jail consisted of a review of our facility, PREA policies, documentation, and interviews with staff, contractors, volunteers, and inmates.

From **October 27 to 28**, 2021, surveyors with The National Commission on Correctional Health Care (NCCHC) conducted a survey and found the Roanoke City Jail and to be in full compliance with all PREA overlapping standards. Our next PREA Audit is due by September 2023.

### **Recommendations**

In accordance with SOI 3.33 and PREA Standard 115.13, the facility is to hold, no less than once a year, a meeting with the PREA Coordinator to assess, determine and document whether the staffing plan of the facility is adequate. This meeting occurs at the end of each calendar year and was held on December 15, 2020. The following is a summary of those recommendations for the 2021 Calendar year:

- Identify funding strategies to add additional cameras in each housing unit on the second, third and fourth floors of the jail.
- Identify funding strategies to add additional cameras in housing cells not currently covered by video surveillance.
- Continue replacement of encoders/analog cameras.
- Identify funding strategies to enhance communications by refurbishing and replacing communication equipment.
- Continue PREA training and education to new staff, volunteers and contractors coming onboard.
- Continue annual PREA refresher training for current staff.
- Send additional staff members to PREA and/or specialized investigation training, if the course is available in our area.
- Purchase new audio recorders for investigation interviews.
- Recruit and fill staff vacancies.
- Add BWC (Body Worn Cameras) to video security

