

Vermont Department of Corrections Annual Internal Report - Sexual Victimization

An Analysis of 2019 & 2020 Data



Prepared by: Jennifer, PREA Director – July 2021

The Vermont Department of Corrections is committed to preventing sexual victimization and promoting safety and security for all incarcerated persons and staff.

Chittenden Regional Correctional Facility and Northwest State Correctional Facility completed their audits and found in full compliance. Marble Valley Regional Correctional Facility and Southern State Correctional Facility have completed their onsite audits and are in the corrective action period. The Remaining facilities will be audited during year 3 of the audit cycle.

Introduction

Each year the VT DOC collects accurate and uniform data for all allegations of sexual victimization and completes the SSV (Survey of Sexual Victimization) Report. The SSV report provides information on all allegations of sexual victimization and is posted on the VT DOC's Public Web Page. The following analysis is the VT DOC's annual internal report for substantiated inmate-on-inmate and staff on inmate sexual victimization incidents. This report provides a comparison of incidents from 2019 and 2020 and is utilized by the PREA Coordinator, in conjunction with other department staff, to identify opportunities for corrective measures aimed to prevent future incidents of sexual victimization.

Data

The summary on the last page of this report provides the number of substantiated staff-on-inmate and inmate-on-inmate sexual abuse and sexual harassment incidents.

2020 was a very strange year with the occurrence of the pandemic. Vermont facilities spent most of the time in modified lockdown or "pod" settings with more restricted movement and a significant drop in intakes. With these additional restrictions and a decrease in our statewide

population, it is no surprise to see a significant drop in sexual abuse incidents. The number of substantiated staff-on-inmate sexual abuse incidents decreased from two in 2019 to zero in 2020. The number of substantiated staff sexual harassment incidents decreased from three in 2019 to one in 2020. VT DOC continues to see low numbers of staff involved incidents. This appears to be directly related to incarcerated individuals sexual safety policy, procedures, and practices, including staff and incarcerated individual education.

The number of inmate-on-inmate substantiated nonconsensual sexual acts decreased from one to zero from 2019 to 2020. The number of substantiated inmate-on-inmate abusive sexual contacts decreased from seven in 2019 to four in 2020. The number of substantiated inmate-on-inmate sexual harassment incidents decreased from six in 2019 to four in 2020. The overall decrease in the number from nineteen to nine is attributed to the modified movement and decreased population during COVID-19. It should also be noted that the decrease in 2020 is like incident totals seen in 2018.

Problem Area Identification & Corrective Measures

Staff Sexual Abuse/Sexual Harassment

Location of Incidents: There was one substantiated cases of staff-on-inmate sexual harassment in 2020. This case occurred in the medical area.

Classification of Staff Involved: The case involved a full-time medical contractor.

Corrective Measures: Improve contract staff training and record keeping. Continue with current staff orientation and training programs. Increased communication between facility PREA Compliance Managers to ensure compliance with training, hiring, and records especially with shared and/or transferring staff. Use incident by specific location data to identify areas for changes to supervision practices, increased camera coverage and/or other corrective measures.

Inmate Nonconsensual Sexual Acts

Location of Incidents: There were no substantiated inmate-on-inmate nonconsensual acts in 2020.

Corrective Measures: Continue with informed housing, bed, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Use incident by specific location data

to identify areas for changes to supervision practices, increased camera coverage and/or other corrective measures.

Inmate Abusive Sexual Contacts

Location of Incidents: Half of the substantiated incidents in 2020 took place in common areas inside the living units and half occurred in cells which is consistent with previous years data.

Corrective Measures: Continue with comprehensive staff and inmate education efforts that include intake, medical and caseworker PREA Orientations, PREA Newsletters, PREA Posters, and a comprehensive and consistent Sexual Safety and PREA information section for our facility resident handbooks. Use incident by specific location data to identify areas for increased supervision and/or increased camera coverage.

Inmate Sexual Harassment

Location of Incidents: One of the four substantiated incidents took place in a cell with the remaining occurring in common areas within the unit. One incident occurred when the perpetrator entered the victim's cell and one incident occurred in a shared cell.

Corrective measures: Three of the incidents were witnessed by staff and immediately investigated and addressed. Direct supervision is a very valuable tool in responding to sexual abuse. Continue with comprehensive inmate education efforts that include intake, medical and caseworker PREA Orientations, PREA Newsletters, PREA Posters, and a comprehensive and consistent Sexual Safety and PREA information section in facility handbooks. Use incident by specific location data to identify areas for changes to supervision practices, increased camera coverage and/or other corrective measures.

Incidents by Facility

Facility Locations: The numbers that follow are the collective total of substantiated incidents over the period of 2019 and 2020, Northwest State Correctional Facility (NWSCF) reported 0 substantiated incidents. Southern State Correctional Facility (SSCF) reported 0 substantiated incidents. Chittenden Regional Correctional Facility (CRCF) reported 6 substantiated incidents. Marble Valley Regional Correctional Facility (MVRFC) reported 1 substantiated incident and Northeast Correctional Facility (NECC) reported 2 substantiated incidents.

Corrective Measures: Continue with staff training and comprehensive inmate education efforts that include intake, medical and caseworker PREA Orientations, PREA Newsletters, PREA Posters, and a comprehensive and consistent Sexual Safety and PREA

information section for our website, facility handbooks, inmate tablets, and facility signage. Use incident by specific location data to identify areas for changes to supervision practices, increased camera coverage and/or other corrective measures.

Predatory and Vulnerable Classification Strategies

All inmates are assessed during intake and upon transfer to another facility for their risk of being sexually victimized by other inmates or sexually predatory toward other inmates. This is part of OMS (Offender Management System) which is set to send automatic alerts to supervisory and management staff. This ensures that initial assessments are not missed, and reminders are sent to case management staff when their 28-day assessment is coming up. Inmates identifying as transgender or intersex have housing and program assignments reviewed at minimum twice annually. This is still being developed in OMS as well. We are developing online form completion, team review, and alerts upon completion. This will expedite the process and ensure that assessments are not missed.

Corrective Actions: Continue with current screening and review protocols to make informed bed, housing, and work and program assignments for all inmates.

Incident Review and Follow-up

The VT DOC conducts incident reviews for all substantiated and unsubstantiated incidents of sexual abuse. Each of the four inmate-on-inmate substantiated sexual abuse incidents occurred in or when inmates had access to unit common areas.

Corrective Measures: Continue with individual incident review and corrective measure practices to include review and sign off by key personnel at both the facility and central office level. Use aggregated incident by specific location data to identify areas for changes to supervision practices, increased camera coverage and/or other corrective measures.

Conclusion

Inmate sexual safety has and continues to be a top priority for the VT DOC. The requirements outlined in the Final PREA Standards for Adult Prisons and Jails provide direction for the department to expand its efforts toward preventing, detecting and responding to sexual victimization. Implementing the corrective measures outlined in this report will ensure that the VT DOC continues taking steps toward achieving inmate sexual safety.

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Date

August 11, 2021

Approved By: James Baker– VT DOC Commissioner

Date

**Vermont Department of Corrections 2019 – 2020
Survey of Sexual Victimization (SSV) - Summary Data**

YEAR	NONCONSENSUAL SEXUAL ACTS	SEXUAL ABUSIVE CONTACTS	SEXUAL HARASSMENT	STAFF SEXUAL MISCONDUCT	STAFF SEXUAL HARASSMENT	TOTAL SUBSTANTIATED INCIDENTS
	Substantiated	Substantiated	Substantiated	Substantiated	Substantiated	
Total 2019	1	7	6	2	3	19
Total 2020	0	4	4	0	1	9
TOTAL	1	11	10	2	4	28
Location						
CRCF						
2019	0	2	0	1	1	4
2020	0	4	2	0	0	6
CRCF TOTAL	0	6	2	1	1	10
MVRCF						
2019	0	1	0	0	0	1
2020	0	0	1	0	0	1
MVRCF TOTAL	0	1	1	0	0	2
NECC						
2019	0	1	1	0	0	2
2020	0	0	1	0	1	2
NECC TOTAL	0	1	2	0	1	4
NSCF						
2019	0	0	0	0	0	0
2020	0	0	0	0	0	0
NSCF TOTAL	0	0	0	0	0	0
NWSCF						
2019	1	3	3	0	0	6
2020	0	0	0	0	0	0
NWSCF TOTAL	1	3	3	0	0	6
SSCF						
2019	0	0	1	1	2	4
2020	0	0	0	0	0	0
SSCF TOTAL	0	0	1	1	2	4