

Vermont Department of Corrections Annual Internal Report - Sexual Victimization

An Analysis of 2020 & 2021 Data



Prepared by: Jennifer, PREA Director – January 2023

The Vermont Department of Corrections (hereafter, “the Department”) is committed to preventing sexual victimization and promoting safety and security for all incarcerated persons and staff.

Chittenden Regional Correctional Facility (CRCF), Northwest State Correctional Facility (NWSCF), Marble Valley Regional Correctional Facility (MVRCF), and Southern State Correctional Facility (SSCF) completed their audits and were found in full compliance. Northeast Correctional Complex (NECC) and Northern State Correctional Facility (NSCF) completed their onsite audits and are in the corrective action period.

Introduction

Each year the Department 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 Department’s public webpage. The following analysis is the Department’s annual internal report for substantiated inmate-on-inmate and staff-on-inmate sexual victimization incidents. This report provides a comparison of incidents from 2020 and 2021 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 an abnormal year resulting from the onset of the COVID-19 pandemic. Vermont facilities spent most of the pandemic in modified lockdown or “pod” settings with more restricted movement and a significant drop in intakes. With these additional restrictions and a decrease in statewide incarcerated population, the Department observed a significant drop in sexual abuse incidents. The number of substantiated staff-on-inmate sexual abuse incidents increased from zero in 2020 to two in 2021. The number of substantiated staff sexual harassment incidents increased from one in 2020 to two in 2021. The Department continues to observe low numbers of staff-involved incidents; this appears to be directly related to the department's direct supervision model, policies and procedures, staff training, and , incarcerated individual education.

The number of inmate-on-inmate substantiated nonconsensual sexual acts increased from zero in 2020 to two in 2021. The number of substantiated inmate-on-inmate abusive sexual contacts decreased from four in 2020 to one in 2021. The number of substantiated inmate-on-inmate sexual harassment incidents decreased from four in 2020 to one in 2021. The overall numbers decreased from nine to seven, which is a small shift, and the overall low numbers are attributed to the pandemic and direct supervision. The direct supervision model ensures that staff are able to address behaviors at the lowest level ultimately reducing and preventing higher level abuse incidents.

Problem Area Identification & Corrective Measures

Staff Sexual Abuse/Sexual Harassment

Location of Incidents: Two substantiated cases of staff-on-inmate sexual harassment and one of staff-on-inmate voyeurism occurred in 2021. These incidents took place in common areas in the unit and a program area outside of the unit.

Classification of Staff Involved: The cases involved two full-time Correctional Officers and one Kitchen Supervisor.

Corrective Measures: The Department reported these incidents for investigation in an efficient manner. It also increased incarcerated individual education and reporting mechanisms to ensure reporting is done as early as possible and victimization is not occurring repeatedly. The Department is reviewing camera placement on communal locations to ensure coverage. The Department will continue current staff orientation and training programs. Increased communication between facility PREA Compliance Managers is occurring to ensure compliance with training, hiring, and records especially with shared and/or transferring staff. The Department is using “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: Two substantiated inmate-on-inmate nonconsensual acts occurred in 2021. These incidents took place in a shared cell with the victim and perpetrator.

Corrective Measures: The Department will continue 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. The Department is using “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: One substantiated inmate-on-inmate sexually abusive contact occurred in 2021. This incident took place in a common area in the unit.

Corrective Measures: The Department will continue 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. The Department will use “incident by specific location data” to identify areas for increased supervision and/or increased camera coverage.

Inmate Sexual Harassment

Location of Incidents: One substantiated inmate-on-inmate sexual harassment incident occurred in 2021. This incident took place in a common area in the unit.

Corrective measures: Three of the incidents were witnessed by staff and immediately investigated and addressed. Direct supervision is a valuable tool in responding to sexual abuse. The Department will continue 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. The Department will 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 2020 and 2021, Northwest State Correctional Facility (NWSCF) reported 0 substantiated incidents; Southern State Correctional Facility (SSCF) reported 2 substantiated incidents; Chittenden Regional Correctional Facility (CRCF) reported 10 substantiated incidents; Marble Valley Regional Correctional Facility (MVRCF) reported 1 substantiated incident; and, Northeast Correctional Facility (NECC) reported 2 substantiated incidents.

Corrective Measures: The Department will continue 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. The Department will 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 incarcerated individuals are assessed during intake and upon transfer to another facility for risk of being sexually victimized by others or sexually predatory toward others; this is part of OMS (Offender Management System) which is set to send automatic alerts to supervisory and management staff and ensures that initial assessments are not missed, and reminders are sent to case management staff when their 28-day assessment is coming up. The Department reviews housing and program assignments at minimum twice monthly for incarcerated individuals identifying as gender diverse; this is still being developed in OMS as well. The Department is developing online form completion, team review, and alerts upon completion; this will expedite the process and ensure that assessments are not missed.

Corrective Actions: The Department will continue current screening and review protocols to make informed bed, housing, and work and program assignments for all incarcerated individuals.

Incident Review and Follow-up

The Department conducts incident reviews for all substantiated and unsubstantiated incidents of sexual abuse. Two of the three inmate-on-inmate substantiated sexual

abuse incidents occurred in shared cells with the victim and perpetrator and one when incarcerated individuals had access to unit common areas.

Corrective Measures: The Department will continue individual incident review and corrective measure practices to include review and sign off by key personnel at both the facility and central office level. The Department will use aggregated "incident by specific location data" to identify areas for changes to supervision practices, increased camera coverage, and/or other corrective measures. The Department will work to build SART reviews into OMS to include email alerts every five business days from the incident date.

Conclusion

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


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5.16.23

Date

Nicholas J. Deml

16 MAY 23

Approved By: Nicholas J. Deml, VT DOC Commissioner

Date

**Vermont Department of Corrections 2020 – 2021
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 2020	0	4	4	0	1	9
Total 2021	2	1	1	1	2	7
TOTAL	2	5	5	1	3	16
Location						
CRCF						
2020	0	4	2	0	0	6
2021	2	0	0	1	1	4
CRCF TOTAL	2	4	2	1	1	10
MVRCF						
2020	0	0	1	0	0	1
2021	0	0	0	0	0	0
MVRCF TOTAL	0	0	1	0	0	1
NECC						
2020	0	0	1	0	1	2
2021	0	0	0	0	0	0
NECC TOTAL	0	0	1	0	1	2
NSCF						
2020	0	0	0	0	0	0
2021	0	0	0	0	1	1
NSCF TOTAL	0	0	0	0	1	1
NWSCF						
2020	0	0	0	0	0	0
2021	0	0	0	0	0	0
NWSCF TOTAL	0	0	0	0	0	0
SSCF						
2020	0	0	0	0	0	0
2021	0	1	1	0	0	2
SSCF TOTAL	0	1	1	0	0	2