

# Vermont Department of Corrections Annual Internal Report - Sexual Victimization

## An Analysis of 2021 & 2022 Data



Prepared by: Jennifer, PREA Director – December 2023

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

This marks year three of cycle three concluding this audit cycle. Chittenden Regional Correctional Facility, Northwest State Correctional Facility, Marble Valley Regional Correctional Facility, and Southern State Correctional Facility have completed their audits and were in full compliance.

### 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 2021 and 2022 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 and incarcerated individual perpetrated sexual abuse and sexual harassment incidents.

The number of substantiated staff perpetrated sexual abuse incidents decreased from one in 2021 to zero in 2022. The number of substantiated staff sexual harassment incidents remained the same at two both years. VT DOC continues to see low numbers of staff perpetrated 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 perpetrated incarcerated individual sexual abuse remained the same at three. The number of substantiated incarcerated individual sexual harassment incidents increased from one in 2021 to three in 2022. The overall numbers increased from four to six, which is believed to be because of Covid mitigation being lifted.

## **Problem Area Identification & Corrective Measures**

### *Staff Sexual Abuse/Sexual Harassment*

Location of Incidents: There were two substantiated cases of staff sexual harassment. These incidents occurred in a staff meeting area and a program area outside of the unit.

Classification of Staff Involved: The cases involved a Caseworker and Risk Intervention Services staff.

Corrective Measures: In one incident staff reported concerning boundary violations and supervisory staff responded very quickly to provide direction and address behaviors. After the alleged perpetrator was no longer employed, evidence was uncovered substantiating sexual harassment. In the second case, there was sexual harassment that had been going on for some time. The autonomy of the positions, high incarcerated individual pay, and isolation of the area exacerbated the lack of reporting. During the after-action review, additional training was provided to all incarcerated individuals and staff. Blind spots were reviewed and increased supervision of staff in the area was put in place. Review camera placement on communal locations to ensure coverage. 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.

### *Incarcerated Individual Sexual Abuse*

Location of Incidents: There were three substantiated incidents in 2022. Two incidents occurred in a shared cell with the victim and perpetrator and the third occurred in the housing unit.

Corrective Measures: All three incidents were reported immediately and investigations were conducted. A review of the timelines and response demonstrates that incarcerated individuals feel comfortable reporting and that staff response to incidents is timely and appropriate. 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 Sexual Harassment*

Location of Incidents: There were three substantiated incidents of sexual harassment in 2022 with two incidents occurring in a common area in the unit and one in a shared cell.

Corrective measures: All three of the incidents were reported by the victims of the incidents by way of request slip, reporting to management, and reporting to advocacy staff. All three incidents were immediately investigated and addressed. Direct supervision is a very valuable tool in responding to sexual abuse. Continued comprehensive inmate education efforts that include intake, medical and caseworker orientations, posters, and a comprehensive and consistent comprehensive sexual abuse 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 2021 and 2022, Northwest State Correctional Facility (NWSCF) reported 1 substantiated incident. Southern State Correctional Facility (SSCF) reported 1 substantiated incident. Chittenden Regional Correctional Facility (CRCF) reported 4 substantiated incidents. Marble Valley Regional Correctional Facility (MVRFC) reported 0 substantiated incidents and Northeast Correctional Facility (NECC) reported 1 substantiated incident.

Corrective Measures: Continue with staff training and comprehensive inmate education efforts that include intake, medical and caseworker orientations, posters, and a comprehensive and consistent sexual abuse and PREA information section for our website, facility handbooks, incarcerated 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 incarcerated individuals are assessed during intake and upon transfer to another facility for their potential risk of sexual victimization or predation. This is part of the 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. Incarcerated individuals identifying as transgender, intersex, or gender diverse 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 incarcerated individuals. Update the policy and develop an established central office review process.

### *Incident Review and Follow-up*

The VT DOC conducts incident reviews for all substantiated and unsubstantiated incidents of sexual abuse.

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. Get SART reviews built into OMS to include email alerts every 5 business days from the incident date.

## 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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Prepared By  
Jennifer Sprafke, PREA & Constituent Services Unit Director

4.2.24  
Date

  
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Approved By  
Nicholas J. Deml, Commissioner

April 2, 2024  
Date

**Vermont Department of Corrections 2021 – 2022  
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	
<b>Total 2021</b>	2	1	1	1	2	7
<b>Total 2022</b>	1	2	3	0	2	8
<b>TOTAL</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>15</b>
<b>Location</b>						
<b>CRCF</b>						
2021	2	0	0	1	1	4
2022	0	2	2	0	0	4
<b>CRCF TOTAL</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>8</b>
<b>MVRCF</b>						
2021	0	0	0	0	0	0
2022	0	0	0	0	0	0
<b>MVRCF TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NECC</b>						
2021	0	0	0	0	0	0
2022	1	0	0	0	0	1
<b>NECC TOTAL</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>NSCF</b>						
2021	0	0	0	0	1	1
2022	0	0	0	0	1	1
<b>NSCF TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
<b>NWSCF</b>						
2021	0	0	0	0	0	0
2022	0	0	1	0	0	1
<b>NWSCF TOTAL</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>SSCF</b>						
2021	0	1	1	0	0	2
2022	0	0	0	0	1	1
<b>SSCF TOTAL</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>3</b>