

*Massachusetts Department of Correction  
Prison Rape Elimination Act (PREA)  
2016 Annual Report*



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## Background

The Prison Rape Elimination Act (PREA) was signed into federal law in September 2003 following unanimous support from both parties in the United States Congress. The purpose of the law was to “provide information, resources, recommendations, and funding to protect inmates from prison rape.” PREA seeks to establish a zero-tolerance policy regarding rape, sexual abusive behavior and sexual harassment in federal, state and correctional systems – to include: prisons, jails, police lock-ups and other confinement facilities for adults and juveniles. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing rape, sexual abusive behavior and sexual harassment.

In August 2012, the United States Department of Justice (DOJ) issued the final PREA standards for: Prison and Jails, Lock-ups, Community Confinement Facilities and Juvenile Facilities. These standards required DOJ audits of all facilities under the agency’s operational control of the Commonwealth of Massachusetts’ executive branch, to include private facilities operating on behalf of the executive branch to house inmates. Failure to comply with the aforementioned standards would result in a loss of 5 percent of identified federal grant funding.

The Massachusetts Department of Correction (DOC) was an early adopter of PREA and the subsequent standards. As a result, the DOC has been in the forefront in meeting the standards (Prison and Jails) set forth by DOJ, and in fact has been looked to and sought-out by many other agencies, not only across the Commonwealth, but across the country, as a model for implementing and meeting those standards.

## Agency Achievements in 2016

1. The DOC made history in 2016 when the last of its 14 correctional facilities underwent and successfully completed their respective DOJ PREA audit. Those facilities included: MCI-Shirley, North Central Correctional Institution, MCI-Concord, and MCI-Framingham. All of the aforementioned facilities achieved 100% compliance with no corrective action plans required. The Massachusetts DOC is one of few correctional agencies across the country which has all of its facilities accredited by PREA, through the DOJ, and the American Correctional Association (ACA).
2. In January of 2016 the DOC’s PREA Coordinator’s Mission Statement was developed and adopted:

### *PREA Coordinator’s Mission Statement:*

*To Train, Assist and Advise MA Department of Correction (DOC) staff, volunteers, contractors, the public, and inmates to **Prevent, Detect, and Respond** to ALL allegations of sexual harassment and sexual assaults and to oversee the preparations and implementation of the Department of Justice (DOJ), Prison Rape Elimination Act (PREA) standards within the DOC. Professional – Respectful – Empathetic – Accountable.*

3. The DOC continued to make great progress as it prepares for the 2017 New England PREA Conference, sponsored by our agency. As a result of a DOJ grant, our agency will spearhead

efforts to provide numerous PREA workshops and trainings which will provide attendees with critical information in support of their efforts to prevent, detect, and respond to allegation of rape, sexual harassment and sexual abusive behaviors involving inmates. The conference is scheduled to take place February 22-24, 2017, at the Westin Boston Waterfront Hotel.

4. The DOC's contract with the Boston Area Rape Crisis Center (BARCC) continued during 2016. BARCC provides inmates with access to outside PREA victim advocates for emotional support services related to sexual abuse. The abuse need not have occurred during incarceration in order for an inmate to seek support from BARCC. Inmates can contact BARCC in writing or via the use of a dedicated hotline service provided by BARCC (both English and Spanish services are provided). All communication with BARCC is confidential, unless BARCC determines that the alleged victim is a danger to themselves or a third party. During 2016, BARCC received a total of 62 hotline calls from five different DOC facilities. It should be noted that the volume of calls doubled from the 2015.
5. The DOC received a PREA grant for approximately \$129K. These funds were used to pay for 4 DOJ audits and cameras; to be used at our facilities in their respective efforts to prevent, detect and respond to PREA allegations.
6. The DOC continued to ensure all current employees, contracted staff, and volunteers receive a criminal background records check, at least every four years, which exceeds the PREA standards.
7. In June of 2016, Jennifer A. Gaffney was named the DOC's PREA Coordinator.
8. Our agency continued to train and educate all employees, contract staff, volunteers, vendors and inmates on the DOC's zero tolerance toward all forms of sexual abuse and sexual harassment and the DOC's commitment to prevent, detect and respond to such conduct.
9. In February of 2016, the DOC's Policy Compliance, Development, and PREA Unit sponsored a three-day Sexual Assault Investigator's Training (SAIT). This training was developed, planned, and executed by the DOC's PREA Coordinator and is mandated by the DOJ's Prisons and Jail Standards, 115.34 – Specialized Training: Investigation.

Forty-two investigators from throughout the DOC, as well as several counties came together to participate in this critical training, which all investigators must have prior to undertaking any PREA investigations. Components of the training included: techniques for interviewing sexual assault victims, proper use of Miranda and Garrity warnings, Weingarten rights, sexual abuse evidence collection in a confinement setting and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. This training was noted to be an overwhelming success by all who attended.

10. Throughout 2016 the DOC's internal PREA Hotline (overseen by the DOC's Office of Investigative Services (OIS)) received a total of 19 calls of reported sexual harassment and or sexual abuse. All calls were reported to each respected facility for follow-up and investigation into the allegations reported.

## **Purpose**

The DOJ PREA standards require our agency to collect a defined set of data for every allegation of sexual abuse and sexual harassment. These standards further require the DOC to aggregate and review that data in order to assess and improve our effectiveness as an agency at preventing, detecting and responding to PREA allegations. Standards related to the collection of data include: § 115.87 Data Collection, § 115.88 Data Review for Corrective Action and § 115.89 Data Storage, Publication, and Destruction. For reference purposes, they are included within this report.

### **§ 115.87 Data Collection**

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
- (e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.
- (f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

### **§ 115.88 Data Review for Corrective Action**

- (a) The agency shall review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
  - (1) Identifying problem areas;
  - (2) Taking corrective action on an ongoing basis; and
  - (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.
- (b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- (c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.
- (d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

**§ 115.89 Data Storage, Publication, And Destruction**

- (a) The agency shall ensure that data collected pursuant to § 115.87 are securely retained.
- (b) The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means.
- (c) Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.
- (d) The agency shall maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

**PREA Data Collection Capabilities**

Through use of our agency’s intranet, a PREA database was designed to collect and record a uniformed set of data (and definitions) for each allegation investigated at every facility. PREA standard § 115.87 requires collecting, at a minimum, the data necessary to answer questions contained in annual “Survey of Sexual Violence” reports conducted by the DOJ. The DOC’s PREA database was, in part, designed to provide the agency with that capability.

**Aggregated Data on Sexual Abuse Allegations and Comparison to Prior Years**

The DOC has a zero tolerance policy for sexual abuse that is covered in detail in policy 103 DOC 519 Sexually Abusive Behavior Prevention and Intervention Policy. As such, every allegation, report and/or discovery of sexual activity is investigated as if a sexual assault or sexual harassment event occurred. Only after a full investigation is completed is an event defined as a PREA violation or otherwise. It should be noted that unauthorized, but consensual sexual activity between inmates does not qualify as a PREA incident. The PREA Prison & Jails standards provide definitions that guide the DOC in determining the outcome of allegations investigated. The following are a few of those key definitions:

<b><u>Definitions</u></b>	
<b>Evidentiary Standard:</b>	The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.
<b>Substantiated:</b>	Substantiated allegation means an allegation that was investigated and determined to have occurred.
<b>Unsubstantiated:</b>	An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
<b>Unfounded:</b>	An allegation that was investigated and determined not to have occurred.

The following charts reflect aggregated data from 2016 absent any allegations investigated and were determined not to constitute a PREA violation by definitions as outline in the Prisons and Jail Standards, 115.6.

**Agency Overview for 2016**

Category	Investigative Outcome				
	Substantiated	Unsubstantiated	Unfounded	Pending	Line Total
Inmate-Inmate Sex Acts	3	6	5	1	15
Inmate-Inmate Sexual Abuse	4	8	8	0	20
Inmate-Inmate Sexual Harassment	8	13	10	0	31
Staff Sexual Misconduct	1	4	28	1	34
Staff-Inmate Sexual Harassment	2	2	11	0	15
<b>Total</b>	<b>18</b>	<b>33</b>	<b>62</b>	<b>2</b>	<b>115</b>

**Agency Overview for 2015**

Category	Investigative Outcome				
	Substantiated	Unsubstantiated	Unfounded	Pending	Line Total
Inmate-Inmate Sex Acts	3	19	1	1	24
Inmate-Inmate Sexual Abuse	6	16	6	2	30
Inmate-Inmate Sexual Harassment	5	11	12	0	28
Staff Sexual Misconduct	0	6	18	2	26
Staff-Inmate Sexual Harassment	0	2	3	0	15
<b>Total</b>	<b>14</b>	<b>54</b>	<b>50</b>	<b>5</b>	<b>123</b>

**Comparison of PREA Cases Between Years 2016 and 2015**

The number of PREA investigations for 2016 decreased by 8 cases, or 8% fewer than in 2015. All of the above PREA categories saw decreases in their respective areas, except for Inmate-Inmate Harassment and Staff Sexual Misconduct categories which both saw increases of plus 3 and plus 8 cases respectively.

### Percentage Breakdown for 2016

Category	Investigative Outcome				
	Substantiated	Unsubstantiated	Unfounded	Pending	Line Total
Inmate-Inmate Sex Acts	2.60%	5.21%	4.34%	.86%	13.04%
Inmate-Inmate Sexual Abuse	3.47%	6.95%	6.95%	0%	17.39%
Inmate-Inmate Sexual Harassment	6.95%	11.30%	8.69%	0%	26.95%
Staff Sexual Misconduct	.86%	3.47%	24.34%	.86%	29.56%
Staff-Inmate Sexual Harassment	1.73%	1.73%	9.56%	0%	13.04%
					1.73% Pending
<b>Total</b>	<b>15.65%</b>	<b>28.69%</b>	<b>53.91%</b>	<b>1.73%</b>	<b>100%</b>

### Percentage Breakdown for 2015

Category	Investigative Outcome				
	Substantiated	Unsubstantiated	Unfounded	Pending	Line Total
Inmate-Inmate Sex Acts	2.43%	15.44%	.81%	.81%	19.51%
Inmate-Inmate Sexual Abuse	4.87%	13.00%	4.87%	1.62%	24.39%
Inmate-Inmate Sexual Harassment	4.06%	8.94%	9.75%	0%	22.76%
Staff Sexual Misconduct	0%	4.87%	14.63%	1.62%	21.13%
Staff-Inmate Sexual Harassment	0%	1.62%	10.56%	0%	12.19%
					4.06% Pending
<b>Total</b>	<b>11.38%</b>	<b>43.90%</b>	<b>40.65%</b>	<b>4.06%</b>	<b>100%</b>

### Comparison of Investigative Outcomes Between Years 2016 and 2015

PREA Investigative Outcomes for 2016 (not including cases pending) demonstrate variation over the results noted in 2015. From a percentage standpoint, Substantiated and Unfounded outcomes both increased, while Unsubstantiated case outcomes decreased. While a definitive explanation for these variations cannot be ascertained, it is probable that they can be attributed to the agency's continued educational efforts for staff, contractors, volunteers, vendors and inmates. Additionally, better investigative techniques and training and a strict adherence to the definitions established under the PREA standards are also possible contributing factors to the noticeable decreases from the previous year.



## Incident Overview by Facility and Type for 2016

**Inmate/Inmate Sex Acts:** Sexual abuse of an inmate, detainee, 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 or 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 the 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.

Facility	Investigative Outcome				Total
	Substantiated	Unsubstantiated	Unfounded	Pending	
BSCC*	0	0	0	0	0
BSH**	1	0	1	0	2
BSPRC	0	0	0	0	0
LSH**	0	0	0	0	0
MASAC**	0	0	0	0	0
MCI – Concord	0	1	0	0	1
MCI – Norfolk	0	0	1	0	1
MCI – Plymouth	0	0	0	0	0
MCI – Shirley medium	0	0	0	0	0
MCI – Shirley minimum	0	0	0	0	0
MCI Framingham	0	2	1	0	3
MCI-CJ	0	0	0	0	0
MTC	1	0	1	0	2
NCCI medium	0	1	0	0	1
NCCI minimum	0	0	0	0	0
NECC	0	0	0	0	0
Non-DOC	0	0	0	0	0
OCCC medium	0	0	0	0	0
OCCC minimum	0	0	0	0	0
PCC	0	0	0	0	0
SBCC	1	2	1	1	5
SMCC	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>15</b>

\*Note: As of 2015, BSCC no longer houses inmates.

\*\*Note: These facilities are not subjected to a DOJ audit, but do undergo an agency internal audit by the Policy Development and Compliance Unit (PDCU).

**Inmate/Inmate Sex Abuse:** Contact of any person without his or her consent, or of a person who is unable to consent or refuse; and intentional touching, either directly or through the clothing, of genitalia, anus, groin, breast, inner thigh or buttocks of any person.

1. 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 contact incidental to a physical altercation.

Facility	Investigative Outcome				Total
	Substantiated	Unsubstantiated	Unfounded	Pending	
BSCC*	0	0	0	0	0
BSH**	0	0	0	0	0
BSPRC	0	0	0	0	0
LSH**	0	0	0	0	0
MASAC**	0	1	0	0	1
MCI – Concord	0	0	0	0	0
MCI – Norfolk	1	0	0	0	1
MCI – Plymouth	0	0	0	0	0
MCI – Shirley medium	0	2	0	0	2
MCI – Shirley minimum	0	0	0	0	0
MCI Framingham	1	0	2	0	3
MCI-CJ	0	0	1	0	1
MTC	2	3	0	0	5
NCCI medium	0	0	3	0	3
NCCI minimum	0	0	0	0	0
NECC	0	0	0	0	0
Non-DOC	0	0	0	0	0
OCCC medium	0	1	0	0	1
OCCC minimum	0	0	0	0	0
PCC	0	0	0	0	0
SBCC	0	0	2	0	2
SMCC	0	1	0	0	1
<b>Total</b>	<b>4</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>20</b>

\*Note: As of 2015, BSCC no longer houses inmates.

\*\*Note: These facilities are not subjected to a DOJ audit, but do undergo an agency internal audit by the Policy Development and Compliance Unit (PDCU).

**Inmate-Inmate Sexual Harassment:** Sexual Harassment includes— Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another.

Written or verbal communication, gestures such as simulated acts of a sexual nature.

Facility	Investigative Outcome				Total
	Substantiated	Unsubstantiated	Unfounded	Pending	
BSCC*	0	0	0	0	0
BSH**	0	0	0	0	0
BSPRC	0	0	0	0	0
LSH**	0	0	0	0	0
MASAC**	0	0	1	0	1
MCI – Concord	0	1	1	0	2
MCI – Norfolk	1	3	0	0	4
MCI – Plymouth	0	0	0	0	0
MCI – Shirley medium	0	0	0	0	4
MCI – Shirley minimum	0	0	0	0	0
MCI Framingham	1	0	1	0	2
MCI-CJ	0	0	0	0	0
MTC	5	1	0	0	6
NCCI medium	0	5	5	0	10
NCCI minimum	0	0	0	0	0
NECC	0	0	0	0	0
Non-DOC	0	0	0	0	0
OCCC medium	0	3	2	0	5
OCCC minimum	0	0	0	0	0
PCC	0	0	0	0	0
SBCC	1	0	0	0	1
SMCC	0	0	0	0	0
<b>Total</b>	<b>8</b>	<b>13</b>	<b>10</b>	<b>0</b>	<b>31</b>

\*Note: As of 2015, BSCC no longer houses inmates.

\*\*Note: These facilities are not subjected to a DOJ audit, but do undergo an agency internal audit by the Policy Development and Compliance Unit (PDCU).

**Staff Sexual Misconduct:** Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, 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 paragraphs (1)-(5) of this section;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
8. Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

Facility	Investigative Outcome				Total
	Substantiated	Unsubstantiated	Unfounded	Pending	
BSCC*	0	0	0	0	0
BSH**	0	0	0	0	0
BSPRC	0	0	0	0	0
LSH**	0	0	0	0	0
MASAC**	0	0	0	0	0
MCI – Concord	0	0	1	0	1
MCI – Norfolk	0	1	2	0	3
MCI – Plymouth	0	0	1	0	1
MCI – Shirley medium	0	0	5	0	5
MCI – Shirley minimum	0	0	0	0	0
MCI Framingham	0	3	4	0	7
MCI-CJ	0	0	1	0	1
MTC	0	0	0	0	0
NCCI medium	0	0	3	0	3
NCCI minimum	0	0	0	0	0
NECC	0	0	0	0	0
Non-DOC	0	0	0	0	0
OCCC medium	1	0	7	0	8
OCCC minimum	0	0	0	0	0
PCC	0	0	0	0	0
SBCC	0	0	4	1	5
SMCC	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>4</b>	<b>28</b>	<b>1</b>	<b>34</b>

**Staff-Inmate Sexual Harassment:** 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 or gestures.

Written or verbal communication, gestures such as simulated acts of a sexual nature.

Facility	Investigative Outcome				Total
	Substantiated	Unsubstantiated	Unfounded	Pending	
BSCC*	0	0	0	0	0
BSH**	0	0	0	0	0
BSPRC	0	0	0	0	0
LSH**	0	0	0	0	0
MASAC**	0	0	0	0	0
MCI – Concord	0	0	1	0	1
MCI – Norfolk	1	0	2	0	3
MCI – Plymouth	0	0	0	0	0
MCI – Shirley medium	0	0	3	0	3
MCI – Shirley minimum	0	0	0	0	0
MCI Framingham	0	0	0	0	0
MCI-CJ	0	0	2	0	2
MTC	0	1	0	0	1
NCCI medium	0	0	1	0	1
NCCI minimum	0	0	0	0	0
NECC	0	1	0	0	1
Non-DOC	0	0	0	0	0
OCCC medium	1	0	1	0	2
OCCC minimum	0	0	0	0	0
PCC	0	0	1	0	1
SBCC	0	0	0	0	0
SMCC	0	0	0	0	0
<b>Total</b>	<b>2</b>	<b>2</b>	<b>11</b>	<b>0</b>	<b>15</b>

\*Note: As of 2015, BSCC no longer houses inmates.

\*\*Note: These facilities are not subjected to a DOJ audit, but do undergo an agency internal audit by the Policy Development and Compliance Unit (PDCU).

**Trends**

Over a five year period, the DOC averaged approximately 105 PREA allegations investigated. A review of the data from the PREA database revealed the number of PREA allegations investigated during 2016 was above the number recorded in the previous four year, (a difference of 25 allegations investigated from 2015). This appears to be primarily due to a rise in the number of cases related to allegations of Inmate-Inmate Sexual Harassment and Staff Sexual Misconduct relative to 2015. As a reminder, all allegations are investigated, and only through the course of the investigation process is a determination of finding made. This increase could also be attributed to the educational efforts put-forth by the DOC for all staff and inmates, and/or a greater comfort level in the reporting of such allegations by staff and/or inmates relative to allegations in general.

**Department of Correction PREA Database Tracking History and Analysis**

<b>Total number of cases investigated per year*</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Five Year Average</b>
	85	79	92	123	148	105

\*Note: Includes inmate-on-inmate consensual, but unauthorized sexual activity, as determined through the investigation process for 2016 only.

Statistical data with regard to the DOC’s BJS/SSV reports demonstrate an upward trend trend over the last five years. Although there is a slight increase in the numbers starting in 2013 – forward - this may be attributable to better education and training at all levels of the department towards the goal of prevention, detection and response to any form of sexual harassment and sexual abuse allegations.

**BJS – SSV Reports submitted by the Massachusetts DOC and Analysis**

<b>Total number of SUBSTANTIATED cases per year*</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Five Year Average</b>
Inmate-on-inmate nonconsensual sexual acts	0	1	0	3	3	1.4
Inmate-on-inmate abusive sexual contacts	2	5	5	6	4	4.4
Staff sexual misconduct	2	1	0	0	1	.8
Staff sexual harassment	2	0	0	0	2	.8
<b>Total</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>9</b>	<b>10</b>	<b>1.48</b>

\*Note: These figures may vary from data reported in other areas of this/previous reports because it reflects a “snap-shot” of resolved cases when those reports were generated. Cases still pending and/or allegations not reported to DOC at the time of the incident may not

be reflective in the data.

### **Identified Problem Areas and Corrective Action**

PREA standards require a review of collected data in order to identify problem areas and establish plans of corrective action. Based upon statistical data alone, the Substantiated victimization rate within the DOC relatively is low compared to a review of available national data. There were no obvious problem areas which were not already being addressed through our efforts to achieve compliance with PREA standards and our demonstrated compliance with the Prison and Jails Standard through 14 successful DOJ PREA audits. However, the DOC continues to review, enhance and improve its current policies and procedures and practices throughout the Department in an effort to not only to continue to meet the DOJ standards, but to exceed them.

### **Resolved Problem Areas from 2016**

Although there were no specific problem areas which were not already being addressed, the DOC continued to provide comprehensive PREA education and training to all staff, contractors, volunteers, vendors and inmates on the Department's zero tolerance on all forms of sexual harassment and sexual assaults. Additionally, the DOC continues to work with outside stakeholders, such as the Massachusetts State Police, SANE and BARCC in an effort to work collaboratively to ensure the Department meets and or exceeds the standards set-forth by the DOJ Prison and Jails standards.

### **Assessment of the Massachusetts Department of Correction's Progress in Addressing Inmate Sexual Abuse Allegations**

The DOC is aggressively working to improve in all aspects of the PREA process and continues to make great strides in the prevention, detection and response to inmate sexual assaults, abusive behaviors and sexual harassment.

We are proud of our staff at all levels throughout the Department as we have consistently demonstrated our agency's commitment to the PREA process by having all of our facilities accredited through the DOJ PREA audit process. This accomplishment means that the DOC will be one of few correctional agencies across the county which has all of its facilities accredited through the American Correctional Association (ACA) and the DOJ PREA audit process.

The DOC is preparing to undergo its next round of PREA audits starting in March of 2017. We remain confident that we will be successful and pass these audits without any corrective action needed, and in fact, exceed many of the standards.