



# **McHENRY COUNTY ADULT CORRECTIONAL FACILITY**

**Prison Rape Elimination Act**

**2013 PREA Coordinator's Annual Report**



This report has been prepared in accordance with §115.87 and o§115.88 of the PREA Standards in order to address and improve the effectiveness of McHenry County Adult Correctional Facility in sexual abuse prevention, detection, and response policies, practices, and training. In subsequent years, the information collected for this report will be used to identify problem area and to take corrective action on an ongoing basis.

**Prison Rape Elimination Act (PREA)**

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct in correctional settings such as prisons, jails, lockups, juvenile facilities, and Immigration Services/ ICE detention facilities.

The McHenry County Sheriff’s Office is committed to emphasizing a zero-tolerance for sexual abuse or assault of detainees/inmates, either by staff or other detainees/inmates. It shall be the policy of the McHenry County Sheriff’s Office Corrections Bureau to provide a safe and secure environment for all detainees, employees, contractors, and volunteers, free from the threat of sexual abuse or assault by maintaining a *Sexual Abuse and Assault Prevention and Intervention Program* that ensures effective procedures for preventing, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse or assault. The Corrections Bureau shall conduct investigations in a manner that avoids unnecessary embarrassment or indignity to the detainee/inmate. It shall also be the policy of the McHenry County Sheriff’s Office to pursue administrative, disciplinary, and/or criminal sanctions against any detainee/inmate, staff member, contractor, or volunteer found to have committed sexual abuse or assault against a detainee/inmate. It shall be the responsibility of the Medical staff to provide immediate first-aid to the victim and to refer the detainee/inmate to the appropriate medical facility.

**General Information**

During 2012, there were 7,467 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 6,324 were males and 1,143 were females. The average daily population was 465 (436 males and 29 females).

During 2013, there were 6,524 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,458 were males and 1,066 were females. The average daily population was 410 (377 males and 33 females).

**PREA Report Activity**

The table below indicates the number of “Detainee/Inmate Against Detainee/Inmate”, “Staff Against Detainee/Inmate”, and “Detainee/Inmate Against Staff” reports that occurred each year.

January - December	Detainee/Inmate Against Detainee/Inmate Reports	Staff Against Detainee/Inmates Reports	Detainee/Inmate Against Staff Reports
<b>2012</b>	1	1	0
<b>2013</b>	3	2	0

## PREA Report Findings

### Definitions of Findings

**Substantiated:** Allegation investigated and the investigation indicated that the alleged event did occur.

**Unsubstantiated:** Allegation investigated and insufficient evidence to make a determination as to whether or not event occurred.

**Unfounded:** Allegation investigated and investigation indicated alleged event did not occur.

**Non-PREA:** Allegation investigated and investigation indicated PREA alleged event did not occur.

**Ongoing:** Investigation is ongoing.

The table below indicates the findings of the investigations into “**Detainee/Inmate Against Detainee/Inmate**” PREA allegations listed in the PREA Report Activity table on the preceding page.

January - December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	1	0	0
2013	0	1	0	2	0

The table below indicates the findings of the investigations into “**Staff Against Detainee/Inmate**” PREA allegations listed in the PREA Report Activity table on the preceding page.

January - December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	1	0	0
2013	0	0	1	1	0

The table below indicates the findings of the investigations into “**Detainee/Inmate Against Staff**” PREA allegations listed in the PREA Report Activity table on the preceding page.

January - December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing
2012	0	0	0	0	0
2013	0	0	0	0	0

### PREA Incident Reviews

The McHenry County Adult Correctional Facility has implemented a Sexual Abuse Incident Review group per PREA Standard §115.86. Under this Standard, the Corrections Bureau must conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been

determined to be unfounded. Such review will ordinarily occur within thirty (30) days of the conclusion of the investigation. The review team will include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. The Corrections Bureau will implement the recommendations for improvement, or document its reasons for not doing so.

### **Review Criteria:**

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
2. Consider whether the alleged incident was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the allegation occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) through (d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance manager.

### **Analysis/Corrective Action**

**Analysis:** Allegations were filed and later determined to be unfounded or a non-PREA event. It appeared from these findings that additional education needed to be provided to the detainee/inmate population on PREA and PREA related events.

**Corrective Action:** The detainee and inmate handbooks were updated. A PREA educational video was developed and education is conducted daily through video presentation. All detainees/inmates in the facility have had the opportunity to participate in this training. During the intake process, all detainees/inmates receive a handbook that explains the federal law and provides information for reporting a PREA event.

**Analysis:** Although no sustained events were reported during this PREA reporting period, there were several allegations made to staff that were not immediately reported to a supervisor.

**Corrective Action:** Staff was educated on the importance of immediately reporting any allegations to a supervisor. To comply with PREA training requirements all staff completed a three (3) hour National Institute of Corrections online class.