

Department of Public Safety &
Correctional Services
Prison Rape Elimination Act
Annual Report

2014



PREA Background

Beginning in 2003, when President Bush signed the Prison Rape Elimination Act (PREA) into law, the United States Department of Justice (DOJ) worked to develop national standards for implementation by federal, state, and local correctional organizations. The intended purpose of these standards is to provide comprehensive guidelines for preventing, detecting, and responding to incidents of sexual abuse involving inmates in a confinement facility. After a lengthy process that included public review and comment, the DOJ published minimum PREA standards that significantly impact administrative and operational procedures of federal, state, and local adult prisons and jails, lockups, community confinement facilities and juvenile facilities. The national PREA standards became effective on August 20, 2012.

On September 1, 2012 the Department issued directive DPSCS.020.0026 establishing a “Zero Tolerance” policy for sexual abuse and sexual harassment of inmates. The directive designated one of the Assistant Secretaries as the PREA Coordinator, established a network of PREA Compliance Managers (PCM), formalized the PREA Committee (first formed in 2005), and assigned specific responsibilities to the PREA Coordinator and PREA Committee for oversight of all activities designed to integrate the national PREA standards into the Department’s administrative and operational activities. This directive confirms that the Department of Public Safety and Correctional Services:

- Does not tolerate sexual abuse or sexual harassment of an inmate;
- Shall continue an aggressive approach to preventing, detecting, and responding to acts of sexual abuse and sexual harassment involving an inmate; and
- Shall ensure that existing efforts and new strategies to prevent, detect, and respond to acts of sexual abuse and sexual harassment involving an inmate comply with applicable national PREA standards.

In 2014 the Department hired PREA Auditors of America, LLC to perform the independent audits required by §115.401 of the Prison Rape Elimination Act. Six facilities were selected for audit during this first year of a three year cycle. In November these contacted auditors certified by the United States Department of Justice conducted onsite audits at each selected facility. All six correctional facilities audited were found to be in compliance with all PREA standards. The final reports associated with these audits are available to the public upon request. Those facilities are listed as follows:

Chesapeake Detention Facility
Maryland Correctional Institution for Women
North Branch Correction Institution
Western correctional Institution
Roxbury Correctional Institution
Eastern Correctional Institution, including

- Eastern Correctional Institution - Annex
- Poplar Hill Pre-Release Unit

Required Reporting

In §115.88, the Prison Rape Elimination Act requires that each agency publish a report that includes a summary and analysis of reported incidents, a comparison of prior year's data, problem identification, and corrective actions. This report contains incident data for each facility covering calendar years 2013 and 2014, along with a problem and corrective action summary for 2014. This report is being made available on the Department's website to comply with the public reporting requirements of the Act.

Problem & Corrective Action Summary

After the final PREA standards for adult prisons and jails were published in 2012 the Department quickly established a formal internal structure to implement PREA at every facility within the agency and make the necessary changes required for full compliance. In 2013, the Department continued its PREA implementation by focusing on agency-wide policy that would later provide guidance to its individual facilities as they developed procedures that complemented their operational and staffing capabilities. During 2013, problem identification and corrective action tended to center on policy development and large scale problems that affected most, if not all of the Department's many facilities. In 2014 efforts shifted from policy development to implementation of new procedures and creating an agency-wide awareness of the serious problem of sexual abuse in confinement settings. The following list summarizes the Department's efforts in the past year to reduce sexual violence and misconduct within Maryland's correctional and detention facilities, and fully comply with the recently published PREA standards:

- Pre-service and in-service training programs emphasized PREA standards and the Department's commitment to meeting those requirements.
- An intake screening process for risk of sexual victimization or abusiveness was developed and implemented during 2014. This included a screening form that was used in all agency facilities. A larger committee, representing disciplines throughout the Department convened in December to critique the effectiveness of the screening process and implement changes based on what had been learned during the initial implementation phase.
- To help respond to the complexities of PREA compliance the Department selected three additional staff members to attend PREA training and become certified auditors. This makes six trained auditors currently employed by the Department. Three additional staff members were selected for training in 2015.
- In May of 2014 the Governor committed Maryland to meeting PREA standards and spending 5% of designated grant funding to implementation of PREA standards.
- The Department of Public Safety and Correctional Services joined with the Department of Juvenile Services to apply for grant funding to be used primarily for training of staff when supervising youthful inmates.
- Independent audits of six facilities were successfully completed in November of 2014 beginning the three year process of concluding the first round of audits at its facilities.
- Based on auditor's suggestions, all agency-wide policies and procedures have been revised to comply with PREA standards.

- The Office of the Inspector General has begun internal “practice” audits using trained auditors to determine the Department’s readiness for actual inspections by independent auditors.
- Renovation of a correctional facility for youthful offenders has begun. The new facility is scheduled for completion in 2017.

To comply with §115.11 of the Act a PREA Compliance Manager was assigned to each facility during 2012. Under the direction of these compliance managers the facilities began to develop new procedures and evaluate their institutions for compliance with all PREA standards. The result has been a network of managers that share solutions and information across the agency.

Reporting Data

To meet the reporting requirement of PREA standard §115.88, the Department assigned its Intelligence & Investigative Division to maintain detailed records regarding all reported incidents. Summary data for each facility for the calendar years 2013 and 2014 are included in this report. During 2014 the Department continued to encourage reporting directly to staff and through a telephone hotline. It was fully expected that the number of reported incidents would rise from 2013 to 2014. The number incidents reported events increased by 70% from 79 in 2013 to 134 in 2014. Increased reporting helps facility managers better understand the existing patterns of abuse so that corrective action can be taken.

Each reported incident is referred to the Department’s Intelligence & Investigative Division (IID). This unit is an independent police agency as defined by Annotated Code of Maryland; and, is responsible for conducting administrative and criminal investigations in facilities under the control of the Department of Public Safety and Correctional Services. Investigators assigned to IID are sworn law enforcement officers certified by the Maryland Police Training Commission. All reported incidents are investigated and receive one of three dispositions. Those dispositions are:

- *Unfounded* meaning that the incident was investigated and determined not to have occurred.
- *Unsubstantiated* meaning that the incident was investigated and the investigation could not determine whether or not the event actually occurred.
- *Substantiated* meaning the incident was investigated and found to have occurred.

In a few cases, the investigations have not yet been completed and those reports have been indicated accordingly. Reported incidents and dispositions for each facility are provided. In 2013, four reports were found to be substantiated, while in 2014, only one case has been substantiated. It should be noted that there are eight reports in 2014 that are still awaiting disposition. Additional information has been provided relating to the relationship between the inmate victim and the alleged suspect or suspects. An average daily population figure has been provided along with a calculation of the number of reported incidents per one hundred inmates to provide an accurate comparison between facilities of varying populations.

PREA INCIDENT REPORTS - 2013

Facility Name	Reported Incidents	Disposition Unfounded	Disposition Unsubstantiated	Disposition Substantiated	Open Case	Inmate on Inmate	Staff on Inmate	Average Daily Population	Reports per 100 Inmates
Baltimore Central Booking and Intake Center	4	1	2	1	0	4	0	925	0.43
Baltimore City Correctional Center	1	1	0	0	0	1	0	491	0.20
Baltimore City Detention Center	12	7	3	1	1	7	5	2580	0.47
Baltimore Pre-Release Unit	0	0	0	0	0	0	0	156	0.00
Brockbridge Correctional Facility	0	0	0	0	0	0	0	392	0.00
Central Maryland Correctional Facility	2	1	1	0	0	1	1	460	0.43
Chesapeake Detention Facility	1	1	0	0	0	1	0	413	0.24
Eastern Correctional Institution	13	2	11	0	0	11	2	2667	0.49
Eastern Correctional Institution Annex	0	0	0	0	0	0	0	585	0.00
Eastern Pre-Release Unit	0	0	0	0	0	0	0	160	0.00
Jessup Correctional Institution	4	2	2	0	0	1	3	1736	0.23
Maryland Correctional Institution - Hagerstown	1	0	1	0	0	0	1	1982	0.05
Maryland Correctional Institution - Jessup	4	2	1	1	0	1	3	1044	0.38
Maryland Correctional Institution for Women	5	2	2	1	0	1	4	757	0.66
Maryland Correctional Training Center	3	1	2	0	0	2	1	2497	0.12
Maryland Reception, Diagnostic and Classification Center	2	1	1	0	0	2	0	722	0.28
Metropolitan Transition Center	3	2	1	0	0	2	1	607	0.49
North Branch Correctional Institution	3	2	1	0	0	3	0	1424	0.21
Patuxent Institution	5	4	1	0	0	1	4	949	0.53
Poplar Hill Pre-Release Unit	1	0	1	0	0	1	0	133	0.75
Roxbury Correctional Institution	3	0	3	0	0	2	1	1677	0.18
Southern Maryland Pre-Release Unit	0	0	0	0	0	0	0	166	0.00
Threshold	0	0	0	0	0	0	0	29	0.00
Western Correctional Institution	12	1	11	0	0	11	1	1653	0.73
TOTALS	79	30	44	4	1	52	27	24205	0.33

PREA INCIDENT REPORTS - 2014

Facility Name	Reported Incidents	Disposition Unfounded	Disposition Unsubstantiated	Disposition Substantiated	Open Case	Inmate on Inmate	Staff on Inmate	Average Daily Population	Reports per 100 Inmates
Baltimore Central Booking and Intake Center	2	1	0	0	1	2	0	875	0.23
Baltimore City Correctional Center	2	1	1	0	0	0	2	493	0.41
Baltimore City Detention Center	11	3	7	0	1	8	3	2526	0.44
Baltimore Pre-Release Unit	0	0	0	0	0	0	0	186	0.00
Brockbridge Correctional Facility	3	0	2	0	1	3	0	447	0.67
Central Maryland Correctional Facility	1	0	1	0	0	0	1	454	0.22
Chesapeake Detention Facility	1	0	1	0	0	1	0	429	0.23
Dorsey Run Correctional Facility	0	0	0	0	0	0	0	464	0.00
Eastern Correctional Institution	19	8	11	0	0	7	12	2663	0.71
Eastern Correctional Institution Annex	0	0	0	0	0	0	0	593	0.00
Eastern Pre-Release Unit	0	0	0	0	0	0	0	172	0.00
Jessup Correctional Institution	4	0	3	0	1	1	3	1745	0.23
Maryland Correctional Institution - Hagerstown	10	5	5	0	0	7	3	1853	0.54
Maryland Correctional Institution - Jessup	3	1	2	0	0	1	2	1032	0.29
Maryland Correctional Institution for Women	6	4	2	0	0	1	5	802	0.75
Maryland Correctional Training Center	7	4	3	0	0	3	4	2479	0.28
Maryland Reception, Diagnostic and Classification Center	3	0	1	1	1	2	1	710	0.42
Metropolitan Transition Center	3	0	1	0	2	3	0	581	0.52
North Branch Correctional Institution	15	3	11	0	1	8	7	1386	1.08
Patuxent Institution	16	6	10	0	0	12	4	899	1.78
Poplar Hill Pre-Release Unit	0	0	0	0	0	0	0	163	0.00
Roxbury Correctional Institution	8	1	7	0	0	5	3	1686	0.47
Southern Maryland Pre-Release Unit	0	0	0	0	0	0	0	169	0.00
Threshold	0	0	0	0	0	0	0	30	0.00
Western Correctional Institution	20	5	15	0	0	12	8	1602	1.25
TOTALS	134	42	83	1	8	76	58	24439	0.55

The Future

It is the Department's intent to have each of its facilities meet or exceed all PREA standards. Since the standards were finalized in 2012, significant strides have been made in that direction and the following goals have been established for 2015.

- Complete contracts and agreements with outside victim advocacy organizations to provide services for inmate victims.
- Successfully complete audits of six more facilities.
- Certify three additional staff members as PREA auditors.
- Complete training program for staff working with youthful offenders.


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