



Alaska Department of Corrections Calendar Year 2017 Annual Prison Rape Elimination Act (PREA) Report

Mission Statement & Vision:

The Alaska Department of Corrections (DOC) provides secure confinement, reformatory programs, and a process of supervised community reintegration to enhance the safety of our communities.


We are trained professionals committed to a safe, open and respectful organization. We are dedicated to public safety and will always respect the rights and dignity of victims of crime. Offenders in our charge will be treated in a safe and humane manner, and will be expected to enhance their ability to reform every day.

PREA Report Purpose:

The federal Prison Rape Elimination Act (PREA) requires that each facility collect and review data pursuant to Public Law §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices and training. This review is intended to:

- Compare the current years data with those from the previous years;
- Identify problem areas and corrective action taken; and
- Assess the Department's progress in addressing sexual abuse.

This report has been reviewed and approved by:



Dean Williams
Commissioner
AK Department of Corrections

Background:

The Prison Rape Elimination Act (PREA) was signed into federal law in September 2003, with the final standards being published on June 20, 2012, becoming effective on August 20, 2012. The goal of PREA is to prevent, detect and respond to sexual abuse and sexual harassment within confinement setting by establishing a zero tolerance policy for such acts.

DOC has zero tolerance for all forms of sexual misconduct and will impose disciplinary sanctions for such misconduct, up to and including dismissal for staff and serious infractions for offenders who victimize other offenders. Incidents of sexual misconduct will be referred to law enforcement agencies when applicable. DOC policies regarding sexual misconduct apply to all offenders. They also apply to employees, contract staff, volunteers and any other person providing services in Department facilities or offices. Retaliation against any person because of his / her involvement in the reporting or investigation of a PREA claim is prohibited and will be investigated.

Definitions:

The federal standards relating to PREA contained in *28 CFR §115.6* provides the following definitions:

Offender-on-Offender Sexual Abuse:

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.

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva and the anus;
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument; and
- 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.

Offender-on-Offender Sexual Harassment:

Repeated and unwelcome sexual advances, requests for sexual favors or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender, detainee, or resident directed toward another.

Other Allegation:

An allegation that the Alaska Department of Corrections defines as being investigated and determined to not meet the federal definitions of sexual abuse or sexual harassment.

Staff-on-Offender Sexual Abuse:

Sexual Abuse of an offender, detainee or resident by a staff member, contractor or volunteer including any of the following acts, with or without consent of the offender, detainee or resident:

- Contact between the mouth and penis, vulva or anus;
- 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;

- 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;
- 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;
- Any attempt, threat, or request by a staff member, contractor or volunteer to engage in the activities described above;
- 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
- Voyeurism by a staff member, contractor or volunteer.

Staff-on-Offender Sexual Harassment:

The Alaska Department of Corrections defines Sexual Harassment as verbal comments or gestures of a sexual nature to a prisoner, probationer or parolee by a Department employee, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing or obscene language or gestures.

Substantiated Allegation:

An allegation that was investigated and determined to have occurred.

Unfounded Allegation:

An allegation that was investigated and determined to not have occurred.

Unsubstantiated Allegation:

Means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Voyeurism:

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 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 an inmate performing bodily functions.

Department’s Sexual Abuse Data:

Year	Substantiated		Unsubstantiated		Unfounded	
	I-I	S-I	I-I	S-I	I-I	S-I
2015	4	0	21	6	4	3
2016	1	0	16	5	5	1
2017	2	0	12	1	3	3

*I-I: Inmate on Inmate
S-I: Staff on Inmate*

Department's Sexual Harassment Data:

Year	Substantiated		Unsubstantiated		Unfounded	
	I-I	S-I	I-I	S-I	I-I	S-I
2015	3	1	9	4	3	2
2016	1	1	12	3	2	7
2017	1	2	8	2	0	2

*I-I: Inmate on Inmate
S-I: Staff on Inmate*

2017 Breakdown by DOC Facility:

Facility:	Type:	Substantiated:	Unsubstantiated:	Unfounded:
ACC	I-I SA	0	1	1
	I-I SH	0	0	0
	S-I SA	0	0	1
	S-I SH	0	0	1
AMCC	I-I SA	0	0	0
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	0	0	0
FCC	I-I SA	1	1	0
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	0	0	0
GCCC	I-I SA	0	4	0
	I-I SH	0	1	0
	S-I SA	0	0	1
	S-I SH	0	1	1
HMCC	I-I SA	0	1	0

	I-I SH	0	1	0
	S-I SA	0	0	0
	S-I SH	0	0	0
KCC	I-I SA	0	0	0
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	1	0	0
LCCC	I-I SA	0	0	0
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	0	0	0
MSPT	I-I SA	0	1	0
	I-I SH	1	0	0
	S-I SA	0	1	0
	S-I SH	0	0	0
PCC	I-I SA	N/A	N/A	N/A
	I-I SH	N/A	N/A	N/A
	S-I SA	N/A	N/A	N/A
	S-I SH	N/A	N/A	N/A
PMCF	I-I SA	0	0	0
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	0	0	0
SCCC	I-I SA	0	3	0
	I-I SH	0	6	0
	S-I SA	0	0	1
	S-I SH	0	0	0
WWCC	I-I SA	1	1	0
	I-I SH	0	0	0
	S-I SA	0	0	0

	S-I SH	1	0	0
YKCC	I-I SA	0	0	2
	I-I SH	0	0	0
	S-I SA	0	0	0
	S-I SH	0	0	0

Legend:

ACC—Anchorage Correctional Complex
 AMCC—Anvil Mountain Correctional Center
 FCC—Fairbanks Correctional Center
 GCCC—Goose Creek Correctional Center
 HMCC—Hiland Mountain Correctional Center
 KCC—Ketchikan Correctional Center
 LCC—Lemon Creek Correctional Center
 MSPT—Mat Su Pretrial Facility
 PCC—Palmer Correctional Center
 PMCF—Point Mackenzie Correctional Farm
 SCCC—Spring Creek Correctional Center
 WWCC—Wildwood Correctional Center
 YKCC—Yukon Kuskokwim Correctional Center

I-I SA—Inmate on Inmate Sexual Abuse
 I-I SH—Inmate on Inmate Sexual Harassment
 S-I SA—Staff on Inmate Sexual Abuse
 S-I SH—Staff on Inmate Sexual Harassment

Other Data:

In the above reported data tables, the following information has not been included, due to ongoing investigations or the result of an investigation revealing that the reported incident wasn't a PREA matter due to the failure of an incident to meet the federally defined definitions:

Facility:	Open Cases:	Not PREA related:
ACC	2	2
AMCC	4	0
FCC	4	3
GCCC	5	3
HMCC	0	2
KCC	0	1
LCCC	1	1
MSPT	1	0
PCC	N/A	N/A

PMCF	0	0
SCCC	0	4
WWCC	0	1
YKCC	2	3

Summary of Aggregated Data:

During Calendar Year 2017, DOC processed 75 total PREA related cases, with 3 cases substantiated to have occurred. Comparatively in the Calendar Year 2016, a total of 73 PREA related cases were processed, with 3 cases being substantiated.

Problem Areas:

In order to provide detailed information regarding sexual abuse data, the need for sexual abuse reviews must occur. DOC recognizes this need and will establish policy and procedure to address the missing components of data.

Progress and Summary:

In 2017, the Governor of the State of Alaska certified that Alaska is providing assurances to the Department of Justice, Bureau of Justice Assistance that Alaska is working towards full compliance with the National Prison Rape Standards.

The Department of Corrections efforts to be fully compliant with the PREA standards are further supported with the efforts to invite bids for certified auditors to complete audits of DOC's facilities during the FY 2018. The following is the proposed audit schedule for DOC:

Facility Name:	Facility Type:	Audit Date:	Audit Year:
Anchorage Correctional Complex	Prison	5/7/2018	Audit year 2 of Cycle 2
Mat-Su Pre-Trial	Prison	6/11/2018	Audit year 2 of Cycle 2
Wildwood Correctional Complex	Prison	8/6/2018	Audit year 3 of Cycle 2
Spring Creek Correctional Center	Prison	10/8/2018	Audit year 3 of Cycle 2
Hiland Mountain Correctional Center	Prison	12/3/2018	Audit year 3 of Cycle 2
Fairbanks Correctional Center	Prison	2/4/2019	Audit year 3 of Cycle 2
Yukon-Kuskokwim Correctional Center	Prison	5/6/2019	Audit year 3 of Cycle 2
Anvil Mountain Correctional Center	Prison	6/10/2019	Audit year 3 of Cycle 2
Lemon Creek Correctional Center	Prison	10/7/2019	Audit year 1 of Cycle 3
Point Mackenzie Correctional Farm	Prison	3/9/2020	Audit year 1 of Cycle 3
Ketchikan Correctional Center	Prison	5/4/2020	Audit year 1 of Cycle 3
Goose Creek	Prison	6/8/2020	Audit year 1 of Cycle 3

DOC has developed a training program for the State of Alaska's Learning Management System that will greatly increase availability of training for all staff members and ensure consistency in training materials. Currently trainings occur at the Department's Academy and at all individual facilities. Other training resources which include specialized training utilize resources available through the National Institute of Corrections, PREA Resource Center, the Moss Group and Just Detention International.

Progress is being made with transgender inmates as housing, programming and treatment policies are being developed. By addressing these issues, sexual safety and physical security will be increased helping to meet the goals of our Department.