

Cook County Department of Corrections Adult Facility

Prison Rape Elimination Act

2022 PREA Annual Report

This report has been prepared in accordance with §115.87 and §115.88 of the PREA Standards to address and improve the effectiveness of the Cook County Department of Corrections in the prevention, detection, and elimination of Sexual Abuse, Sexual Assault, and Sexual Harassment.

PRISON RAPE ELIMINATION ACT (PREA)

The Prison Rape Elimination Act was signed into law on September 4, 2003. The Act supports the elimination, reduction, and prevention of sexual abuse, sexual assault, and sexual harassment of individuals in prisons, jails, juvenile detention facilities, lock-up facilities, and community confinement facilities.

The Department of Justice (DOJ) developed national standards for implementation by federal, state, and local correctional agencies. PREA mandated the National Prison Rape Elimination Commission to develop standards for federal, state, and local organizations. The purpose of the standards is to provide a guideline for preventing, detecting, and eliminating incidents of sexual abuse, sexual assault, and sexual harassment of adult and youth in detention, jails, prisons, and residential facilities. The standards were reviewed and published by the Department of Justice. The Department of Justice established national standards and provided federal funding for research, programs, training, and technical assistance to end sexual abuse, sexual assault, and sexual harassment in confinement settings.

The Cook County Department of Corrections implemented a zero-tolerance policy for sexual abuse, sexual assault, and sexual harassment and such conduct is strictly prohibited. If an employee discovers that an individual in custody has been sexually abused, sexually assaulted, or sexually harassed, or is at a substantial risk of imminent sexual abuse, sexual assault, or sexual harassment, immediate action must be taken to protect the individual in custody. An administrative investigation, criminal investigation, or both, shall be completed for all allegations of sexual abuse, sexual assault, and sexual harassment. All criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence and the investigative facts and findings. Only investigators who have completed training on sexual abuse, and sexual assault shall be assigned to investigate these cases.

All employees must accept reports made verbally, in writing, or via email including reports made anonymously or through third parties. Employees are required to make the appropriate notifications when made aware of an allegation. The PREA Coordinator and PREA Compliance Officer maintain the email ccso.prea@ccsheriff.org to receive allegations from both inside and outside the Cook County Department of Corrections.

The PREA standard 115.21 states the agency is to offer all victims/survivors of sexual assault access to forensic medical examinations, whether on site (Cermak) or at an outside facility, without financial cost. The Cook County Department of Corrections policy is to provide the victims/survivors with immediate access to free emergency medical treatment and crisis intervention services. The CCDOC will provide victims/survivors with medical and mental health services consistent with the community level of care unless a specific security issue dictates otherwise.

The CCDOC contracts with Resilience a non-for-profit rape crisis center located in Chicago and a member of the Illinois Coalition Against Sexual Assault; a coalition made up of 32 community-based rape crisis centers across the State of Illinois all working together in an effort to end sexual violence.

The advocates provide medical and legal advocacy to the victim/survivor. All communications between the victim/survivor and the advocate are confidential. Resilience may limit its services to medical advocacy if the victim/survivor has been charged with or previously convicted of a sexual offense. Resilience will provide a referral to an agency that will provide such services. Resilience has a right to discontinue services to a victim/survivor who subjects its staff members to verbal harassment or physical abuse. The PREA Coordinator and PREA Compliance Officer maintain regular communication with the medical and legal advocates at Resilience who provide services to our survivors in custody.

At the beginning of 2022, the PREA Coordinator and PREA Compliance Officer were asked to join the Sexual Assault Survivors Emergency Treatment Act (SASETA) Task Force. The SASETA Act (410 ILCS 70/1) is an Illinois law that governs the healthcare that hospitals are required to provide to sexual assault victims/survivors, establishes a statewide forensic evidence collection system, and creates a reimbursement program for the cost of care and evidence collection for victims who are not covered by private insurance or Medicaid. Legislative changes are discussed and when necessary, our policies/procedures are updated to include the change in the law. We attend monthly meetings with the task force.

In compliance with the PREA Standard §115.87, the Cook County Department of Corrections collected and reviewed all aggregate data in an effort to assess and improve the effectiveness of its sexual abuse, sexual assault, and sexual harassment prevention, detection, and response to sexual abuse, sexual assault, and sexual harassment.

The CCDOC uses the definitions provided in the Department of Justice Survey of Sexual Victimization. The data is classified into the following categories:

- Inmate on Inmate Nonconsensual Sexual Acts
- Inmate on Inmate Abusive Sexual Contact
- Inmate on Inmate Sexual Harassment
- Staff on Inmate Nonconsensual Sexual Acts
- Staff on Inmate Abusive Sexual Contact
- Staff on Inmate Sexual Harassment

Sexual Abuse defined in section 115.6 of the PREA standards as:

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and*
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.*

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; and*
- (4) 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.*

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.

Sexual Harassment defined in section §115.6 of the PREA standards as:

- (1) 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: and
- (2) 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.

Definitions of Findings

Substantiated: An allegation was investigated and determined to have occurred.

Unsubstantiated: Allegation was investigated, the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded: Allegation was investigated and determined to have not occurred.

Ongoing: Investigation is currently in progress.

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The table below indicates the findings of the investigations into reports of Inmate-on-Inmate PREA allegations in 2022.

Inmate on Inmate Sexual Victimization	Reported	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
Non-Consensual Sexual Acts	29	0	8	21	0
Abusive Sexual Contact	7	0	3	4	0
Sexual Harassment	3	2	1	0	0

Staff on Inmate Sexual Victimization/Sexual Misconduct	Reported	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
Non-Consensual Sexual Acts	46	0	0	26	20
Abusive Sexual Contact	36	0	0	19	17
Sexual Harassment	24	0	0	21	3

After reviewing the substantiated and unsubstantiated findings from the sexual abuse, sexual assault, and sexual harassment allegations received in 2022, it was determined that PREA policy and procedure need not change. Camera/Monitoring technology was determined to be efficient throughout the entire compound. Staffing patterns are reviewed and evaluated to ensure there is appropriate coverage on each shift at each facility.

The Cook County Department of Corrections continues to implement best practice and the requirements of the PREA standards in order to address allegations of sexual abuse, sexual assault, and sexual harassment of individuals in custody to promote the safety and security of the institution.

Submitted by:



Marylynne Kaplan MSW; LCSW

PREA Coordinator