



# Kendall County Jail

Prison Rape Elimination Act

2019 PREA Coordinator's Annual Report



This report has been prepared in accordance with 115.87 and 115.88 of the PREA standards in order to address and improve the effectiveness of the Kendall County Jail 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 areas 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, and juvenile facilities.

The Kendall County Sheriff's Office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment. An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment in a manner that avoids unnecessary embarrassment or indignity to the inmate. Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases. It is the policy of the Kendall County Sheriff's Office to pursue administrative, disciplinary and/or criminal sanctions against any inmate, staff member, contractor or volunteer found to have committed sexual abuse or assault against an inmate.

## **General Information**

During 2014, there were 3007 new admissions into the Kendall County Jail. Of the new admissions, 2290 were male and 717 were female. The average daily population was 129 (111 males and 18 females).

During 2015, there were 2619 new admissions into the Kendall County Jail. Of the new admissions, 2004 were male and 615 were female. The average daily population was 128 (114 males and 14 females).

During 2016, there were 2224 new admissions into the Kendall County Jail. Of the new admissions, 1742 were male and 482 were female. The average daily population was 120 (109 males and 11 females).

During 2017, there were 2404 new admissions into the Kendall County Jail. Of the new admissions, 1921 were male and 483 were female. The average daily population was 148 (137 males and 11 females).

During 2018, there were 2,195 new admissions into the Kendall County Jail. Of the new admissions, 1,716 were male and 479 were female. The average daily population was 139 (127 males and 12 females).

During 2019, there were 2,482 new admissions into the Kendall County Jail. Of the admissions, 1,862 were male and 620 were female. The average daily population was 159 (149 males and 10 females).

## **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 not to have occurred.

**Non-PREA:** Allegation investigated and investigation indicated that the reported actions did not fit the definitions given in the PREA standards of sexual abuse or harassment.

**Ongoing:** Investigation is ongoing

**Other Facility:** Incident occurred in a facility other than Kendall County.

## **PREA Incident Reviews**

The Kendall County Jail has implemented a Sexual Abuse Incident Review team as per PREA Standard 115.86. Under this standard, the Corrections Division must conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded. This review should normally occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and or mental health professionals, as appropriate. The review team will implement recommendations for improvement or document the reasons for not doing so.

### **Review Criteria:**

- a. Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.
- b. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.

- c. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- d. Assess the adequacy of staffing levels in the area during different shifts.
- e. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- f. Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

### **Analysis/Corrective Action**

The data review was not indicative of the need for corrective action.

### **PREA Activity**

A table on the next page indicates the number of "Inmate Against Inmate" and "Staff Against Inmate" reports that occurred each year.

### **PREA Report Findings**

Table A on the next page indicates the total number of complaints received.

Table B on the next page indicates the finds of the investigations in "Inmate against Inmate" PREA allegations listed in the preceding PREA Report Activity Table.

Table C on the next page indicates the findings of the investigations into "Staff against Inmate" PREA allegations listed in the preceding PREA Report Activity table.

<b>Table A PREA Activity</b>		
January-December	Inmate against Inmate Reports	Staff against Inmate Reports
2014	5	3
2015	4	0
2016	2	2
2017	7	6
2018	9	6
2019	4	1

<b>Table B Inmate against Inmate</b>						
January - December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing	Other Facility
2014	2	1	2	0	0	0
2015	0	2	2	0	0	0
2016	3	2	1	0	0	0
2017	0	1	5	1	0	0
2018	2	1	2	4	0	0
2019	0	2	2	0	0	0

<b>Table C Staff against Inmate</b>						
January - December	Substantiated	Unsubstantiated	Unfounded	Non-PREA	Ongoing	Other Facility
2014	0	0	3	0	0	0
2015	0	0	0	0	0	0
2016	0	0	2	0	0	0
2017	1	0	1	3	0	1
2018	1	0	3	1	0	1
2019	0	0	1	0	0	0

**\*\* Due to a change in reporting requirements, allegations that are investigated and the investigation indicated that the reported actions did not fit the definitions given in the PREA standards of sexual abuse or harassment, are reflected in the 2017 and 2018 numbers\*\***

Report Reviewed by \_\_\_\_\_ Date: \_\_\_\_\_

Chief Deputy Michael Peters

Report Approved by \_\_\_\_\_ Date: \_\_\_\_\_

Sheriff Dwight Baird