



## DEPARTMENT OF CORRECTIONS 2019 Prison Rape Elimination Act (PREA) Corrective Action Plan

The Florida Department of Corrections (FDC) has adopted a zero-tolerance policy regarding sexual abuse and sexual harassment. The Department is continuously improving operations to prevent, detect, and respond to sexual victimization. This annual report serves as compliance with 28 C.F.R. Part 115 Standard 115.88 for the agency.

In 2019 the Department continued its efforts concerning the Prison Rape Elimination Act (PREA) by focusing on improving current reporting policies and procedures. The Department continued to enhance safety and security through physical plant modifications as well as the installation of additional video monitoring technology funded through grants. In July 2019, the Department completed cycle two of the Department of Justice PREA audit cycle and accomplished the first year of full compliance for all facilities audited and had some identified as having exceeded requirements.

During the 2019 calendar year, FDC had a total of 1,328 PREA allegations, all of which were reported to the Office of the Inspector General (OIG). These allegations were reported statewide and encompass 50 major institutions to include their satellite facilities, seven privately operated facilities, and individuals under FDC supervision as a condition of their probation. Below is a comparison table detailing the PREA allegations for the 2018 and 2019 calendar years. Currently, there are a total of 16 sustained cases for 2019, of which two were inmate-on-inmate sexual abuse, 11 were inmate-on-inmate sexual harassment, and three were staff sexual misconduct.

Allegation type	Sustained	Not Sustained	Unfounded	Ongoing	Total
<b>2018 Inmate on Inmate Sexual Abuse</b>	<b>21</b>	<b>206</b>	<b>76</b>	<b>333</b>	<b>636</b>
<b>2019 Inmate on Inmate Sexual Abuse</b>	<b>2</b>	<b>131</b>	<b>75</b>	<b>406</b>	<b>614</b>
<b>2018 Inmate-on-Inmate Sexual Harassment</b>	<b>2</b>	<b>73</b>	<b>17</b>	<b>7</b>	<b>99</b>
<b>2019 Inmate-on-Inmate Sexual Harassment</b>	<b>11</b>	<b>80</b>	<b>22</b>	<b>19</b>	<b>132</b>
<b>2018 Staff Sexual Misconduct</b>	<b>4</b>	<b>48</b>	<b>85</b>	<b>132</b>	<b>269</b>
<b>2019 Staff Sexual Misconduct</b>	<b>3</b>	<b>75</b>	<b>97</b>	<b>314</b>	<b>489</b>
<b>2018 Staff Sexual Harassment</b>	<b>0</b>	<b>7</b>	<b>17</b>	<b>30</b>	<b>54</b>
<b>2019 Staff Sexual Harassment</b>	<b>0</b>	<b>11</b>	<b>28</b>	<b>54</b>	<b>93</b>
<b>2018 Grand Total</b>	<b>27</b>	<b>334</b>	<b>195</b>	<b>502</b>	<b>1058</b>
<b>2019 Grand Total</b>	<b>16</b>	<b>297</b>	<b>222</b>	<b>793</b>	<b>1328</b>

In 2019, a significant change to how the Department reports allegations that contributed to the 25.5% increase in reported PREA allegations for the year. To ensure compliance with the reporting and investigation standards, all allegations meeting the definitions in standard 115.6 are sent to the OIG for investigation. In years past, the facility would question the inmate and review camera footage, if available, to determine if the allegations met the standard before reporting to the OIG.

Also, to more accurately capture only PREA related allegations the three staff sexual misconduct allegations reported in 2019 and the one staff sexual misconduct, two staff on inmate sexual harassment and two inmate-on-inmate sexual abuse allegations reported in 2018 were deemed by the OIG to have not met the definitions in 115.6, therefore were not included in the yearly totals on page 1.

Another factor that can be attributed to the increase is the continued training of staff and inmates, which has made them more aware of what constitutes a PREA allegation under the definitions provided in 28 C.F.R. Part 115. Additionally, the staff has continued to be diligent in reporting and documenting allegations.

The decrease of allegations in some categories is attributed to the enforcement of the Department's zero-tolerance policy regarding sexual abuse and sexual harassment, as well as the overall enhancements to the PREA program and installation of video monitoring technology throughout FDC institutions.

Our corrective action plan outlined below serves to reduce victimization, reduce the number of allegations, and reduce or eliminate non-compliant findings.

- Continue our current efforts to recruit and retain employees to adequately staff facilities.
- Continue to provide advanced training to staff on PREA definitions, reportable incidents, and PREA compliance.
- Continue to provide training to inmates on PREA definitions and reporting requirements.
- Continue utilizing identified funding for the installation of cameras in common areas, program areas, work areas, and high traffic areas.
- Continue to develop and enhance transgender and intersex policies and procedures.



Mark S. Inch  
Secretary of Corrections

3/26/2020  
Date