

Cook County Department of Corrections Adult Facility

Prison Rape Elimination Act

2021 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 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 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 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 and sexual harassment in confinement settings.

The Cook County Department of Corrections implemented a zero-tolerance policy for sexual abuse and sexual harassment and such conduct is strictly prohibited. If an employee discovers that a person in custody has been sexually abused or sexually harassed or is at a substantial risk of imminent sexual abuse, 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 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 harassment 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 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 Cook County Department of Corrections policy is to provide the victim's/survivors with immediate access to free emergency medical treatment and crisis intervention services. The CCDOC will provide victims with medical and mental health services consistent with the community level of care. The CCDOC contracts with Resilience to provide medical and legal advocacy. All communications between the victim/survivor and the advocate are confidential.

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 prevention, detection, and response to sexual abuse.

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.

Cook County Department of Corrections Adult Correctional Facility

In 2021, there were 41,904 new admissions into the facility. Of those, 36,057 were male and 5,847 were female. Between January 1, 2021, and December 31, 2021, the average daily population was 5,334 for males and 235 for females.

The table below indicates the findings of the investigations into reports of Inmate-on-Inmate PREA allegations in 2021.

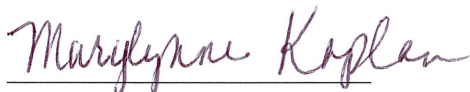
Inmate on Inmate Sexual Victimization	Reported	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
Non-Consensual Sexual Acts	26	1	7	8	10
Abusive Sexual Contact	12	1	7	2	2
Sexual Harassment	13	2	10	1	0

Staff on Inmate Sexual Victimization/Sexual Misconduct	Reported	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
Non-Consensual Sexual Acts	5	0	0	3	2
Abusive Sexual Contact	26	0	2	20	4
Sexual Harassment	8	0	2	4	2

After reviewing the substantiated and unsubstantiated findings from the sexual abuse and sexual harassment allegations received in 2021, 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 and sexual harassment of inmates to promote the safety and security of the institution.

Submitted by:



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PREA Coordinator