

PRISON RAPE ELIMINATION ACT

Annual Report 2020

Introduction

The Prison Rape Elimination Act (PREA) was signed into Federal law in 2003 by President George W. Bush and was created to address the problem of sexual misconduct in all confinement facilities. In 2012, the U.S. Department of Justice released national PREA standards to prevent, detect and respond to sexual abuse and sexual harassment in confinement facilities. The Act requires all federal, state, and local corrections agencies to have a zero-tolerance policy regarding sexual assault/ sexual abuse in prisons, jails, police lock-ups, and community confinement facilities.

Community Resources for Justice, Inc. (CRJ) has a zero-tolerance policy relative to sexual misconduct. All of its community-based residential reentry programs comply with federal and respective state laws as they pertain to PREA, sexual violence and sexual misconduct.

Heriberto Crespo, Assistant Director of Standards and Quality Assurance (SQA), as the Corporate PREA Coordinator works in tandem with Senior Management staff to develop, implement, and oversee company efforts to comply with PREA standards in all of CRJ's community-based residential reentry programs. The Program Directors are designated to serve as their facility's PREA Liaison to coordinate each individual facility's efforts in its compliance with the PREA standards.

In compliance with PREA requirements, Community Resources for Justice, Inc. (CRJ) submits this 2020 Annual Report.

PREA Compliance Activities

During 2020, CRJ's Standards and Quality Assurance Department (SQA) monitored PREA activities at all seven community-based residential reentry programs throughout the year.

SQA, under the guidance of the PREA Coordinator, is responsible for:

1. Conducting audits of case files for completion of:
 - a. PREA Intake Orientation Checklists upon admissions;
 - b. PREA Screening and Scoring forms within 72 hours of admission; and
 - c. PREA safe discussions between residents and case managers at the first case management meeting and every meeting thereafter.
2. Observing PREA postings in all programs during facility walk-throughs
3. Establishing a paperless documentation process for future PREA audits
4. Tracking PREA training throughout the year
5. Maintaining the PREA Incident Tracking Chart
6. Maintaining all documentation of allegations of sexual abuse or sexual harassment and the resulting investigation reports

McGrath House reopened in June of 2019 as a direct result of continued advocacy that succeeded in securing new funding for community based residential reentry services in the Massachusetts state budget. During 2020, McGrath House in Boston, Massachusetts completed their PREA Certification in October 2020.

McGrath House was audited by an independent, Department of Justice certified, PREA auditor, Jack Fitzgerald (the same auditor used to audit CRJ's programs in 2015, 2016 and 2018). The results for McGrath House reflect compliance in all areas of the regulations. The final PREA Audit report for McGrath House is posted on the CRJ webpage, along with previous audit reports for 2015, 2016, 2018 and 2019.

In 2020, CRJ opened LightHouse RRC, a reentry program in Buffalo, New York. The program opened for Direct Home Confinement residents on May 1, and in-house residents on July 1. The program has the capacity to serve 42 residents.

In 2021, four programs are scheduled to undergo their PREA Certification: Horizon House in Albany, New York; Lighthouse RRC in Buffalo, New York; Horizon House in Pawtucket, Rhode Island and Brooke House in Boston, Massachusetts.

CRJ launched the Western Massachusetts Foundation House in 2019, a new partnership with the Hampden County Sheriff's Department to provide reentry support in the Springfield area. CRJ's PREA data does not include reports from Western Massachusetts Foundation House. PREA monitoring and compliance for the Western Massachusetts Foundation House, by agreement, falls under the authority of the Hampden County Sheriff's Department and not CRJ.

In March 1, 2021, Foundation House will relocate to a transitional site, independent of the Hampden County Sheriff's office. The program name will change to the CRJ Western Massachusetts Residential Reentry Center. The Hampden County Sheriff's Department will continue to be a referral partner along with Massachusetts Probation Service, Board of Parole, Department of Correction and other County Sheriff's Departments. The Western Massachusetts Reentry Center will serve thirty (30) residents and will be located in West Springfield, MA. CRJ program staff will be responsible for collecting, monitoring and evaluating all PREA data for the Western Massachusetts Reentry Center just as at our other locations. The new program will be scheduled for initial PREA Certification in the late spring/early summer of 2022.

Table 1 below shows the number of PREA allegations by location and allegation type in 2020.

Table 1: Allegations of sexual abuse and sexual harassment, 2020 (N=14)

2020	Allegations of RESIDENT on RESIDENT Sexual Abuse	Allegations of RESIDENT on RESIDENT Sexual Harassment	Allegations of RESIDENT on STAFF Sexual Abuse	Allegations of STAFF on RESIDENT Sexual Abuse	Allegations of STAFF on RESIDENT Sexual Harassment
Brooke	0	0	0	1	0
McGrath	0	3	0	0	0
Coolidge*	0	0	0	0	0
Hampshire*	0	0	0	1	1
Horizon*	0	0	0	0	1
Houston*	0	1	1	0	3
LightHouse *	0	1	0	0	1
Totals	0	5	1	2	6

* = BOP contracted programs

Table 2 shows a summary of findings by allegation type in the CRJ programs overall.

Table 2: Summary of Findings 2020 (N=14)

2020 Findings	ALLEGATIONS	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	ONGOING INVESTIGATION
Resident on Resident Nonconsensual Sexual Acts	0	0	0	0	0
Resident on Resident Sexual Harassment	5	3	1	1	0
Resident on Staff Nonconsensual Sexual Acts	0	0	0	0	0
Staff on Resident Sexual Abuse	2	0	0	2	0
Staff on Resident Sexual Harassment	7	1	1	5	0
TOTALS	14	4	2	8	0

PREA Allegations reported and investigated

During the 2020 reporting period, there were a total of 14 PREA allegations and investigations. Please refer to Table 1 for details on the number and type of allegations by location. Table 2 shows the allegation type and finding. There were a total of five allegations of sexual harassment by residents on residents (three at McGrath House; one at LightHouse RRC and one at Houston House). Two allegations (McGrath House) resulted in substantiated findings. Two incidents in question were made by the same resident who had cognitive impairments and McGrath House staff worked with the resident to provide additional support to help them understand their actions. McGrath staff also worked with all residents to ensure their safety. With the additional support and safety plans set forth by McGrath staff, the resident in question has maintained positive behaviors and has not had any further incidents. McGrath had one additional allegation of resident on resident sexual harassment reported and it was determined to be unfounded.

The allegation reported by LightHouse RRC was unsubstantiated. The allegation reported by Houston House was substantiated. The Program Director conducted the investigation. The resident was returned to higher custody. The investigation reports with the findings were submitted to all relevant PREA-related stakeholders.

In 2020, there was one allegation of sexual harassment by a resident towards a staff (Hampshire House). The Program Director and Director of Re-entry Operations conducted an investigation and it was determined to be substantiated. An investigation report with the findings was submitted to all relevant PREA-related stakeholders. The resident was returned to higher custody.

In addition, there were six allegations of sexual harassment by staff on residents. Five allegations were determined to be unfounded (two from Hampshire House; one from Horizon House; one from LightHouse RRC; and one from Houston House). One allegation of sexual harassment by staff on resident received by Houston House was determined to be unsubstantiated. All allegations were investigated by the respective Program Directors of each program. The findings were submitted to all relevant PREA-related stakeholders.

There were two allegations of sexual abuse by staff on residents during the 2020 reporting period. One allegation was reported at Brooke House and one at Hampshire House. The allegation reported at Hampshire House was determined to be unfounded. The one allegation at Brooke House was substantiated. The Contract Manager for MA Reentry and Program Director at Brooke conducted the investigation and the report with the findings were submitted to all relevant PREA-related stakeholders. Based on the substantiated finding, the Program Director at Brooke implemented the corrective actions steps as outlined in our Policy and Procedures Operations Manual.

In addition to the SQA audits and reviews, the Federal Bureau of Prisons (FBOP) conducted quarterly monitoring visits (external audits) at the five CRJ/BOP programs. Brooke House, McGrath and Foundation House received no external audits from its funders. There were no accreditation (external) audits conducted by the American Correctional Association (ACA) of any CRJ program in 2020.

Tables 3 and 4 below illustrate the same data for the period of 2015 – 2020. Over that period there were 44 allegations made. Table 3 shows the type of allegation by location and Table 4 shows the findings by allegation type.

Table 3: Combined PREA data for the years 2015-2020

2015- 2020 N=44	Allegations of RESIDENT on RESIDENT Sexual Abuse	Allegations of RESIDENT on RESIDENT Sexual Harassment	Allegations of RESIDENT on STAFF Sexual Abuse	Allegations of STAFF on RESIDENT Sexual Abuse	Allegations of STAFF on RESIDENT Sexual Harassment
Brooke	0	0	0	1	0
McGrath	0	3	0	1	0
Coolidge*	0	1	0	3	5
Hampshire*	0	1	2	7	4
Horizon*	0	0	0	1	6
Houston*	0	2	0	1	14
LightHouse*	0	1	0	0	1
Totals	0	8	2	14	20

* = BOP contracted programs

Table 4: Summary of Findings 2015-2020

2015-2020 N=44	TOTAL ALLEGATIONS	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	ONGOING INVESTIGATION
Resident on Resident Nonconsensual Sexual Acts	0	0	0	0	0
Resident on Resident Sexual Harassment	8	4	3	1	0
Resident on Staff Sexual Abuse	1	0	1	0	0
Staff on Resident Sexual Abuse	16	0	2	14	0
Staff on Resident Sexual Harassment	19	2	4	13	0
TOTALS	44	6	10	38	0

CRJ continues its PREA training for all staff and residents in the community-based residential reentry programs to prevent sexual misconduct and to fully investigate and prosecute those involved in such conduct.

The system to collect data on incidents of a sexual nature at each of CRJ’s community-based residential reentry programs continues to provide PREA data. Each program collects accurate, uniform data for every allegation of sexual abuse or sexual harassment under its direct control using a standardized instrument and the Corporate PREA Coordinator aggregates that incident-based data as needed. The data collection is now all electronic and located on a confidential, shared drive. The Program Director or designee enters the data monthly and the PREA Coordinator checks the database periodically to ensure the data is entered.

Since 2015, the aggregation of sexual abuse and sexual harassment data is required by CRJ Corporate policy.

Each community-based residential reentry program that CRJ operates continues to make great efforts to improve the prevention, detection, and response to incidents of sexual abuse and sexual harassment.