

The Department of Public Safety 2015 Annual Prison Rape Elimination Report

INTRODUCTION

The Prison Rape Elimination Act of 2003 (PREA) was enacted to address sexual abuse/assault and sexual harassment in confinement facilities. The goal of PREA is to prevent, detect, and respond to sexual abuse/assault and sexual harassment within confinement settings, by establishing a zero tolerance policy for sexual abuse/assault and sexual harassment. PREA also includes a focus on data collection and analysis of PREA incidences in order for the agency to identify problem areas, take corrective action on an ongoing basis, and provide an assessment of the agency's progress in addressing sexual abuse/assault and sexual harassment within its facilities.

The PREA standards were finalized in May of 2012, and after a 90-day publication period they became effective on August 20, 2012, when the U.S. Department of Justice (DOJ) published mandatory standards for the detection, prevention, and punishment of sexual abuse/assault and sexual harassment. The four sets of standards correspond to different types of facilities: (1) Adult prisons and jails, (2) Lockups, (3) Community confinement facilities, and (4) Juvenile facilities. State and county agencies were given one year to become compliant.

On August 20, 2013, all correctional agencies were required to be compliant with the PREA standards. Agencies must demonstrate zero tolerance not merely by words and written policy, but through their actions, including what they do to prevent sexual abuse/assault and sexual harassment in order to comply with the PREA standards. Compliance is demonstrated through PREA Audits. Over a three-year period, one-third of an agency's facilities must be audited each year. The final PREA Audit Compliance Tool was officially released in final form in 2014.

The Department of Public Safety (PSD) began its initial efforts to comply with the finalized PREA standards in August of 2012. As a result, PSD began implementing policies and procedures, training employees, contractors and volunteers, and educating offenders.

PSD supports all efforts to detect, prevent, report, investigate, offer victim support services and prosecute criminally and/or administratively perpetrators of sexual abuse/assault and sexual harassment in its prison system and lockups. PSD is committed to providing a safe environment for all offenders committed to the custody and supervision of its Director.

PSD continues its efforts to work towards compliance with the PREA standards. Some of these efforts include; but are not limited to updating policies, requesting community rape crisis centers to provide emotional counseling support services for offenders, developing PREA training materials, as well as appointing PREA Managers in each facility. Under the guidance of the PSD's PREA Coordinator, PREA Managers direct their facility's efforts to comply with the policies and directives that promote the PREA standards.

BJS REPORTING DATA

PREA requires data be collected and aggregated on sexual abuse/assault and sexual harassment incidents for PSD facilities and PSD contracted private prisons. 28 CFR §115.87. Aggregated data can be reviewed for calendars years 2011–2014 at <http://dps.hawaii.gov/policies-and-procedures/pp-prea/>.

PREA also requires the department to review data collected and produce an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole. 28 CFR §115.88. The annual report includes a comparison of the current year's data and an assessment of the corrective action from prior years and provides an assessment of the PSD's progress in addressing sexual abuse. This report is PSD's first formal report as it relates to this PREA standard. PSD will make its report readily available to the public annually through its website at www.hawaii.gov/psd.

Additionally, the U.S. Bureau of Justice Statistics (BJS) requires correctional agencies to collect and report detailed information regarding the sexual victimization of offenders. This report includes a summary of the information that was submitted to the BJS in 2015 for the Survey of Sexual Violence.

This report focuses on providing a review of the incident-based and aggregate data collected related to sexual abuse/assault or sexual harassment with offender victims from January 1, 2015, to and including, December 31, 2015.

The PREA standard definition of **Offender-on-Offender Sexual Abuse** (28 CFR §115.6) is defined consisting of 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, and the 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.

The PREA standard definition of **Offender-on Offender Sexual Harassment** (28 CFR §115.6) is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender, detainee, or resident direct toward another.

The PREA standard definition of **Staff-on-Offender Sexual Abuse** (28 CFR §115.6) is defined as Sexual Abuse of an offender, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the Offender, 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 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 offender, 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 offender, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an offender who is using a toilet in his or her cell to perform bodily functions; requiring an offender to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an offender's naked body or of an offender performing bodily functions.

The PREA standard definition of **Staff-on-Offender Sexual Harassment** (28 CFR §115.6) is defined as repeated verbal comments or gestures of a sexual nature to an offender, 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.

Sexual Abuse and Sexual Harassment Data for 2015

The PSD facilities in 2015 consisted of eight (8) facilities on four islands; the Mainland Branch Unit (MBU), which contracts with the Corrections Corporation of America (CCA) to house inmates in Saguaro Correctional Center (SCC); and the Federal Detention Center (FDC), a federal facility which PSD contracts with to house PSD inmates. Although not typically used to housed inmates and detainees overnight, Sheriff's Cell Blocks in Oahu First Circuit Court and Federal District Court are also subject to the PREA standards.

Four (4) of the eight (8) PSD Correctional Facilities are located on the island of Oahu. They are Halawa Correctional Facility (HCF), Oahu Community Correctional Center (OCCC), Waiawa Correctional Facility (WCF), and Women's Community Correctional Center (WCCC). Two (2) of the eight (8) PSD Correctional Facilities are located on the island of Hawaii, and they are the Hawaii Community Correctional Center (HCCC) and Kulani Correctional Facility (KCF). Kauai Community Correctional Center (KCCC) is located on the island of Kauai and Maui Community Correctional Center (MCCC) is located on the island of Maui.

SCC is a privately operated prison located in Eloy, Arizona, that PSD contracts with for housing Hawaii offenders committed to the custody and care of the Director of PSD. As a private prison, SCC is required to comply with the PREA standards that became effective in August 2012. PSD incorporated the PREA standards requirement and language into the contract renewal with CCA in July 2016. SCC successfully completed its DOJ PREA Audit in 2014.

PSD houses jail inmates and/or special management inmates at FDC. As a federal prison, the FDC is required to comply with the PREA standards. FDC successfully completed their DOJ PREA Audit in 2015.

2015 Offender-on-Offender Sexual Abuse and Sexual Harassment

In 2015, using the PREA definitions, seven (7) PSD Correctional Facilities reported allegations of Offender-on-Offender sexual abuse and six (6) facilities reported allegations of Offender-on-Offender sexual harassment. In addition, out of the contracted facilities, both FDC and MBU reported one (0) allegation of Offender-on-Offender sexual abuse and zero (0) allegations of Offender-on-Offender sexual harassment.

There were fifty (50) Offender-on-Offender allegations all together: thirty-three (33) sexual abuse allegations and seventeen (17) sexual harassment allegations. Of the thirty-three (33) allegations of Offender-on-Offender sexual abuse, four (4) were substantiated, nine (9) were unsubstantiated, eighteen (18) were unfounded, and three (3) are currently pending investigation. Of the seventeen (17) allegations of Offender-on-Offender sexual harassment, two (2) were substantiated, seven (7) were unsubstantiated, five (5) were unfounded, and three (3) are pending investigation. The following table presents the allegations by facility.

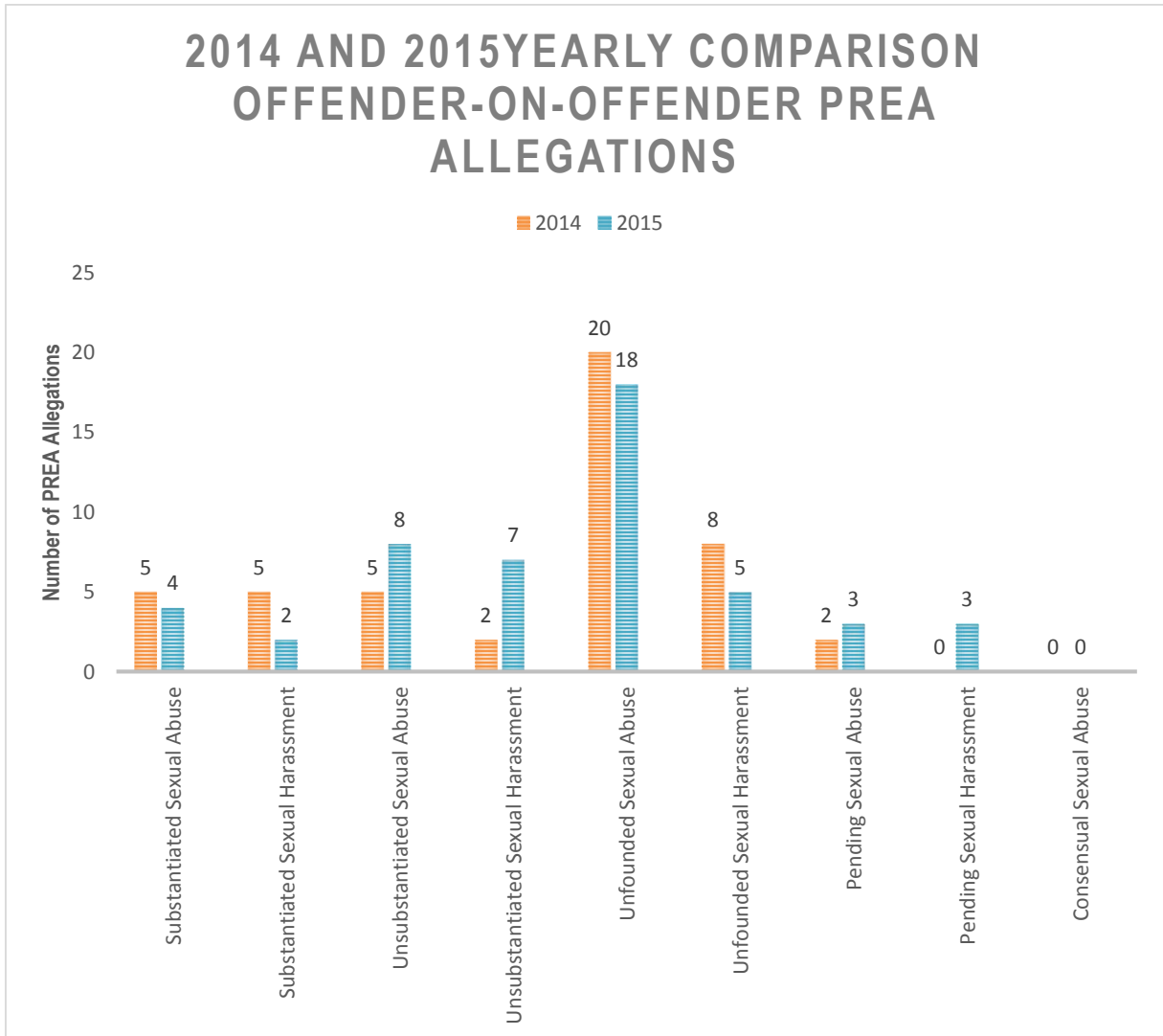
**Offender-on-Offender Sexual Abuse and Sexual Harassment Allegations
January 1 – December 31, 2015**

FACILITY	TYPE	TOTAL	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING
MBU CCA/SCC (private contracted facility)	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
FEDERAL DETENTION CENTER (federally contracted facility)	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
HCCC*	SEXUAL ABUSE	2	0	1	1	0
	SEXUAL HARASSMENT	2	0	0	2	0
HCF	SEXUAL ABUSE	4	0	4	0	0
	SEXUAL HARASSMENT	5	0	3	2	0
KCCC*	SEXUAL ABUSE	2	1	0	1	0
	SEXUAL HARASSMENT	1	0	1	0	0
KCF	SEXUAL ABUSE	1	0	1	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
MCCC*	SEXUAL ABUSE	6	1	1	4	0
	SEXUAL HARASSMENT	2	1	1	0	0
OCCC*	SEXUAL ABUSE	15	2	1	9	3
	SEXUAL HARASSMENT	4	0	0	1	3
WCCC (F)	SEXUAL ABUSE	3	0	0	3	0
	SEXUAL HARASSMENT	0	0	0	0	0
WCF	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	3	1	2	0	0

*Facility has both male and female Offenders.
(F) Female Facility

**Offender-on-Offender Sexual Abuse and Sexual Harassment Allegations
2014 and 2015 Yearly Comparison**

Year	Substantiated		Unsubstantiated		Unfounded		Pending		Consensual
	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse
2014	5	5	5	2	20	8	2	0	0
2015	4	2	8	7	18	5	3	3	0



Staff-on-Offender Sexual Abuse and Sexual Harassment

Using the PREA definitions, eight (8) PSD Correctional Facilities reported allegations of Staff-on-Offender sexual abuse and six (6) facilities reported allegations of Staff-on-Offender sexual harassment. In addition, out of the contracted facilities, MBU reported zero (0) allegations of Staff-on-Offender sexual abuse and zero (0) allegations of Staff-on-Offender sexual harassment, and the FDC reported one (1) allegations of Staff-on-Offender sexual abuse and zero (0) allegations of Staff-on-Offender sexual harassment.

There were forty (40) Staff-on-Offender allegations all together: thirty-one (31) sexual abuse allegations and nine (9) sexual harassment allegations. Of the thirty-one (31) allegations of Staff-on-Offender sexual abuse, eight (8) were substantiated, eleven (11) were unsubstantiated, seven (7) were unfounded, five (5) are currently pending investigation. Of the nine (9) allegations of Staff-on-Offender sexual harassment, one (1) were substantiated, one (1) was unsubstantiated, five (5) were unfounded, and two (2) are pending investigation. The following table presents the allegations by facility.

**Staff-on-Offender Sexual Abuse and Sexual Harassment Allegations
January 1 – December 31, 2015**

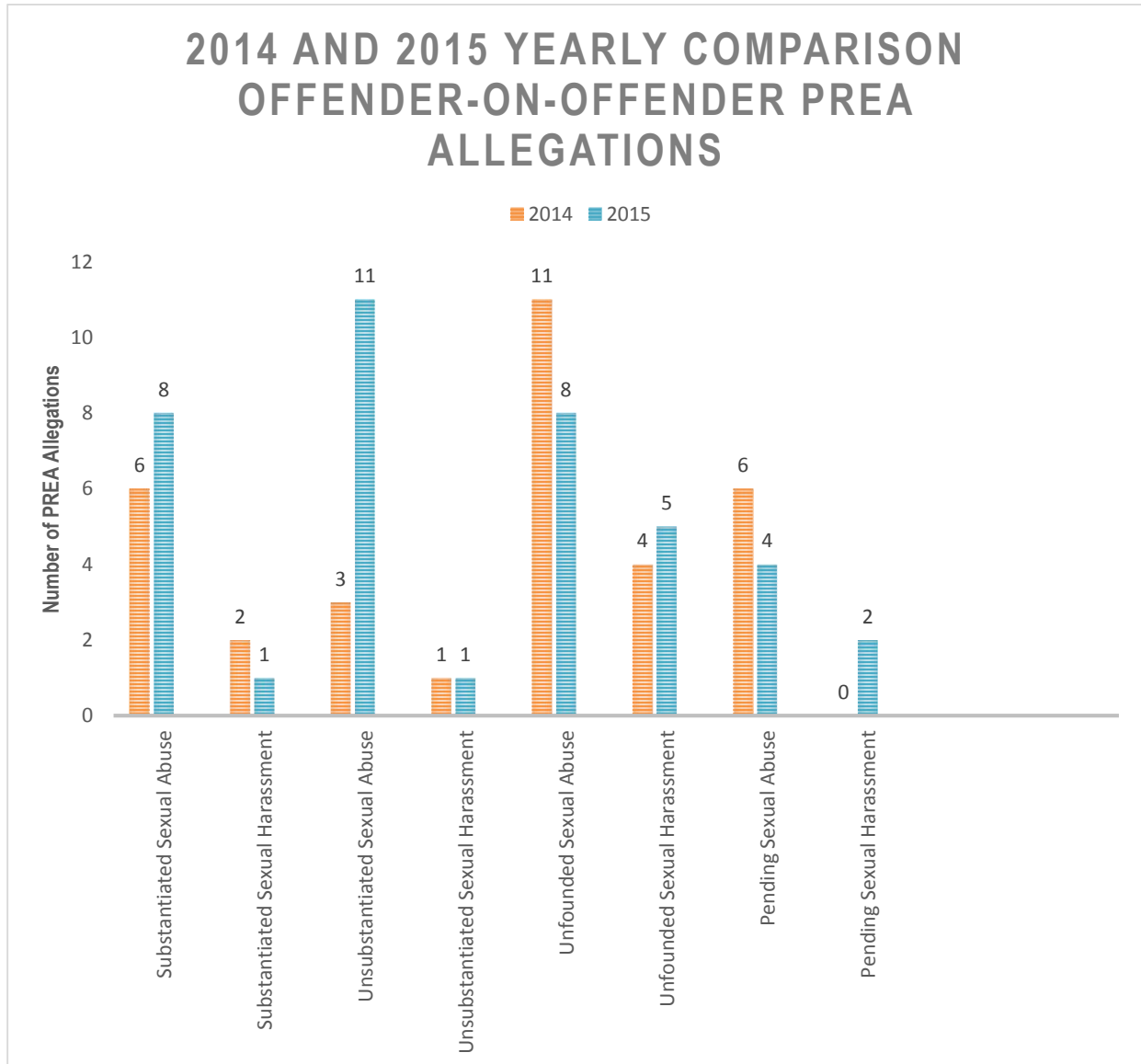
FACILITY	TYPE	TOTAL	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING
MBU CCA/SCC (private contracted facility)	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
FEDERAL DETENTION CENTER (federally contracted facility)	SEXUAL ABUSE	1	0	1	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
SHERIFF'S CIRCUIT COURT CELL BLOCK/ DISTRICT COURT CELL BLOCK	SEXUAL ABUSE	0	0	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
HCCC*	SEXUAL ABUSE	1	0	0	0	1
	SEXUAL HARASSMENT	0	0	0	0	0
HCF	SEXUAL ABUSE	8	0	6	2	0
	SEXUAL HARASSMENT	3	0	1	2	0
KCCC*	SEXUAL ABUSE	1	0	0	1	0
	SEXUAL HARASSMENT	1	0	0	0	1
KCF	SEXUAL ABUSE	1	1	0	0	0
	SEXUAL HARASSMENT	0	0	0	0	0
MCCC*	SEXUAL ABUSE	3	3	0	0	0
	SEXUAL HARASSMENT	1	0	0	1	0
OCCC*	SEXUAL ABUSE	5	0	1	4	0
	SEXUAL HARASSMENT	2	0	0	2	0
WCCC (F)	SEXUAL ABUSE	7	3	2	0	2
	SEXUAL HARASSMENT	1	0	0	0	1
WCF	SEXUAL ABUSE	4	1	1	1	1
	SEXUAL HARASSMENT	1	1	0	0	0

*Facility has both male and female Offenders.

(F) Female Facility

**Staff-on-Offender Sexual Abuse and Sexual Harassment Allegations
2014 and 2015 Yearly Comparison**

Year	Substantiated		Unsubstantiated		Unfounded		Pending	
	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment	Sexual Abuse	Sexual Harassment
2014	6	2	3	1	11	4	6	0
2015	8	1	11	1	8	5	4	2



OVERVIEW of 2015 INFORMATION

A. Offender-on-Offender

In 2015, there were four (4) substantiated Offender-on-Offender sexual abuse allegations and two (2) substantiated Offender-on-Offender sexual harassment allegations. Three (3) Offender-on-Offender sexual abuse allegations, and three (3) Offender-on-Offender sexual harassment allegations which occurred at OCCC, are currently pending investigation.

Four (4) Substantiated Offender-on-Offender Sexual Abuse Incidents:

The first substantiated Offender-on-Offender sexual abuse incident occurred at OCCC in the victim's cell, overnight (midnight to 6 a.m.). The victim was male, between the ages of 25-29 years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any physical injury. The incident was reported by the victim and was provided medical attention, and counseling or mental health treatment. The offender perpetrator was male, between the ages of 30-35 years old, and Portuguese. The nature of the incident was unwanted touching for sexual gratification or abusive sexual contact and physical force (or the threat of force) resulting in a nonconsensual sexual act. The offender perpetrator surprised the victim with unwanted touching, grabbing, or groping. The offender perpetrator was written up and referred to the facility adjustment committee.

The second substantiated Offender-on-Offender sexual abuse incident occurred at MCCC in the housing showers in the evening (2 p.m. to 8 p.m.). The victim was female, between the ages of 20-25 years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any major physical injury. The incident was reported by the victim. The victim was provided with a medical care and counseling or mental health treatment. The perpetrator was female, between the ages of 30-35 years old, and Native Hawaiian or other Pacific Islander. The nature of the incident was unwanted touching for sexual gratification resulting in nonconsensual sexual act. The perpetrator was placed in disciplinary segregation, written up for a conduct violation, and referred to County Law Enforcement.

The third substantiated Offender-on-Offender sexual abuse incident occurred at OCCC in the victims living area or bunk during the night (10 p.m. to 11 p.m.). The victim was male, age 25 or older, and Asian. The victim did not sustain major physical injury. The incident was reported by the victim. The victim was provided with a medical examination, and counseling or mental health treatment. The perpetrators were males, between the ages of 20-30 years old, and Native Hawaiian or other Pacific Islander, White and Puerto Rican. The nature of the incident was unwanted touching for sexual gratification or abusive sexual contact. The perpetrator surprised the victim with unwanted touching, grabbing or groping that resulted in nonconsensual sexual acts. The perpetrators was placed in disciplinary segregation, transferred to another unit/cell, had a loss of privileges, and was written up for a conduct violation. The incident was referred to County Law Enforcement.

The fourth substantiated Offender-on-Offender sexual abuse incident occurred at OCCC in the victim's cell during an unknown time. The victim was male, between the ages of 35-40 years old, and White.

The victim did not sustain any major physical injury. The incident was reported by a staff member that witnessed the incident. The victim was provided with a medical examination, and counseling or mental health treatment. The perpetrator was male, between the ages of 20-25 years old, and Native Hawaiian or other Pacific Islander. The nature of the incident was unwanted touching for sexual gratification and physical force (or the threat of force) resulting in abusive sexual contact. The offender perpetrator surprised the victim with unwanted touching, grabbing, or groping, and threatened the victim with physical violence. The perpetrator was placed in disciplinary segregation, transferred to another unit/cell, written up for a conduct violation, and was referred to County Law Enforcement.

Two (2) Substantiated Offender-on-Offender Sexual Harassment Incidents:

The first substantiated Offender-on-Offender sexual harassment incident occurred at MCCC in the victim's cell, during the morning (7 a.m. to 8 a.m.). The victim was transgender, between the ages of 25-29 years old, Asian. The victim did not sustain any physical injury. The incident was reported by the perpetrator. The victim was provided with a medical examination, and counseling or mental health treatment. The perpetrator was male, between the ages of 30-35 years old, and Native Hawaiian or other Pacific Islander. The nature of the incident was continuous request for sexual favors. The type of pressure used by the perpetrator was sexual harassment. The perpetrator was transferred to another unit/cell, had a loss of privileges, written up for a conduct violation, and sent to an adjustment hearing.

The second substantiated Offender-on-Offender sexual harassment incident occurred at WCF in a housing common area (e.g. shower, dayroom, or bathroom) during the morning (8 a.m. to 10 a.m.). The victim was male, between the ages of 20-25 years old, and Native Hawaiian or other Pacific Islander. The victim were provided with a medical examination, and counseling or mental health treatment and separated by the perpetrator. The perpetrator was male, between the ages of 25-30 years old, and Asian. The nature of the incident was sexual harassment, and repeated and unwelcomed derogatory statements. The type of pressure used by the perpetrator was sexual harassment or verbal comments. The victim voluntarily requested for protective custody and the perpetrator had loss of privileges, written up for a conduct violation, and sent to an adjustment hearing.

B. Staff-on-Offender

In 2015, there were eight (8) substantiated Staff-on-Offender sexual abuse allegations and one (1) substantiated Staff-on-Offender sexual harassment allegations. One (1) Staff-on-Offender Sexual Abuse allegation occurred at HCCC, one (1) occurred at MCCC, and two (2) occurred at WCCC); One (1) Staff-on-Offender Sexual Harassment allegation occurred at KCCC and one (1) at OCCC are currently pending investigation.

Eight (8) Substantiated Staff-on-Offender Incidents:

The first substantiated Staff-on-Offender sexual abuse incident occurred at KCF through mail and telephone contacts, times of incidents are unknown. The victim was male, between the ages of 30-35

years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any physical injury. The incident was reported by third party staff. The staff perpetrator was female, between the ages of 35-40 years old, and White. The nature of the incident was occurrences of indecent exposure for reasons unrelated to official duties for sexual gratification. The type of pressure used by the staff perpetrator was abuse of power resulting in staff sexual misconduct. The staff perpetrator was a full-time paid employee of PSD and her primary position was a Correctional Supervisor. The staff perpetrator was referred for administrative investigation but she resigned from employment prior to the completion of the investigation. At the time of the incident, the staff perpetrator worked at PSD for approximately two (2) years.

The second substantiated Staff-on-Offender sexual abuse incident was reported at MCCC and occurred in a common area (e.g. shower, dayroom, or bathroom) time of incident unknown. The victim was female, between the ages of 20-25 years old, and White. The victim did not sustain any physical injury. The incident was reported by a third party offender. The victim was offered, but declined, medical testing and mental health treatment. The nature of the incident was a sexual misconduct between the victim and the staff perpetrator that appeared to be willing. The incident included inappropriate touching of the female offender by the staff member and staff voyeurism. The staff perpetrator was male, between the ages of 35-45 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an Adult Corrections Officer. The staff perpetrator was referred to County Law Enforcement. At the time of the incident, the staff perpetrator worked for PSD for one (1) to five (5) years.

The third substantiated Staff-on-Offender sexual abuse incident occurred at MCCC in the female housing unit during an unknown time. There were two (2) victims. The first (1) victim was female, between the ages of 30-35 years old, and White. The second (2) victim was female, between the ages of 35-40 years old and Native Hawaiian or other Pacific Islander. The two (2) victims did not sustain any physical injury. The incident was reported by a third party offender. The nature of the incident was occurrences of indecent exposure and having the female offenders flash their private parts for the intent to arouse or gratify sexual desires. The staff perpetrator was male, age 30 to 40 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an Adult Corrections Officer. At the time of the incident, the staff perpetrator worked for PSD for approximately one (1) to five (5) years.

The fourth substantiated Staff-on-Offender sexual abuse incident occurred at MCCC in the female housing unit during an unknown time. There were two (2) victims. The first (1) victim was female, between the ages of 30-35 years old, and White. The second (2) victim was female, between the ages of 35-40 years old and White. The two (2) victims did not sustain any physical injury. The incident was reported by a third party offender. The nature of the incident was occurrences of indecent exposure and having the female offenders flash their private parts for the intent to arouse or gratify sexual desires. The staff perpetrator was male, age 30 to 40 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an

Adult Corrections Officer. At the time of the incident, the staff perpetrator worked for PSD for approximately one (1) to five (5) years.

The fifth substantiated Staff-on-Offender sexual abuse incident was reported at WCCC and occurred in a common area (e.g. shower, dayroom, or bathroom) time of occurrences were between 6 a.m. to 1 p.m. The victim was female, between the ages of 30-35 years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any physical injury. The incident was reported by the victim. The victim was provided a medical examination, tested for sexually transmitted diseases, and provided with counseling or mental health treatment. The nature of the incident was a sexual and romantic relationship between the victim and the staff perpetrator that appeared to be willing. The staff perpetrator was female, between ages 35-40 years old, and Asian (not of Hispanic origin). The staff perpetrator was a full-time paid employee of PSD and her primary position was an Adult Corrections Officer. The staff perpetrator was removed from the facility and referred to County Law Enforcement. At the time of the incident, the staff perpetrator had worked for PSD for approximately ten (10) years.

The sixth substantiated Staff-on-Offender sexual abuse incident occurred at WCCC in a security control area during the hours of 6 a.m. and 2 p.m. The victim was female, between the ages of 30-35 years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any physical injury. The incident was reported by the victim while housed in a different facility. The victim was offered medical treatment and mental health treatment. The nature of the incident was pressure or abuse of power resulting in a nonconsensual sexual act for special privileges. The staff perpetrator was male, between the ages of 35-40 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an Adult Correctional Officer or Supervisory Staff. The staff perpetrator was removed from the facility and referred to Local Law Enforcement. At the time of the incident, the staff perpetrator had worked for PSD for five (5) to ten (10) years.

The seventh substantiated Staff-on-Offender sexual abuse incident was reported at WCCC the incident occurred in a security control area between the hours of 6 a.m. and 2 p.m. The victim was female, between the ages of 30-35 years old, and Native Hawaiian or other Pacific Islander. The victim did not sustain any physical injury. The incident was reported by the victim. The victim was offered medical testing and mental health treatment. The nature of the incident was pressure or abuse of power resulting in a nonconsensual sexual act for special privileges. The staff perpetrator was male, between the ages of 35-40 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an Adult Correctional Officer. The staff perpetrator was referred to County Law Enforcement. At the time of the incident, the staff perpetrator had worked for PSD for five (5) to ten (10) years.

The eighth substantiated Staff-on-Offender sexual abuse incident was reported at WCF the incident occurred in a dormitory or other multiple housing unit in the afternoon between noon and 6 p.m. The victim was male, between the ages of 18-24 years old, and Asian. The victim did not sustain any physical injury. The incident was reported by the victim. The victim was offered but declined testing

and treatment. The nature of the incident was indecent exposure. The staff perpetrator was male, between the ages of 25-29 years old, and Native Hawaiian or other Pacific Islander. The staff perpetrator was a full-time paid employee of PSD and his primary position was an Adult Correctional Officer. The staff perpetrator was referred to State Law Enforcement. At the time of the incident, the staff perpetrator had worked for PSD for one (1) to five (5) years.

One (1) Substantiated Staff-on-Offender Sexual Harassment Incidents:

The first substantiated Staff-on-Offender sexual abuse incidents occurred at WCF in a dormitory or other multiple housing unit in the afternoon between noon and 6 p.m. The victim was male, between the ages of 18-24 years old, and Asian. The victim did not sustain any physical injury. The incident was reported by the victim. The victims were offered, but declined medical and mental health treatment. The nature of the incident was sexual harassment or repeated verbal statements of a sexual nature. The staff perpetrator was male, between the ages of 25-29 years old, and Native Hawaiian or other Pacific Islander. The perpetrator was a full-time paid employee of PSD and his primary position was an Adult Correctional Officer. The staff perpetrator was referred to State Law Enforcement. At the time of the incident, the staff perpetrator had worked for PSD for one (1) to five (5) years.

PSD PREA Progress and Summary

The department has completed audits for one third of its facilities in each of the three years of the first audit cycle. From August 2014 to August 2016, PSD's eight facilities were audited for compliance with the PREA standards by a three (3) different Certified Department of Justice PREA Auditors. Department's contract facilities; Corrections Corporation of America (CCA) Saguaro Correctional Center and the Federal Detention Center (FDC) were also audited during this time. Seven (7) facilities received the final PREA Audit report and they were deemed in full compliance with National PREA Standards. OCCC was audited in August of 2016 and is pending their final PREA Audit report.

In March and October of 2016, the Governor of the State of Hawaii certified that Hawaii is providing assurances to the DOJ/Bureau of Justice Assistance (BJA) that Hawaii is working towards full compliance with the National PREA Standards to prevent, detect, and respond to prison rape for Hawaii's adult and juvenile correctional facilities. The need to provide assurances is primarily based on the Hawaii Youth Correctional Facility (juvenile facility). All of PSD facilities with the exception of the pending report for OCCC, were deemed to be compliant with the PREA standards. The DOJ/BJA certification process does not provide for an exception from grant funds penalty, if the adult facilities are compliant.

On July 18, 2014, the PSD PREA policy (ADM.08.08) became effective and a Director's Memorandum was issued along with the PSD PREA policy, PSD PREA Screening Tool, PSD PREA Mandated Reporting Form, and PSD Sexual Abuse Incident Review Form. The policy can be accessed at <http://dps.hawaii.gov/wp-content/uploads/2014/07/ADM.08.08.pdf>.

PSD has provided comprehensive training for all PSD staff emphasizing PSD's zero tolerance policy and the importance of preventing, detecting, deterring, and encouraging the reporting of sexual abuse/sexual assault and sexual harassment toward offenders. PSD also educated staff about the serious impact of offender sexual victimization within a correctional setting.

PSD staff members are provided with refresher PREA training every two (2) years to ensure that staff members are aware of PSD's PREA policy. In years when a staff member does not receive the refresher training, PSD provides information on current sexual abuse and sexual harassment policies through its website, in addition to handouts, memoranda, and posters. The training curriculum was updated with additional relevant PREA information in August of 2015.

PSD volunteers and contractors, who have contact with offenders, have been trained on PREA, PSD's policy, and their responsibilities regarding prevention, detection, reporting, and how to respond to an offender victim of sexual abuse and sexual harassment.

All new admission offenders are processed by the Intake Service Center. There, offenders receive verbal and written information about PSD's zero tolerance policy and how to report incidents or suspected incidents of sexual abuse or sexual harassment. The written information can be accessed at <http://dps.hawaii.gov/wp-content/uploads/2013/08/FINAL-PREA-Brochure-for-CI-4-23-13.pdf>. Within thirty (30) days of intake, PSD offenders also receive comprehensive PREA education via a video developed by the PREA Resource Center and Just Detention International.

All offenders at admission or transfer are screened. This screening occurs upon admission to a facility by utilizing the PSD PREA Screening Tool. The screening tool assesses an offender's risk of sexual abuse victimization or sexual abusiveness towards other offenders. The information obtained by the screening tool is utilized to determine housing designations, work line placement, program assignment, and/or to keep separated those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. In April 2016, PSD conducted training for key staff on the electronic PREA screening form through the departments Offendertrak system. The electronic process went live on June 1, 2016. This process enables confidentiality as only authorized staff have access to the form and a more efficient and effective process. Screening electronically will assist with limited errors as the form automatically populates relevant misconducts and issues that would be more time consuming when researching manual files.

Family, friends, attorneys, and other third parties are informed of ways they can report incidents of offender institutional sexual abuse and/or sexual harassment by other offenders, PSD staff, contractors, or volunteers. The information can be accessed at <http://dps.hawaii.gov/wp-content/uploads/2015/02/How-to-report-PREA-Incident-2-3-15.jpg>.

Between April 2015 and October 2015, DOJ certified PREA Auditors conducted PREA audits to determine whether five (5) of PSD's eight (8) facilities, HCF, MCCC, KCCC, KCF and HCCC were in compliance with the federal PREA standards. During the dictated "corrective action" period, all audited facilities were found to be in compliance with the federal PREA standards and its final DOJ PREA Auditor Report can be accessed at:

HCF: <http://dps.hawaii.gov/wp-content/uploads/2015/07/Final-Audit-Report-Halawa-Correctional-Facility-7-24-15.pdf>.

MCCC: <http://dps.hawaii.gov/wp-content/uploads/2015/02/Auditor-Report-Womens-Correctional-Facility-Final-2-17-15.pdf>.

KCCC: <http://dps.hawaii.gov/wp-content/uploads/2015/09/KCCC-FINAL-AUDIT-REPORT-9-30-15.pdf>.

KCF: <http://dps.hawaii.gov/wp-content/uploads/2016/04/KCF-FINAL-DOJ-PREA-AUDITOR-SIGNED-02-22-2016-Recd-3-15-16.pdf>.

HCCC: <http://dps.hawaii.gov/wp-content/uploads/2016/04/HCCC-PREA-AUDITORS-REPORT-SIGNED-3-4-16-FINAL-RECD-3-8-16.pdf>.

In August 2016, a DOJ certified PREA Auditor conducted a PREA audit on PSD's last facility out of the eight (8) to determine whether the facility is compliance with the federal PREA standards. This would end the second and third year in the 1st Audit cycle with all PSD facilities being compliant and OCCC pending the final audit process.

In January 2015, a DOJ certified PREA Auditor conducted an audit of the Hawaii Federal Detention Center (FDC), a facility operated by the Federal Bureau of Prisons that contracts with PSD, to determine whether it was in compliance with the federal PREA standards. FDC was found to be in compliance with the federal PREA standards and its final DOJ PREA Auditor Report can be accessed at <http://dps.hawaii.gov/wp-content/uploads/2015/08/PREA-Audit-Report-Hawaii-Federal-Detention-Center-2-13-15.pdf>.

In October 2016 PSD is scheduled to enter into the 1st year of the 2nd Audit cycle, as HCF, WCCC and WCF are scheduled to be audited by a DOJ certified PREA Auditor. PSD will continue working towards compliance with the PREA standards through the future three year cycle of reviews.