



## **SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY**

### **Sexual Violence 2016 Annual Report for SWVRJA Abingdon Facility**

Data included in this report is from January 1, 2016 to December 31, 2016

Inmates confined in the Abingdon Facility on December 31, 2016 were **628** males and **216** females.

During 2016, new admissions to the jail were **3859** males and **1833** females.

The average daily population at the Abingdon Facility in 2016 was **617** males and **186** females.

### **INMATE ON INMATE SEXUAL ABUSE**

**Sexual Abuse Inmate-on-Inmate**-Sexual abuse by another inmate, or inmates, 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 any person, excluding contact incidental to a physical altercation.

The SWVRJA Abingdon Facility records all allegations of inmate on inmate sexual harassment and abuse.

There were eighteen (**18**) allegations of inmate on inmate sexual harassment during this period. All eighteen (**18**) allegations were fully investigated. None of these allegations were determined to be **Substantiated**. Substantiated means that after a thorough and objective investigation there was sufficient evidence to make a final determination as to whether the event occurred. Fourteen (**14**) of these allegations were determined to be **Unsubstantiated**. Unsubstantiated means that after a thorough and objective investigation there was insufficient evidence to make a final determination as to whether the event occurred. Four (**4**) of these allegations were determined to be **Unfounded**. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

There were twenty (20) allegations of inmate on inmate sexual abuse during this period. All twenty (20) allegations were fully investigated. Two (2) of these allegations were determined to be **Substantiated**. Substantiated means that after a thorough and objective investigation there was sufficient evidence to make a final determination as to whether the event occurred. Ten (10) of these allegations were determined to be **Unsubstantiated**. Unsubstantiated means that after a thorough and objective investigation there was insufficient evidence to make a final determination as to whether the event occurred. Eight (8) of these allegations were determined to be **Unfounded**. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

## **STAFF MEMBER ON INMATE SEXUAL ABUSE**

**Sexual Abuse, Staff Member-on-Inmate**-Sexual abuse by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate.

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 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; and
8. Voyeurism by a staff member, contractor, or volunteer.

### **Sexual Harassment of an inmate-**

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 directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an inmate 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.

The SWVRJA Abingdon Facility records all allegations of staff sexual abuse and sexual harassment of an inmate.

There were four (4) allegations of sexual harassment of an inmate by a staff member during this period. All four (4) allegations were fully investigated. None of these allegations were determined to be Substantiated. Substantiated means that after a thorough and objective investigation there was sufficient evidence to make a final determination as to whether the event occurred. Two (2) of the allegations were determined to be Unsubstantiated. Unsubstantiated means that after a thorough and objective investigation there was insufficient evidence to make a final determination as to whether the event occurred. Two (2) allegations were determined to be Unfounded. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

There were twelve (12) allegations of staff sexual abuse of an inmate during this period. All twelve (12) allegations were fully investigated. None of these allegations were determined to be Substantiated. Substantiated means that after a thorough and objective investigation there was sufficient evidence to make a final determination as to whether the event occurred. Six (6) of these allegations were determined to be Unsubstantiated. Unsubstantiated means that after a thorough and objective investigation there was insufficient evidence to make a final determination as to whether the event occurred. Six (6) of these allegations were determined to be Unfounded. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

A review was conducted by the PREA incident review committee assembled to discuss our current PREA procedures, current video monitoring capabilities, available resources, and previous allegations. The committee determined that our current policies and procedures are sufficient in addressing the issue of sexual abuse in our facility.