



SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY

Sexual Violence 2019 Annual Report for SWVRJA Duffield Facility

Data included in this report is from January 1, 2019 to December 31, 2019

Inmates confined in the Duffield Facility on December 31, 2019 were **484** males and **169** females.

During 2019, new admissions to the jail were **2742** males and **1339** females.

The average daily population at the Duffield Facility in 2019 was **484** males and **166** 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 Duffield Facility records all allegations of inmate on inmate sexual harassment and abuse.

There were eight (8) allegations of inmate on inmate sexual harassment during this period. All eight (8) allegations were fully investigated. Three (3) 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. Four (4) 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. One (1) of these allegations was determined to be **Unfounded**. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

There were eleven (11) allegations of inmate on inmate sexual abuse during this period. All eleven (11) allegations were fully investigated. None (0) 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. Seven (7) 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.

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 Duffield Facility records all allegations of staff sexual abuse and sexual harassment of an inmate.

There were ten (10) allegations of sexual harassment of an inmate by a staff member during this period. All ten (10) allegations were fully investigated. None (0) 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. Three (3) 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. Seven (7) of the allegations was determined to be **Unfounded**. Unfounded means that after a thorough and objective investigation the event was determined not to have occurred.

There were nine (9) allegation of staff sexual abuse of an inmate during this period. All nine (9) allegations were fully investigated. None (0) 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. Three (3) 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.