



# SOMERSET COUNTY JAIL



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PREA

**SHERIFF**  
**Dale P. Lancaster**

**JAIL ADMINISTRATOR**  
**Major Cory C. Swope**

**CHIEF DEPUTY**  
**Michael O. Mitchell**

**ASSISTANT JAIL ADMINISTRATOR**  
**Captain Sean P. Maguire**

## Somerset County Somerset County Jail PREA Memo

**Date:** 1/9/20  
**To:** Public  
**From:** Compliance Manager Teshia Cates (PREA Compliance Manager and PREA Investigator)  
**Cc:**  
**Re:** Sexual Assault and Sexual Harassment Report for 2019

Somerset County Jail was the first County Jail in the State of Maine to become PREA certified on 6/9/2017. This was in accordance with national Prison Rape Elimination Act standards by the Department of Justice. Simply, compliance with these standards makes the jail a safer facility for Inmates and Staff.



The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to support the elimination and prevention of sexual assault and sexual misconduct in correctional systems. The United States Prison Rape Elimination Act of 2003 is 42 U.S.C. Sections 15601 (<https://www.gpo.gov/fdsys/pkg/USCODE-2005-title42/pdf/USCODE-2005-title42-chap147-sec15601.pdf>). PREA addresses both inmate-to-inmate sexual assault and staff-to-inmate sexual assault. Somerset County Jail has a zero tolerance policy towards all forms of sexual abuse and sexual harassment. All allegations of sexual misconduct or sexual harassment will be referred

for investigation. These allegations will be investigated by Somerset County Jail's PREA Investigators and referred to appropriate staff to conduct a criminal investigation; if there is potentially any criminal behavior. All volunteers receive an orientation and contractors sign a PREA acknowledgement.

To continue, Somerset County Jail has a systematic process that starts when a resident enters our intake area (the booking process). Upon Booking all Somerset County Jail residents will be explained PREA and Somerset County Jail's zero tolerance. On this form residents are explained the ways to report any instance of sexual assault or harassment. This includes telling a staff member, by sending an inmate request or grievance, SCJ PREA Hotline, and by writing the Department of Corrections PREA Coordinator. If someone is a victim of sexual assault or harassment they have the right to counseling and help. Victim advocacy services are available and mental health for those in need.

During the Intake and classification process, arrestees will be screened and assessed by security staff, medical and mental health staff for risk as well as the possibility of sexual victimization or sexual predation. After the intake process Inmates will also receive an orientation by the Programs Department. Through this orientation PREA is explained to all inmates and questions are addressed during this presentation. This orientation process has documented PREA information which is also posted in all of our housing units, Medical, Intake, Programs, Lobby and in all of our Inmate Handbooks (which are issued to every Inmate).

When a Sexual Assault or Sexual harassment allegation is brought to the attention of staff, volunteers or contractors the receiving person makes a written report immediately to the Shift Supervisor on duty. This supervisor will conduct an initial interview with the alleged victim and perpetrator. This is to gather the who, what, where and when details to forward to Somerset County Jail's trained PREA Investigators. Immediate actions may include: coordinating for forensic evidence collection depending on totality of circumstances at local hospital, medical and mental health assistance, separation of alleged victim and perpetrator, Notification to PREA Coordinator and PREA Investigators. The victim will be offered free: medical, mental health, victim counseling and the investigation will be initiated. The victim will be monitored on a periodic basis throughout the investigation and after. This is just in case for the need of assistance, harassment as a result of an investigation and ongoing trauma based issues. The victim will be informed of the results of the investigation at the conclusion in a written notification form.

PREA Standard 115.88 mandates that correctional facilities and prisons provide a copy of their annual review. Within this document is an annual review. This review is for the year of 2019. Before going through the breakdown of allegations right below are some definitions for your review:

**Sexual Act-** Definition located in 17-A M.R.S.A: 251

**Sexual Harassment-** The 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; or

The 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.

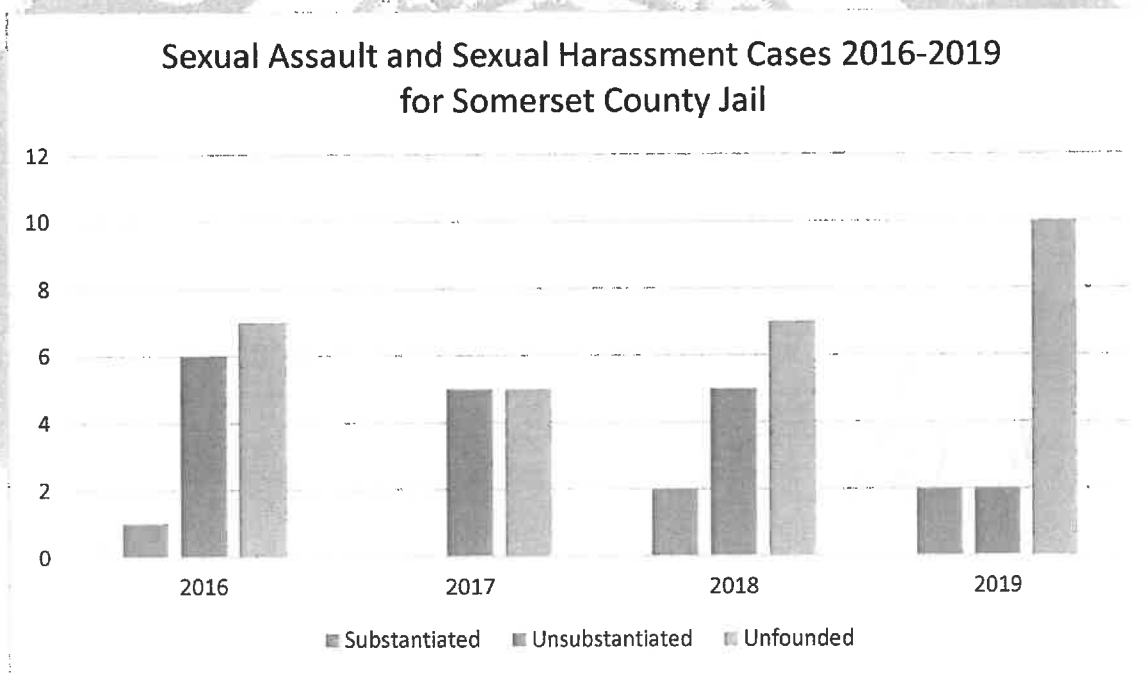
In accordance with PREA, all investigations are assigned one of the three possible determinations:

1. **Substantiated**- an allegation that was investigated and determined to have occurred
2. **Unsubstantiated**- an allegation which produced insufficient evidence to make a final determination of a substantiated or unfounded claim
3. **Unfounded**- an allegation which was investigated and determined not to have occurred

In 2019 there was a total of fourteen allegations that were investigated (that includes both sexual assault allegations and sexual harassment). The following is the breakdown of all fourteen cases:

- Two allegations were substantiated (One for sexual harassment and the other for intentional touching)
- Two allegations were determined unsubstantiated (One for allegation of sexual assault and sexual harassment and the other allegation was sexual harassment)
- Ten allegations were determined unfounded

**Below is a graph for the years 2016-2019:**



Somerset County Jail's Multi-disciplinary team is in the process of reviewing the sanitized PREA cases to provide input on ways to improve our current processes.

**Since identifying some problem areas during our initial PREA Certification SCJ has improved the following:**

- Blind spots in facility. Staff are trained that they should always have a witness when going to an area without a camera with an Inmate. If they cannot have a witness they have also been trained in PREA Training class how to do tasks which still keep them in camera view.

- Visibility line still an ongoing issue that has been added to a wish list for plan of correction in future.
- Inmates saying a PREA allegation to use as a room change if they do not like person they are in cell with (this has not been as prominent within 2019).

**Changes to SCJ response to alleged PREA related incidents from years prior:**

- Documentation from initial investigations has improved
- SCJ added another trained PREA Investigator as an additional duty
- PREA Compliance Manager posted Annual PREA Refresher training for staff on Power DMS
- Shift Supervisors conducting PREA Refreshers (used from National PREA Resource Center and modified to fit SCJ) with their staff at shift briefings
- Two of SCJ PREA Investigators attended State of Maine PREA for Correctional Investigators on November 14, 2019 (Refresher for their skill sets)
- In one case two PREA Investigators went to another facility to close an allegation that was ongoing (that was coordinated with another agency)

In conclusion, Somerset County Jail has been PREA Compliant since 2017. Somerset County jail continues to create a culture that detects, prevents and responds to PREA (Sexual Assault and sexual harassment allegations) incidents. Sexual Assault and Sexual harassment is not part of anyone's sentence. Somerset County Jail will continue to work diligently towards enforcing PREA standards and addressing PREA related incidents as they arise. A special thanks goes out to Somerset County Jail staff for upholding these standards and helping those who have reached out for help.

Written by: Compliance Manager Teshia Cates

Date: 1/9/20

Signature: 

Reviewed & approved by: Sheriff Dale P. Lancaster

Date: 1/9/20

Signature: 