

Atlantic County Department of Public Safety, Division of Adult Detention

Prison Rape Elimination Act (PREA)

Annual Report – Calendar year 2021

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of inmates in confinement settings.

The Atlantic County Department of Public Safety’s PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct and sexual harassment and provides guidelines for the prevention, detection, response, investigation and tracking of allegations against Justice Facility inmates.

The Department of Public Safety continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against inmates. Staff and inmates are educated on the Justice Facility’s zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

Substantiated allegation – an allegation that was investigated and determined to have occurred.

Unsubstantiated allegation – an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded allegation – an allegation that was investigated and determined not to have occurred.

Investigation ongoing – means evidence is still being gathered, processed or evaluated and a final determination has not yet been made.

STATISTICS:

The following are statistics of reported allegations within the Justice Facility, by category:

➤ **Inmate on Inmate Nonconsensual Sexual Acts**

	2019	2020	2021	2022	2023
Substantiated	0	1	0		
Unsubstantiated	0	2	1		
Unfounded	1	0	4		
Investigation Ongoing	0	0	0		
Total:	1	3	5		

Pursuant to PREA Federal Standards 115.87 and 115.88

Inmate on Inmate Nonconsensual Sex Acts is defined as, contact of an inmate by another inmate without his or her consent, or by coercion, or contact of an inmate who is unable to consent or refuse AND contact between the penis and vagina or the penis and anus including penetration, however slight; or contact between the mouth and the penis, vagina or anus or penetration of the anal or genital opening of another person by the hand, finger or other object.

In 2021, the number of allegations for Inmate on Inmate Nonconsensual Sexual Acts was 5.

➤ **Inmate on Inmate Abusive Sexual Contact**

	2019	2020	2021	2022	2023
Substantiated	0	1	0		
Unsubstantiated	2	0	0		
Unfounded	2	1	1		
Investigation Ongoing	0	0	0		
Total:	4	2	1		

Inmate on Inmate Abusive Sexual Contact is defined as contact of inmate by another inmate without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

In 2021, the number of allegations for Inmate on Inmate Abusive Sexual Contact was 1.

➤ **Inmate on Inmate Sexual Harassment**

	2019	2020	2021	2022	2023
Substantiated	0	0	0		
Unsubstantiated	1	1	0		
Unfounded	0	0	0		
Investigation Ongoing	0	0	0		
Total:	1	1	0		

Inmate on Inmate Sexual Harassment 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 an inmate toward another inmate.

In 2021, the number of allegations for Inmate on Inmate Sexual Harassment was 0.

Pursuant to PREA Federal Standards 115.87 and 115.88

➤ **Staff on Inmate Sexual Misconduct**

	2019	2020	2021	2022	2023
Substantiated	0	0	0		
Unsubstantiated	0	0	0		
Unfounded	0	0	2		
Investigation Ongoing	0	0	0		
Total:	0	0	2		

Staff on Inmate Sexual Misconduct is defined as threatened, coerced, attempted or completed sexual contact, assault or battery of an inmate by staff. Staff is inclusive of employees, volunteers, and independent contractors assigned to the Justice Facility. The Justice Facility's zero tolerance policy holds all staff accountable when it is proven they have violated the policy. The legal concept of "consent" does not exist between staff and inmates; any sexual behavior between them constitutes sexual misconduct and subjects all staff members to disciplinary action and/or criminal prosecution under the law of New Jersey.

In 2021, the number of allegations of Staff Sexual Misconduct was 2.

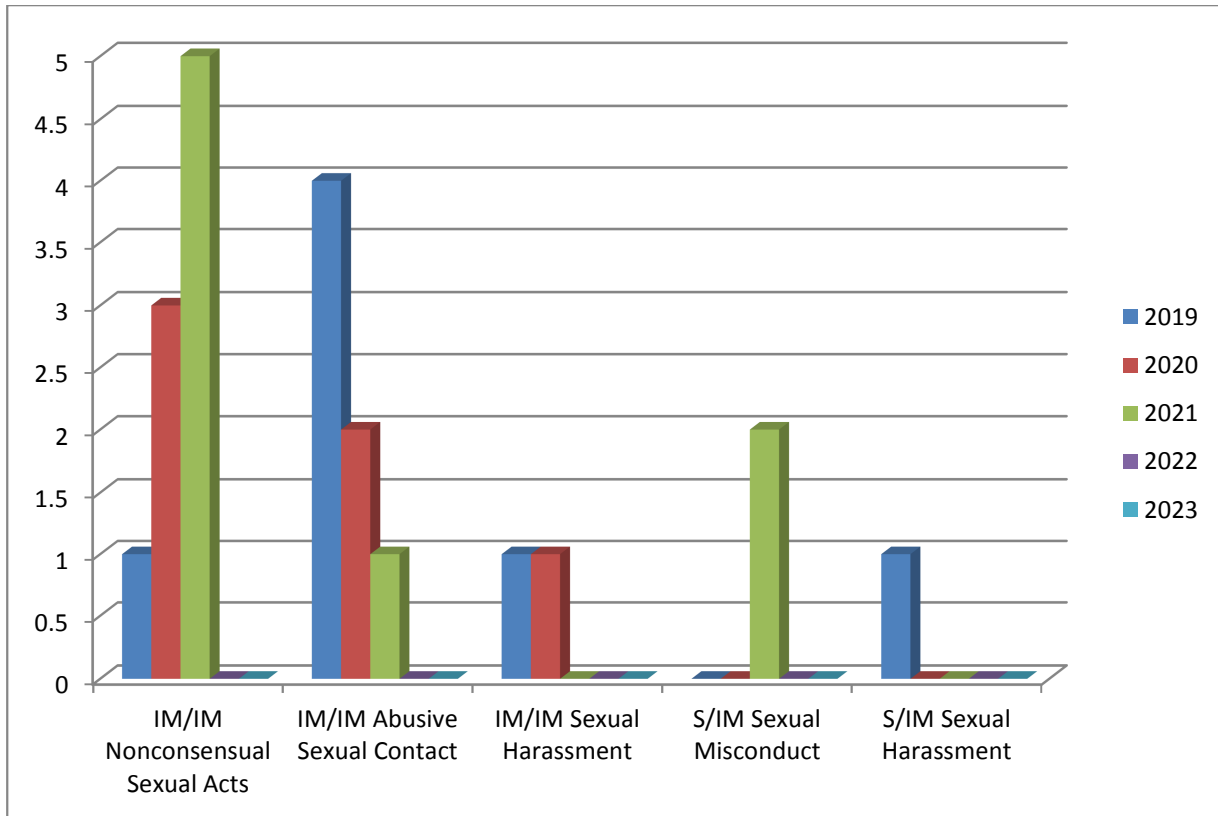
➤ **Staff on Inmate Sexual Harassment**

	2019	2020	2021	2022	2023
Substantiated	0	0	0		
Unsubstantiated	0	0	0		
Unfounded	1	0	0		
Investigation Ongoing	0	0	0		
Total:	1	0	0		

Staff on Inmate Sexual Harassment is defined as, repeated verbal comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive derogatory comments about body or clothing, or obscene language or gestures to an inmate by a staff member, contractor or volunteer.

In 2021, the number of allegations of Staff Sexual Harassment was 0.

Total Number of all PREA Allegations by Year and Type



[IM/IM= Inmate on Inmate; S/IM= Staff on Inmate]

SUMMARY

The Department PREA policy establishes a zero tolerance for sexual abuse and sexual harassment of inmates and will continue to take and investigate reports of sexual abuse and sexual harassment of inmates. The Department will continue to train and educate staff and inmates on the Department zero tolerance policy. The Department will continue to protect those inmates who report allegations of sexual abuse and sexual harassment.