



PREA ANNUAL REPORT 2023

MICHIGAN DEPARTMENT OF CORRECTIONS

206 E. Michigan Avenue
Lansing, MI 48933



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ANNUAL REPORT

Standard 115.87 requires the collection and publication of aggregated data related to incidents as categorized by the definitions set forth in the Bureau of Justice Statistics (BJS) annual Survey of Sexual Victimization (SSV-2). This information is compiled each summer for the previous calendar year and provided upon receipt of required forms from the Department of Justice (DOJ). Aggregated data from Michigan Department of Corrections (MDOC) facilities for each calendar year is included in the annual SSV-2 submission and reflected in this report. The purpose of this report is to describe audit and compliance activities for the calendar year 2023. This report is completed and signed by the Department PREA Manager and Director and published on the MDOC website, www.michigan.gov/corrections.

Mission

"We create a safer Michigan by holding offenders accountable while promoting their success."

Vision

The Vision of the Michigan Department of Corrections is based on the following principles:

1. We remain committed to the protection of the public, safety of our staff and security of offenders.
2. We actively engage in the development of effective criminal justice policy.
3. We ensure sound management using proven fiscal practices and outcome-oriented strategies.
4. We hire, train, equip, support and mentor a high-quality staff and hold them to the highest professional standards.
5. We provide humane and protective custodial care, rehabilitative opportunities and reentry assistance for offenders under our supervision.
6. We establish meaningful partnerships with public and private entities to assist us in successfully accomplishing our mission.
7. We conduct all of our duties and responsibilities with the highest degree of integrity, expectations for excellence and respect for the value and dignity of human life.

VALUES

INTEGRITY: Doing the right thing for the right reason.

TEAMWORK: Working together to get the job done.

LEADERSHIP: Inspiring others to accomplish the mission.

EXCELLENCE: Maintaining the highest standards in your professional and personal life.

RESPECT: Treating others as you would like to be treated.

LOYALTY: Demonstrating commitment and dedication to the organization and to each other.

Background

The National Standards to Prevent, Detect, and Respond to Prison Rape Under the Prison Rape Elimination Act (PREA) resulted in the creation of standards with which prisons and jails must adhere to be considered compliant with federal standards. Those standards became effective on August 20, 2012. The goal of the standards is to assist agencies in their efforts to prevent, detect, and respond appropriately to the sexual victimization of prisoners. MDOC Policy Directive 03.03.140 and PREA Manual, published on the MDOC website, outline the Department's coordinated efforts to achieve and maintain compliance with these comprehensive and complex standards. This report includes information required by PREA Standards 28 CFR §115.87, §115.88 and §115.89.

The Department has institutionalized zero tolerance toward sexual abuse and sexual harassment of all persons. MDOC staff take allegations of sexual abuse and sexual harassment of prisoners very seriously and actively work toward providing a safe environment, including freedom from sexual abuse, for those under custody. All allegations must be reported and investigated. Additionally, the department has staffed a four-member PREA Unit whose sole purpose is to assist and advise MDOC staff at all levels regarding matters related to compliance with the Standards.

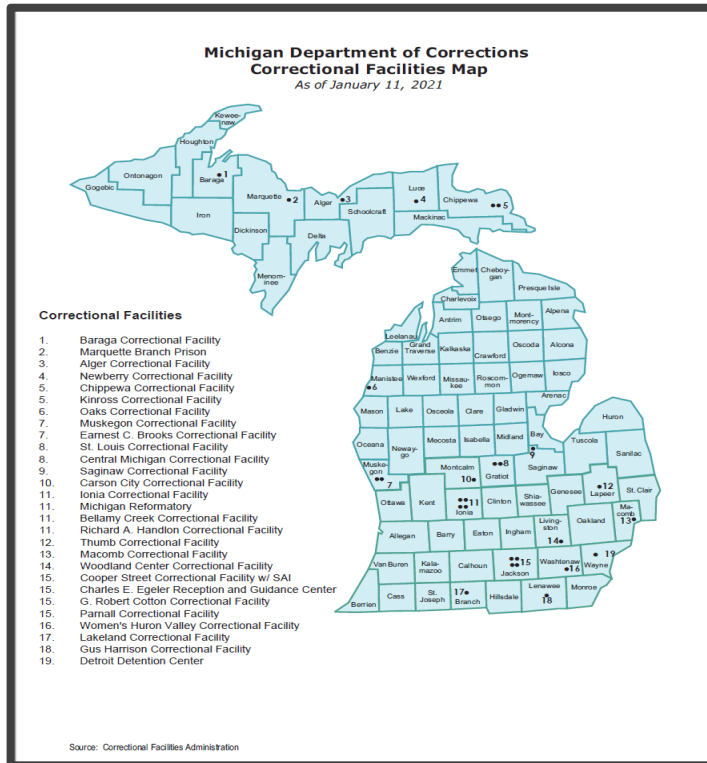
The PREA Unit is comprised of the MDOC PREA Manager, who serves as the agency PREA Coordinator and is responsible for enhancement and oversight of all PREA initiatives within the Department, and three professional staff (PREA Analysts) who each assist and advise central office staff and facility administrative staff. The Department has invested in specialized PREA training for each unit member, the comprehensive PREA training program provided by the Department of Justice through the National PREA Resource Center.

The Department currently operates 27 correctional facilities. The standards require correctional agencies to have one-third of their facilities audited each year by independent DOJ-certified auditors to complete each three-year audit cycle. Each audit year begins August 20th and ends on August 19th of the following year.

MDOC Policy Directive (PD) 03.03.140 "Prison Rape Elimination Act (PREA) and Prohibited Sexual Conduct Involving Prisoners" establishes a zero-tolerance policy of sexual violence against prisoners.

ACCOMPLISHMENTS

The PREA Unit continues to work on enhancements to PREA-related processes. The unit focused its efforts on updating policies and procedures, training material enhancements, and improving audit preparation processes. Work continues toward updating the electronic risk assessment tools for implementation into the COMS system. The development of gender-specific instruments and improvements to related processes will enhance compliance efforts.



The Department continues to partner with Just Detention International (JDI) to provide confidential outside emotional support services for prisoners who have been victims of sexual abuse. Under this agreement, the entire prisoner population is supplied with a mailing address and telephone contact information to confidentially access these services. Posters are displayed prominently throughout each facility with contact information for JDI outside confidential support services, in conjunction with other PREA postings reminding prisoners of the Department's zero-tolerance policy towards all forms of sexual abuse and sexual harassment. These posters are a convenient resource that provides the prisoner population with contact information to access outside emotional support services.

The PREA Compliance Unit operates under the umbrella of the MDOC's Audit Compliance Unit. The Audit Compliance Unit is the MDOC's internal oversight entity within the Procurement, Monitoring, and Compliance Division. The unit ensures compliance with policies, procedures, and regulations throughout the Department.

AUDITS

PREA Audit Cycle

During each one-year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited. The PREA Audit itself is comprised of three phases: Pre-Audit, Audit (on-site), and Post Audit periods. During the months preceding the on-site portion, hundreds of documents are gathered and provided to auditors to be reviewed. The on-site portion includes interviews of specified and random staff and prisoners, and an in-depth facility assessment to observe processes as well as examine all areas of the facility, including staff and camera coverage.

August 20, 2023 – August 19, 2024

Nine facilities were audited during audited during year 2 of Audit Cycle 4. These audit reports are publicly available on the MDOC Website.

Saginaw Correctional Facility (SRF)
 Baraga Correctional Facility (AMF)
 Marquette Branch Prison (MBP)*
 Muskegon Correctional Facility (MCF)*
 Richard Handlon Correctional Facility (MTU)*
 Macomb Correctional Facility (MRF)*
 Woodland Correctional Facility (WCC)
 St. Louis Correctional Facility (SLF)*
 Central Michigan Correctional Facility (STF)*

*The final report was not available at the time of this report.

August 20, 2022 – August 19, 2023

Nine facilities were audited during audited during year 1 of Audit Cycle 4. These audit reports are publicly available on the MDOC Website.

Alger Correctional Facility (LMF)
 Bellamy Creek Correctional Facility (IBC)
 Gus Harrison Correctional Facility (ARF)
 Carson City Correctional Facility (DRF)
 Cooper Street Correctional Facility (JCS)
 Ionia Correctional Facility (ICF)
 Lakeland Correctional Facility (LCF)
 Newberry Correctional Facility (NCF)
 Oaks Correctional Facility (ECF)

PREA RESOURCE CENTER GUIDANCE

In order to preserve the integrity of the PREA audit, this guidance **restricts** the ability of auditors to conduct certain components of the onsite phase of the audit remotely. DOJ-certified PREA auditors **are not** permitted to conduct the site review portion of the onsite audit remotely, as it does not comport with the requirements in the PREA Standards, PREA Auditor Handbook (Handbook), and Audit Instrument. DOJ-certified PREA auditors **are not** permitted to conduct virtual interviews, either by phone or by video, with inmates, as this does not comport with the requirements in the Handbook and Audit Instrument. Auditors **are not** permitted to conduct non-supervisory and non-administrative staff interviews remotely, either by phone or by video, as these staff may be less able to speak privately and freely to auditors than supervisory and administrative staff. Auditors should exercise extreme caution in determining whether or not it is safe to go onsite to a facility/agency to complete the onsite phase of the audit.

CORRECTIVE ACTION

The post-audit review consists of clarification and analysis of documentation, practices, and observations, resulting in an audit report that addresses agency and facility compliance with every element of the standards. If areas of noncompliance are identified, the report will be an interim report that leads to a corrective action plan. Following any corrective action period, a comprehensive final audit report is provided by the auditor to the facility.

The PREA Auditor Handbook (Version 2.1) from the Department of Justice PREA Resource Center indicates that there are several hundred requirements per the PREA standards and that very few (if any) confinement facilities will be in full compliance with all standards and will undergo corrective action. Corrective action is an expected outcome of a PREA audit.

Facilities have up to 180 days to undertake the agreed upon corrective actions; provide the evidence the auditor requires to verify that the facility has fully addressed all deficiencies identified in the interim report, and is in compliance with all PREA Standards. Following the conclusion of the corrective action period, the auditor has an additional 30 days to complete and submit the final report to the audited facility and/or agency.

Corrective Action by Standard

- 115.13 Supervision and monitoring
- 115.15 Limits to cross gender viewing and searches
- 115.16 Inmates with disabilities and inmates who are limited English proficient
- 115.17 Hiring and promotion decisions
- 115.18 Upgrades to facilities and technologies
- 115.21 Evidence protocol and forensic medical examinations
- 115.32 Volunteer and contractor training
- 115.33 Inmate Education
- 115.34 Specialized training: Investigations
- 115.35 Specialized training: Medical and mental health care
- 115.41 Screening for risk of victimization and abusiveness
- 115.42 Use of screening information
- 115.43 Protective custody
- 115.51 Inmate reporting
- 115.52 Exhaustion of administrative remedies
- 115.53 Inmate access to outside confidential support services
- 115.54 Third-party reporting
- 115.63 Reporting other confinement facilities
- 115.65 Coordinated response
- 115.67 Agency protection against retaliation
- 115.68 Post allegation protective custody
- 115.71 Criminal and administrative agency investigations
- 115.72 Evidentiary standard for administrative investigations
- 115.73 Reporting to inmates
- 115.81 Medical and mental health screening; history of sexual abuse
- 115.82 Access to emergency medical and mental health services
- 115.83 Ongoing medical and mental health care for sexual abuse victims and abusers
- 115.86 Sexual abuse incident reviews

Note: The above reflects the aggregate corrective action items identified in the interim audit reports.

REPORTING

MDOC policy requires that all allegations of prisoner-on-prisoner sexual abuse/sexual harassment, employee sexual abuse/sexual harassment, and employee overfamiliarity are entered into the MDOC computerized database and investigated.

The Department utilizes multiple methods of reporting to identify and prevent sexual abuse. Each allegation is investigated and concluded with findings of Sufficient Evidence to support the allegation, Insufficient Evidence to support the allegation, or No Evidence to support the investigation. These findings translate for PREA investigations into Substantiated, Unsubstantiated, and Unfounded, respectively, to be recorded on the annual Department of Justice Survey of Sexual Victimization.

Prisoners have multiple internal ways to privately report sexual abuse and sexual harassment, retaliation by other prisoners or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Prisoners may submit allegations of abuse or harassment in writing, make a verbal report, via a third party, or call the PREA Hotline. Additionally, reports can be made by employees or prisoners verbally or in writing regardless of when the incident was alleged to have occurred. In addition, included in the discharge packet is the MDOC PREA Prisoner Discharge Information (CAJ-1039) form that informs prisoners how to report sexual abuse/sexual harassment allegations after discharge.

The MDOC also provides prisoners with contact information for the Legislative Corrections Ombudsman (LCO) during the intake education process. This information gives prisoners at least one way to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the prisoners to remain anonymous upon request. Additionally, contact information for Crime Stoppers is typically provided on unit bulletin boards.

Third parties, including fellow prisoners, staff members, family members, attorneys, and outside advocates, may submit reports of sexual abuse and sexual harassment utilizing the multiple methods of reporting noted above. In addition, third parties may also submit allegations via the Department's Sexual Abuse/Sexual Harassment Complaint Form on the MDOC website. Information about third-party reporting is distributed during inmate orientation, stated in MDOC policy, and located on the MDOC website at <https://www.michigan.gov/corrections/public-information/statistics-and-reports/prea>.

Department policy requires staff to immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency; retaliation against prisoners or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Additionally, staff may report privately to the appropriate supervisory employees or utilize any of the abovementioned reporting methods.

INVESTIGATION DATA

This report contains statistical information on reported cases of the various types of sexual misconduct in MDOC facilities. PREA-related allegations are described in the following categories to align with the Department of Justice (DOJ) definitions.

Definitions

Prisoner on Prisoner Sexual Abuse: Sexual abuse of a prisoner by another prisoner 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. **Nonconsensual Sexual Act (NCSA):** Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; contact between the mouth and the penis, vulva, or anus; penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
2. **Abusive Sexual Contact (ASC):** 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.

Sexual Abuse of Offender (SAO): Contact between the penis and the vulva or the penis and the anus, including penetration, however slight, including any attempt, threat or request. Contact between the mouth and the penis, vulva, or anus, including any attempt, threat or request. Contact between the mouth and any body part where the employee has the intent to abuse, arouse, or gratify sexual desire, including any attempt, threat or request. 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 employee has the intent to abuse, arouse, or gratify sexual desire, including any attempt, threat or request. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the employee has the intent to abuse, arouse, or gratify sexual desire, including any attempt, threat or request. Any display by an employee of his or her uncovered genitalia, buttocks, or breast in the presence of an offender

Voyeurism means an invasion of privacy of an offender by an employee 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.

Sexual Harassment Prisoner on Prisoner (SHPP): Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one prisoner directed toward another.

Staff on Prisoner Sexual Harassment (SHO): Verbal comments or gestures of a sexual nature to a prisoner by an employee, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Facility Sexual Abuse and Sexual Harassment Allegations 2023

FACILITY	ASC	NCSA	SHPP	SAO	SHO
Alger Correctional Facility (LMF)	2	1	2	16	22
Baraga Correctional Facility (AMF)	0	0	0	27	29
Bellamy Creek Correctional Facility (IBC)	3	10	10	39	27
Carson City Correctional Facility (DRF)	9	26	9	36	57
Central Michigan Correctional Facility (STF)	3	2	16	10	18
Charles Egeler Reception and Guidance Center (RGC)	1	4	15	11	55
Chippewa Correctional Facility (URF)	1	8	0	20	8
Cooper Street Correctional Facility (JCS)	3	2	10	6	14
Detroit Detention Center Correctional Facility (DDC)	0	0	0	1	0
Duane Waters Hospital (RGC)	0	0	0	1	2
Ernest C. Brooks Correctional Facility (LRF)	0	9	0	15	21
G. Robert Cotton Correctional Facility (JCF)	1	20	21	19	24
Gus Harrison Correctional Facility (ARF)	6	10	24	38	21
Ionia Correctional Facility (ICF)	0	0	2	11	16
Kinross Correctional Facility (KCF)	3	1	4	8	0
Lakeland Correctional Facility (LCF)	0	4	5	11	7
Macomb Correctional Facility (MRF)	11	15	18	34	30
Marquette Branch Prison (MBP)	1	0	5	30	24
Muskegon Correctional Facility (MCF)	2	8	9	5	6
Newberry Correctional Facility (NCF)	1	2	8	7	5
Oaks Correctional Facility (ECF)	3	8	14	30	51
Parnall Correctional Facility (SMT)	6	5	9	7	13
Richard A. Handlon Correctional Facility (MTU)	16	11	19	8	18
Saginaw Correctional Facility (SRF)	2	7	2	5	4
St. Louis Correctional Facility (SLF)	6	2	8	41	36
Thumb Correctional Facility (TCF)	6	4	20	12	21
Women's Huron Valley Correctional Facility (WHV)	44	130	133	29	9
Woodland Center Correctional Facility (WCC)	1	2	57	10	45
Contracted Confinement Facility (Eaton County)**	0	0	0	1	1
Total	131	291	420	488	584

** Data provided in accordance with Standard 115.89

2023 ALLEGATION DATA



1,914

TOTAL ALLEGATIONS*



Allegation Type	Total
ASC	131
NCSA	291
SHPP	420
SAO	488
SHO	584



39

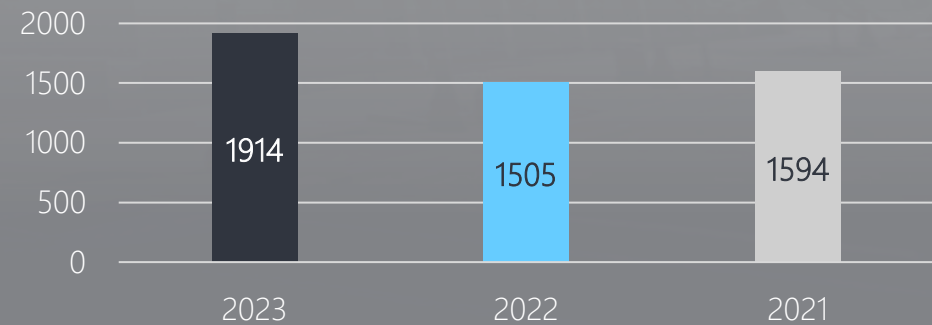
Sufficient Evidence Findings
in 2023

PERCENTAGE CHANGE

Increase in the total number of allegations when compared to the total number of allegations in the previous year

27%

Three Year Comparison



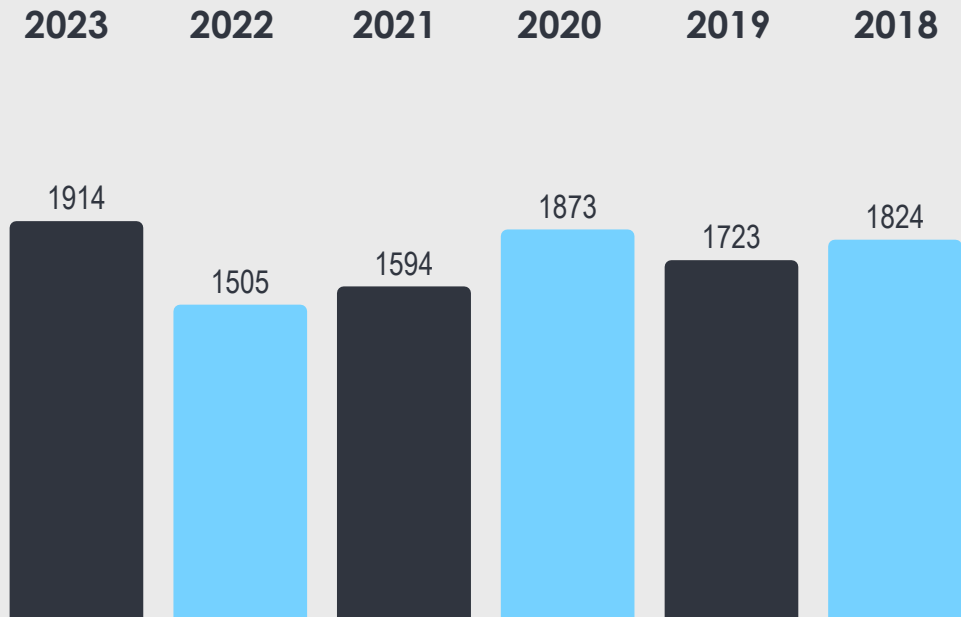
*Includes contracted confinement facility data.



Allegations

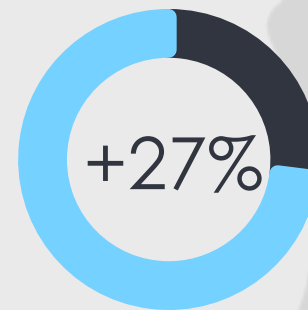
1,914

Total allegations in 2023

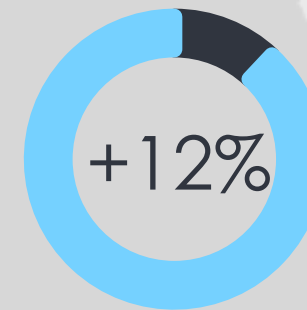


Possible explanations for the increase in allegations include:

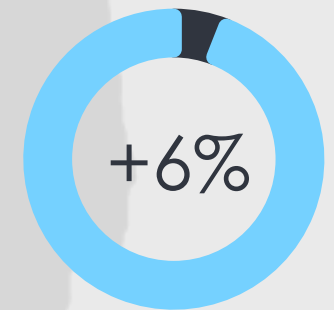
- Elimination of COVID-19 social distancing restrictions
- The prisoner population resumed regular interactions and activities
- Increased awareness of reporting methods



Percentage increase in total allegations from 2022 to 2023



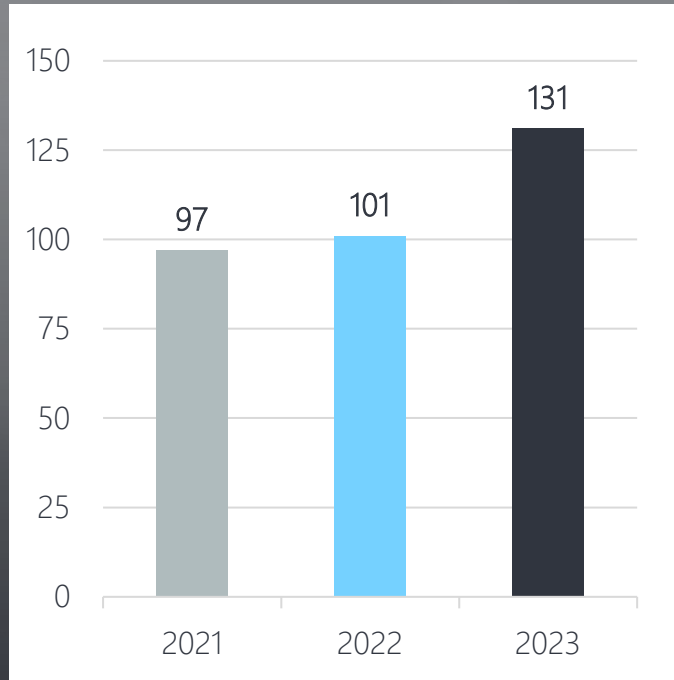
Total allegations in 2023 represent a 12% increase over the average of the previous five-years



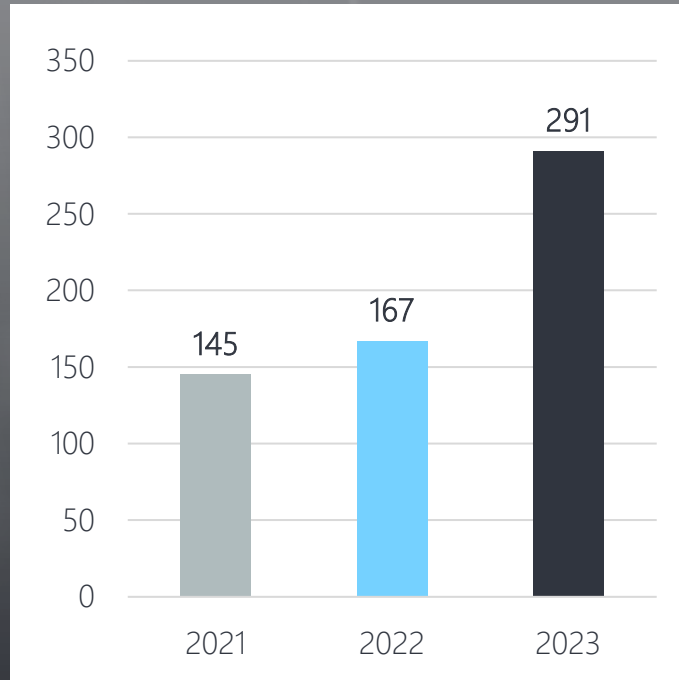
Total allegations in 2023 represent a 6% increase over the pre-COVID 19 restrictions average

Allegations by Type – Three Year Comparison

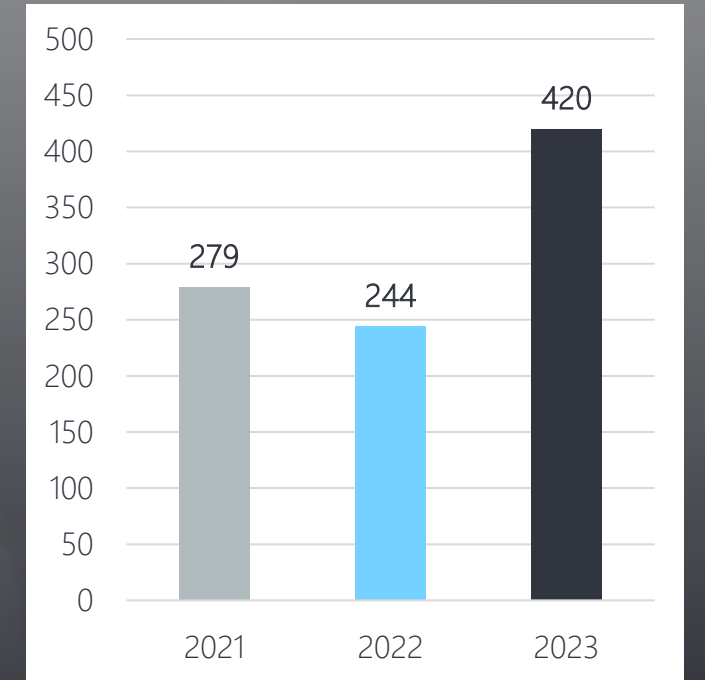
ASC Abusive Sexual Contact



NCSA Non-Consensual Sexual Act

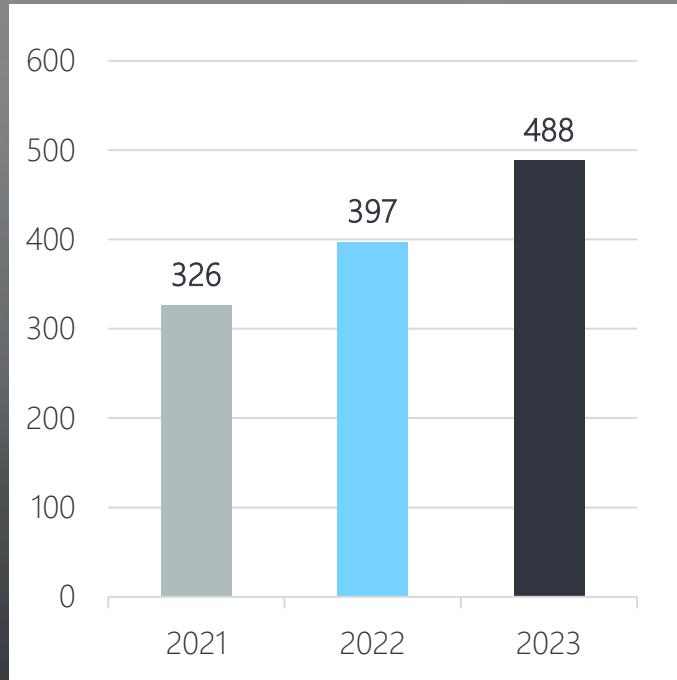


SHPP Sexual Harassment Prisoner on Prisoner

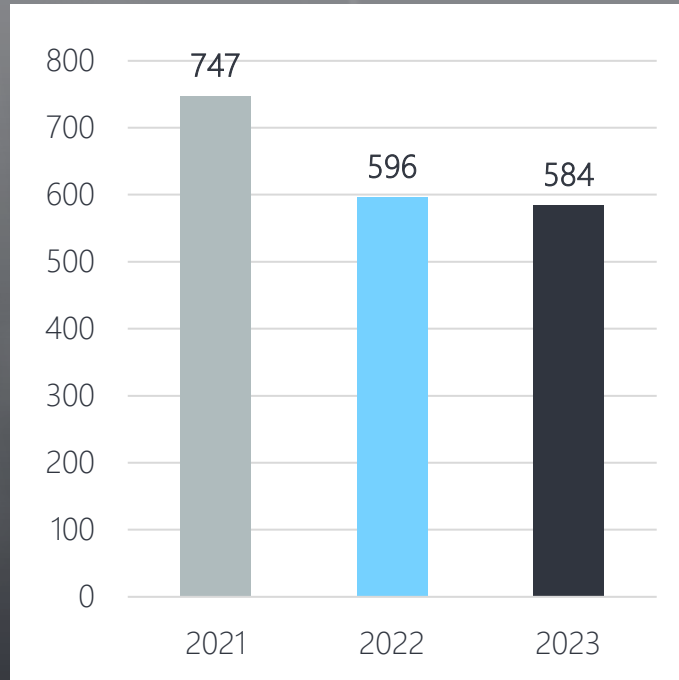


Allegations by Type – Three Year Comparison

SAO Sexual Abuse of Offender*



SHO Sexual Harassment of Offender*



TOTAL Total Allegations by Type Three Year Comparison



*Includes contracted confinement facility data.

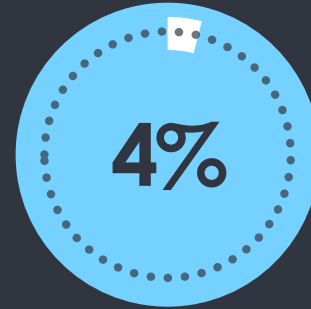


INVESTIGATION FINDINGS BY ALLEGATION TYPE

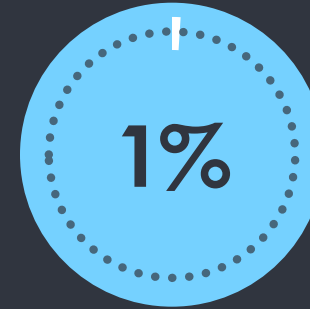
Abusive Sexual Contact 2023



Insufficient Evidence



No Evidence



Sufficient Evidence



Open at Year End 2023

Finding	CHANGE +/-	2023	2022	2021
Insufficient Evidence	+48%	99	90	67
No Evidence	-43%	4	3	7
Sufficient Evidence	-75%	1	6	4
Open at Year End 2023	+42%	27	2	19
TOTAL	+35%	131	101	97

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.

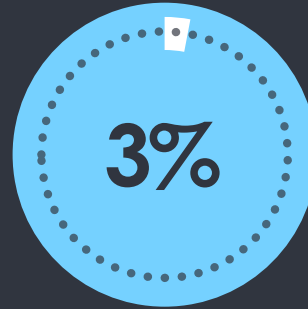


INVESTIGATION FINDINGS BY ALLEGATION TYPE

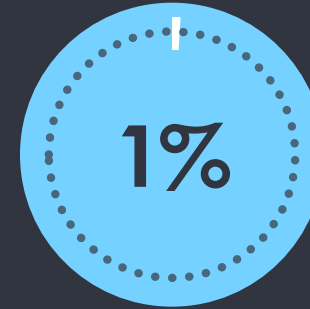
Non-Consensual Sexual Acts 2023



Insufficient Evidence



No Evidence



Sufficient Evidence



Open at Year End 2023

Finding	CHANGE +/-	2023	2022	2021
Insufficient Evidence	+127%	213	157	94
No Evidence	-17%	10	5	12
Sufficient Evidence	-50%	3	1	6
Open at Year End 2023	+97%	65	4	33
TOTAL	+101%	291	167	145

Contact between the penis and the vulva or the penis and the anus, including penetration, however slight; contact between the mouth and the penis, vulva, or anus; penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

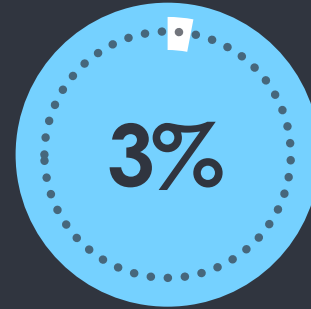


INVESTIGATION FINDINGS BY ALLEGATION TYPE

Sexual Harassment Prisoner on Prisoner 2023



Insufficient Evidence



No Evidence



Sufficient Evidence



Open at Year End 2023

Finding	CHANGE +/-	2023	2022	2021
Insufficient Evidence	+39%	305	181	219
No Evidence	-35%	11	2	17
Sufficient Evidence	+50%	21	9	14
Open at Year End 2023	+186%	83	52	29
TOTAL	+51%	420	244	279

Unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one prisoner directed toward another prisoner.



INVESTIGATION FINDINGS BY ALLEGATION TYPE

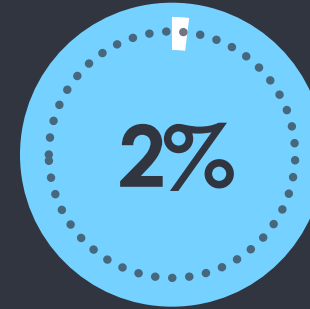
Sexual Abuse of Offender 2023*



Insufficient Evidence



No Evidence



Sufficient Evidence



Open at Year End 2023

Finding	CHANGE +/-	2023	2022	2021
Insufficient Evidence	+71%	315	210	184
No Evidence	-17%	45	42	54
Sufficient Evidence	+80%	9	6	5
Open at Year End 2023	+43%	119	139	83
TOTAL	+49%	488	397	326

Unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one prisoner directed toward another prisoner.

*Includes contracted confinement facility data.

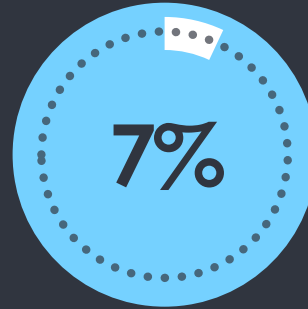


INVESTIGATION FINDINGS BY ALLEGATION TYPE

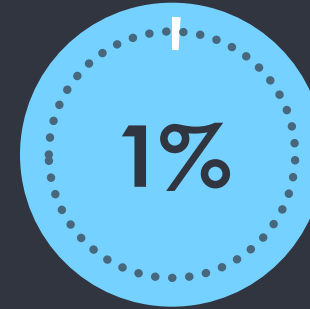
Sexual Harassment of Offender 2023*



Insufficient Evidence



No Evidence



Sufficient Evidence



Open at Year End 2023

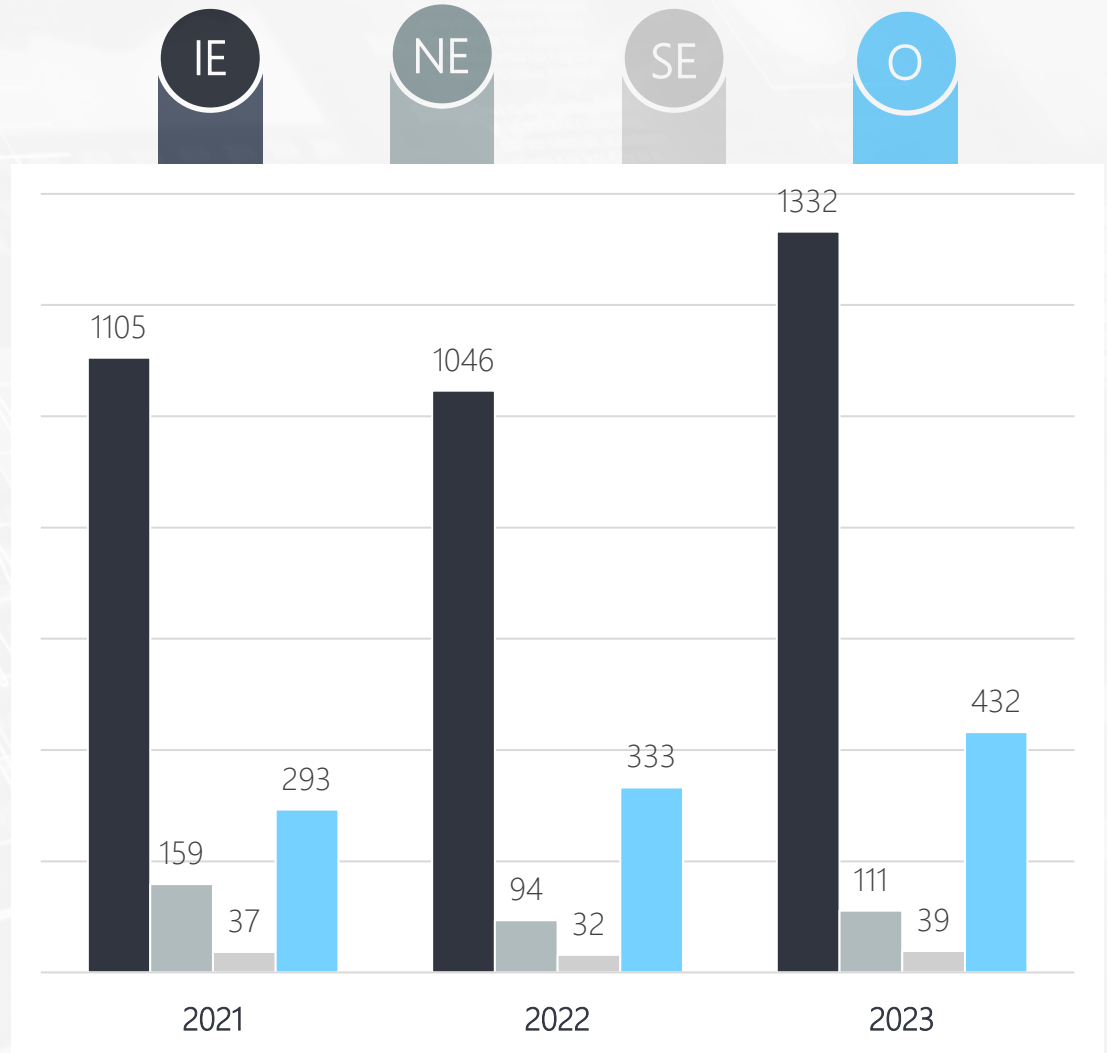
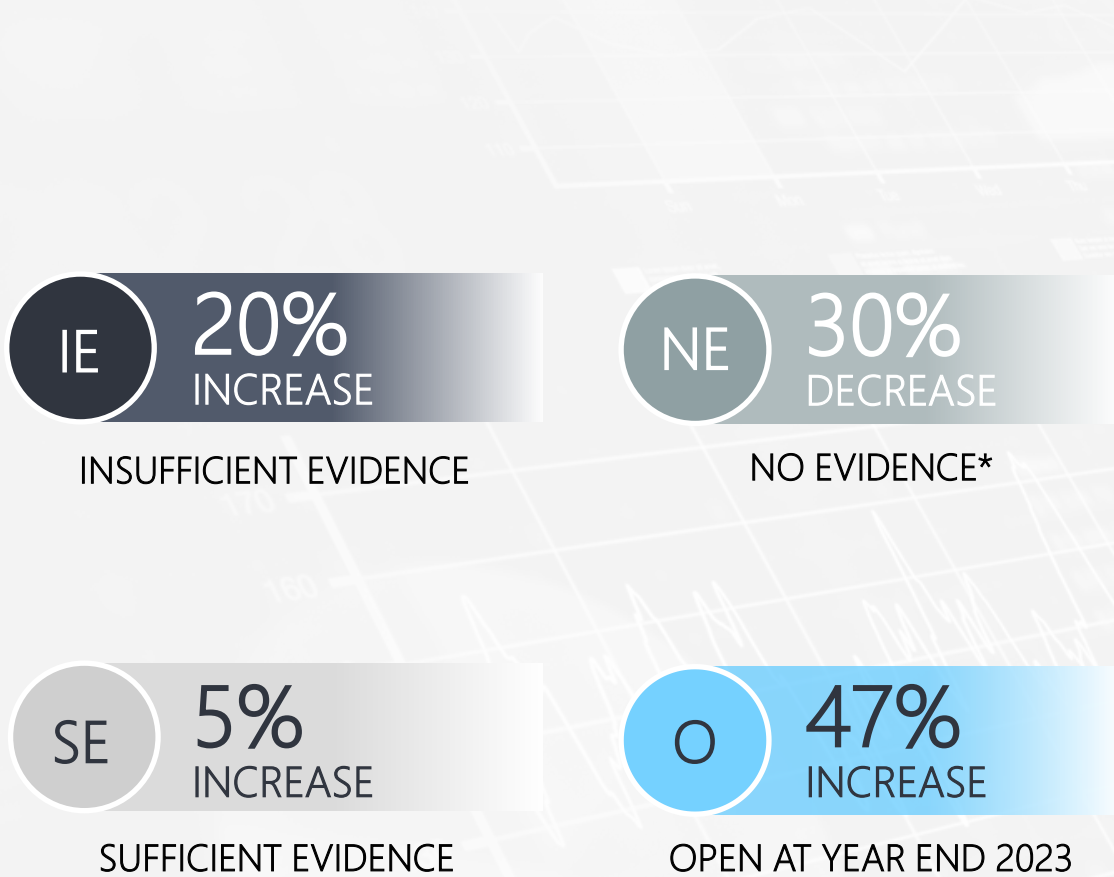
Finding	CHANGE +/-	2023	2022	2021
Insufficient Evidence	-26%	400	408	541
No Evidence	-41%	41	42	69
Sufficient Evidence	-38%	5	10	8
Open at Year End 2023	+7%	138	136	129
TOTAL	-22%	584	596	747

Verbal comments or gestures of a sexual nature to a prisoner by an employee, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

*Includes contracted confinement facility data.



ALLEGATION FINDINGS THREE YEAR COMPARISON



*Includes contracted confinement facility data.



SUMMARY

The Michigan Department of Corrections strives to ensure protection of all prisoners from sexual harassment and/or abuse by employing best practice standards in carrying out our mission to create a safer Michigan by holding offenders accountable while promoting their success.

The MDOC has prioritized implementation of the PREA standards into every aspect of operations at all facilities. With each passing year, staff and prisoners better understand processes related to the PREA standards. The MDOC continues to build upon best practices within its facilities and from other states' correctional processes, as well as current research and the DOJ's interpretive guidance. Each audit presents an opportunity to continue to enhance efforts to maintain an environment free from sexual victimization for prisoners, and to demonstrate compliance with each provision of the PREA Standards.

Per Standard 115.88, the data has been reviewed and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of MDOC sexual abuse prevention, detection, and response policies, practices, and training, including by identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. This report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse.

This report is made available to the public through the MDOC website, <https://www.michigan.gov/corrections/public-information/statistics-and-reports/prea>, as required by the Prison Rape Elimination Act National Standards. It is published to provide information to the public regarding the Department's continued efforts to reduce and/or eliminate sexual abuse and sexual harassment within its facilities. In addition, annual Surveys on Sexual Victimization and annual MDOC statistical report are posted on the website. For information related to statistics for allegations at specific facilities, please contact the PREA Manager via the same website.

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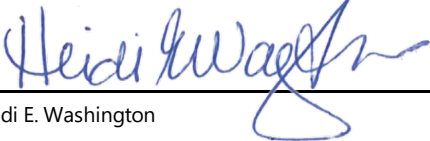


C.J. Carlson

10/07/2024

MDOC, PREA Manager

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Heidi E. Washington

Director