


2023 ANNUAL PREA REPORT

SEXUAL SAFETY IS FACILITY SAFETY





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In August 2012, the United States Department of Justice (DOJ) published the National Prison Rape Elimination Act (PREA) Standards. This annual report is written in accordance with PREA Standards §115.87 and §115.387, which require the collection and annual aggregation of data and PREA Standards §115.88 and §115.388, which require the review and assessment of that collected data to improve the effectiveness of sexual abuse and sexual harassment prevention, detection and response policies, practices and training.

The Kansas Department of Corrections is committed to providing a safe and secure environment for all facility residents, and therefore, has zero tolerance for sexual abuse and sexual harassment.

AGENCY REPORT

The year 2023 began with **all Kansas Department of Corrections (KDOC) facilities certified in full compliance with the Federal PREA Standards by the Department of Justice (DOJ)**. This truly fantastic news does not allow for slowing down or coasting. To the contrary, the work to ensure ongoing compliance with the Federal PREA Standards is more important than ever, as 2023 marks the first year states are not afforded the option of the Governor assuring PREA compliance efforts if a facility is found out of compliance. While recognizing the importance of complying with the Federal PREA Standards, **in 2023 the KDOC redoubled their efforts to eliminate sexual violence for the incarcerated citizens of Kansas.**

Every month in 2023 was focused on a specific project to enhance KDOC's efforts to increase sexual safety for the Residents in their care. From completely redesigning the PREA education materials for Residents, to creating a new 3-digit system for Residents to contact their local advocacy agency, to renewing MOUs and providing training for each facility's local advocacy agency, to fine-tuning a strategic and uniform system to prepare for the DOJ facility PREA audits, to developing new Basic and Annual PREA Staff training, the KDOC successfully synchronized a multitude of PREA-related processes and protocols statewide.

Education is one of the most essential components in preventing, detecting and responding to sexual abuse and sexual harassment. For the first time in approximately twelve years, the PREA educational materials provided to Residents were reconstructed. To ensure full compliance with Federal PREA Standard §115.31 and §115.331, the **Resident PREA education materials were transformed** from a single black and white tri-fold pamphlet to two documents; a full-size, 1-page Intake Flyer and a full-size, multi-page Comprehensive Brochure. Both documents are visually appealing, accessible to those with limited vision, limited cognition, and those who do not speak English as their first language. Funded by a Federal Bureau of Justice Assistance grant 23-PREA-01, these documents were translated to Spanish by a translation organization and professionally printed in full-color. Resident focus groups, the facility PREA Compliance Managers (PCM) and PREA Compliance Manager Alternates (PCMA), provided feedback after reviewing the new educational materials to make certain the language of these Resident PREA education materials were tailored to the unique needs of the Resident population in the prison environment.

Reviewing the timeline in which the Residents receive the PREA education materials was a natural next-step in revitalizing the materials. In this review, it was noted that Residents were not receiving the educational materials per PREA standard §115.31 and §115.331. And so, **the current process for delivering PREA education to Residents was realigned**. Beginning in 2023, all Residents, before spending the night at a facility, receive a PREA Intake Flyer. At orientation, the Residents are given clarifying information on how to utilize the services provided to them by their local advocacy agency. These services are provided to Residents as opportunities to heal from sexual violence they have experienced at anytime in their life. Then, within 20-30 days of arrival to the facility, the Unit Team and Resident will read the PREA Comprehensive Brochure together, ensuring the Resident understands the information and is provided an opportunity to ask questions.

A specific requirement of standard §115.31 and §115.331, is that Residents are informed of how to contact their local advocacy agency and of the services they provide. To increase Residents' accessibility with their local advocacy agency, **a 3-digit number, representing the initials of each specific KDOC facility, was created**. This 3-digit number, which is easier for Residents to remember, is directly linked to the facility specific advocacy agency's 10-digit 24-hour hotline number. Arrangements were made with the KDOC phone company, Praeses, to ensure the calls made through the 3-digit numbers are not recorded.

Anticipating an increase of hotline calls to the advocacy agency, the Statewide PREA Coordinator conducted **training for the local advocacy agencies**, providing an introduction to PREA, how to safety plan with Residents inside a correctional facility, and the multiple options for Residents to report a PREA incident. These trainings were recorded, as requested by the advocacy agencies, for use in future advocate trainings at their agency. Additionally, to ensure Residents receive congruent services and access to advocacy resources no matter their facility, **a statewide MOU between KDOC and advocacy agencies was established** and signed by each of the advocacy agencies. The local advocacy agencies expressed excitement about this renewed collaboration and opportunity to increase connection and services with the KDOC Residents.

With each passing year, the KDOC learns more about how best to prepare for the DOJ PREA Audits. 2023 marked the first year the KDOC DOJ PREA Audits were totally integrated with the new Online Auditing System (OAS) and the online Pre-Audit Questionnaire (PAQ). Developed by the PREA Resource Center, the OAS PAQ requires intensive agency and facility documentation, not previously required, to successfully complete the Pre-Audit phase of the DOJ PREA Audit. To ease the burden of the PAQ preparation process for future KDOC facilities, Topeka Correctional Facility (TCF) PREA Compliance Manager, Greg Perez, and Statewide PREA Coordinator created a **systematic and uniform folder system containing all PAQ required agency and facility documentation**. Approximately 500 pieces of documentation were carefully labeled to correspond with the PAQ standards and provisions for ease of transfer to the PAQ. All facilities audited after TCF will utilize this system to significantly decrease the amount of time completing their OAS PAQ and increase the successful outcome of their individual facility DOJ PREA Audit.

PREA AUDIT CYCLES

During 2023, Year One of Cycle Four of the DOJ PREA Audit Cycle ended and Year Two of Cycle Four began. During this time period, the DOJ conducted four KDOC facility PREA Audits and the results were record setting! In the history of the State of Kansas, no facility has exceeded a higher number of PREA Standards than the four facilities audited this year:

- Topeka Correctional Facility – Six “Exceeds Standards,”
- Hutchinson Correctional Facility – Eight “Exceeds Standards,”
- Winfield Correctional Facility and Wichita Work Release Facility – Seven “Exceeds Standards.”
- El Dorado Correctional Facility – Twelve “Exceeds Standards.”

FACILITY REPORTS

KDOC facility PREA Compliance Managers (PCM) contributed the facility reports found on the subsequent pages. The Statewide PREA Coordinator compiled the aggregated data from the facility specific databases managed by each facility PCM and PCMA.

On the following pages, graphs contain the number of investigated PREA cases for each specific facility and the state adult facilities as a whole. The definition of each category of PREA case is listed on the same page as the graph. The outcome for each PREA case is determined to be either:

Substantiated: The report was investigated and evidence determined the event did occur.

Unsubstantiated: The report was investigated and there was not enough evidence to make a determination if the event did, or did not, occur.

Unfounded: The report was investigated and evidence determined the event did not occur.

TRAUMA INFORMED READING

The remaining pages of this report discuss incidences of sexual violence. While no graphic language is used, the information may be disturbing to those who have experienced, or know someone who has experienced, sexual violence.

EL DORADO CORRECTIONAL FACILITY

PREA Compliance Manager: Matthew Moore, Deputy Warden

PREA Compliance Manager Alternate: David Lewis, Restricted Housing Administrator

PREA Compliance Manager Alternate: Aaron Rion, Corrections Manager I, Oswego Correctional Facility

2023 PREA Cases						
	Resident to Resident			Staff to Resident		Ongoing Investigations
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	2	4	6	1	3	2
Unsubstantiated	7	5	6	7	3	
Unfounded	1	2	0	1	1	

El Dorado Correctional Facility (EDCF) completed their DOJ PREA Audit in December 2023 with an outcome of 12 “exceeds standards,” a truly remarkable number of exceeds standards! As the second largest facility with the highest custody level in the state, EDCF is taking exceptional measures to ensure the sexual safety of the Residents in their care.

Challenges: A number of issues were identified regarding camera coverage and potential blind spots. These issues were quickly remedied by adding or upgrading approximately 250 cameras around both EDCF Central and the satellite facility, Oswego Correctional Facility (OCF). Additionally, PCM Moore recognized that EDCF Staff needed an opportunity to develop their skills as first responders to PREA incidents. To enhance these skills, PCM Moore created scenarios based on the reported and investigated EDCF PREA incidences from 2023 for re-training Staff regarding their response procedure responsibilities.

Successes: EDCF extended their Retaliation Monitoring process to a minimum of 120 days, instead of 90 days, as a way to confirm there is no retaliation for Residents or Staff who report PREA incidences. EDCF has also extended their Sexual Assault Incident Review (SAIR) Board meetings to include careful examination of all closed PREA cases. In addition to correcting any concerns identified at the SAIR Board meetings, EDCF is also interested in tracking patterns of reports to prevent future perpetration of sexual violence.

EDCF has an almost perfect performance record for meeting the required timelines of all initial, 30-day, Biannual, Event Driven, and Annual SVAs. The 14-day period notification system of Behavioral Health Staff after a Resident is newly identified as a Victim Incarcerated or Known Aggressor is working flawlessly.

A few additional successes for EDCF include completing the assembly of expanded metal barriers around the washer and dryers in the laundry area, innovating the framework display for the PREA “6-pack” signage completed with Resident design and construction, manufacturing over 60 of these PREA signage frames for other state facilities, hanging lighted “female in the living unit” gender announcement signs, and conducting additional PREA training for staff to address areas not required by the Federal PREA standards.

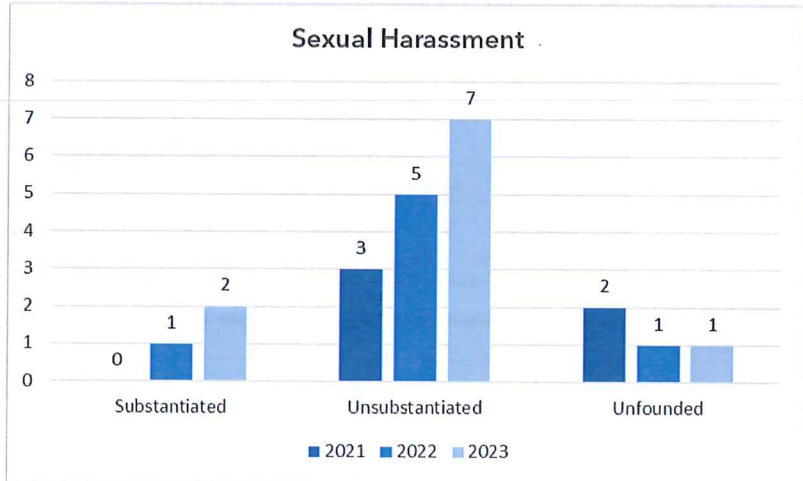
EL DORADO CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

*EDCF has 2 cases pending Kansas Bureau of Investigation (KBI) forensic laboratory results.

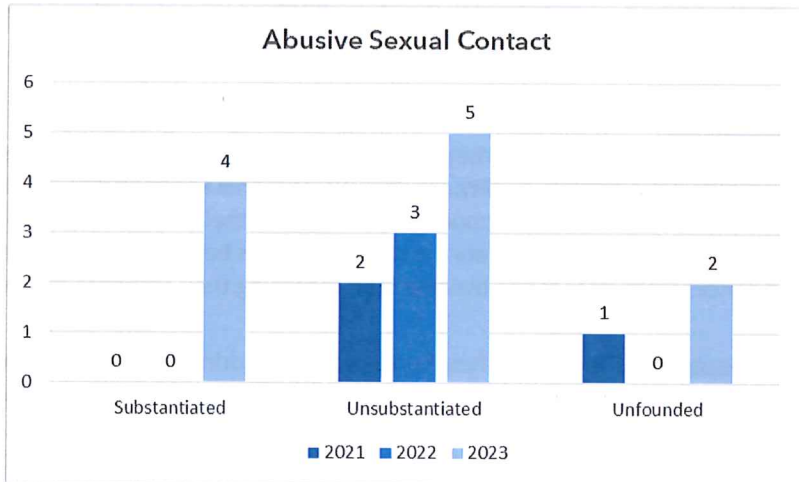
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



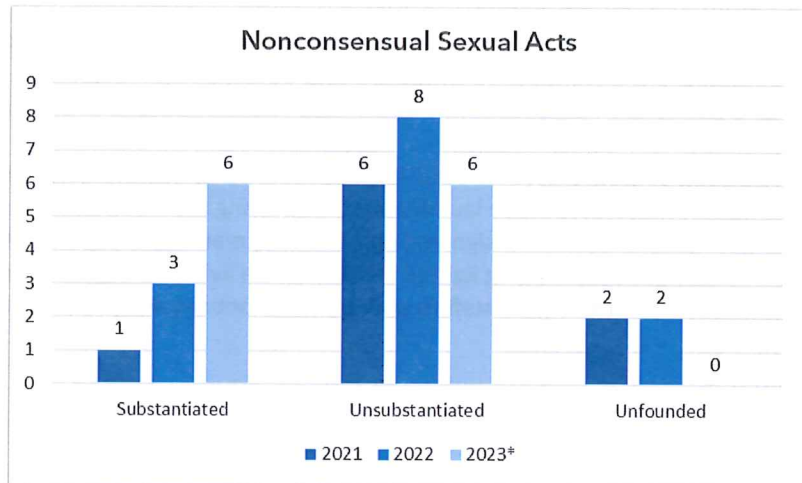
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse and
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

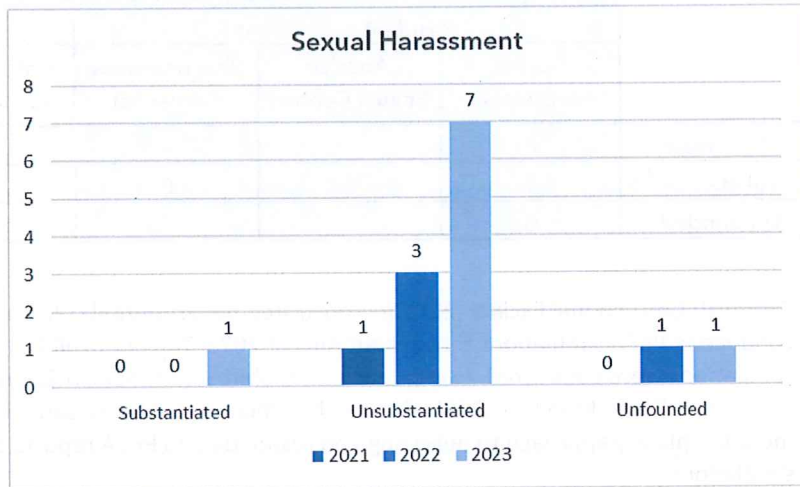


EL DORADO CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

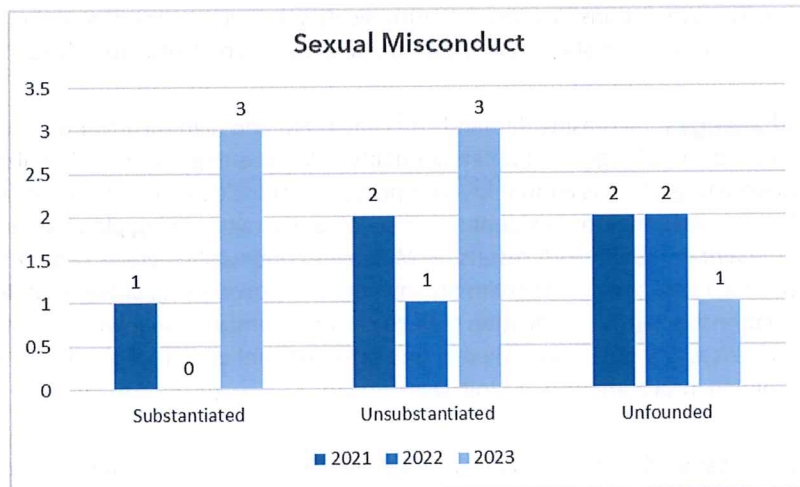
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

ELLSWORTH CORRECTIONAL FACILITY

PREA Compliance Manager: Carolyn Graves, Policy and Compliance Manager

PREA Compliance Manager Alternate: Jerry Castro, Deputy Warden

2023 PREA Cases						
	Resident to Resident			Staff to Resident		Ongoing Investigations
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	0	0	0	0	0	0
Unsubstantiated	1	0	0	0	0	
Unfounded	0	1	0	1	1	

Ellsworth Correctional Facility (ECF) demonstrated departmental collaboration, a facility strength, by conducting PREA simulations throughout August 2023. The brainchild of Captain Burbank, a total of six simulations were conducted, two on each shift. Shift Supervisors, A & B responders, other responders, and PREA Compliance Manager (PCM) Graves all participated in these simulations, creating a unified, multidisciplinary approach to detecting and responding to PREA reports. Some highlights from these PREA simulations:

- The multidisciplinary staff were able to process a reported PREA at a slower pace to ensure each step of the Coordinated Response was addressed.
- After each simulation, a thorough debriefing session provided the opportunity for staff to acknowledge the successes from the experience and discuss areas of improvement in responding to future PREA reports.
- The simulations increased communication between all staff and the PCM generating opportunities for additional questions, clarification and ideas even weeks after the simulations.

Challenges: Increasing demands on Unit Team and high turnover as a result of promotional opportunities created a challenge in completing quality risk-screenings, Sexual Victimization and Abusiveness (SVA). Conducting a SVA is a multi-layered process that includes time intensive training. The outcomes from the SVA are essential for Resident housing, job and programming placement and impactful case management. To maintain quality SVA results, PCM Graves continually reviews completed SVAs sending follow-up emails to Unit Team to educate them on any necessary procedural changes. PCM Graves maintains an open relationship with classification staff to create a comfortable environment for asking questions. Graves addresses any questions asked in one-on-one training and follows those sessions by sending PREA Refresher Training information to all Unit Team.

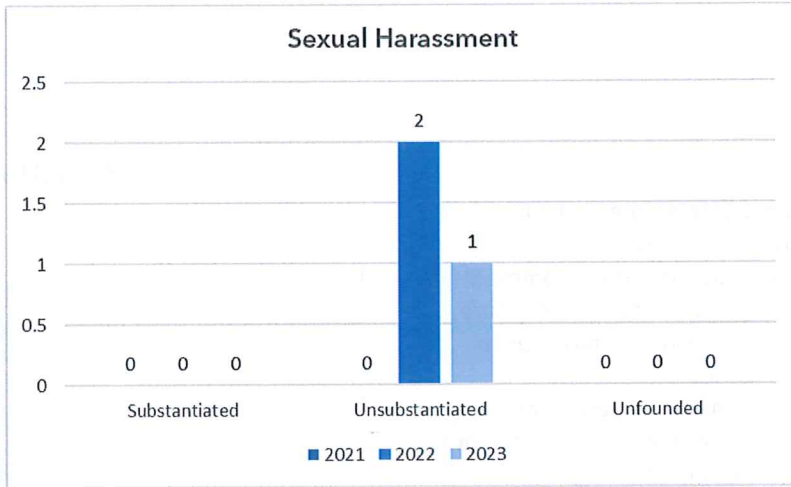
Successes: ECF began holding monthly Multi-Disciplinary Team (MDT) meetings for Residents who require additional care, either through medical or behavioral health. During these monthly meetings each department reports the accommodations they are providing for the Resident to ensure every area is covered and resources are not overlapping.

ELLSWORTH CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

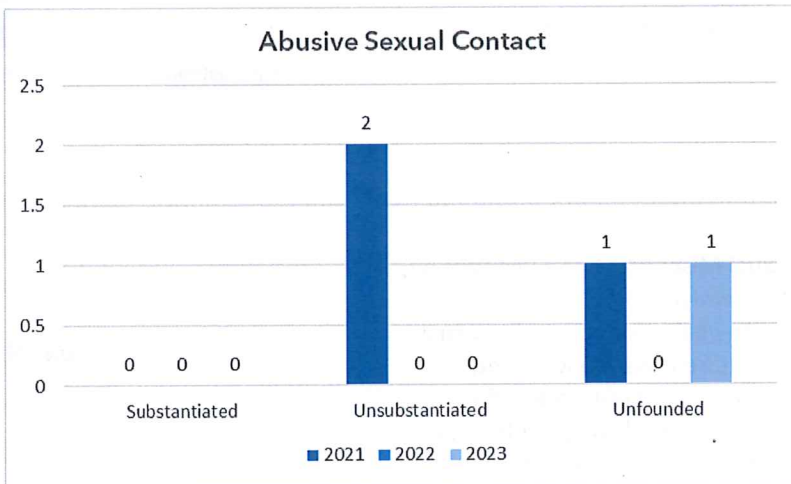
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



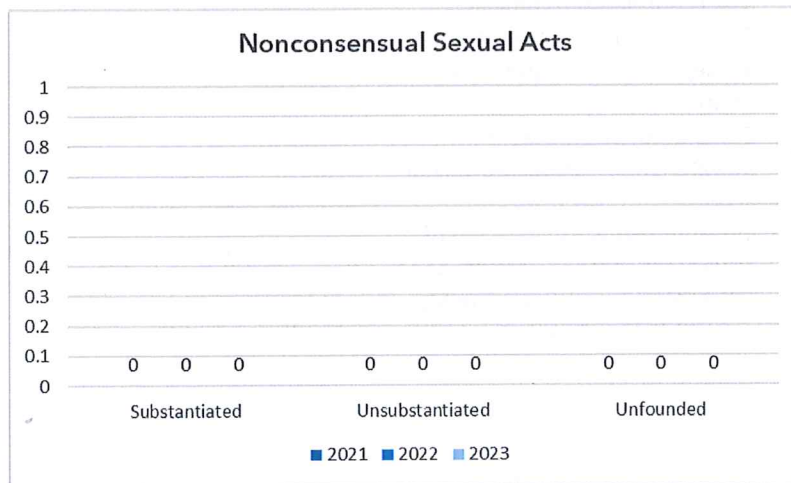
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

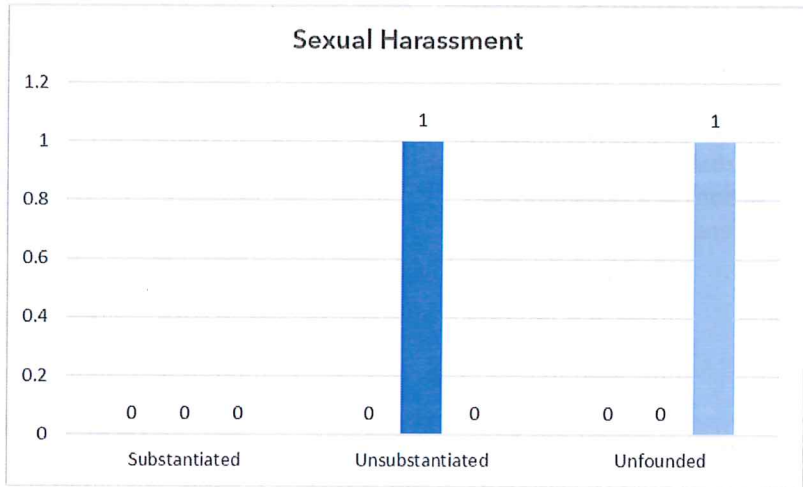


ELLSWORTH CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

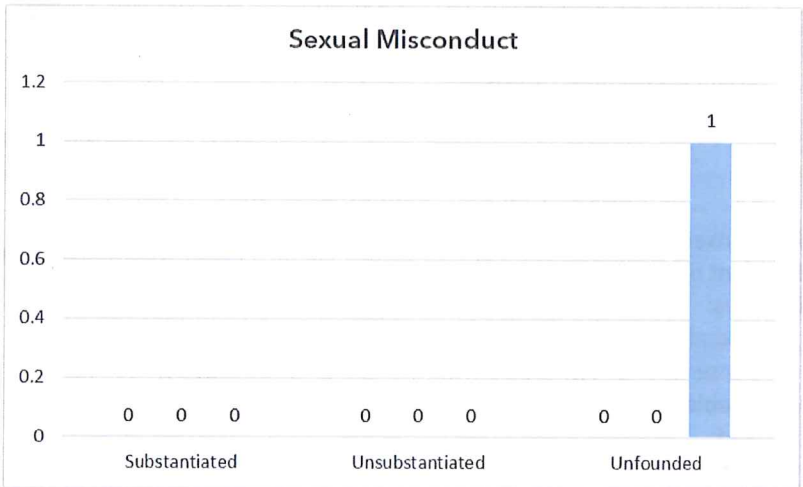
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
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- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

HUTCHINSON CORRECTIONAL FACILITY

PREA Compliance Manager: Mark Mora, Policy and Compliance Manager

PREA Compliance Manager Alternate: Robert Vieyra, Deputy Warden

2023 PREA Cases						
Resident to Resident				Staff to Resident		Ongoing Investigations
Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct		
Substantiated	1	0	1	0	1	
Unsubstantiated	14	4	2	0	2	
Unfounded	7	1	2	3	0	

Hutchinson Correctional Facility (HCF) continues to adjust to the agency and facility correctional climate and address identified issues or problem areas that may arise. HCF maintenance staff constructed new display boards for the PREA "6-pack" signage throughout HCF Central, HCF East and HCF South. This method was presented at the Quarterly PREA Compliance Manager meeting.

Challenges: The increase of contraband at all facilities has been challenging and it is unclear whether this may cause an increase in sexual abuse incidents. Due to the agency wide challenges of contraband, to include illicit substance abuse, policy, procedure and tracking methods are being developed by agency administrators.

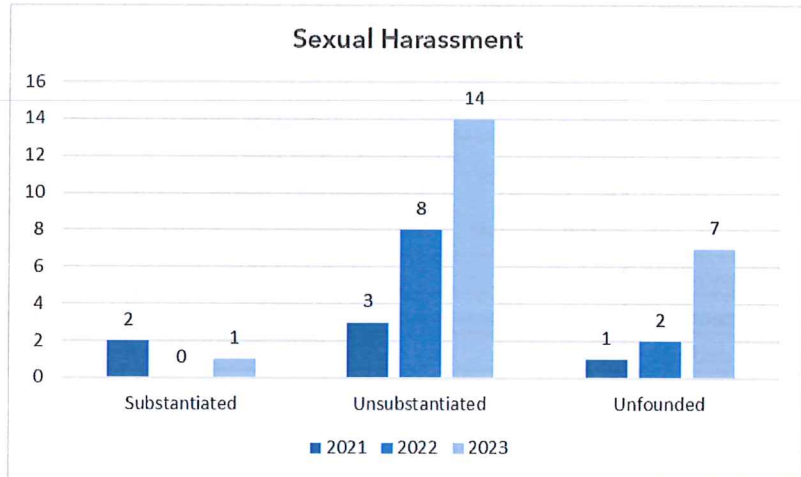
Successes: While HCF has experienced several changes to the composition of their resident population, it does not appear the number of sexual abuse incidents has increased. HCF developed and enhanced their SVA tracking system and incrementally enhanced the facility surveillance video system to address areas where residents may be vulnerable to sexual victimization. These specific areas were identified at the SAIR Board meetings that review PREA related investigations.

HUTCHINSON CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

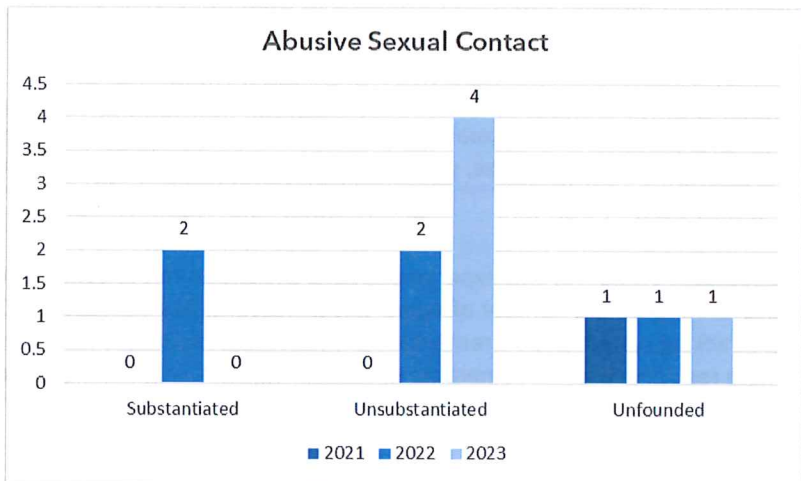
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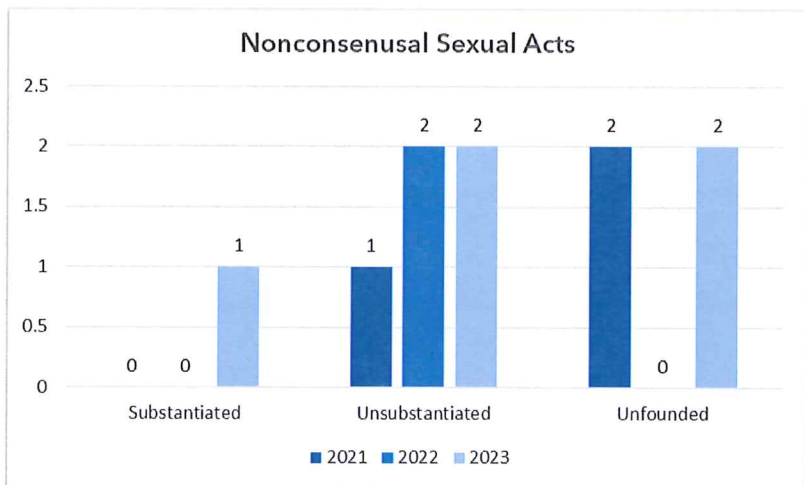
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- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
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Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
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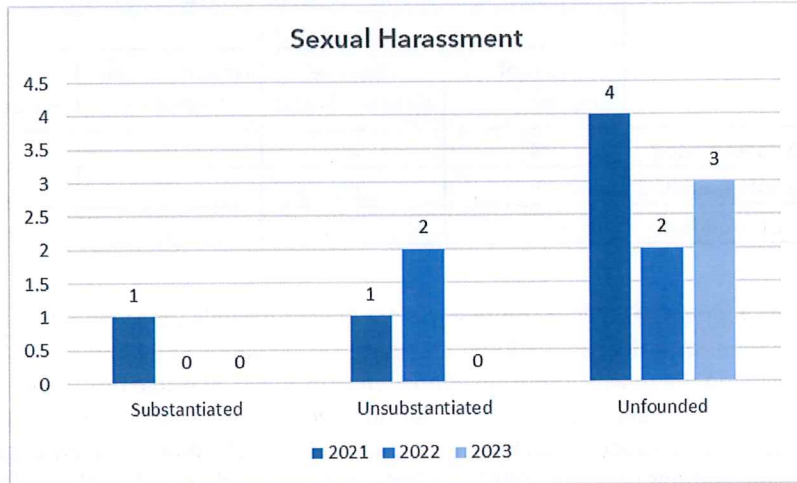


HUTCHINSON CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

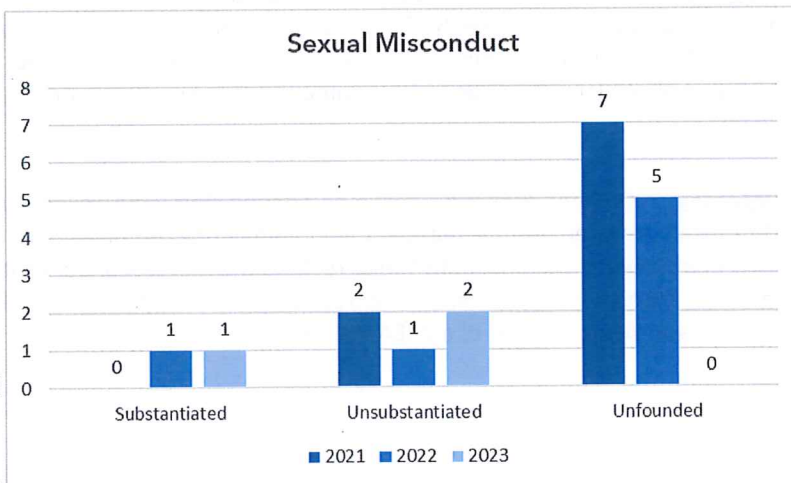
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- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

KANSAS JUVENILE CORRECTIONAL COMPLEX

PREA Compliance Manager: Jenny White, Public Service Executive I

PREA Compliance Manager Alternate: Kathy Espana, Deputy Superintendent

2023 PREA Cases						
	Resident to Resident			Staff to Resident		Ongoing Investigations
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	4	0	0	0	0	0
Unsubstantiated	5	0	0	3	2	
Unfounded	11	0	0	1	1	

Throughout 2023, PCM White’s goal for Kansas Juvenile Correctional Complex (KJCC) was to increase awareness of the Federal PREA Standards. As an opportunity to provide additional information, KJCC included the newly produced video resources made available by the PREA Resource Center into the Residents’ Intake education. In addition to viewing the videos at Intake, the videos have also been made available to Residents on their individual tablets. PCM White actively engages the Residents in multiple conversations regarding PREA-related topics, like understanding the multiple options for making a PREA report, and provides the opportunity for Residents to ask questions. Currently, the majority of PREA cases at KJCC are reported directly to a Staff Member by a Resident. KJCC believes this reporting method is directly linked to the rapport building and the creation of a conversational culture about PREA where reporting is encouraged.

Challenges: A non-PREA related incident sparked a conversation about the potential security and PREA concerns that could come from Staff and Residents being in a secluded area without camera footage, specifically the unit storage closets. From this conversation, cameras were installed in the storage closets in the main hall. A plan was made to have cameras placed in all unit storage closets in the future as funding allows.

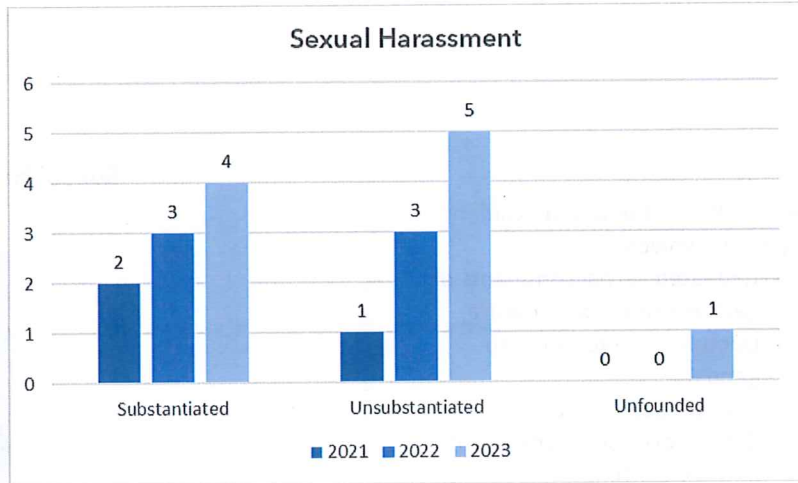
Successes: In October 2023, KJCC resumed offering Staff PREA Training in person for the first time since COVID. Staff provided positive feedback after completing this one-hour annual PREA Training. During this newly implemented training, PCM White reviews the first responder protocols for the coordinated response, mandated reporting requirements, and a systematic overview of the coordinated response following the shift manager being notified of a PREA incident.

KANSAS JUVENILE CORRECTIONAL COMPLEX

Resident-to-Resident PREA Cases 2021-2023

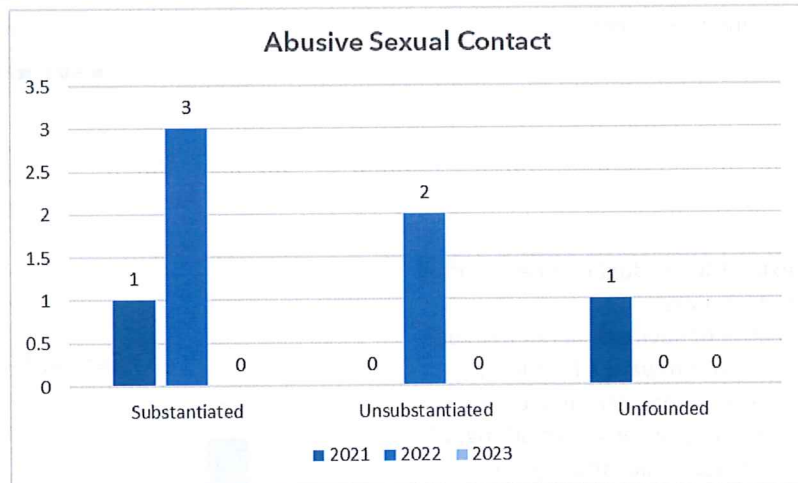
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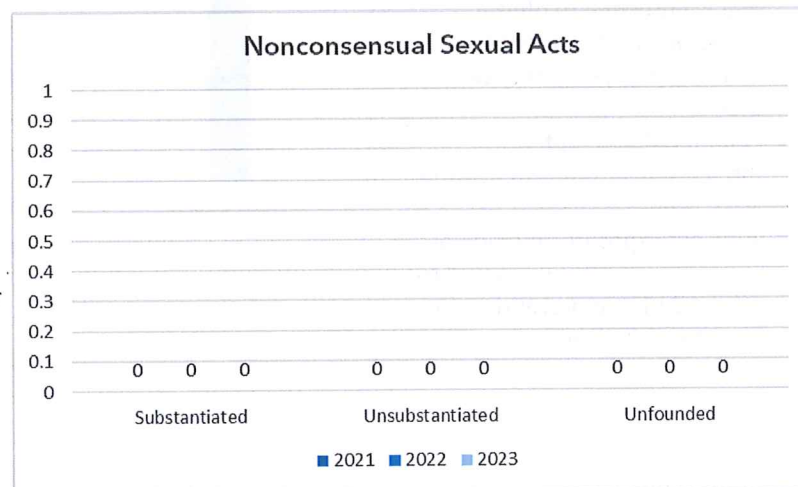
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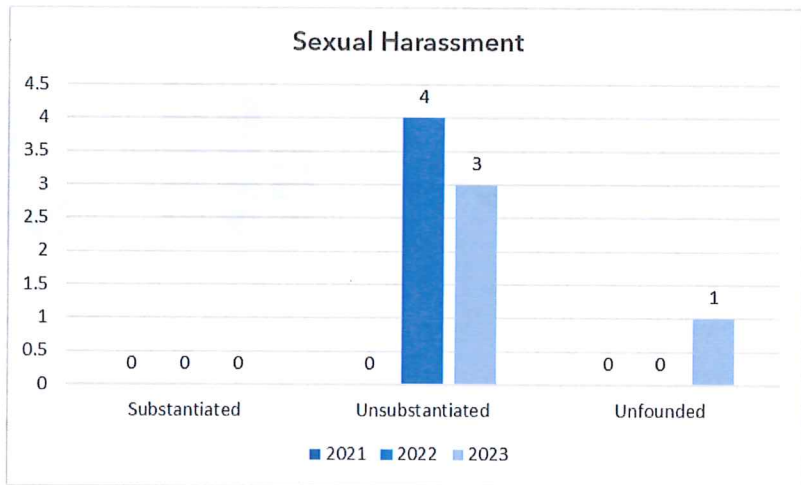


KANSAS JUVENILE CORRECTIONAL COMPLEX

Staff-to-Resident PREA Cases 2021-2023

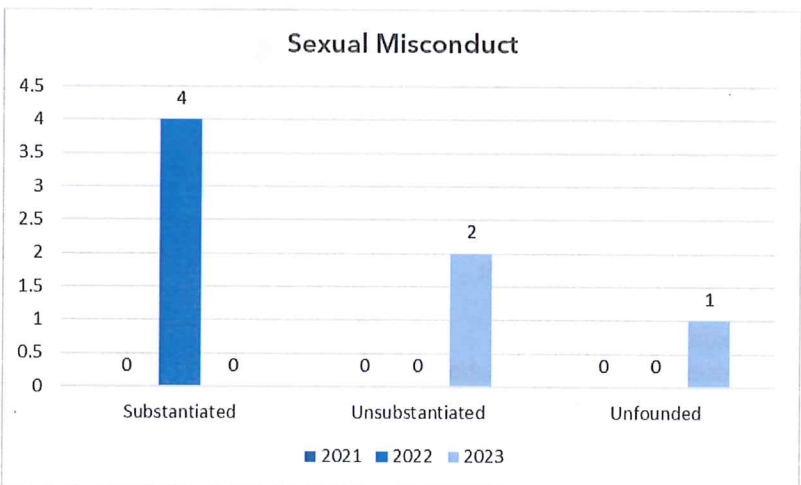
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- Repeated profane or obscene language or gestures.



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- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

LANSING CORRECTIONAL FACILITY

PREA Compliance Manager: Kimberly Betzhold, PREA Compliance Manager

PREA Compliance Manager Alternate: Ryan Reece, Deputy Warden

2023 PREA Cases						
Resident to Resident				Staff to Resident		Ongoing Investigations
Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct		
Substantiated	3	2	1	0	0	3
Unsubstantiated	27	14	11	6	5	
Unfounded	3	5	0	0	1	

In November 2023, Lansing Correctional Facility (LCF) was selected to participate in the National Inmate Survey conducted by the Department of Justice. LCF welcomed ten independent researchers who facilitated private surveys LCF Residents. The Residents were provided instruction regarding how to use the approved computer laptops to answer questions on the survey. Through the survey, Residents were provided with an opportunity to report their personal perspective of sexual safety while incarcerated in Kansas. Over 300 residents were selected to participate in the survey which took place over the course of three days.

Preventing retaliation for those who make PREA reports was an area of focus in 2023. LCF is growing their reporting culture which is evidenced by the increased number of PREA reports and investigations in 2023 compared to previous years.

Challenges: The high volume of new Residents arriving at LCF created a challenge in the timely completion of risk-screening assessments, SVAs, required by Federal PREA Standards §115.41 and §115.341. LCF is working to address these time requirements through improved communication with Unit Team and providing Staff training that relays the importance of conducting a thorough and timely SVA.

Successes: Supervisory staff are quickly and thoroughly responding to reported PREA incidents, particularly with the initial contact with the Resident who reported the PREA incident. Staff are taking appropriate steps to initiate and follow through with the Coordinated Response. EAI initiates investigations in a very timely manner and is conducting thorough investigations. Unit Team are utilizing the SVA to make appropriate classifications for housing assignments. In October 2023, in-person annual PREA training resumed for the first time since Covid. Additionally, all facility staff receive PREA refresher training throughout the year.

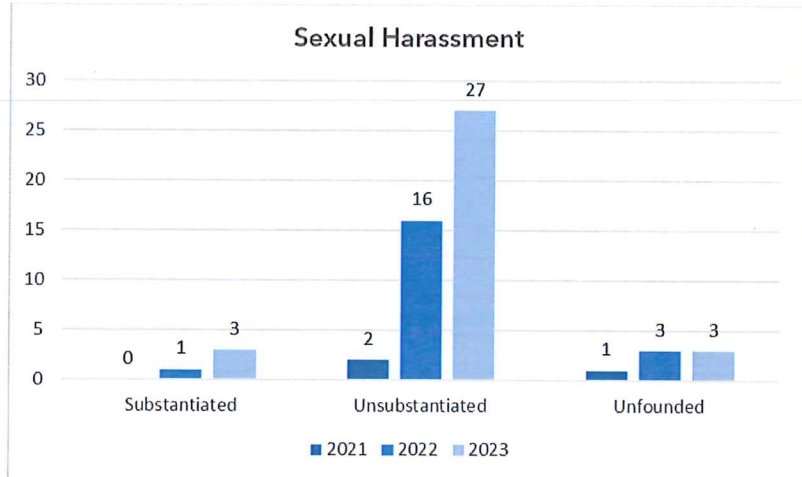
LANSING CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

*LCF has 3 cases pending Kansas Bureau of Investigation (KBI) forensic laboratory results.

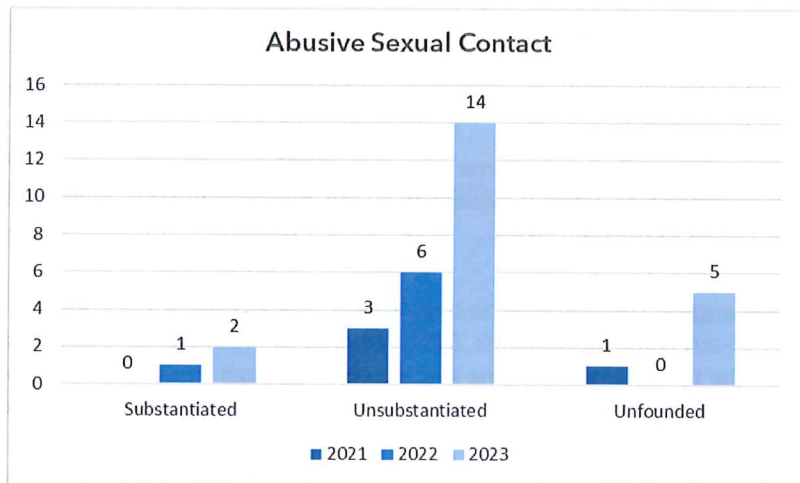
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



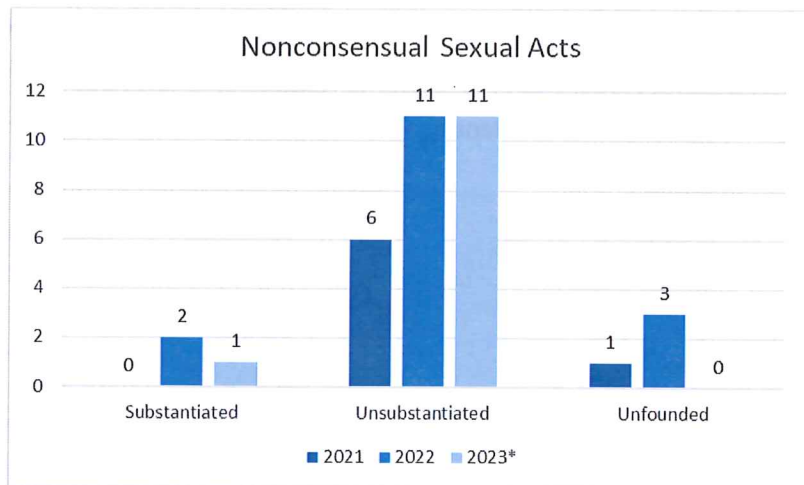
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

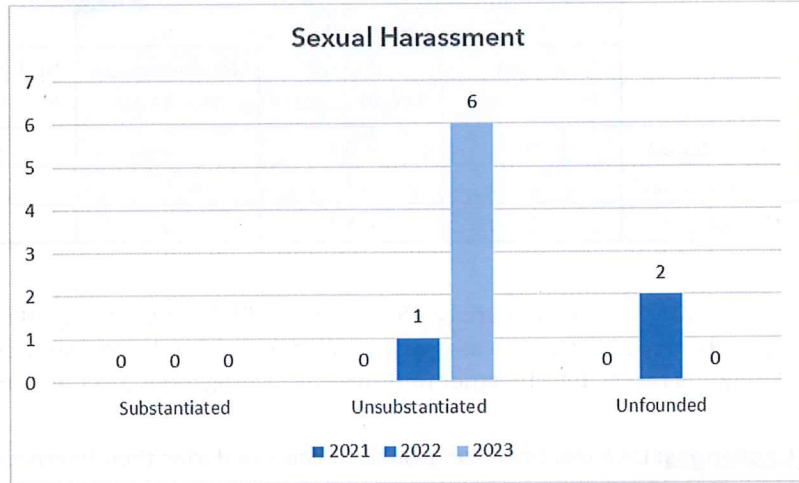


LANSING CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

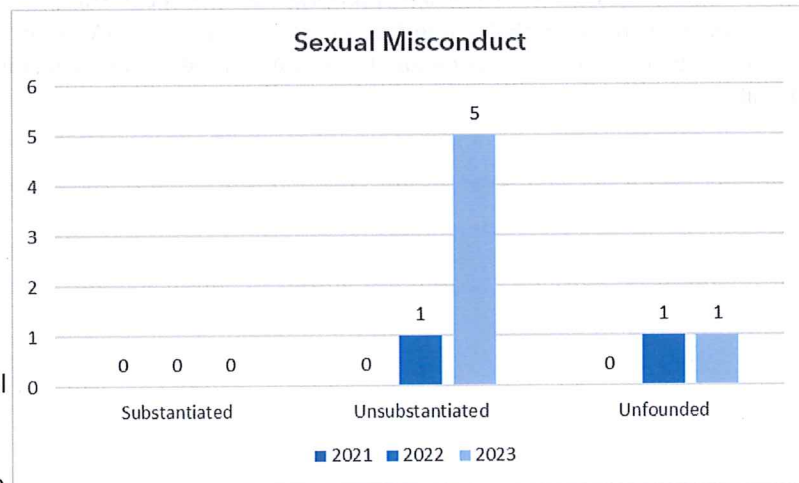
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

LARNED STATE CORRECTIONAL FACILITY

PREA Compliance Manager: Kent Schmidt, Staff Development Manager

PREA Compliance Manager Alternate: Penny Riedel, Policy and Compliance Manager

2023 PREA Cases						
	Resident to Resident			Staff to Resident		Ongoing Investigations
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	0	0	0	0	0	0
Unsubstantiated	3	1	1	1	0	
Unfounded	0	1	0	0	2	

Larned State Correctional Facility (LSCF) had nine PREA cases during calendar year 2023. Of those nine cases, the disposition of six cases was Unsubstantiated and three were Unfounded. The LSCF Staff work closely and respectfully together to resolve all investigations in a timely manner.

Challenges: LSCF identified some areas of concern during their Internal PREA Audit, to include shower areas at the South Unit. Residents reported that other Residents could see them in the shower from the 2nd tier. Currently, LSCF is in the process of removing the South Unit shower doors and replacing them with PREA shower curtains which eliminates the reported problem. LSCF continually evaluates the entire facility for areas where camera coverage would be beneficial and adds cameras as funds allow.

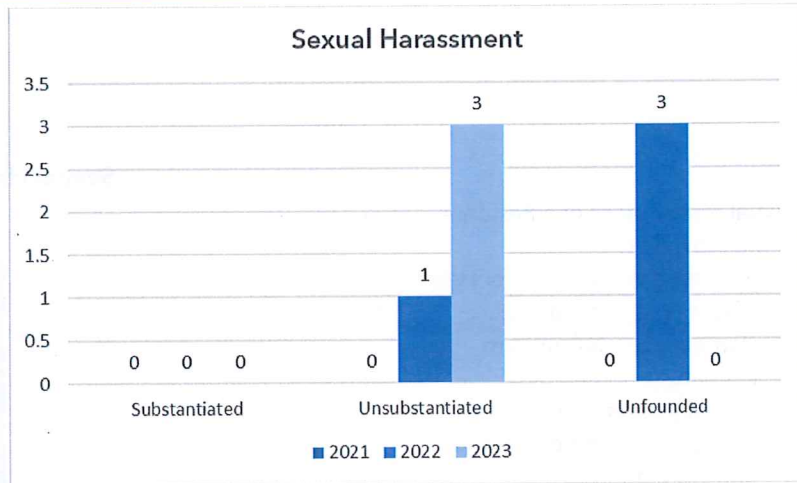
Successes: LSCF Corrections Counselors are staying on top of and completing the SVAs in a timely manner which ensures Residents are housed appropriately. LSCF keeps PREA topics at the forefront PREA Annual, Basic Training and Monthly PREA Refresher Trainings. LSCF PCMA Riedel prioritizes meeting regularly with Residents who identify as transgender to ensure their needs are being met and they feel safe within the facility.

LARNED STATE CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

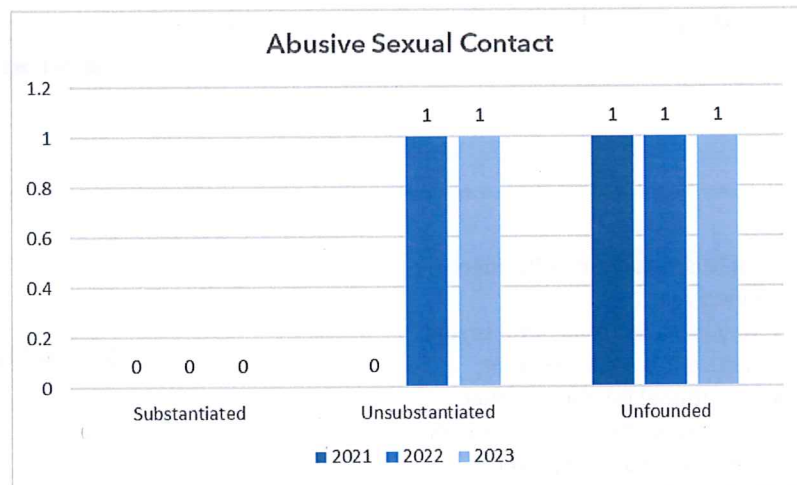
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



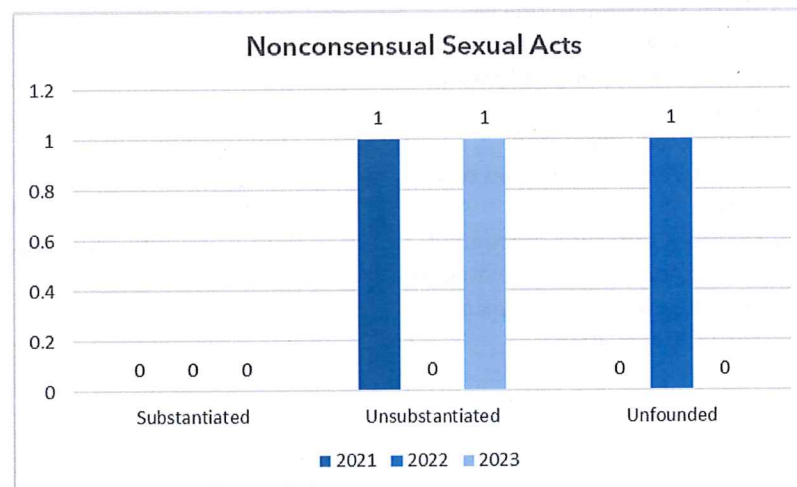
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
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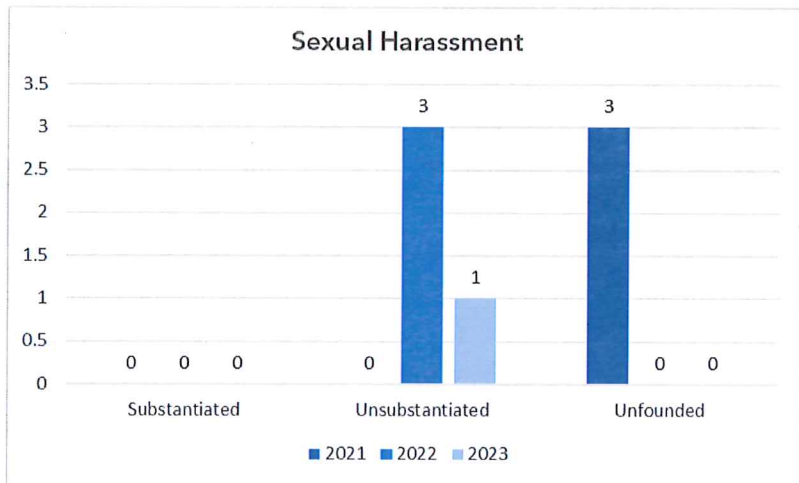


LARNED STATE CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

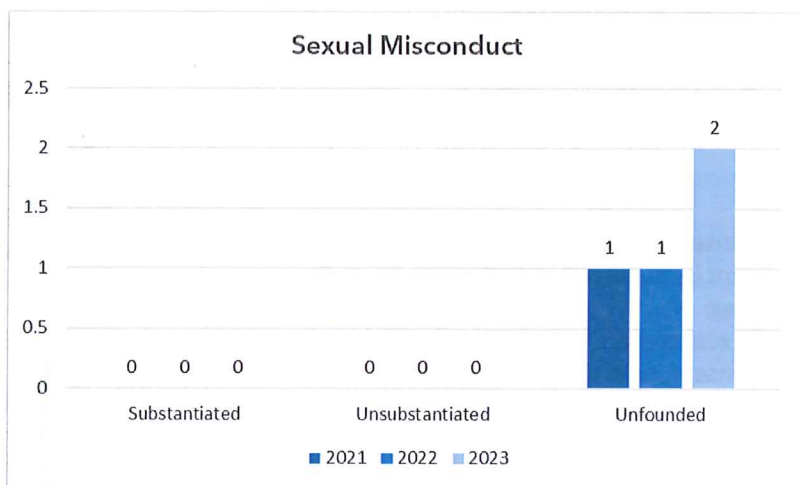
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

NORTON CORRECTIONAL FACILITY

PREA Compliance Manager: Anthony Kuhlman, Policy and Compliance Manager

PREA Compliance Manager Alternate: Luke Pfannenstiel, Classification Administrator

2023 PREA Cases						
Resident to Resident				Staff to Resident		Ongoing Investigations
Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct		
Substantiated	0	0	0	0	2	2
Unsubstantiated	2	1	0	2	0	
Unfounded	0	0	0	0	0	

Norton Correctional Facility (NCF) had nine PREA cases in 2023 resulting in: two Substantiated, five Unsubstantiated and two pending outcomes of investigations. The nine PREA cases were categorized as: two Non-Consensual Sexual Acts, one Abusive Sexual Contact, two Resident to Resident Sexual Harassment, two Staff Sexual Harassment and two Staff Sexual Misconduct.

Challenges: NCF identified a few concerns in calendar year 2023, Staff to Resident ratio being a prominent concern. NCF has a population of approximately 800 Residents, 240 staff and two EAI Agents. These two Agents split between NCF Central and NCF's satellite facility, Stockton, which is located 50 miles from the main facility. When a PREA incident is reported, the EAI Agents are pulled away from their other responsibilities and investigations. As a result, NCF had an outside staffing agency conduct a staffing analysis to determine if NCF is working with adequate staffing levels. To help expedite the initial reporting process, Shift Supervisors were reminded to collect only essential information regarding the PREA report. Clarifying this information initially helps PCM Kuhlmann and EAI Agents determine if the report requires the initiation of the PREA protocol.

Another challenge identified this year was NCF Residents using the PREA reporting system for purposes other than reporting a PREA incident. For example, Residents may make a false PREA-related report as a result of being upset with another Resident or officer assigned to their area. NCF addressed this concern by providing PREA education to the Residents to include information about holding Residents accountable through the disciplinary process when they do not make a PREA report in good faith.

A final challenge includes the #50 system periodically "going off-line." To ensure the #50 is working correctly, PCM Kuhlmann conducts tests of the #50 system. When a problem is identified, he immediately makes a report to Central Office who contacts the phone company, Praeses.

Successes: NCF continually strives and succeeds in reinforcing the importance of PREA to all staff, contractors and volunteers. NCF ensures everyone, working with and around Residents, is educated regarding the Coordinated Response and how to follow this procedure properly. Staff Development carefully monitors new and continuing employment to ensure all have attended Annual and Basic Training. PCM Kuhlmann ensures the monthly PREA refresher training is sent to all staff as well.

PCM Kuhlmann carefully tracks the 72hr/30-day/Annual/Biannual SVAs to ensure they are completed during the required timeframe. If any SVA is found to be late or not completed on time, the Unit Team is notified and the SVA is completed immediately.

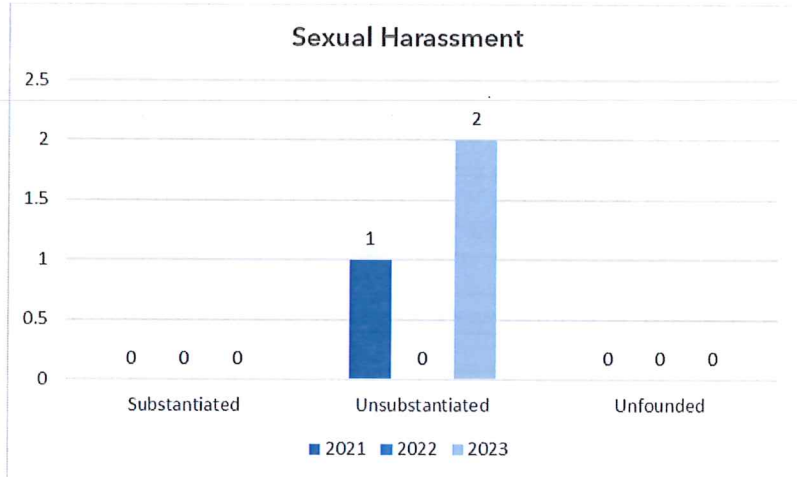
NORTON CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

*NCF has 2 cases pending Kansas Bureau of Investigation (KBI) forensic laboratory results.

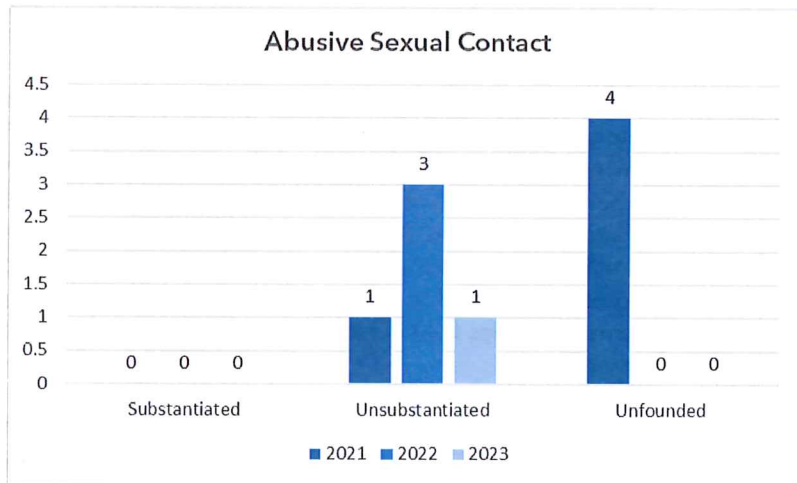
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



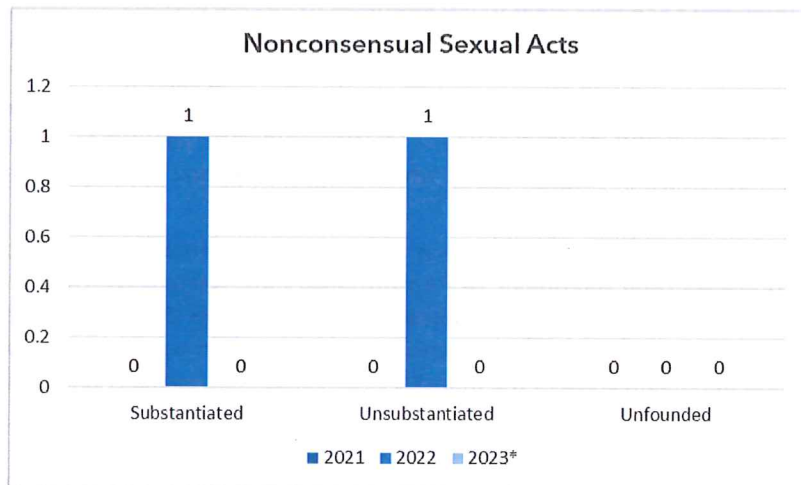
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

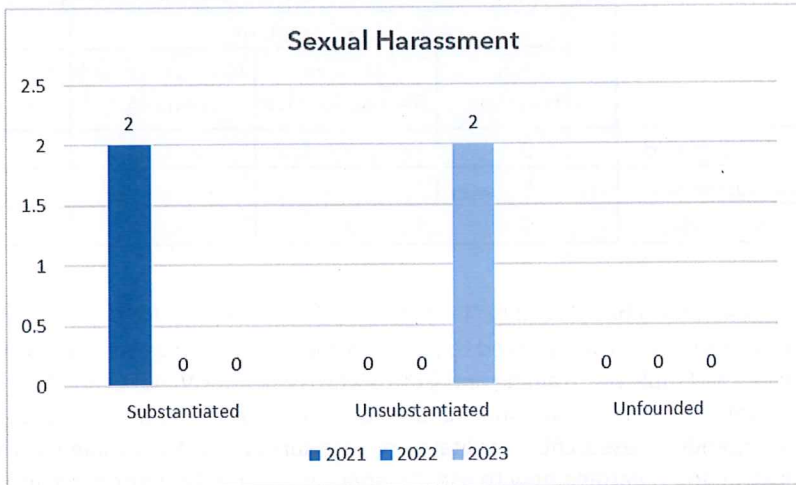


NORTON CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

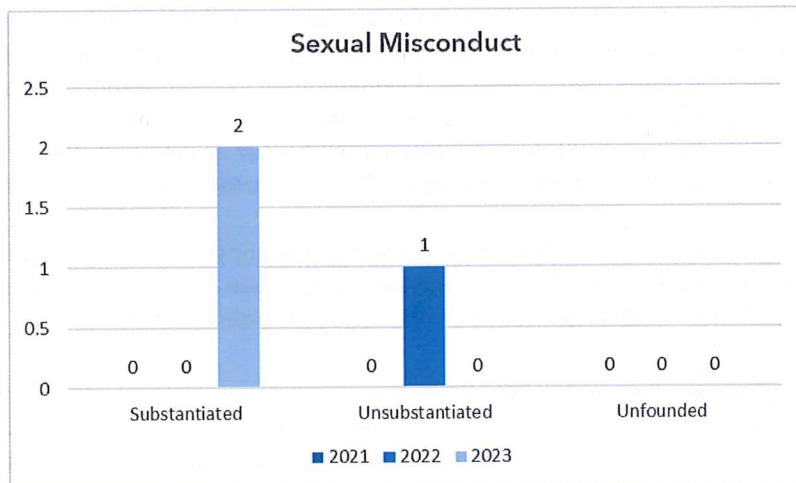
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

TOPEKA CORRECTIONAL FACILITY

PREA Compliance Manager: Valerie Watts, PREA Compliance Manager

PREA Compliance Manager Alternate: Greg Perez, Human Resources Manager

2023 PREA Cases						
	Resident to Resident			Staff to Resident		Ongoing Investigations
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	0	7	0	0	6	0
Unsubstantiated	5	4	0	4	3	
Unfounded	5	6	2	0	0	

Topeka Correctional Facility (TCF) identified the following PREA Standards as standards, initially as challenges, and then worked together to address the concerns to improve them into areas of strength: §115.31 Employee Training and §115.15 Cross Gender Viewing and Searches as standards. TCF was selected to participate in the National Inmate Survey conducted by the Department of Justice in July 2023. Ten independent researchers facilitated private surveys for TCF Residents. The Residents were provided instruction regarding how to use the approved computer laptops to answer questions on the survey. Through the survey, Residents were provided with an opportunity to report their personal perspective of sexual safety while incarcerated in Kansas. Approximately 290 Residents were selected to participate in the survey which took place over the course of four days.

Challenges: Staff training was identified as an area of needed improvement in 2023. For several years, Annual PREA Training has been completed online which eliminated a key outlet for staff to ask questions and generate discussion about PREA and the practices TCF implements to protect the sexual safety of the Residents in their care. As a result, TCF started facilitating all Annual and Basic Staff Training in person. Seeing all staff in person opened the opportunity to build relationships and have actual conversations about PREA, rather than just one-sided information processing that happens through online training. TCF is working to improve their staff training even further by updating and refreshing the training curriculum to incorporate training sessions from their local advocacy agency, Center for Empowerment and Safety YWCA.

Conducting cross-gender announcements for hearing impaired residents has presented another challenge. PCM Watts is researching different systems that can alert Residents who are hearing impaired or deaf and is working with Management Team to implement a new process.

Successes: Every week PCM Watts runs a classification report which is sent to Unit Team and the Shift Office to ensure Residents who are moved after hours are housed accurately according to their SVA classification. The report is reviewed by PCM Watts who notifies case managers when SVAs are identified as needing updated. The expectation for Unit Team is that any overdue SVA be updated within 24 hours.

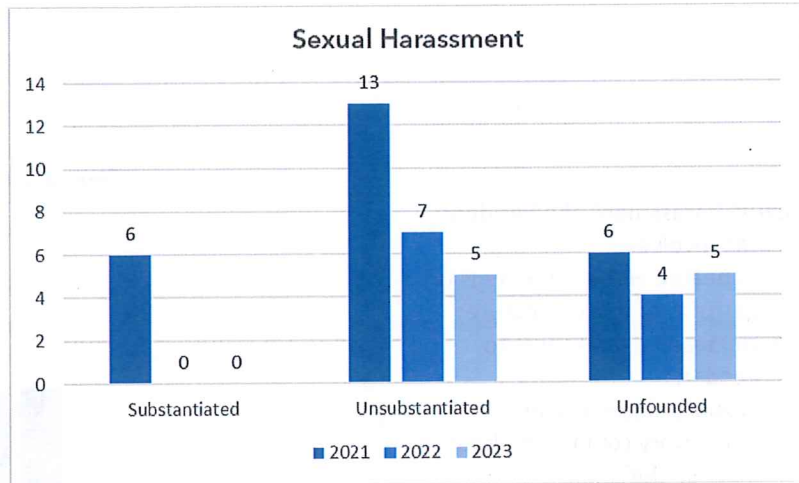
Another area of success is the collaborative process in making decisions about PREA reports. Once a PREA report has been made to the Shift Office, a conference call is conducted with EAI agents and PCM Watts to make decision about whether or not the report meets criteria to proceed with a PREA investigation. This process has worked very well for TCF by ensuring all parties have identical and accurate information and ensures the Coordinated Response continues to be followed from there. This process is reinforced to TCF Staff so that the proper persons receive the PREA report.

TOPEKA CORRECTIONAL FACILITY

Resident-to-Resident PREA Cases 2021-2023

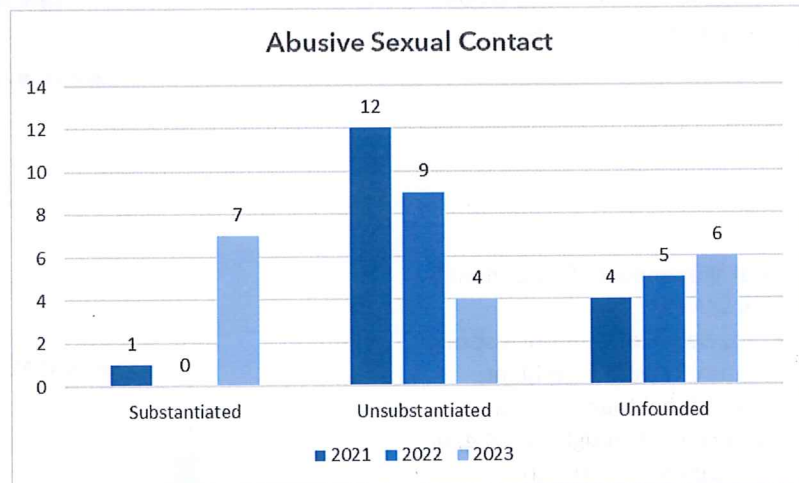
Sexual Harassment of a Resident by another Resident includes:

- Repeated and unwelcome sexual advances;
- Requests for sexual favors; or
- Verbal comments, gestures, or actions of a derogatory or offensive sexual nature.



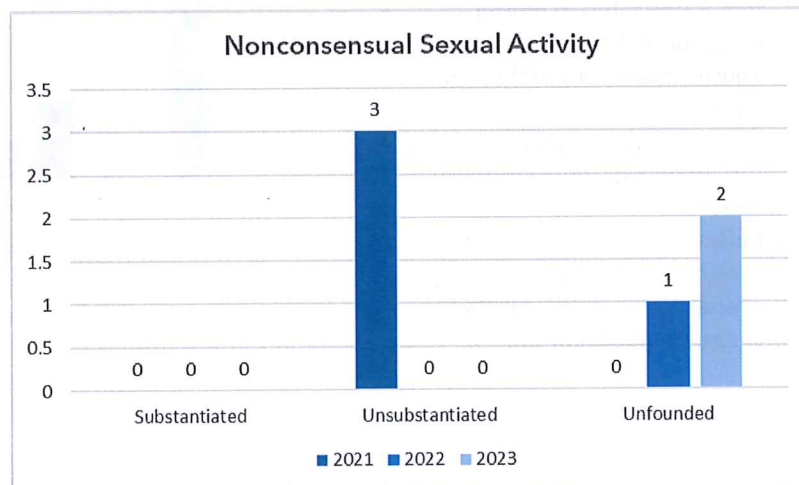
Abusive Sexual Contact of a Resident by another Resident includes:

- Sexual contact of any person without their consent, or of a person who is unable to consent or refuse; or
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks.



Nonconsensual Sexual Acts of a Resident by another Resident includes:

- Sexual contact without consent, or of a person who is unable to consent or refuse **and**
- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

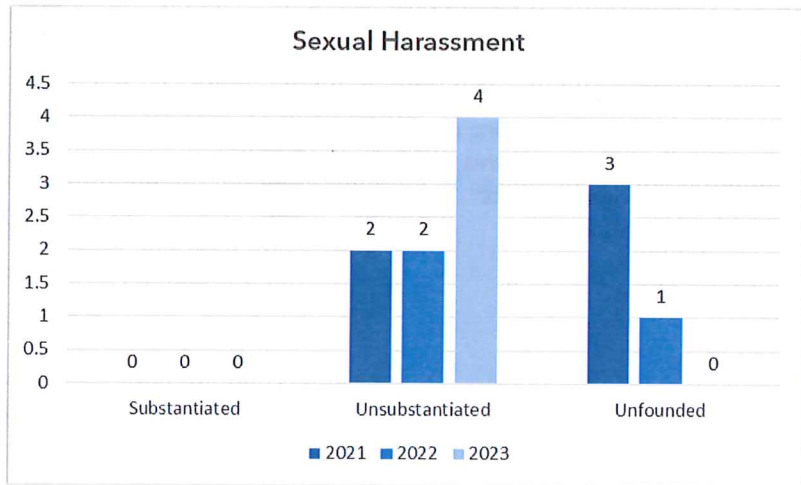


TOPEKA CORRECTIONAL FACILITY

Staff-to-Resident PREA Cases 2021-2023

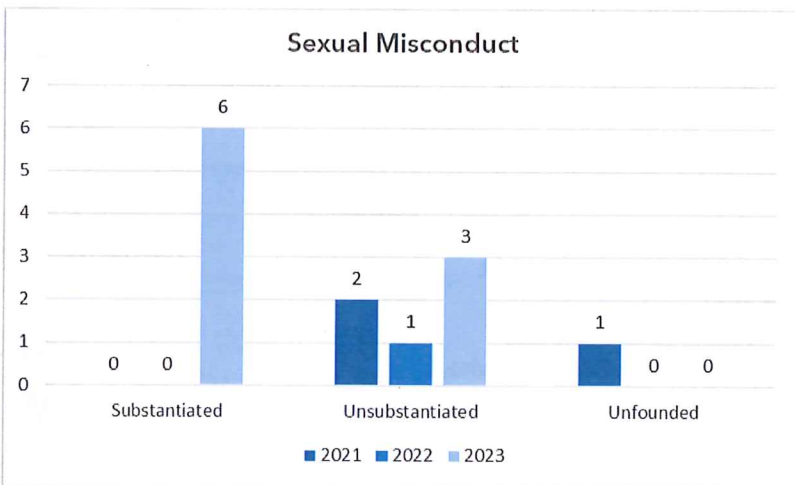
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

WINFIELD CORRECTIONAL FACILITY–WICHITA WORK RELEASE FACILITY

PREA Compliance Manager: Breayle Shelton, Unit Team Manager–Special Projects,
Winfield Correctional Facility

PREA Compliance Manager Alternate: Calvin Reams, Deputy Warden, Wichita Work Release Facility

	2023 PREA Cases					Ongoing Investigations
	Resident to Resident			Staff to Resident		
	Sexual Harassment	Abusive Sexual Contact	Nonconsensual Sexual Act	Staff Sexual Harassment	Staff Sexual Misconduct	
Substantiated	0	0	0	0	0	0
Unsubstantiated	3	1	0	0	0	
Unfounded	0	0	0	0	0	

Winfield Correctional Facility

Winfield Correctional Facility (WCF) conducted four PREA investigations in calendar year 2023.

Challenges: In 2023, WCF Unit Team struggled to complete the SVAs in a timely manner. Addressing this concern, PCM Shelton sends a reminder email at the beginning of every month detailing the SVAs that are due that month. This email system helps Unit Team track their Annual SVAs and has reduced the number of SVAs that are past due. Retaliation Monitoring and Sexual Assault Incident Review (SAIR) meetings were two areas identified by the DOJ PREA Audit as needing attention. PCM Shelton immediately worked with WCF and WWRF Staff to determine a plan to ensure a plan that addressed both concerns. By scheduling a monthly calendar reminder with those required to attend all SAIR meetings will ensure all SAIR meetings are held within 30 days of closing PREA cases which is compliant with §115.86.

Successes: In 2023, PCM Shelton replaced all old PREA signage with the newly revised and updated “6-pack.” The six signs that comprise the updated signage include: the #50 reporting system (English and Spanish), the local advocacy agency contact resources (English and Spanish) and the reporting process for Legal Services for Prisoners (English and Spanish). These “6-pack” signs were hung in all living areas, chow, library, chapel, medical and education areas. PCM Shelton also created smaller signs to be placed directly on the Resident phones. These signs included the PREA reporting information. Additionally, WCF are quick to report any PREA concerns or issues to PCM Shelton which allows for quick and timely responses.

Wichita Work Release Facility

Wichita Work Release Facility (WWRF) did not have any PREA cases in 2023.

Challenges: It was identified that additional PREA shower curtains were needed in the bathrooms. Previously, a wall separated the toilets from one another, but shower curtains were missing from the front of the stalls. Within a week of finding the issue, the toilets were concealed by PREA shower curtains.

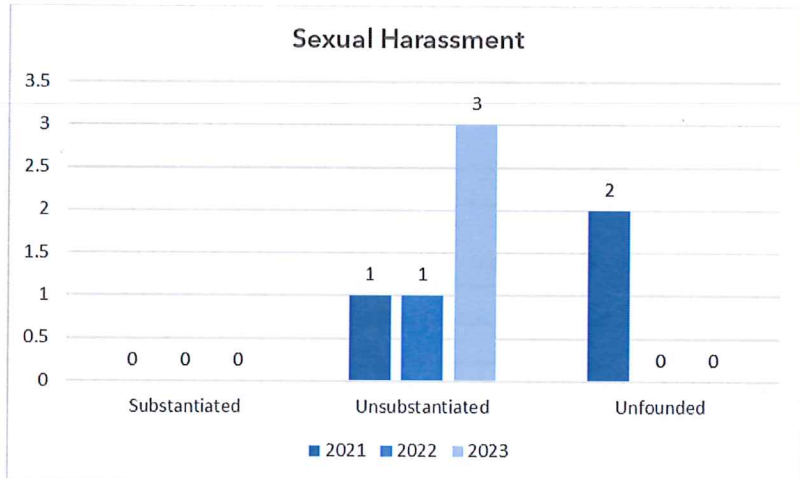
Successes: WWRF Unit Team have a 99% track record of completing SVAs on time! The Staff for the entire facility are proactive and take care of any concerns brought to their attention immediately.

WINFIELD CORRECTIONAL FACILITY–WICHITA WORK RELEASE FACILITY

Resident-to-Resident PREA Cases 2021-2023

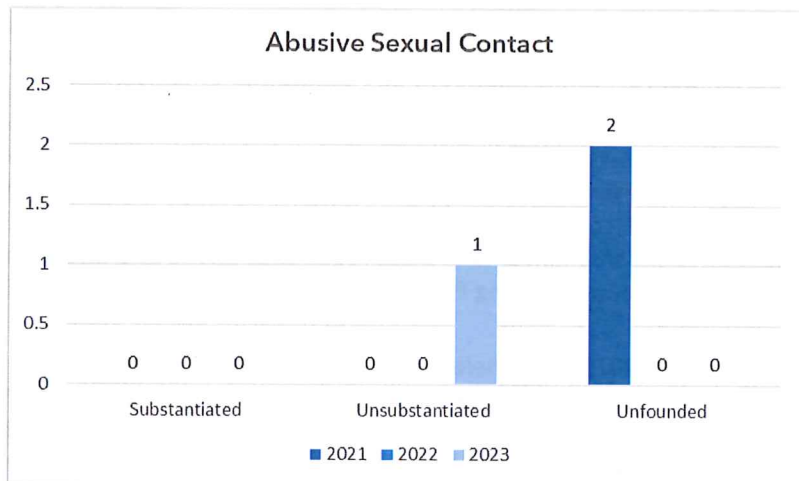
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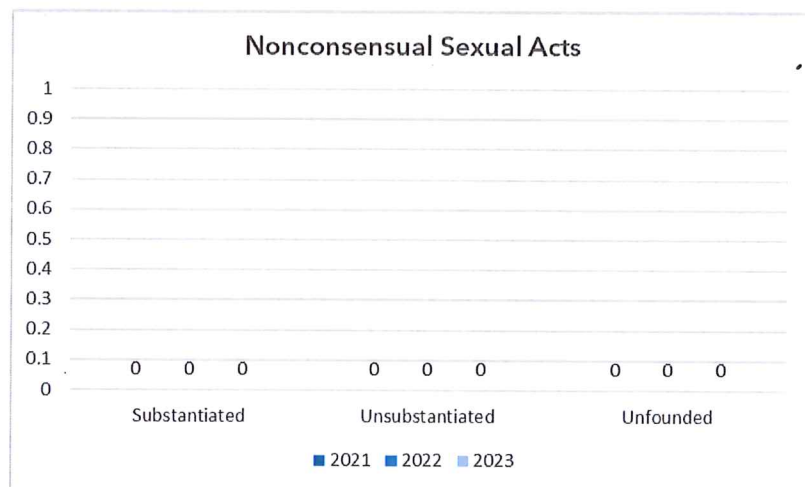
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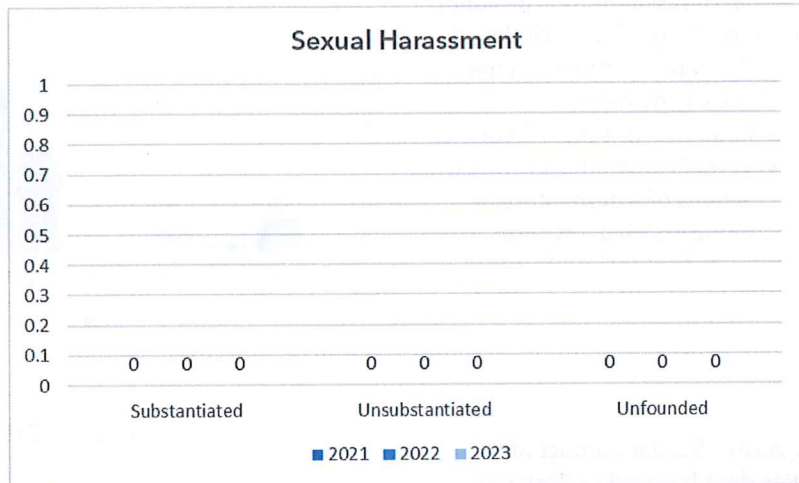


WINFIELD CORRECTIONAL FACILITY–WICHITA WORK RELEASE FACILITY

Staff-to-Resident PREA Cases 2021-2023

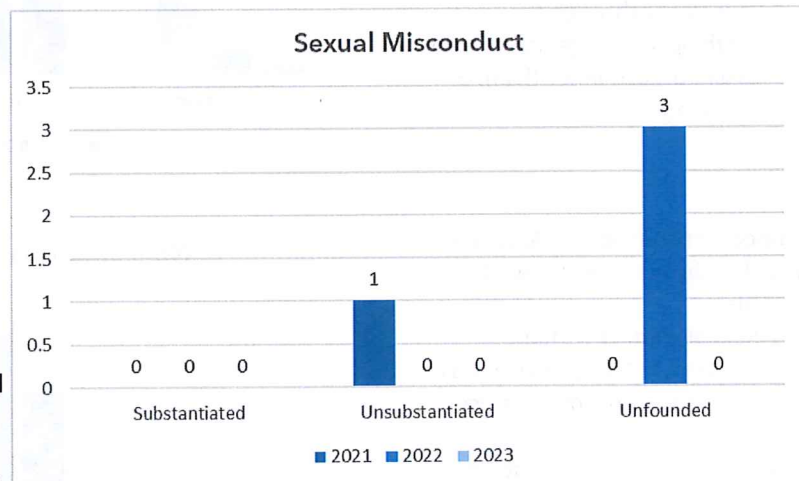
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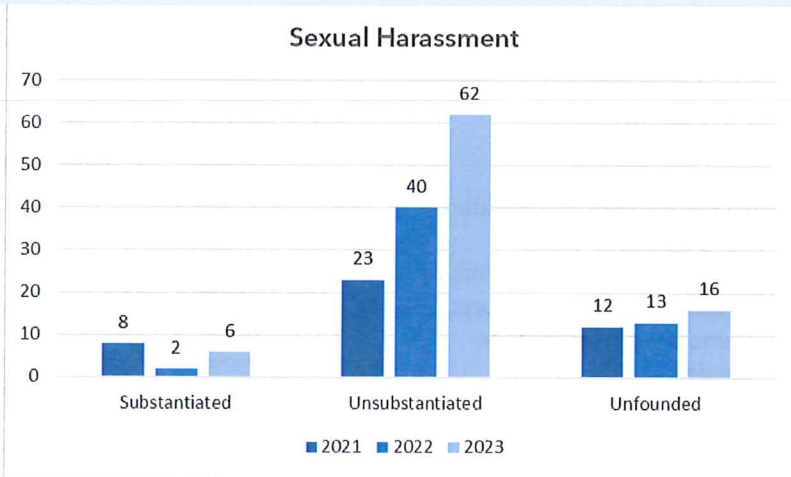
The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

ADULT FACILITIES – COMBINED

Resident-to-Resident PREA Cases 2021-2023

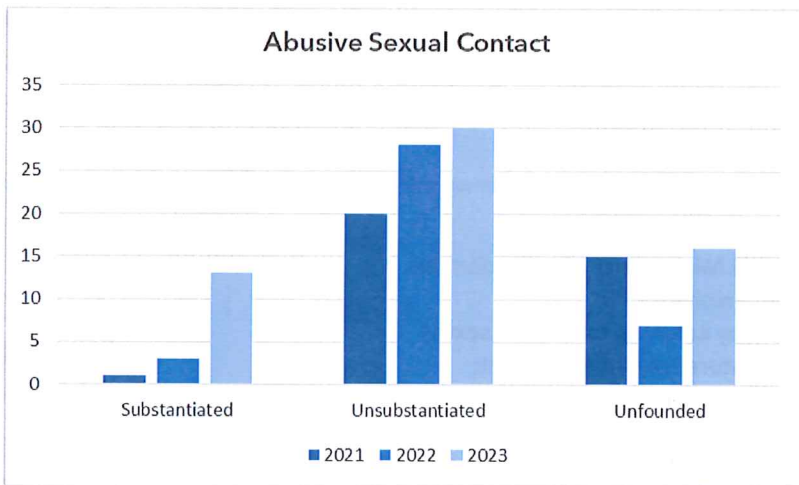
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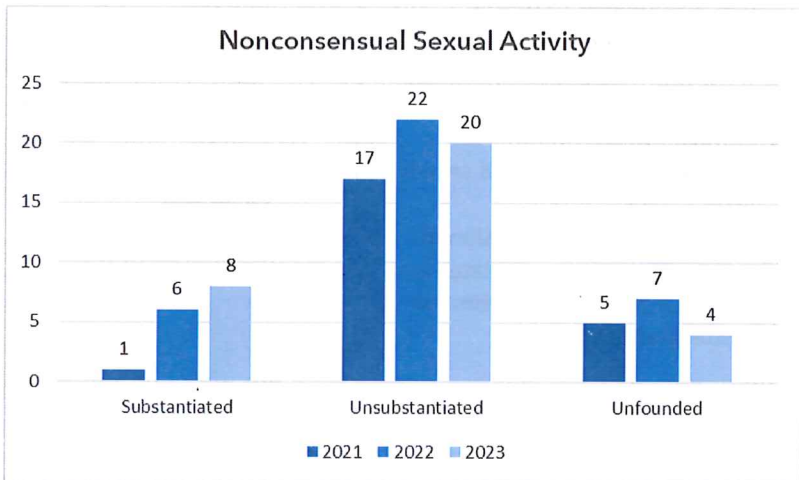
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- Contact, including penetration, between the penis and vulva or penis and anus; or
- Contact between the mouth and penis, vulva, or anus; or
- Penetration of the anal or genital opening by a hand, finger, or other object.

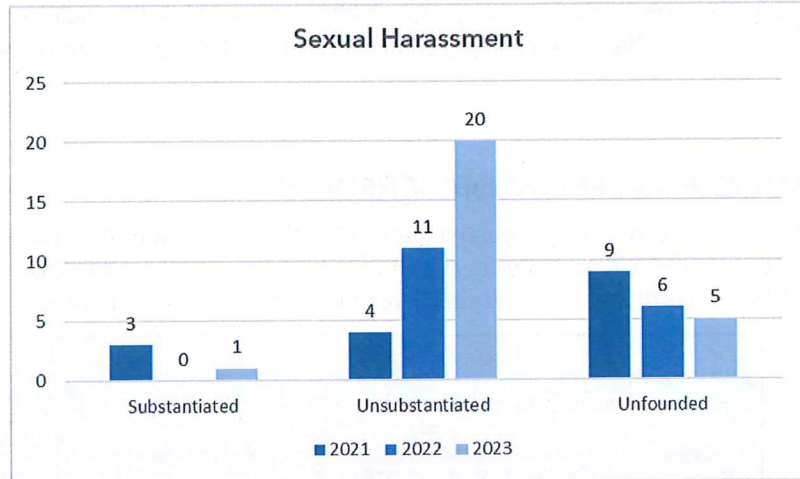


ADULT FACILITIES – COMBINED

Staff-to-Resident PREA Cases 2021-2023

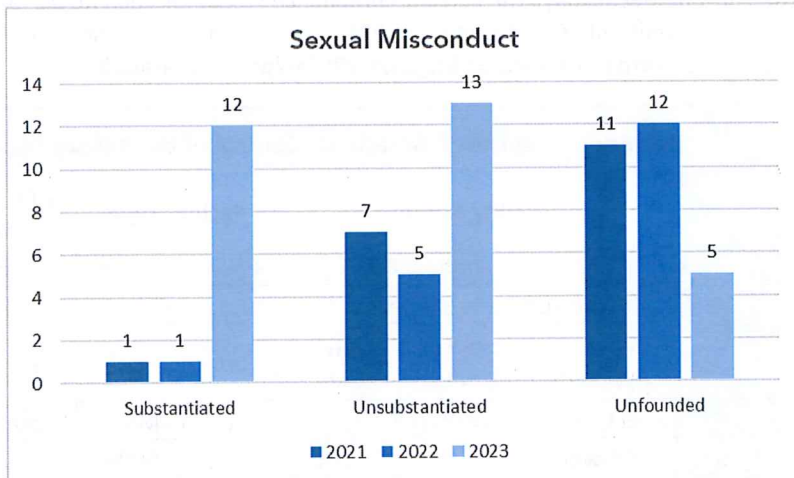
Sexual Harassment of a Resident by Staff involves:

- Repeated verbal comments or gestures of a sexual nature;
- Demeaning references to gender;
- Sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.



Sexual Misconduct of a Resident by Staff involves:

- Any behavior or act of a sexual nature toward a Resident;
- Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;
- Completed, attempted, threatened, or requested sexual acts;
- Indecent exposure, invasion of privacy for reasons unrelated to official duties, or voyeurism for sexual gratification.



The DOJ Survey of Sexual Violence and Federal PREA Standards definitions above determine PREA investigations.

KANSAS PREA AUDIT SCHEDULE

Pursuant to Federal PREA Standard §115.401, the agency shall ensure:

- All facilities, including contracted facilities, are audited at least once every three years.
- One-third of its facilities are audited each year.

The KDOC is fully compliant with Federal PREA Standards §115.402, §115.403, and §115.404, which dictate the required frequency and scope for all PREA audits. This full compliance is demonstrated on the following pages with clarification regarding compliance of the KDOC proposed PREA audit schedule on page 37.

KDOC 2023 PREA AUDIT SCHEDULE

Calendar year 2023 encompassed pieces of both Year One and Year Two of Cycle Four of the Department of Justice (DOJ) PREA Audit Cycle. The chart below shows the specific KDOC facilities required to be audited in 2023. Ellsworth and Larned State Correctional Facilities will be audited in 2024.

Cycle 4, Year 1	Cycle 4, Year 2
August 20, 2022 – August 19, 2023	August 20, 2023 – August 19, 2024
Topeka Correctional Facility Hutchinson Correctional Facility Winfield Correctional Facility & Wichita Work Release Facility	El Dorado Correctional Facility Ellsworth Correctional Facility Larned Correctional Facility

KDOC FACILITY COMPLIANCE STATUS

The chart below displays the current compliance status for each KDOC facility as determined by their last DOJ PREA Audit. All KDOC facility DOJ PREA Audit reports are posted on the KDOC public website and can be accessed at: <https://www.doc.ks.gov/facilities/prea/prea-audits>

Facilities Under the Operational Control of the Kansas Department of Corrections				
	Facility Name	Facility Type	DOJ Audit Report Submitted	Compliance Determination
Year 1	Topeka Correctional Facility	Prison - Female	April 4, 2023	Full Compliance
	Hutchinson Correctional Facility	Prison - Male	June 12, 2023	Full Compliance
	Winfield Correctional Facility/ Wichita Work Release Facility	Prison - Male	August 7, 2023	Full Compliance
Year 2	El Dorado Correctional Facility	Prison - Male	September 16, 2021	Full Compliance
	Ellsworth Correctional Facility	Prison - Male	December 17, 2021	Full Compliance
	Larned State Correctional Facility	Prison - Male	December 21, 2021	Full Compliance
Year 3	Kansas Juvenile Correctional Facility	Juvenile - All	May 20, 2022	Full Compliance
	Lansing Correctional Facility	Prison - Male	June 24, 2022	Full Compliance
	Norton Correctional Facility	Prison - Male	August 18, 2022	Full Compliance

KDOC PROPOSED PREA AUDIT SCHEDULE

Below is the proposed future DOJ PREA Audit schedule for the end of Cycle 4 and the beginning of Cycle 5.

It can be noted that Kansas Juvenile Correctional Complex (KJCC) is scheduled to be audited in both Cycle 4, Year 3 and again the very next year in Cycle 5, Year 1. This scheduling of back-to-back audits resulted from the Department of Justice (DOJ) review of the KDOC PREA Audit schedule during the 2023 Governor’s Certification process.

A representative of the DOJ contacted the Statewide PREA Coordinator to inform her there were compliance concerns regarding the traditionally designated cycle year for the KJCC DOJ audits. The DOJ representative referenced 115.401(b) noting, “the agency shall ensure that at least one-third of each *facility type* operated by the agency is audited.” The representative further stated that the DOJ recommends if there is only one facility of a facility type, that it be audited in Year 1 of the Cycle. KJCC is the only juvenile facility in the state, and therefore, the only one of this facility type. For this reason, KJCC DOJ Audits must be conducted in Year 1 of the Cycle.


The DOJ representative and Statewide PREA Coordinator agreed that KJCC would be audited in Cycle 4, Year 3 to remain in compliance with the frequency of audits and would then also be audited in Cycle 5, Year 1 to establish proper audit order. They also agreed that moving forward, KJCC would always be audited in Year 1 of every Cycle.

Cycle 4, Year 3: August 20, 2024 – August 19, 2025
Kansas Juvenile Correctional Complex Lansing Correctional Facility Norton Correctional Facility
Cycle 5, Year 1: August 20, 2025 – August 19, 2026
Kansas Juvenile Correctional Complex Topeka Correctional Facility Hutchinson Correctional Facility Winfield Correctional Facility & Wichita Work Release Facility
Cycle 5, Year 2: August 20, 2026 – August 19, 2027
El Dorado Correctional Facility & Oswego Correctional Facility Ellsworth Correctional Facility Larned State Correctional Facility

SIGNATURE OF APPROVAL


This report was prepared in accordance with Federal PREA Standard §115.87, §115.88 and §115.387, §115.388 by Statewide PREA Coordinator, Allison Basinger, with the assistance of Libby Keogh, Corrections Manager II.

The report contents are approved by Secretary of Corrections, Jeff Zmuda. Furthermore, Secretary Zmuda authorizes the publication of this report on the KDOC public website pursuant §115.88(c) and §115.388(c).



Allison Basinger, Statewide PREA Coordinator
4.30.2024

Date



Jeff Zmuda, KDOC Secretary of Corrections
04/30/2024

Date

