

2024 Embrave Prison Rape Elimination Act Annual Report

Background

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into federal law by President George W. Bush in 2003 to prevent, detect and respond to sexual abuse and sexual harassment occurring in confinement settings. The National Prison Rape Elimination Commission developed national standards which apply to adult prisons and jails, juvenile facilities, lockups, and community confinement facilities

Embrave's Zero Tolerance Policy

Embrave has ZERO TOLERANCE for all forms of sexual abuse and sexual harassment within its facilities. It is the policy of the executive director or designee to respond to, and administratively and/or criminally investigate, all alleged incidents of a sexual nature. Every reported incident or allegation of a sexual nature will be taken seriously, investigated fully, and appropriate action will be taken as warranted. Procedures are in place to prevent, detect, and respond to sexual abuse and harassment in accordance with federal PREA standards.

Embrave's Approach

Embrave. supports the principals associated with PREA. To comply with PREA requirements Embrave efforts include:

- Mandatory annual sexual misconduct training, specific to the prevention, identification, reporting, and handling of inmate sexual misconduct/sexual assault, including common indicators of misconduct to all staff, contractors, and volunteers
- Specialized investigative and mental health training for required staff
- Collaboration with the Colorado Springs Police Department, Colorado Springs Police Department Victims Services Unit, Colorado Department of Corrections, and the Division of Criminal Justice Office of Community Corrections
 - Collaboration with a contract rape crisis counselor
 - A memorandum of understanding for forensic exams
 - Utilization of an anonymous reporting hotline
 - Assessment for risk of victimization or aggressiveness during initial intake
 - Utilization of video monitoring systems
 - Appropriate staffing and maintaining minimum staffing levels
 - Compliant hiring and promotion standards
 - Appropriate classification and housing of all clients
 - Coordinated response to all incidents by first responders, mental health practitioners, investigators, facility leadership and when necessary, law enforcement
 - An assigned PREA coordinator who is responsible for ensuring compliance with the PREA standards by continual development of policies, implementation, training, and constant review of the PREA policies and procedures thorough investigations of all complaints of sexual misconduct.

2024 PREA Annual Report Data

Pursuant to §115.287-8 of the PREA standard, data is collected, aggregated, and reviewed of all reports of sexual abuse incidents to improve the effectiveness of sexual abuse and harassment prevention, detection, and response policies, practices, and training. The information collected for this report will be used to identify problem areas and to take corrective action on an ongoing basis. This data must also be reported to the U.S. Department of Justice, Bureau of Justice Statistics, when requested.

These statistics are published in an annual report and made public on the Embrace website as mandated by PREA standard §115.288. In compliance with this standard, the statistics below detail the incidents of sexual abuse from January 1, 2024, to December 31, 2024, and include the following:

Definitions:

Once a report of sexual abuse has been initiated and investigated, the incident is assigned a number and entered into a database maintained by the PREA coordinator. The incident will be classified using one of the following findings:

- **Substantiated:** An allegation that was investigated and determined to have occurred.
- * **Unsubstantiated:** An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether the event occurred.
- **Unfounded:** An allegation that was investigated and determined not to have occurred.
- **Sexual Abuse:**

- 1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- 2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
 - 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
 - 2) Contact between the mouth and the penis, vulva, or anus.
 - 2) Penetration of the anal or genital opening of another person, however slight, by hand, finger, object, or another instrument; and
 - 3) 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 incidental contact to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.

- 2) Contact between the mouth and the penis, vulva, or anus.
- 3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- 4) Penetration of the anal or genital opening, however slight, by hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire.
- 5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteers have the intent to abuse, arouse, or gratify sexual desire.
- 6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section.
- 7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and 8) Voyeurism by a staff member, contractor, or volunteer.

- **Voyeurism:**

- 1) An invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

- **Sexual harassment**

- 1) Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- 2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Sexual Abuse Report Activity

Clients may confidentially disclose incidents of sexual abuse and sexual harassment in the following ways:

1. Directly to any Embrace employee, contractor, or volunteer either verbally or in writing. Embrace staff are available for confidential reporting by clients 24 hours per day, 7 days per week.
2. By contacting the DOC Tips line at 1-877-DOC-TIPS
3. By contacting the TESSA Crisis Hotline 719-633-3819

Embrace takes all allegations of sexual assault and harassment seriously. All allegations will be formally reported and documented within 30 days of the initial grievance. If the grievance is an emergency in nature, local authorities will be notified, and an internal investigation report will be completed within 5 days.

Prison Rape Elimination Act Annual Report January 1st, 2024- December 31st, 2024.

Client on Client

<u>Sexual Assault/Harassment</u>	<u>Claims 2024</u>	<u>Claims 2023</u>
<u>Substantiated</u>	<u>1</u>	<u>1</u>
<u>Unsubstantiated</u>	<u>1</u>	<u>0</u>
<u>Unfounded</u>	<u>0</u>	<u>3</u>
<u>Total</u>	<u>2</u>	<u>4</u>

Staff on Client

<u>Sexual Assault/Harassment</u>	<u>Claims 2024</u>	<u>Claims 2023</u>
<u>Substantiated</u>	<u>0</u>	<u>1</u>
<u>Unsubstantiated</u>	<u>1</u>	<u>0</u>
<u>Unfounded</u>	<u>1</u>	<u>2</u>
<u>Total</u>	<u>2</u>	<u>3</u>

2025 Goals

During the calendar year of 2024, one substantiated sexual harassment PREA claim was made. For the allegation, policy and reporting standards were followed. PREA refresher training courses were held, and additional video surveillance cameras were installed.

Two PREA allegations were received involving other facilities that are not associated with Embrace. These reports were documented and reported in-line with PREA guidelines to the facility directors and investigators.

For 2025, Embrace will maintain its attentiveness and collaborations. Embrace will continue to maintain PREA standards and continually work towards increasing both client and staff safety. All investigations will be held in an objective and unilateral manner to ensure the best service for all individuals within Embrace's facilities. A memorandum of understanding was established with the Colorado Springs Police Department, and all cases of PREA will be aggressively investigated. Embrace will schedule a PREA audit to maintain accreditation.

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Jenner Behan
Director of Quality Assurance

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Mark Wester
Executive Director