

Wisconsin Department of Corrections

PRISON RAPE ELIMINATION ACT

2023 Annual Report



August 2024
Office of the Secretary
PREA Office

Wisconsin Department of Corrections

PREA | 2023 Annual Report Table of Contents

INTRODUCTION	3
DEFINITIONS	3
AGENCY AND FACILITY ACHIEVEMENTS	5
ANNUAL COMPARISON DATA	7
2023 SEXUAL ABUSE AND SEXUAL HARASSMENT DATA	8
CONTRACT FACILITY SEXUAL ABUSE AND SEXUAL HARASSMENT DATA	12
LOOKING FORWARD	13

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INTRODUCTION

The State of Wisconsin is committed to preventing, detecting, and responding to sexual abuse and sexual harassment in confinement. The Wisconsin Department of Corrections (WI DOC or agency) has zero tolerance for sexual abuse and sexual harassment in all of its confinement facilities. This report is an overview of agency and facility aggregated data, achievements, and corrective action as it pertains to the Prison Rape Elimination Act (PREA).

Background

PREA was signed into law in 2003 after unanimous support from Congress. The act was the first federal law to address sexual abuse in confinement facilities. The law created the National Prison Rape Elimination Commission and charged it with developing standards for the elimination of sexual abuse and sexual harassment of inmates and youth in confinement¹.

Federal PREA standards were published on June 20, 2012 and became effective on August 20, 2012. There are four sets of standards that provide direction for adult prisons and jails, lockups, juvenile facilities, and community confinement facilities. The prisons and jails standards apply to the WI DOC's 36 adult facilities while the juvenile facilities standards apply to the agency's two youth facilities.

Purpose

PREA requires that each agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The agency shall then aggregate the incident-based sexual abuse data at least annually and review it to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. In addition to data pertaining to sexual abuse, WI DOC also compiles and publishes data pertaining to sexual harassment allegations.

This report is intended to:

- Identify any problem areas for the agency and facilities;
- Describe corrective action implemented by the agency and facilities;
- Compare sexual abuse/sexual harassment allegation data and corrective actions of the current year to the previous year; and
- Assess facility and agency progress in addressing sexual abuse and sexual harassment in confinement.

DEFINITIONS

Case Disposition

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 or not the event occurred.

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

Sexual Abuse

Offender-on-Offender Sexual Abuse. Sexual abuse of an offender by another offender 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;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
4. 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.

Staff, Contractor, or Volunteer on-Offender Sexual Abuse². Sexual abuse of an offender by a staff member includes any of the following acts, with or without consent of the offender:

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 has the intent to abuse, arouse, or gratify sexual desire;
4. 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 staff member 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 has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member to engage in the activities described in paragraphs (1)-(5) of this section;
7. Any display by a staff member of his or her uncovered genitalia, buttocks, or breast in the presence of an offender; and
8. Voyeurism by a staff member.

Voyeurism

An invasion of privacy of an offender by staff for reasons unrelated to official duties, such as peering at an offender who is using a toilet in their cell to perform bodily functions; requiring an offender to expose their 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

Offender-on-Offender Sexual Harassment. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender directed toward another.

Staff-on-Offender Sexual Harassment. Repeated verbal comments or gestures of a sexual nature to an offender by a staff member, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

AGENCY AND FACILITY ACHIEVEMENTS

Historical

The WI DOC has been working to prevent, detect, and respond to sexual abuse and sexual harassment in confinement for many years. Since 2007, WI DOC has employed a full time PREA director to coordinate and oversee the agency's implementation and compliance efforts. To complement this effort, each facility has a designated staff member who, in addition to their regular duties, is assigned as the PREA Compliance Manager (PCM) and is responsible for facility-level compliance. Each facility also has a Victim Services Coordinator (VSC) who, in addition to their regular duties, is responsible for connecting victims to internal and external emotional support services and monitoring them for retaliation.

Training and technical assistance is fundamental to WI DOC and its PREA Office. For many years, WI DOC has educated staff, contractors, and volunteers as well as outside stakeholders, including sexual assault service providers, law enforcement, and prosecutors, on PREA and related policy application. The agency provides comprehensive PREA education to inmates and youth, which includes the distribution of a handbook detailing their rights, strategies to stay safe, a description of reporting methods, and support resources. Further, WI DOC has encouraged staff members to participate in the National PREA Resource Center Auditor Trainings; the agency has sponsored the attendance of 31 staff members since the training's inception. The agency's PREA Director is Co-Chair of the agency's Investigation Committee and Chair of the National PREA Coordinator's Working Group.

The agency has created multiple methods for staff and offenders to report imminent harm and incidents of sexual abuse and sexual harassment; two of those methods include internal and external reporting hotlines. Following a report of sexual abuse, WI DOC implements a coordinated response protocol, which includes maintaining evidence preservation kits, documenting the report in an integrated allegation and investigation tracking database, and collaborating with outside sexual assault service providers to provide emotional support to victims. All protocols and procedures are consistent with the PREA standards. In 2021, the agency shifted responsibility of staff-on-offender sexual abuse and sexual harassment investigations from facility-based investigators to the Internal Affairs Office and, in 2023, expanded facility-level compliance to include regional PREA compliance managers. Each step forward, including policy, is rooted in an effort to prevent, detect, and respond to incidents of sexual abuse and sexual harassment and aligns with the agency's zero tolerance mission.

2023 Achievements

In 2023, WI DOC continued to strengthen implementation and compliance efforts.

Agency accomplishments during the year included:

- Processed more than 1,240 PREA hotline calls;
- Investigated 492 allegations of sexual abuse and sexual harassment;
- Conducted two virtual investigations refresher trainings for existing specialized investigators;
- Trained 88 new specialized investigators (five sessions);
- Merged archived, paper investigations (pre-2018) into the agency's electronic investigation tracking database (SINC);
- Provided classroom and virtual instruction to over 1,400 new non-uniform staff, pre-service staff, youth counselors, agents, and health service staff;
- Facilitated nine virtual training topics (e.g., inmate education, risk screening, first responder, PREA Compliance Manager role, Victim Services Coordinator role, and several related to SINC use);
- Circulated biennial training to all staff;
- Three staff earned certification as US Department of Justice (DOJ) PREA Auditor;
- Invited to attend *PREA 20th Anniversary Convening: Honoring our Accomplishments, Defining our Future* in Washington DC; PREA Director served as panelist.
- Presented PREA topics at Jail Administrators Conference, Juvenile Superintendents Conference; Lockup Administrator Meeting; and Wisconsin Juvenile Detention Association Conference;

- Trained Milwaukee Police Department officers new to jail booking;
- Provided orientation to Dane County Sheriff's Department jail personnel;
- In partnership with New York Department of Corrections and Community Supervision, facilitated a three-day workshop for West Virginia Division of Corrections and Rehabilitation investigators and PCMs.
- Four facilities participated in the Bureau of Justice Statistics' National Inmate Survey;
- Planned, in collaboration with the National PREA Coordinator Working Group (of which the agency's PREA Director chairs) the 5th Annual National PREA Coordinator's Conference held in Washington DC;
- Partnered with Just Detention International (JDI) on Words of Hope project;
- Joined The Moss Group Staffing Plan Advisory Workgroup;
- Contributed to the Attorney General Sexual Assault Response Team manual revision and publication;
- Continued reviewing best housing and accommodation practices for transgender inmates;
- Expanded the regional PCM model to permanent positions covering six regions and 21 facilities;
- Created or modified various Division of Adult Institution (DAI) policies as they relate to PREA;
- Reviewed facility staffing plans, in consultation with the PREA Director;
- Remained a member of Western States PREA Auditing Consortium;
- Audited nine adult facilities in California as part of Western States PREA Auditing Consortium;
- Conducted compliance monitoring of contracted county jails and community confinement facilities;
- Completed 16 WI DOC facility PREA audits;
- Received no cost extension on 2020 federal compliance grant and continued federal grant coaching with JDI as part of award;
- Finalized and posted the *PREA 2022 Annual Report*;
- Completed the annual Bureau of Justice Statistics Survey of Sexual Victimization; and
- Submitted a Governor's PREA assurance for Audit Cycle IV, Year I.

Facility accomplishments and corrective action during the year included:

- Modified physical plant (e.g., windows, mirrored bubbles, construction) for greater visibility;
- Adapted showering areas for greater privacy between inmates to prevent cross-gender staff viewing and achieve separation for transgender inmates;
- Opened or removed window coverings and/or doors from closets, offices, rooms, and hallways;
- Improved privacy, while balancing safety, in observation cells;
- Modified staffing patterns, traffic patterns, and movement schedules;
- Installed additional or new locking mechanisms on doors and outbuildings;
- Adjusted camera angles, increased video recording retention periods, and installed new cameras, including body worn and vehicle;
- Reviewed planned physical plant modifications/projects for compliance;
- Modified and/or reviewed opposite gender announcing expectations and procedures, including for those who are deaf or have limited hearing;
- Provided refresher trainings and resources on topics including fraternization, incident response, VSC, audit, investigations, search, and opposite-gender announcing;
- Participated in local Sexual Assault Response Teams;
- Strengthened inmate education procedures and practices, including refreshing posted materials;
- Improved timeliness of risk screening and education;
- Increased monitoring of placement for those at risk of victimization or abusiveness;
- Enhanced biannual review process for transgender inmates and added monthly meetings with the population;
- Updated or developed facility procedures to align with division policies;
- Restocked evidence collection kits;
- Convened PREA workgroups for audit preparation and beyond; and
- Modified and circulated facility staffing and coordinated response plans.

ANNUAL COMPARISON DATA

Total Allegations 2022 to 2023³

The following tables display the changes in total allegations, total sexual abuse allegations, and total sexual harassment allegations, by disposition and division, from 2023 to previous year data.

CHANGES IN TOTAL ALLEGATIONS (2022 TO 2023)		
DISPOSITION	DAI	DJC
Substantiated	0	-2
Unsubstantiated	+30	-11
Unfounded	-11	+4
Ongoing	+2	0

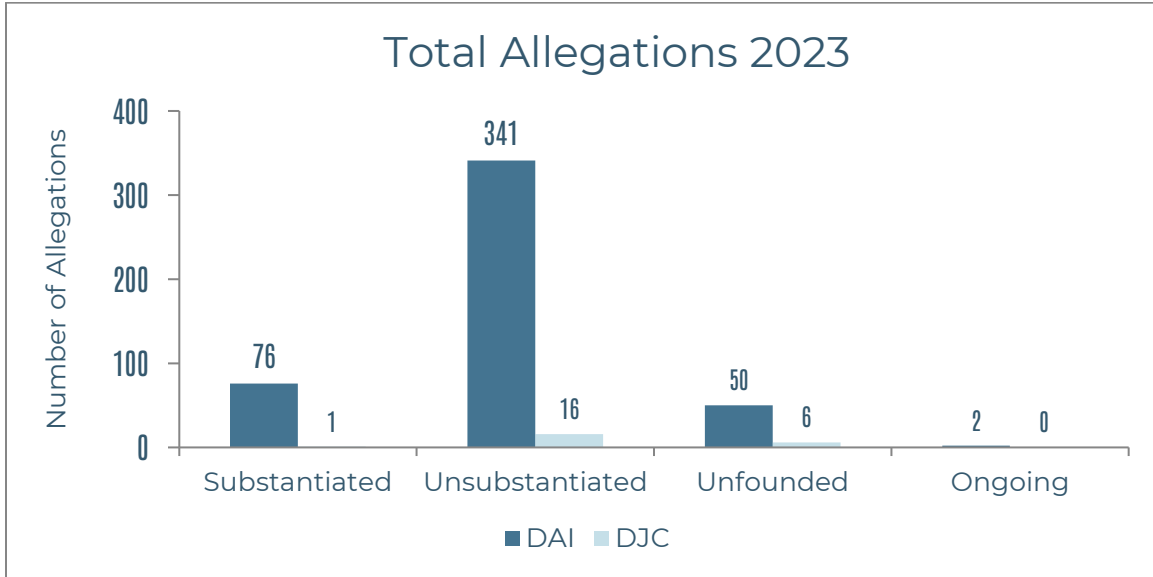
CHANGES IN SEXUAL ABUSE ALLEGATIONS (2022 TO 2023)		
DISPOSITION	DAI	DJC
Substantiated	-1	0
Unsubstantiated	+25	-10
Unfounded	-9	+5
Ongoing	+2	0

CHANGES IN SEXUAL HARASSMENT ALLEGATIONS (2022 TO 2023)		
DISPOSITION	DAI	DJC
Substantiated	+1	-2
Unsubstantiated	+5	-1
Unfounded	-2	-1
Ongoing	0	0

2023 SEXUAL ABUSE AND SEXUAL HARASSMENT DATA

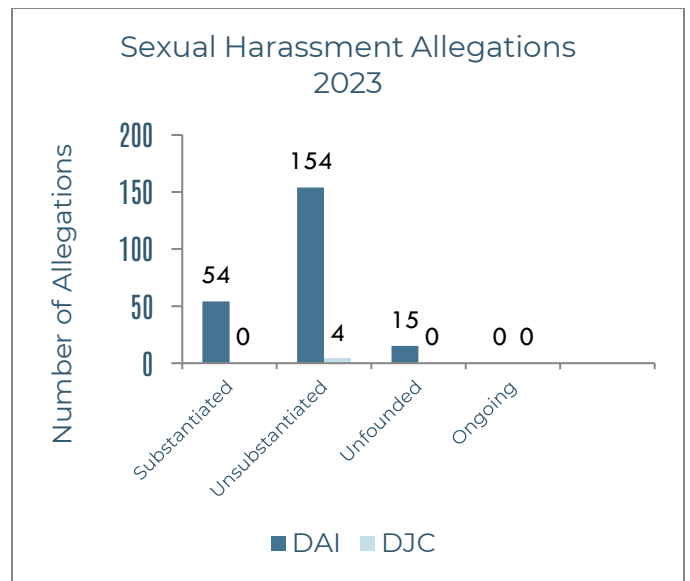
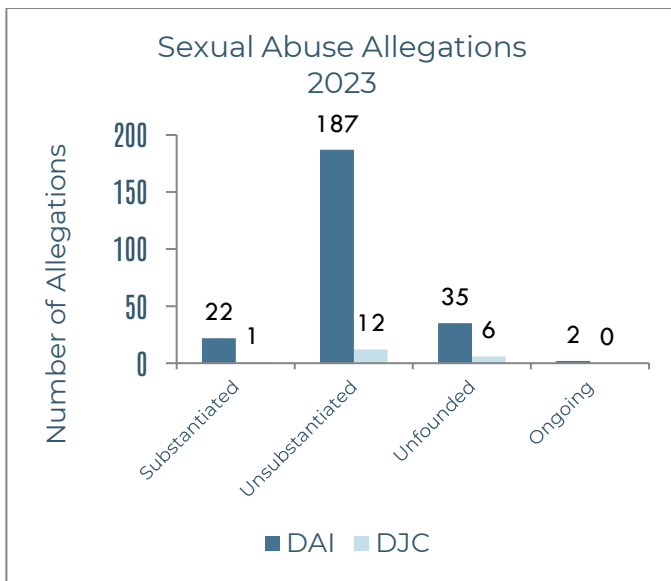
Total Allegations

In calendar year 2023 there were 492 allegations of sexual abuse or sexual harassment reported, as defined under PREA, within DAI and Division of Juvenile Corrections (DJC). The total number of allegations by disposition are:



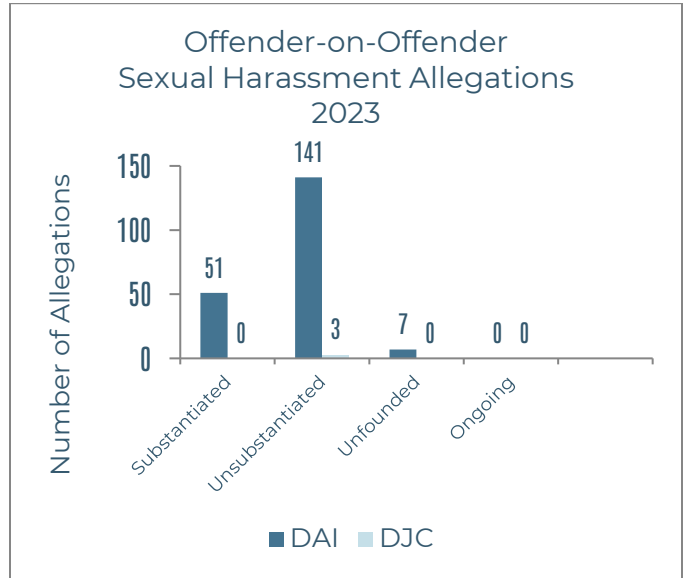
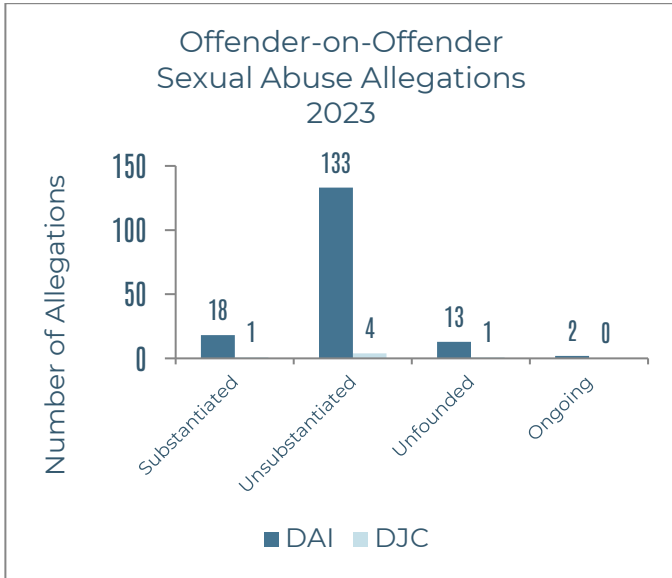
Total Sexual Abuse and Sexual Harassment Allegations

The following two graphs illustrate the 492 reported incidents of alleged sexual abuse and alleged sexual harassment, by disposition and division, in 2023.



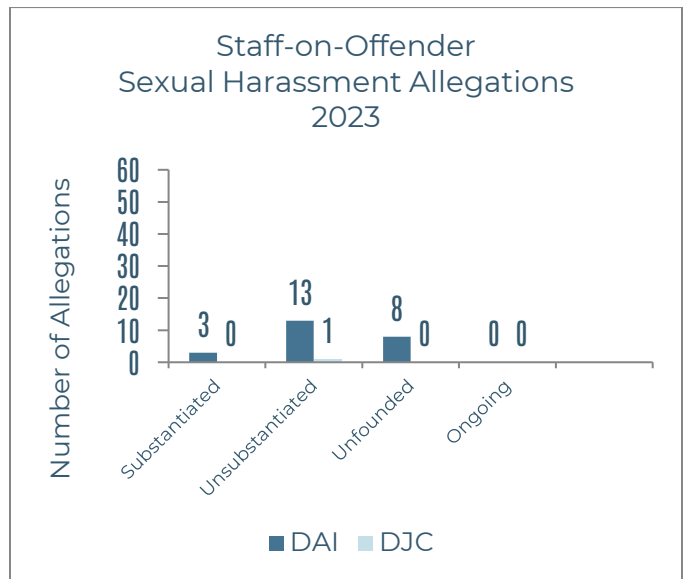
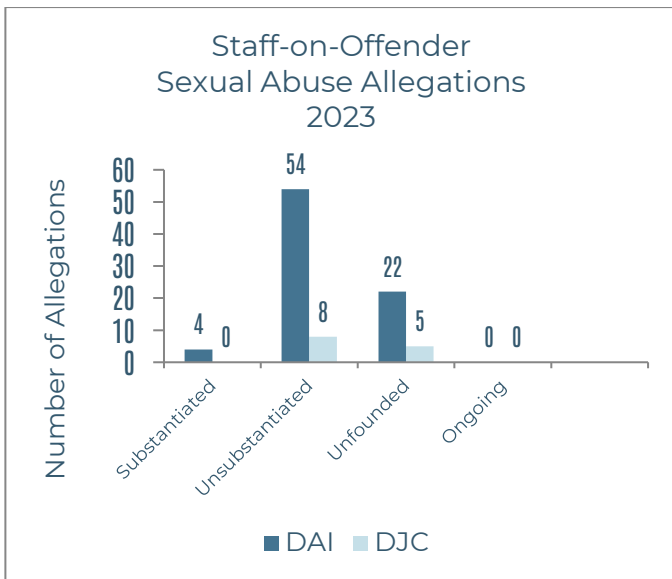
Offender-on-Offender Sexual Abuse and Sexual Harassment Allegations

Of the 492 allegations that were reported in 2023, 76% (374) were offender-on-offender incidents. The following two graphs illustrate the reported incidents of alleged offender-on-offender sexual abuse and alleged offender-on-offender sexual harassment, by disposition and division, in 2023.



Staff-on-Offender Sexual Abuse and Sexual Harassment Allegations

Of the 492 allegations that were reported in 2023, 24% (118) were staff-on-offender incidents. The following two graphs illustrate the reported incidents of alleged staff-on-offender sexual abuse and alleged staff-on-offender sexual harassment, by disposition and division, in 2023.



Sexual Abuse and Sexual Harassment Allegations by Facility

The following two tables illustrate the reported incidents of alleged offender-on-offender and staff-on-offender sexual abuse and sexual harassment, by disposition and facility, in 2023. Security level and composition varies.

2023 Total Offender-on-Offender Sexual Abuse and Sexual Harassment by Facility and Disposition					
Facility	Substantiated	Unsubstantiated	Unfounded	Ongoing	Total
Black River Correctional Center	0	0	0	0	0
Chippewa Valley Correctional Treatment Facility	4	5	0	0	9
Columbia Correctional Institution	6	28	2	1	37
Dodge Correctional Institution	2	18	1	0	21
Drug Abuse Correctional Center	0	0	0	0	0
Ethan Allen School ⁴	0	0	0	0	0
Felmers O. Chaney Correctional Center	0	0	0	0	0
Flambeau Correctional Center	0	0	0	0	0
Fox Lake Correctional Institution	3	2	0	0	5
Gordon Correctional Center	0	0	0	0	0
Green Bay Correctional Institution	10	26	2	0	38
Grow Academy ⁵	0	0	0	0	0
Jackson Correctional Institution	1	9	0	0	10
John C. Burke Correctional Center	0	0	0	0	0
Kenosha Correctional Center	0	0	0	0	0
Kettle Moraine Correctional Institution	0	1	0	0	1
Lincoln Hills/Copper Lake School ⁵	1	7	1	0	9
Marshall E. Sherrer Correctional Center	0	0	0	0	0
McNaughton Correctional Center	0	0	0	0	0
Milwaukee Secure Detention Facility	3	8	0	1	12
Milwaukee Women’s Correctional Center	0	0	1	0	1
New Lisbon Correctional Institution	4	22	0	0	26
Oakhill Correctional Institution	4	6	0	0	10
Oregon Correctional Center	0	0	0	0	0
Oshkosh Correctional Institution	7	33	7	0	47
Prairie du Chien Correctional Institution	1	2	0	0	3
Racine Correctional Institution/ Sturtevant Transitional Facility	5	24	1	0	30
Racine Youthful Offender Correctional Facility	0	5	1	0	6
Redgranite Correctional Institution	4	18	0	0	22
Robert E. Ellsworth Correctional Center	4	6	2	0	12
Sanger B. Powers Correctional Center	0	0	0	0	0
St. Croix Correctional Center	0	0	1	0	1
Stanley Correctional Institution	0	6	0	0	6
Taycheedah Correctional Institution	1	27	1	0	29
Thompson Correctional Center	0	0	0	0	0
Waupun Correctional Institution	9	23	0	0	32
Winnebago Correctional Center	0	1	0	0	1
Wisconsin Resource Center ⁶	1	2	0	0	3
Wisconsin Secure Program Facility	0	2	1	0	3
Total	70	281	21	2	374

2023 Total Staff-on-Offender of Sexual Abuse and Sexual Harassment
By Facility and Disposition

Facility	Substantiated	Unsubstantiated	Unfounded	Total
Black River Correctional Center	0	1	0	1
Chippewa Valley Correctional Treatment Facility	0	0	0	0
Columbia Correctional Institution	0	4	1	5
Dodge Correctional Institution	0	0	1	1
Drug Abuse Correctional Center	0	0	0	0
Ethan Allen School ⁴	0	2	0	2
Felmers O. Chaney Correctional Center	0	0	0	0
Flambeau Correctional Center	0	0	0	0
Fox Lake Correctional Institution	0	3	1	4
Gordon Correctional Center	0	0	0	0
Green Bay Correctional Institution	0	13	1	14
Grow Academy ⁵	0	0	0	0
Jackson Correctional Institution	1	0	0	1
John C. Burke Correctional Center	0	0	0	0
Kenosha Correctional Center	0	0	0	0
Kettle Moraine Correctional Institution	2	1	0	3
Lincoln Hills/Copper Lake School ⁵	0	7	5	12
Marshall E. Sherrer Correctional Center	0	0	0	0
McNaughton Correctional Center	0	0	0	0
Milwaukee Secure Detention Facility	0	3	1	4
Milwaukee Women’s Correctional Center	0	0	0	0
New Lisbon Correctional Institution	2	2	0	4
Oakhill Correctional Institution	0	1	4	5
Oregon Correctional Center	0	0	0	0
Oshkosh Correctional Institution	0	1	1	2
Prairie du Chien Correctional Institution	0	3	0	3
Racine Correctional Institution/ Sturtevant Transitional Facility	0	6	4	10
Racine Youthful Offender Correctional Facility	0	0	0	0
Redgranite Correctional Institution	0	7	2	9
Robert E. Ellsworth Correctional Center	0	4	2	6
Sanger B. Powers Correctional Center	0	0	0	0
St. Croix Correctional Center	0	0	2	2
Stanley Correctional Institution	0	1	0	1
Taycheedah Correctional Institution	0	3	0	3
Thompson Correctional Center	0	0	0	0
Waupun Correctional Institution	0	11	7	18
Winnebago Correctional Center	0	0	0	0
Wisconsin Resource Center ⁶	2	2	2	6
Wisconsin Secure Program Facility	0	1	1	2
Total	7	76	35	118

CONTRACT FACILITY SEXUAL ABUSE AND SEXUAL HARASSMENT DATA

WI DOC contracts for the confinement of offenders who are in the custody of DAI and for offenders who are on community supervision. The following table illustrates the reported incidents of alleged offender-on-offender and staff-on-offender sexual abuse and sexual harassment, by disposition and contracted agency, in 2023.

2023 Total Sexual Abuse and Sexual Harassment Allegations By Contract Facility and Disposition				
Contract Facility	Substantiated	Unsubstantiated	Unfounded	Total
ARC Community Services	0	0	0	0
Attic Correctional Services	3	2	0	5
Bethany Recovery Services	0	0	0	0
Fond du Lac County Jail	1	2	15	18
Genesis	4	0	0	4
Jefferson County Jail	2	0	9	11
Joshua Glover Residential Reentry Center (WCS)	0	0	0	0
Juneau County Jail	0	2	5	7
Lutheran Social Services	1	1	0	2
Marquette County Jail	0	1	0	1
Meta House	0	1	4	5
Nehemiah (DJC)	0	0	0	0
CRC – Community Reintegration Center	0	3	6	9
Oneida County Jail	0	5	1	6
Ozaukee County Jail	2	1	6	9
Portage House	0	0	0	0
Racine County Jail	2	13	21	36
Rawhide (DJC)	0	0	0	0
Ryan Community	0	0	3	1
Rock County Jail	0	1	0	16
Rock Valley Community Programs	2	0	14	3
Sauk County Jail	1	3	7	11
Spirit of the North, Inc. (DJC)	0	0	0	0
Vernon County Jail	0	0	0	0
Vilas County Jail	0	4	3	7
Total	18	39	94	151

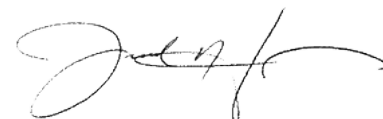
LOOKING FORWARD

In 2023, WI DOC maximized the compliance-related momentum established in years past by identifying solutions for unmet standards and holding steady on others. While the agency received and responded to a three and a half percent uptick in allegations from 2022 (480 allegations) to 2023 despite our prison population growth, we remain committed to prevention. The agency’s summary of annual achievements serves as evidence of this effort. WI DOC takes great care to implement a variety of sexual abuse and sexual harassment prevention and intervention strategies. This commitment allows us to tend to safety and security in all of its forms while holding perpetrators responsible for harming others whenever possible. We consider this a reflection of a healthy reporting culture, skilled investigators, and effective video monitoring technology. In addition to holding perpetrators responsible, we value restoring wellbeing to survivors. Both actions affect the culture, strength, and welfare of our facilities and communities. While agency- and facility-level compliance with each standard, as measured during the audit process, is a priority, WI DOC works every day to re-envision existing compliance strategies so as to create and sustain cultural change.

Looking forward to the coming year, in addition to maintaining existing implementation activities, the agency will evolve with best practice and, specifically, enrich compliance efforts in the following ways:

- Grow the regional PCM model to meet facility and agency need;
- Facilitate regular PREA-related orientation and booster trainings for PCMs, supervisors, investigators, VSCs, screeners, and educators;
- Learn from colleagues and stakeholders at the 6th Annual National PREA Coordinator Conference;
- Evaluate and revise the sexual victimization and sexual abusiveness screening tool;
- Update and create policy where applicable;
- Audit partner state (e.g., consortium) correctional facilities; and
- Measure facility compliance efforts formally through the US DOJ audit process.

These specific actions are reflective of the agency’s commitment to zero tolerance. The compilation of new and existing compliance approaches will move the agency closer to our vision of preventing sexual abuse and sexual harassment in our confinement facilities.



Jared Hoy
Secretary
Wisconsin Department of Corrections

¹ Inmates and youth are collectively referred to herein as “offenders,” unless noted, at which time they will be referred to as inmate or youth. As an agency, WI DOC is moving away from the term “inmate,” in favor of “person in our care,” in an effort to dignify the humanity of confined people. This report continues to use “offender” and “inmate” to align with federal PREA legislation.

² Staff, contractors, and volunteers are referred to herein as “staff” or “staff members.”

³ As a result of closing ongoing cases, 2022 data (total and by disposition) presented in this report (p.7) may be slightly different than the figures published in the preceding 2022 WI DOC Annual Report.

⁴ Ethan Allen School, operated by WI DOC, closed in 2011. Alleged incidents of sexual abuse or sexual harassment reflected in the table occurred while the facility was operational; the allegations were received and investigated in 2021.

⁵ A youth facility managed by WI DOC Division of Juvenile Corrections. The remaining facilities are adult facilities managed by WI DOC Division of Adult Institutions.

⁶ An adult confinement facility managed by Wisconsin Department of Health Services. This facility serves WI DOC inmates and is, in part, staffed by WI DOC security staff.