



## 2019 ComCor, Inc. Prison Rape Elimination Act Annual Report

### Background

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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.

### ComCor, Inc's Zero Tolerance Policy

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ComCor, Inc. 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.

### ComCor, Inc's Approach

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ComCor, Inc. supports the principals associated with PREA. In order to comply with PREA requirements ComCor's 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 a 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 to ensure 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

### 2019 PREA Annual Report Data

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Pursuant to §115.287-8 of the PREA standard, data is collected, aggregated and reviewed of all reports of sexual abuse incidents in order to improve the effectiveness of the 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 ComCor, Inc. 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, 2019 to December 31, 2019*, and includes the following:

### Definitions

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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 or not 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;
- 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.

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 a 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 volunteer has 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: 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 includes—
    - 1) Repeated and unwelcome sexual advances, requests for sexual favors, or 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

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

1. Directly to any ComCor, Inc employee, contractor, or volunteer either verbally or in writing. ComCor 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

ComCor, Inc will investigate all allegations and complete all investigations and document with a formal report no later than 30 days upon initiation of the allegation. If the allegation is regarding the conduct of staff and is serious in nature, ComCor, Inc. of the initial filing of the complaint or grievance; or within 5 days of filing an emergency grievance.

#### PREA Statistics

Client on Client		
Sexual Abuse or Sexual Harassment	2018	2019
Substantiated	0	0
Unsubstantiated	2	0
Unfounded	4	0
Total	6	0
Staff on Client		
Sexual Abuse or Sexual Harassment	2018	2019
Substantiated	0	1
Unsubstantiated	2	4
Unfounded	2	0
Total	4	5

#### 2020 Goals

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In analyzing the 2019 data, ComCor, Inc has developed a goal to continue efforts to increase training opportunities for to the prevention, identification, reporting, and handling of sexual harassment and assault. This includes training on maintaining professional boundaries, the duty to report all suspected violations and common indicators of misconduct to all staff, contractors, and volunteers.

ComCor, Inc has contracted with a qualified PREA auditor to complete PREA audits on all three residential facilities in the summer of 2020. Prior to the audit, ComCor will conduct a careful review of each area of our programs and facilities to prevent, detect, and respond to sexual abuse. We will identify any gaps in our services and work to rectify immediately.

Hilary Johnson, PREA Coordinator