

**Buffalo County Jail  
Prison Rape Elimination Act (PREA)  
Annual Report 2019**



**2019 PREA Report**

**APPROVED:**

*Neil A. Miller*

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**NEIL A. MILLER, SHERIFF**

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## **PREA Background:**

The Prison Rape Elimination Act (PREA) was signed into Federal Law in 2003 by President George W. Bush. It was created to address the problem of sexual misconduct in all confinement facilities. In 2012, the U.S. Department of Justice released national PREA standards to prevent, detect and respond to sexual abuse and sexual harassment in confinement facilities. The PREA Act requires all federal, state, and local corrections agencies to have a zero-tolerance policy regarding rape in prison, jails, police lock-ups, and community confinement facilities.

Buffalo County Jail has a zero-tolerance policy relative to sexual misconduct. Buffalo County Jail complies with federal and state laws as they pertain to PREA, sexual violence and sexual misconduct.

## **Definitions:**

- **Substantiated**-A substantiated allegation means an allegation that was investigated and determined to have occurred.
- **Unsubstantiated**-An unsubstantiated allegation means 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 unfounded allegation means an allegation that was investigated and determined not to have occurred.
- **Ongoing**-The investigation has not been completed.

## **Annual Report:**

Since 2012, when the final PREA standards came into effect, Buffalo County Jail has made multiple revisions to facility policies to better guide our employees, volunteers, vendors and inmates with regard to incidents of sexual abuse and harassment. We employ a PREA Coordinator to ensure compliance with all PREA standards. It is the policy of Buffalo County Jail to provide training to all staff, inmates, contractors and volunteers to prevent sexual misconduct and to fully investigate and prosecute those involved in such conduct. Every allegation made is investigated thoroughly. If an allegation of sexual abuse is substantiated, the perpetrator will be charged with a criminal act and the Buffalo County Sheriff's Office will work closely with the prosecutors to ensure prosecution.

There is a system in place to collect data on incidents of a sexual nature. Buffalo County Jail staff collects accurate, uniform data for every allegation of sexual abuse under its direct control. The facility PREA Coordinator compiles incident based sexual abuse data annually. The following table illustrates data collected between (*January 1, 2019*) and (*December 31, 2019*).

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The following chart reflects aggregated data absent any events investigated that did not constitute a PREA violation:

	Allegations	Substantiated	Unsubstantiated	Unfounded	Ongoing Investigation	Total Results
Detainee on Detainee Non-Consensual sexual acts						
Detainee on Detainee abusive sexual contact	<b>1</b>		<b>1</b>			<b>1</b>
Detainee on Detainee Sexual Harassment	<b>4</b>	<b>2</b>		<b>2</b>		<b>4</b>
Staff on Detainee sexual misconduct						
Staff on Detainee Sexual harassment						
Staff on Detainee abusive sexual contact						
<b>Totals</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>2</b>		<b>5</b>

## General Information

Detainees incarcerated at the Buffalo County Jail on December 31, 2019

Male 121 Female 31

Detainees booked into Buffalo County Jail during 2019

Male 1,728 Female 648

Average Detainee Daily Population between January 1, 2019 and December 31, 2019

Male 118 Female 30

A review of the statistical data demonstrated shows that there were (2) Allegations during the current reporting period that were substantiated. The Buffalo County Jail strives to train and educate at all levels of the facility towards the goal of prevention, detection, and response to incidents of sexual abuse and harassment inside its facility. The names of the individuals involved have been excluded from this report in order to ensure safety and security.

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## Identified Problem Areas and Corrective Action

PREA standards require a review of collected data in order to identify problem areas and establish plans of corrective action. Based upon statistical data alone, the rate of incidents within the facility is extremely low. Based on PREA Incident Reviews, it is determined that staff supervision needs to do better in stopping inmate horseplay that has escalated into sexual harassment. The Buffalo County Jail continues to review, enhance and improve its current policies and procedures in an effort to not only continue to meet the PREA Standards, but to exceed them.

## Resolved Problem Areas from 2018

The Buffalo County Jail was found to be compliant during our 2019 PREA Audit. Employee PREA training has been converted to a software package that tracks and records all an employee's training for a calendar year. Notifications are sent out when a training is nearing the set expiration date thereby preventing staff lapsing in current training for key areas, including PREA.

Administration has developed a more efficient way of tracking PREA education for all contractors, volunteers, and vendors. The Buffalo County Sheriff's Office strives to continuously improve all facets of PREA compliance.