



2017


Management & Training Corporation

Corporate Office Report

Prison Rape Elimination Act (PREA)

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Approved  Date 7/23/18



A Leader in Social Impact

Introduction

The United States Department of Justice published final rules implementing the Prison Rape Elimination Act (PREA) on May 17, 2012. Management & Training Corporation (MTC) immediately began a process designed to fully implement the standards at all of the facilities it operates. Several standards provide direction regarding the collection, management and analysis of data, including the production of reports. PREA § 115.88 obligates that an agency review data for any possible corrective action and requires specific actions by the agency, as follows in this excerpt from the standard:

(a) The agency shall review data collected ...in order to assess and improve effectiveness ...by:

...(3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

(b) Such report shall include a **comparison of the current year's data and corrective actions** with those from prior years and shall provide an **assessment of the agency's progress** in addressing sexual abuse.

This report provides a comparison of annual data and presents corrective actions, as well as assesses MTC's progress in addressing sexual abuse.

Trends and figures are based on data collected in calendar year 2017 and prior years.

Management & Training Corporation

Management & Training Corporation (MTC) was founded in 1981 with a mission to be a leader in social impact by giving young people the tools they need to find meaningful jobs and become contributing members of their communities. MTC launched its business in the federal Job Corps program, preparing America's youth to be successful in today's job market. The company expanded into other areas which support its commitment to helping improve society.

Today, MTC employs more than 7,700 people worldwide through five divisions: Education & Training, Corrections, MTC Medical, Economic & Social Development and MTCnovo. Each of these divisions helps make a social impact by improving the lives of those we serve and the communities in which they live.

In 1987, MTC entered the private corrections business. MTC currently has 25 residential secure facilities located across the United States. The corporation has multiple contracts with governmental agencies at the county, state and federal levels for the purpose of managing correctional facilities and detention centers, and providing services to inmates and detainees assigned to their care and custody.

This privately held corporation has divided the Corrections Division into four (4) regions. Each regional vice president directs and oversees the overall operation and management of each facility in their region. Regional directors along with assigned wardens share in the responsibility for operational integrity and contractual compliance.

Demographics of MTC Operated Facilities

End of 2017	
Rated Capacity	25,949
Average Daily Population	29,748*
Average Length of Stay	345 days*
Number of Intakes	68,700*
Number of Departures	74,438*
Security/Custody Level	
Minimum	21,840
Medium	5,797
High	2,271
Average Age	36
Gender	
Female	3,919
Male	26,004
Full Time MTC Employees	7,794
Full Time Corrections Employees	3,568
Full Time MTC Medical employees (11 facilities)	234

* Includes data for facilities no longer under contract

MTC 2017 PREA Report

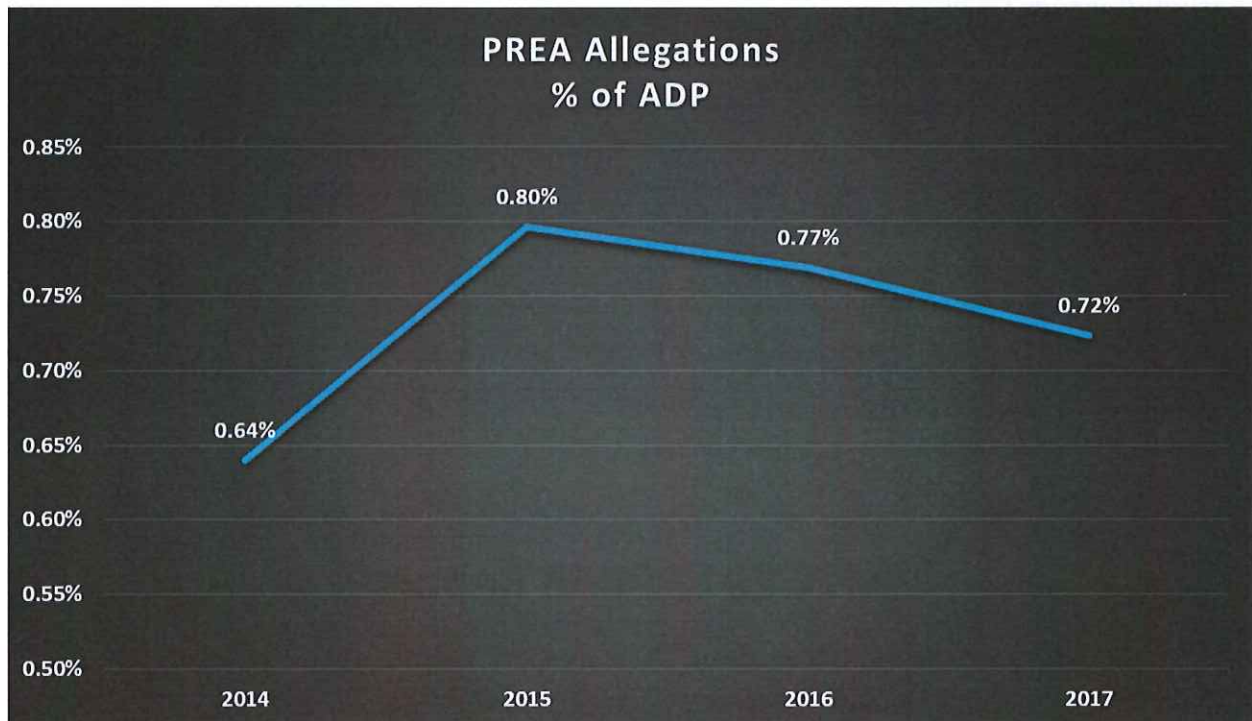
MTC continues to maintain compliance with PREA standard 115.401a by completing audits at every MTC facility during the first three-year audit cycle, which concluded on August 19, 2016. MTC also continues compliance with PREA standard 115.401.b by auditing one-third of each facility type during each one-year period of each three-year audit cycle.

Aside from the initial jump in PREA allegations from 2014 to 2015, which in theory has been attributed to increased communication of inmate rights to sexual safety and the realization that

there are multiple effective methods of reporting PREA allegations, the number of PREA allegations made has remained virtually flat since 2015.

As was noted in the Federal Register (Vol. 77, No. 119 /Wednesday, June 20, 2012 /Rules and Regulations 37107), an increase in allegations “might just reflect inmates’ increased willingness to report abuse, due to the facility’s success at assuring inmates that reporting will yield positive outcomes and not result in retaliation.”

	Total PREA Allegations (+/- previous year)		Average Daily Population (+/- previous year)	
2014	128		20,018	
2015	170 (+33%)	2014-2017 Net Change	21,345 (+7%)	2014-2017 Net Change
2016	176 (+4%)		22,880 (+7%)	
2017	181 (+3%)		25,025 (+9%)	
		+41%		+25%



The following charts depict a breakdown of PREA allegations and the results of their subsequent investigations for each calendar year. While the number of substantiated and unsubstantiated cases have risen at a pace corresponding to overall allegations, the number of unfounded cases rose the most dramatically over the four-year period.

Substantiated allegation means an allegation that was investigated and determined to have occurred.

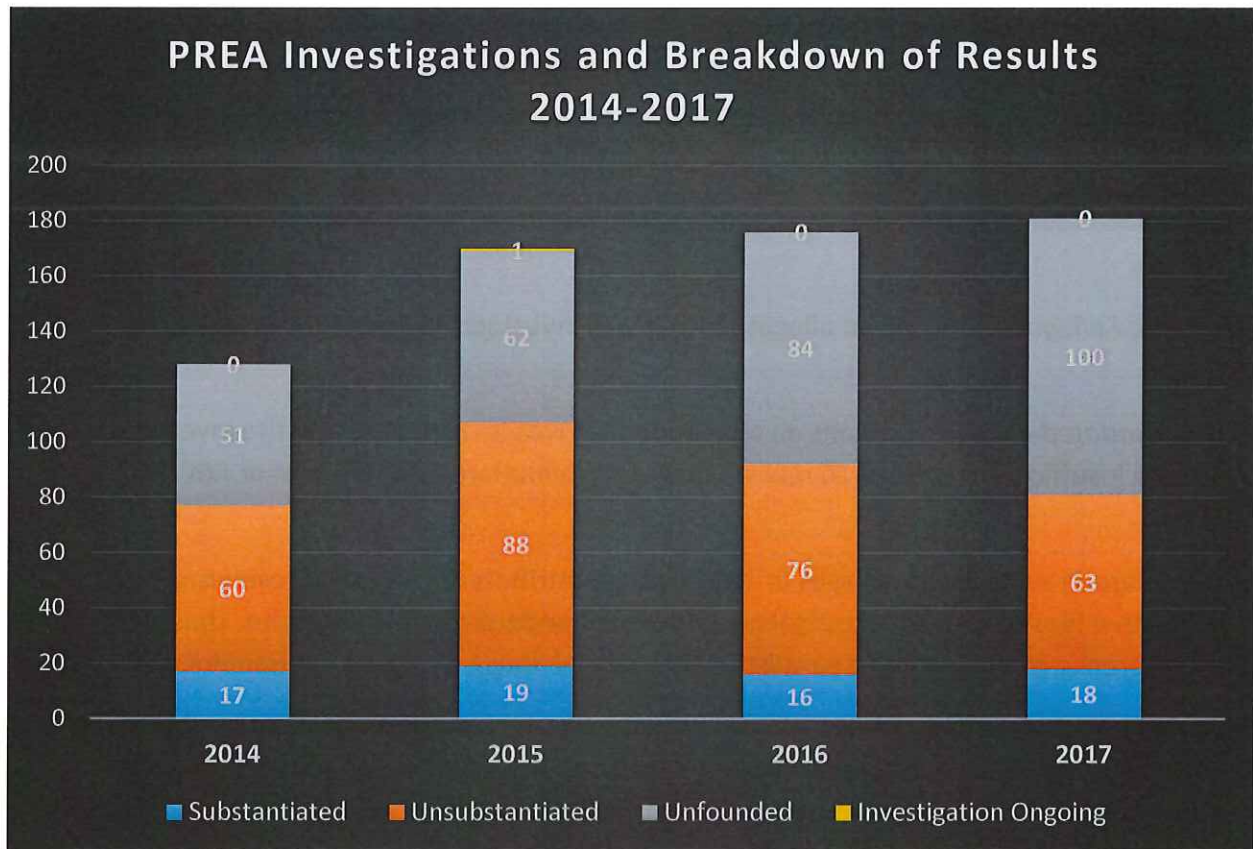
Unfounded allegation means an allegation that was investigated and determined not to have occurred.

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.

The increase in substantiated cases in 2017 may be attributed to ongoing reviews of investigative files to ensure investigators impose a standard of proof no higher than a preponderance of the evidence to substantiate sexual abuse or sexual harassment cases.

The disproportionate increase in unfounded cases may be attributed to efforts to better train investigators in the strict definitions of investigative outcomes. The other reason for the disproportionate increase is that one particular facility, Wilkinson County Correctional Facility, experienced a high level of abuse of the PREA hotline. Inmates made numerous calls to the PREA hotline indicating sexual abuse or harassment; however, upon investigation, the same inmate making the call would admit to lying and then give the investigator some other complaint or issue, saying he only made the call via the PREA hotline because he knew it would be acted on quickly. This trend, which began mid-2017, dropped off significantly by the end of the year.

	2014	2015	2016	2017	2014-2017 Net Change
Total PREA Allegations	128	170	176	181	+41%
Substantiated	17	19	16	18	+6%
Unsubstantiated	60	88	76	63	+5%
Unfounded	51	62	84	100	+96%
Investigation Ongoing	0	1	0	0	



MTC facilities continue to improve in their investigative techniques, timeliness and thoroughness through quarterly specialized training for PREA compliance managers, investigators and wardens, and better accountability through increased oversight by MTC PREA Coordinator and Assistant Coordinator. Improvements in the MTC Offender Data System (ODS) are enhancing MTC's ability to identify, track and account for allegations and resultant investigations.

Summary of Facility Incident Reviews for 2017

The results of all incident reviews of sexual abuse cases determined to be substantiated or unsubstantiated in 2017 are summarized below in the categories required by PREA § 115.86.

1. **Need to change policy or practice** – In only two of the 87 incidents reviewed did the committee recommend a change in policy or practice. In both cases the recommendations were implemented.
2. **Was the incident or allegation motivated by status; or gang affiliation; or other group dynamics at the facility** – In none of the 87 incidents reviews was this determined to be a factor.

3. **Did physical barriers enable abuse** – In only one of the 87 incidents reviews identified physical barriers to be a factor. In this case a change of procedure was implemented to restrict access to area where incident occurred.
4. **Adequacy of staffing levels** – Overall staffing is considered adequate. Out of 87 sexual abuse incidents reviewed, none were identified as having staffing levels play a role.
5. **Need for additional monitoring technology** – All but two of the 87 incident reviews indicated there was no need for additional monitoring technology. Both of those two cases were at the same facility and both were unsubstantiated. The warden denied the recommendation for additional cameras, citing the staffing levels in the areas the incidents occurred were sufficient.

The chart below represents a breakdown of all PREA investigations by type and investigative results.

PREA Allegations and Investigative Results 2015-2017	Investigative Results														
	Allegations			Substantiated			Unsubstantiated			Unfounded			Invest. Ongoing		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
Inmate on Inmate Sexual Abuse	76	82	88	7	5	4	42	35	27	27	42	57	0	0	0
Staff on Inmate Sexual Abuse	28	22	21	4	3	1	7	11	7	17	8	13	0	0	0
Inmate on Inmate Sexual Harassment	44	48	45	6	7	8	29	20	18	8	21	19	1	0	0
Staff on Inmate Sexual Harassment	22	24	27	2	1	5	10	10	11	10	13	11	0	0	0
TOTAL	170	176	181	19	16	18	88	76	63	62	84	100	1	0	0

Agency Progress Assessment

PREA standard 115.88 calls for an assessment of the agency's progress in addressing sexual abuse. Overall, MTC has made PREA certification a major priority. As a result, all MTC operated prison facilities have been certified. Additionally, the three facilities housing Immigration and Customs Enforcement (ICE) detainees have been operating in compliance with the PREA standards for some time. PREA/SAAPI (Sexual Abuse and Assault Prevention and Intervention) audits are scheduled for 2018.

The majority of the substantiated and unsubstantiated findings in 2017 are a result of inmate on inmate conduct, outweighing staff on inmate substantiated and unsubstantiated cases 57-24. Further, the number of unfounded cases continues to grow. Finally, MTC has not had a reported case of inmate or staff retaliation.

Noteworthy Areas of Progress

Offender Data System (ODS)

Investigations

In 2017, MTC has furthered the efforts in 2015 and 2016, when MTC developed a PREA record system within the Offender Data System to capture real time data related to the entire PREA investigative and post-investigation process, which included 90-day retaliation monitoring and Incident Review, as well as BJS Survey of Sexual Victimization data, and an automated email notification system.

The system was used in 2017 to collect and monitor PREA data and compliance with PREA standards. The MTC PREA Coordinator continues to host quarterly teleconferences to update the Wardens, PREA Managers, and Investigators on the system to enhance staff awareness and understanding, as well as making efforts to ensure proper use. In 2017, webinars were implemented to enhance the training experience. The PREA Coordinator has made significant strides in identifying areas of improvement in ODS and a priority listing with Information Systems for development and improvement in functionality and reporting.

MTC Policy Update/Modifications

MTC Policy 903E.02 Ensuring Safe Prisons was modified (effective August 1, 2017) to address or provide additional guidance in the following areas:

Enhancing the requirements for unannounced rounds to mandate such rounds on all shifts, including night shifts. (115.13 (d))

Requiring facilities to either conduct criminal background records checks at least every five years for current employees who may have contact with inmates, or have in place a system for otherwise capturing such information for current employees. (115.17(e))

Stipulating the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No MTC facility shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. (115.71 (e))

Video Surveillance

During 2017, 13 MTC facilities upgraded their video surveillance systems by adding cameras, replacing cameras with better quality cameras, adding and upgrading monitors, installing higher capacity DVR units and provided the necessary cabling/equipment to support those systems. It is estimated that investments in video surveillance exceeded \$110,000 during 2017. Several facilities installed pan, tilt and zoom (PTZ) cameras to increase the ability of staff to view specific areas of the facility to minimize what might be considered blind spots.

Also in 2017, greater emphasis was placed on supplementing video surveillance systems with more frequent and thorough unannounced rounds by supervisory staff. Overall, the video surveillance system improvements were perceived as a helpful in both live-monitoring and investigative purposes.

Gender Responsive and Trauma Informed Care practices

In 2017, MTC implemented a new Gender Responsive Practices policy (903A.12), representing the company's commitment to providing gender-responsive, safe and supportive environments that ensure female inmates housed in our facilities live with dignity and respect. MTC will prepare the female inmates for release by strengthening their skills and increasing their opportunities for success. This policy emphasized a variety of PREA related areas, such as searches (including that of transgender and intersex inmates) and cross gender supervision. The implementation of Gender Responsive Practices policy enhanced the response and reporting procedures for sexual victimization. Additional training activity, baseline assessments and policy implementation took place in 2017, creating a more gender responsive environment.

Comprehensive Audit Process

In September of 2017, MTC launched the pilot phase of a new internal audit system that incorporated aspects of multiple disciplines into one audit tool. The Comprehensive Audit Process endeavors to continually and incrementally improve outcomes in staff and inmate safety, programmatic outcomes and operational efficiencies. It also incorporates a relentless follow up process to maintain corrective actions taken. One of the most robust sections of this audit is the PREA section, which helps ensure continuous compliance with PREA standards.

Monitoring Key Performance Indicators

As in past years, MTC continues to monitor Key Performance Indicators, such as the following:

- Inmate on Inmate Assaults
- Contraband Confiscations
- Positive Drug Tests
- Use of Force Events
- Disruptive Events
- Suicides/Attempted Suicides

This monitoring activity is designed, not only to collect pertinent operational data, but to provide indicators of problems and trends in the data, so as to disrupt security problems in the future.

PREA Phone Hotline

Where permitted by the customer agency, offenders may call the MTC PREA phone hotline free of charge. Offender calls are received, electronically saved and scanned by the PREA Coordinator or Assistant PREA Coordinator to determine if they could be considered a PREA

allegation. Once reviewed, those calls which require investigation are forwarded in a timely manner to the Warden of the facility where the offender is housed. Calls from inmates who do not speak English are referred to a bilingual staff member at the corporate office for translation. All calls are saved electronically on the MTC Corporate Office network which is part of a network system that is backed up at an external site.

Summary – Areas of Progress

In summary, MTC continues to find ways to improve our application of the requirements under PREA, as well as train staff and offenders/detainees on those items which will help them prevent, respond, screen, investigate, report, collect data and stay safe inside the facilities MTC operates.

Facility Audit Scheduling and Certification

For the *first year of the first three-year audit cycle*, August-2013 to August-2014, MTC successfully completed the certification process for nine facilities. That represented 41% of the facility complement. The facilities certified along with the audit start dates are listed below:

1. Taft	12-13-13
2. Otero I	2-18-14
3. Marana	3-11-14
4. Giles W. Dalby	4-15-14
5. Gadsden	6-10-14
6. Marshall County	6-17-14
7. Walnut Grove	8-5-14
8. East Texas	8-11-14
9. Billy Moore	8-13-14

The *second audit year of the first three-year audit cycle*, (Aug 20, 2014 to Aug 20, 2015) culminated with the following certified facilities:

10. Sanders Estes	9-29-14
11. Diboll	1-14-15
12. Bridgeport (Male)	5-5-15
13. Bridgeport (Female/Pre-Parole Transfer)	5-5-15
14. East Mississippi	5-18-15
15. ASP-Kingman	6-16-15
16. Willacy County RDC	7-7-15

The *third year of the first three-year audit cycle*, included the facilities listed below.

17. Cleveland Correctional Center	4-2-15
18. North Central Correctional Complex	9-22-15
19. Kyle	10-5-15
20. South Texas	1-12-16
21. West Texas ISF	2-23-16

22. Wilkinson County	5-4-16
23. Lockhart	6-15-16
24. Idaho CAPP	7-13-16

The first re-certification took place in 2016, consistent with the standards and previous certification dates.

The *first year of the second three-year audit cycle*, (August 20, 2016 to August 19, 2017), continued into 2017 with the following facilities.

1. Taft Correctional Institution	10-5-16
2. Arizona State Prison-Marana	2-24-17
3. Otero County Prison Facility	2-22-17
4. Giles W. Dalby Correctional Facility	3-28-17
5. Marshall County Correctional Facility	5-10-17
6. East Texas Treatment Facility	7-18-17

The *second year of the second three-year audit cycle*, (Aug 20, 2017 to Aug 19, 2018) included the following facilities.

7. Billy Moore Correctional Facility	7-19-17
8. Sander Estes Unit	8-2-17
9. Gadsden Correctional Facility	11-3-17
10. Diboll Correctional Center	12-4-17

MTC PREA Policy, Reports and Auditor Summary Reports - Facility Certifications

To make an allegation of inmate-on-inmate or staff-on-inmate sexual abuse or sexual harassment, please contact via email the MTC Prison Rape Elimination Act (PREA) Coordinator. MTC will ensure an administrative or criminal investigation for all allegations of sexual abuse and sexual harassment. MTC PREA contact:

Mark Lee, MTC PREA Coordinator, Mark.Lee@mtctrains.com

Summary Certification Reports for each facility and MTC PREA Policy, 903E.02 Ensuring Safe Prisons, can be found on the MTC website at <http://www.mtctrains.com/corrections/prea/>. Additionally, found at this link is the MTC's PREA Investigation Referrals document, indicating the parties responsible for 6 basic steps of the investigative process at MTC correctional facilities in PREA cases with a criminal element.