



## PRISON RAPE ELIMINATION ACT 2018 ANNUAL REPORT

American Behavioral Health Systems is dedicated to the safety of our clients and staff. We strive to meet and exceed the Federal PREA regulations set forth by the Department of Corrections. Both our clients and staff are continuously educated on all PREA standards and expectations.

ABHS conducts all Administrative Investigations for potential criminal charges and refers for prosecution individuals determined to have participated in such conduct. All potential criminal investigations are conducted by the geographically appropriate local policing agency. In the event there is an active criminal investigation, ABHS investigators will suspend their investigation to allow local authorities to conduct and complete their investigation. Upon completion of the criminal investigation ABHS will conduct their internal Administrative Investigation.

Prepared by: Jacqui Tucker, PREA Coordinator, January 2019

Approved by: John Taylor, PREA Appointing Authority

## ***Purpose***

The Prison Rape Elimination Act (PREA) requires that each facility collect and review the data "...in order to assess and improve the effectiveness of it's sexual abuse prevention, detection, and response policies, practices, and training" (Standard 115.88 a).

This overview is intended to:

- Identify problem areas and corrective action taken on an ongoing basis for each facility and the agency as a whole.
- Compare the current year's data and corrective actions with those from prior years; and
- Assess the agency's progress in addressing sexual abuse.

This report provides information for calendar year 2018.

## ***Background***

PREA was signed into federal law in September 2003 following unanimous support from both parties in Congress. American Behavioral Health Systems was an early adopter of the standards developed under PREA and the only residential treatment agency in the State of Washington who adopted the standards. Since its passage, the agency has been aggressive in implementing its PREA strategies.

The purpose of the act is to "provide for the analysis of the incidence and effects of prison rape in federal, state, local institutions and those agencies who are contracted with the Washington State Department of Corrections (DOC) and to provide information, resources, recommendations, and funding to protect individuals from prison rape" (Prison Rape Elimination Act, 2003). PREA seeks to establish a zero-tolerance policy regarding rape and sexual abuse in federal, state, county, city correctional systems and behavioral health treatment facilities contracted to DOC. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing sexual abuse and assault.

The final rules/standards were published in the federal register on June 20, 2012 and became effective August 20, 2012. Standards require annual audits of one-third of the facilities under contract with DOC.

## ***Agency Achievements in 2018***

American Behavioral Health Systems (ABHS) has been a proud implementer of PREA. The agency proudly announces that our annual audits for 2015, 2016 and 2017 achieved 100% compliance with all federal standards. As we prepare for the 2019 audit, we expect to achieve no less than 100% compliance again.

ABHS implemented the following statewide processes in 2015 to reduce sexual abuse and meet federal standards:

- Provided comprehensive PREA training to all employees via an online two-hour module;
- Completed internal PREA assessments in preparation for the national PREA audit in 2018;
- Completed the national PREA audits successfully; and
- Provided the PREA auditor with ABHS best practices to share with other state agencies.

## ***Agency Sexual Abuse Data for 2018\****

Allegations of Client-to-Client Sexual Abuse and Staff-to-client Sexual Abuse\*\*

Substantiated*		Unsubstantiated*		Unfounded*	
Client-Client	Staff-Client	Client-Client	Staff-Client	Client-Client	Staff-Client
3	7	3	4	0	0

\*All data provided in this report are as of December 31, 2018. This report does not include open investigation.

\*\*Definitions are provided on Page 6

# 2018 CHEHALIS REPORT

American Behavioral Health Systems (ABHS) Chehalis is a 237-bed residential treatment facility located in Chehalis Washington providing Substance Use Disorder treatment services to Medicaid eligible and those under the supervision of the Washington State Department of Corrections. The clients are housed over two floors of the facility and reside in bedrooms consisting of up to four clients per room. While in treatment the clients participate in multiple treatment focused activities each day consisting of didactic education, group and individual therapy as well as recovery and living skills. The program provided evidenced based therapy founded in the principles of a Therapeutic Community.

## Allegations of Client-Client Sexual Abuse and staff-Client Sexual Abuse\*

	Substantiated*		Unsubstantiated*		Unfounded*	
	Client-Client	Staff-Client	Client-Client	Staff-Client	Client-Client	Staff-Client
2018	0	1	0	1	0	0

# 2018 COZZA REPORT

American Behavioral Health Systems (ABHS) Cozza is a 124-bed residential treatment facility located in Spokane Washington providing Co-Occurring Disorder treatment services to Medicaid eligible and those under the supervision of the Washington State Department of Corrections. The clients are housed in gender specific programs separated by closed doors, the genders do not comeingle during their treatment stay. While in treatment the clients participate in multiple treatment focused activities each day consisting of didactic education, group and individual therapy as well as recovery and living skills. The program provided evidenced based therapy founded in the principles of a Therapeutic Community.

**Allegations of Client-Client Sexual Abuse and staff-Client Sexual Abuse\***

	Substantiated*		Unsubstantiated*		Unfounded*	
	Client-Client	Staff-Client	Client-Client	Staff-Client	Client-Client	Staff-Client
2018	2	3	2	2	0	0

## 2018 MISSION REPORT

American Behavioral Health Systems (ABHS) Mission is a 229-bed residential treatment facility located in Spokane Valley Washington providing Substance Use Disorder treatment services to Medicaid eligible and those under the supervision of the Washington State Department of Corrections. The clients are housed in gender specific programs separated by closed doors, the genders do not come together during their treatment stay. While in treatment the clients participate in multiple treatment focused activities each day consisting of didactic education, group and individual therapy as well as recovery and living skills. The program provided evidenced based therapy founded in the principles of a Therapeutic Community.

**Allegations of Client-Client Sexual Abuse and staff-Client Sexual Abuse\***

	Substantiated*		Unsubstantiated*		Unfounded*	
	Client-Client	Staff-Client	Client-Client	Staff-Client	Client-Client	Staff-Client
2018	1	4	1	1	0	0

## **Definitions**

**Client-Client Sexual Abuse:** Sexual abuse of a client, by another client 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-Client Sexual Abuse:** Sexual abuse of a client by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the client:

- (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 a client and
- (8) Voyeurism by a staff member, contractor, or volunteer.
  - Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of a client by staff for reasons unrelated to official duties, such as peering at a client who is using a toilet in his or her room to perform bodily functions; requiring a client to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an client's naked body or of a client performing bodily functions.

**Substantiated:** An allegation that was investigated and determined to have occurred.

**Unsubstantiated:** An allegation that was investigated and produced insufficient evidence to make a final determination as to whether or not the event occurred.

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