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**Jeffrey Bergeron**  
*Sheriff and Tax Collector ~ West Baton Rouge Parish*

## **West Baton Rouge Parish Sheriff's Office Corrections Division**

### **2024 Annual PREA Report**

#### **BACKGROUND**

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into law by President George W. Bush in 2003 to prevent, detect and respond to sexual abuse that occurs in confinement settings. The National Prison Rape Elimination Commission developed national standards for reducing prison rape, which became final on June 20, 2012, when they were published by the Department of Justice (D.O.J.) in the Federal Register. PREA applies to adult prisons and jails, juvenile confinement facilities, lockups and community confinement facilities.

Implementation of the PREA Standards in combating sexual abuse in confinement facilities will be contingent upon effective agency and facility leadership, and the development of an agency's principles prioritizing efforts to combat sexual abuse. The prevention of rape, sexual assault, or sexual misconduct is a top priority for the West Baton Rouge Parish Sheriff's office. We have a zero tolerance for any incidence of rape, sexual assault or sexual misconduct; and make every effort to comply with applicable components of the Prison Rape Elimination Act (PREA) of 2003.

#### **APPROACH**

The West Baton Rouge Parish Sheriff's Office Corrections Division has long supported the principles associated with the Prison Rape Elimination Act of 2003. Respectively, years before the passing of the PREA guidelines, the West Baton Rouge Parish Corrections Division strictly enforced a zero tolerance policy of sexual misconduct within its facilities for all staff, offenders, volunteers and contractors; implemented methods of screening all offenders at intake for potential sexual victimization or predatory indicators; and has had policies to ensure that incidents of sexual assaults were investigated and prosecuted in accordance with federal and state laws.

Since the new PREA guidelines were established, the West Baton Rouge Parish Corrections Division has updated departmental policies and implemented new ones in an effort to maintain compliance with all aspects of the federal standards. Some of the new changes include: required annual mandatory sexual misconduct training to all staff, volunteers, and contractors, specific to the prevention, identification, reporting, and handling of offender sexual misconduct/sexual assault, including common indicators misconduct; revised policies relating to sexual abuse and misconduct; created a PREA Coordinator position to further develop, implement, and oversee our efforts to comply with the new PREA standards. Furthermore, WBRSO has implemented an external PREA Hotline as an independent outlet for offenders to report incidents of sexual abuse and receive advocacy support that is equal to that available to the community.

## DEFINITIONS

Once a report of sexual abuse has been investigated, the incident will be assigned a number and the disposition will be documented on a West Baton Rouge Parish Corrections Division Report and classified using one of the following findings:

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

**Unfounded allegation:** An allegation that was investigated and the investigation determined that the incident did not occur.

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

**Pending allegation:** An allegation that is under investigation and the outcome cannot be decided or settled due to awaiting DNA or other evidence to conclude the investigation.

The West Baton Rouge Parish Corrections Division defines sexual abuse, sexual misconduct and sexual harassment as the following:

### A. Offender on Offender

- a. **Sexual Abuse:** Includes any of the following acts if the offender does not consent or was coerced into such act by overt or implicit threats of violence; or is unable to consent or refuse:
  - aa. **Non-consensual Sexual Acts:** Contact between the penis and the vulva or the penis and the anus, including penetration, however slight. Contact between the mouth and the penis, vulva, or anus; or penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
  - bb. **Abusive Sexual Contact:** Intentional non-penetrative touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation.
- b. **Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender directed toward another.

### B. Staff Member, Volunteer, Official Visitor or Other Agency Representative on Offender

- a. **Sexual Abuse:** Includes any of the following acts, with or without consent of an offender. Sexual relationships of a romantic nature between staff members, official visitors, volunteers or other agency representatives and offenders are included in this definition.
  - aa. **Sexual Misconduct:** Any attempt, threat, request or intentional contact between the penis and the vulva or the penis and the anus, including penetration, however slight. Contact between the mouth and the penis, vulva, or anus; or penetration of the anal or genital opening of an offender, however slight, by a hand, finger, object, or other instrument, excluding contact incidental to a medical examination.
    - aaa. Sexual misconduct also includes occurrences of indecent exposure, invasion of privacy or staff voyeurism for reasons unrelated to official duties or where there is intent to abuse, arouse or gratify a sexual desire.
- b. **Sexual Harassment:** Repeated verbal comments or gestures of a sexual nature to an offender by a staff member, official visitor, volunteer or other agency representative, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing or obscene language or gestures.

## PREA ACTIVITY REPORT

Offenders may confidentially disclose incidents of sexual abuse and sexual harassment to any staff member, either verbally or in writing or by calling the 24-hour Sexual Assault Center Hotline from any of the phones located in the offender housing units. This process allows for confidential reporting by offenders 24 hours per day, 7 days per week. Administrative investigation shall be completed no later than 90 days of the initial filing of a complaint or grievance; or within 5 days of filing an emergency grievance.

### 2024 PREA STATISTICS

Offender-on-Offender
<b><u>Sexual Abuse Reports = 0</u></b>
Substantiated: 0
Unsubstantiated: 0
Unfounded: 0
<b><u>Sexual Harassment Reports = 1</u></b>
Substantiated: 0
Unsubstantiated: 0
Unfounded: 1

Staff on Offender
<b><u>Sexual Abuse Reports = 0</u></b>
Substantiated: 0
Unsubstantiated: 0
Unfounded: 0
<b><u>Sexual Harassment Reports = 1</u></b>
Substantiated: 0
Unsubstantiated: 0
Unfounded: 1
<b><u>Other Reports: 0</u></b>

### OVERALL BREAKDOWN BY FACILITY

Detention Center: 1 TOTAL REPORTED INCIDENT: (1) REPORT OF OFFENDER-ON-OFFENDER HARASSMENT- (1) UNFOUNDED. THE REPORTED HARASSMENT ALLEGATION WAS INVESTIGATED PROMPTLY, THOROUGHLY AND UNBIASEDLY AND WAS FOUND TO HAVE BEEN MADE IN BAD FAITH.

Transitional Work Program Facility: 1 REPORTED INCIDENTS: (1) STAFF ON OFFENDER HARASSMENT (1) UNFOUNDED; THE REPORTED HARASSMENT ALLEGATION WAS INVESTIGATED PROMPTLY, THOROUGHLY AND UNBIASEDLY AND WAS FOUND TO HAVE BEEN MADE IN BAD FAITH.

**Total PREA Incidents Reported in 2024: 2**

### ASSESSMENT

After reviewing all of the incident reports for 2024, it was determined that there are no changes in policies or procedures needed. There were no physical barriers identified and staffing levels were determined to be adequate. The Corrections Division is taking steps to provide more training to staff on investigations specifically related to PREA and encourages staff to interact with and educate offenders on how to prevent sexual abuse. The West Baton Rouge Parish Sheriff's Office will continue to make appropriate changes where necessary to ensure a safe, secure environment for offenders, staff and the community.