



SOUTH CAROLINA DEPARTMENT OF CORRECTIONS PREA ANNUAL REPORT - 2022



Safety, Service, Stewardship

The mission of the South Carolina Department of Corrections is: Safety--we will protect the public, our employees, and our inmates. Service--we will provide rehabilitation and self-improvement opportunities for inmates. Stewardship--we will promote professional excellence, fiscal responsibility, and self-sufficiency.





SOUTH CAROLINA DEPARTMENT OF CORRECTIONS



Bryan P. Stirling, Director

OFFICE OF LEGAL AND COMPLIANCE

Henry McMaster, Governor

Prison Rape Elimination Act (PREA) Coordinator’s
Annual PREA Report

Date: August 1, 2023

To: Bryan P. Stirling, Agency Director

Through: Salley Elliott, Deputy Director of Legal and Compliance

From: Kenneth L. James, Agency PREA Coordinator

Subject: PREA Compliance Annual Report for Year 2022

Reference: (a) Sections 1560-09 of title 42, United States Code (PREA)
 (b) 28 CFR 115; Prison Rape Elimination Act- National Standards
 (c) Section 44-23-1150; SC Code of Laws
 (d) SCDC Policy GA-06.11; Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment; and GA-06.11B, “Applying the PREA Standards”

Enclosure: Prison Rape Elimination Act (PREA) Findings and Corrective Actions

PREA Standards §115.88 and §115.89 require the South Carolina Department of Corrections (SCDC) to prepare an annual report relative to our Agency’s efforts to assess and improve the effectiveness of sexual abuse prevention, detection, and response during the previous calendar year. Additionally, the standards require that the enclosed report be posted on our Agency’s website for public access. This report meets the requirements of the PREA Standards and is approved through the PREA Coordinator’s Office, the Office of Legal and Compliance, and the Office of the Director by signature below.

s/ SIGNATURE ON FILE
Salley Elliott, Deputy Director of Legal & Compliance

s/ SIGNATURE ON FILE
Bryan P. Stirling, Agency Director



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MESSAGE FROM THE AGENCY PREA COORDINATOR



Bryan P. Stirling, Director

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

OFFICE OF LEGAL AND COMPLIANCE



Henry McMaster, Governor

Annual PREA Report

Background and Introduction

The Prison Rape Elimination Act (PREA) was signed into federal law by President George W. Bush in September 2003. The purpose of the law is to provide information, resources, recommendations, and funding to protect individuals from sexual harassment and sexual abuse in confinement facilities. SCDC maintains a “zero tolerance” policy against sexual abuse and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations of sexual abuse and sexual harassment of offenders within the Agency’s 21 state prison facilities.

All sexual abuse and sexual harassment allegations are investigated. Each case is documented on an incident report and entered into SCDC’s PREA Event Database. All investigators have received specialized investigations training. The originating facility is required to complete an administrative investigation and is required to retain all investigation documents at the local level. Allegations can also be criminally investigated by our Office of Inspector General’s investigators depending on the nature of the alleged incident. Upon completion of each investigation, appropriate disciplinary action is taken against the perpetrator; where criminal intent is discovered, the case is presented to the Solicitor for prosecution.

The South Carolina Department of Corrections is continually striving to improve the reporting and investigation methods to ensure the highest level of compliance, as well as swift corrective action where needed. The Agency’s zero tolerance policy aims not only to protect all offenders in SCDC from sexual harassment and sexual abuse, but to also protect anyone who reports an allegation from retaliation.

Purpose

This report summarizes all PREA allegations that were made in 2022. Data from all institutions is collected and aggregated to report on the four categories: 1) Inmate-on-Inmate Sexual Abuse; 2) Inmate-on-Inmate Sexual Harassment; 3) Staff-on-Inmate Sexual Abuse (Misconduct); and 4) Staff-on-Inmate Sexual Harassment. In addition, upon completion of an investigation, all allegations will be deemed one of the four dispositions: 1) *Substantiated* (the allegation was determined to have occurred); 2) *Unsubstantiated* (there was insufficient evidence to make a final determination as to whether the event did or did not occur); 3) *Unfounded* (the allegation was proven to not have occurred); or 4) *Outcome Pending* (the investigation is still in process). The following pages of this report provide a detailed view of PREA Allegations in 2022.

Signature on File

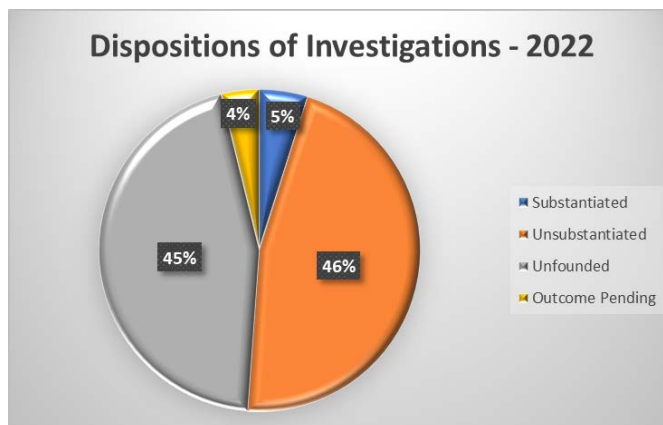
Kenneth L. James, Agency PREA Coordinator



REPORT SUMMARY

The PREA Coordinator’s Office, under the Office of Legal and Compliance, is pleased to provide this annual report of PREA activities and implementation efforts for 2022.

In 2022, SCDC received 391 reported allegations of sexual abuse and sexual harassment. The SCDC Office of Inspector General (OIG) investigated 28% of these allegations for criminal intent, while institutional investigators examined 72%. Out of the total number of reports, 30% were allegations of inmate-on-inmate abuse, and 27% were allegations of staff-on-inmate abuse. Of the 391 allegations, 5% were substantiated, 46% were unsubstantiated, and 45% were unfounded. There are also 4% of the cases still pending outcomes.



In addition to the Agency's Division of Training and Staff Development's annual mandatory PREA training, training on the National PREA Standards, and SCDC Policy GA-06.11, "Prevention, Detection, and Response to Sexual Abuse/Sexual Harassment," was provided at each Agency Onboarding, Orientation, and Basic Training class in 2022.

SCDC continues our agreements with ten (10) Rape Crisis Centers (RCCs) to provide emotional support services to incarcerated survivors of sexual abuse. The RCCs provide hundreds of hours of support to survivors inside SCDC, including face-to-face contacts, group sessions, written correspondence, and phone calls through a toll-free hotline. In addition, video conferencing and distribution of pre-recorded trauma trainings were provided. SCDC continues to apply for grant programs which assist SCDC with purchasing equipment, developing programs, and enhancing the Agency’s compliance with the National PREA Standards.

2022 PREA Audits:

In 2022, a PREA Auditor certified by the United States Department of Justice audited seven (7) SCDC institutions for compliance with the National PREA Standards. All seven institutions were found fully compliant. These institutions are as follows:

Kirkland Correctional Institution – September 2022	MacDougall Correctional Institution – January 2023
McCormick Correctional – October 2022	Allendale Correctional Institution – February 2023
Manning Reentry Work-Release Ctr. – November 2022	Goodman Correctional Institution – November 2021
Palmer Correctional Institution – December 2022	

Of note, Kirkland C.I. received five “Exceeds” on their Final Audit Report; McCormick C.I., Manning Reentry Work-Release, Goodman C.I., Palmer Pre-Release Center, MacDougall C.I., and Allendale C.I. all received two “Exceeds” on their Final Audit Report.

Aggregated Allegations of Sexual Abuse/Sexual Harassment with Female Victim v. Male Victim Comparisons



Per the aggregation of data for 2022, there were a total of 23 female alleged victims and 368 male alleged victims of sexual abuse/sexual harassment, which equates to 6% of the total that were female and 94% were male alleged victims of the 391 total reported allegations.

Allegation Type	Female Victims	Male Victims	Total 2022
Inmate-on-Inmate Sexual Abuse			
Substantiated	1	3	4
Unsubstantiated	5	60	65
Unfounded	5	33	38
Pending Outcome	0	10	10
Total:	11	106	117

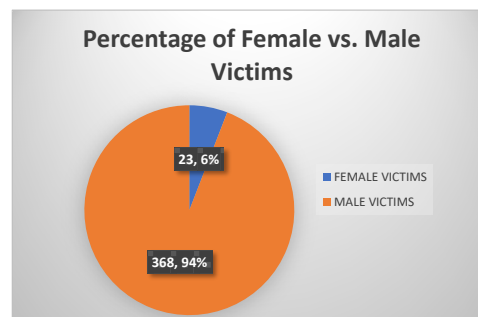
Allegation Type	Female Victims	Male Victims	Total 2021
Inmate-on Inmate Sexual Harassment			
Substantiated	0	5	5
Unsubstantiated	2	37	39
Unfounded	4	48	52
Pending Outcome	0	0	0
Total:	6	90	96

Allegation Type	Female Victims	Male Victims	Total 2021
Staff Sexual Misconduct			
Substantiated	1	8	9
Unsubstantiated	2	45	47
Unfounded	0	47	47
Pending Outcome	0	2	2
Total:	3	102	105

Allegation Type	Female Victims	Male Victims	Total 2021
Staff Sexual Harassment			
Substantiated	0	1	1
Unsubstantiated	2	28	30
Unfounded	1	38	39
Pending Outcome	0	3	3
Total:	3	70	73

GRANT TOTAL:	23	368	391
TOTAL SUBSTANTIATED	2	17	19

Of the 391 reported cases of sexual abuse/sexual harassment in 2022, 19 of these cases were found to be substantiated; 4 of the 19 were incidents of inmate-on-inmate sexual abuse; 5 were inmate-on-inmate sexual harassment; 9 were staff sexual misconduct; and 1 was staff-on-inmate sexual harassment incidents. The majority of incidents were inmate-on-inmate sexual abuse allegations (117); followed by staff sexual misconduct (105), inmate-on-inmate sexual harassment (96), and lastly, staff-on-inmate sexual harassment (73).





Comparison Data 2020 – 2022

Allegation Type	2020	2021	2022	TOTALS
INMATE ON INMATE SEXUAL ABUSE				
Substantiated	8	8	4	20
Unsubstantiated	50	58	65	173
Unfounded	22	33	38	93
Pending Outcome	4	5	10	19
TOTAL	84	104	117	305
INMATE ON INMATE SEXUAL HARASSMENT				
Substantiated	4	3	5	12
Unsubstantiated	67	56	39	162
Unfounded	46	41	52	139
Pending Outcome	0	0	0	0
TOTAL	117	100	96	313
STAFF SEXUAL MISCONDUCT				
Substantiated	11	10	9	30
Unsubstantiated	45	38	47	130
Unfounded	21	30	47	98
Pending Outcome	1	2	2	5
TOTAL	78	80	105	263
STAFF SEXUAL HARASSMENT				
Substantiated	4	3	1	8
Unsubstantiated	62	44	30	136
Unfounded	39	32	39	110
Pending Outcome	0	1	3	4
TOTAL	105	80	73	258
Totals:	384	364	391	1139
TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VIOLENCE				
	27	24	19	70

Note: Prior year pending cases for 2021 and 2022 have been updated to reflect their outcomes.

Compared with the 2020 and 2021 data, as presented in the spreadsheet, there was a decrease in allegations by 5% (20), and from 2021 to 2022, an increase of 7% (27). While allegations of inmate-on-inmate sexual abuse have increased since 2020, this data reveals that the communications plan is still working and that offenders continue to feel safe to report. Inmate-on-Inmate Sexual Harassment cases and Staff Sexual Harassment cases have decreased over the last year. Comparatively, Inmate-on-Inmate Sexual Abuse and Staff Sexual Misconduct increased in 2022.



Data by Institution

2022 ALLEGATIONS OF INMATE-ON-INMATE SEXUAL ABUSE

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	872	0	3	1	0	4
Broad River	1018	0	3	4	3	10
Camille-Graham CI	576	1	5	5	0	11
Evans CI	1064	0	6	2	1	9
Goodman CI	131	0	0	0	0	0
Kershaw CI	1245	0	2	3	0	5
Kirkland CI	1430	1	19	1	2	23
Leath CI	563	0	0	0	0	0
Lee CI	1072	0	5	3	1	9
Lieber CI	819	0	4	3	0	7
Livesay CI	357	0	0	0	0	0
MacDougall CI	622	0	0	0	0	0
Manning	526	0	0	1	0	1
McCormick CI	696	2	5	4	0	11
Palmer	98	0	0	0	0	0
Perry CI	663	0	3	0	0	3
Ridgeland CI	1018	0	3	4	3	10
Trenton CI	608	0	0	1	0	1
Turbeville CI	1122	0	2	6	0	8
Tyger River CI	1040	0	5	0	0	5
Wateree River CI	314	0	0	0	0	0
Totals	15,854	4	65	38	10	117



2022 ALLEGATIONS OF INMATE-ON-INMATE SEXUAL HARASSMENT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	872	2	1	1	0	4
Broad River CI	1018	0	5	2	0	7
Camille-Graham CI	576	0	0	4	0	4
Evans CI	1064	0	3	0	0	3
Goodman CI	131	0	0	0	0	0
Kershaw CI	1245	0	2	4	0	6
Kirkland CI	1430	0	8	1	0	9
Leath CI	563	0	2	0	0	2
Lee CI	1072	0	2	7	0	9
Lieber CI	819	1	3	6	0	10
Livesay CI	357	0	0	0	0	0
MacDougall CI	622	0	0	1	0	1
Manning	526	1	0	4	0	5
McCormick CI	696	0	2	3	0	5
Palmer	98	0	0	0	0	0
Perry CI	663	0	1	1	0	2
Ridgeland CI	1018	0	2	1	0	3
Trenton CI	608	0	0	1	0	1
Turbeville CI	1122	0	3	9	0	12
Tyger River CI	1040	1	5	6	0	12
Wateree River CI	314	0	0	1	0	1
Totals	15,854	5	39	52	0	96



2022 ALLEGATIONS OF STAFF ON INMATE SEXUAL MISCONDUCT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	872	0	0	1	0	1
Broad River CI	1018	0	10	0	0	10
Camille-Graham CI	576	0	1	0	0	1
Evans CI	1064	1	3	0	0	4
Goodman CI	131	0	0	0	0	0
Kershaw CI	1245	0	2	7	0	9
Kirkland CI	1430	0	12	3	0	15
Leath CI	563	1	1	0	0	2
Lee CI	1072	0	3	6	0	9
Lieber CI	819	1	1	6	1	9
Livesay CI	357	2	0	0	0	2
MacDougall CI	622	0	0	0	0	0
Manning	526	2	1	4	0	7
McCormick CI	696	1	1	4	0	6
Palmer	98	0	0	0	0	0
Perry CI	663	1	9	6	0	16
Ridgeland CI	1018	0	1	0	0	1
Trenton CI	608	0	0	4	1	5
Turbeville CI	1122	0	2	5	0	7
Tyger River CI	1040	0	0	0	0	0
Wateree River CI	314	0	0	1	0	1
Totals	15,854	9	47	47	2	105

2022 ALLEGATIONS OF STAFF ON INMATE SEXUAL HARASSMENT

FACILITY	POPULATION	SUBSTANTIATED	UNSUBSTANTIATED	UNFOUNDED	PENDING	TOTAL
Allendale CI	872	1	3	0	0	4
Broad River CI	1018	0	4	4	0	8
Camille-Graham CI	576	0	1	0	0	1
Evans CI	1064	0	3	0	0	3
Goodman CI	131	0	0	0	0	0
Kershaw CI	1245	0	0	3	0	3
Kirkland CI	1430	0	5	0	1	6
Leath CI	563	0	1	1	0	2
Lee CI	1072	0	1	3	1	5
Lieber CI	819	0	2	10	0	12
Livesay CI	357	0	0	0	0	0
MacDougall CI	622	0	0	1	0	1
Manning	526	0	0	2	0	2
McCormick CI	696	0	1	1	0	2
Palmer	98	0	0	0	0	0
Perry CI	663	0	5	7	0	12
Ridgeland CI	1018	0	0	1	0	1
Trenton CI	608	0	1	1	1	3
Turbeville CI	1122	0	0	4	0	4
Tyger River CI	1040	0	3	1	0	4
Wateree River CI	314	0	0	0	0	0
Totals	15,854	1	30	39	3	73

Analysis

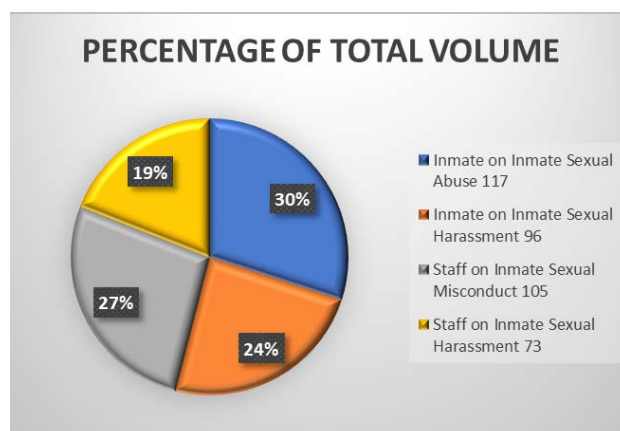
Institutions with Highest Volume of Cases

RANK	FACILITY	POPULATION	TOTAL PREA CASES	SUBSTANTIATED CASES
1	Kirkland C.I.	1430	53	1
2	Lieber C.I.	819	38	2
3	Broad River C.I.	1018	35	0
4	Perry C.I.	663	33	1
5	Lee C.I.	1072	32	0
6	Turbeville C.I.	1122	31	0
7	McCormick C.I.	696	24	3

The table above illustrates that out of 21 institutions, the seven (7) institutions with the highest volume of PREA cases for year 2022 had a low number of substantiated cases. McCormick had the highest number (three total) of substantiated cases for the year.

Type of Cases and Percentage of Total Volume

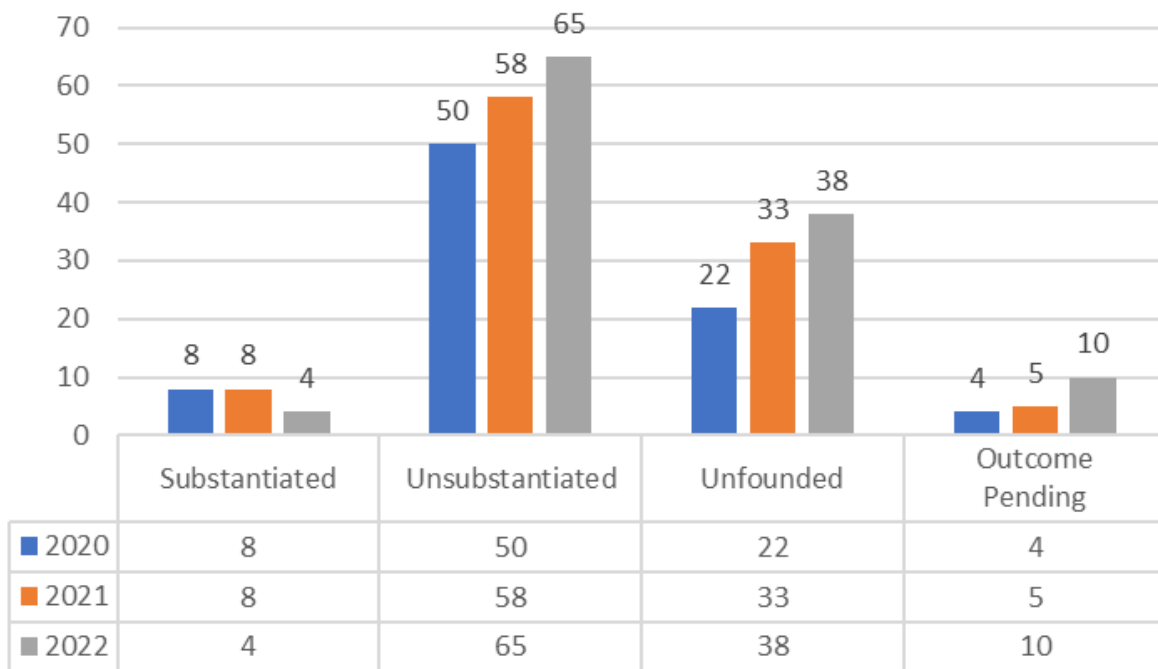
TYPE OF REPORT	TOTAL CASES	% OF TOTAL VOLUME
Inmate-on-Inmate Sexual Abuse	117	30%
Inmate-on-Inmate Sexual Harassment	96	24%
Staff-on-Inmate Sexual Misconduct	105	27%
Staff-on-Inmate Sexual Harassment	73	19%
Total Cases:		391 cases



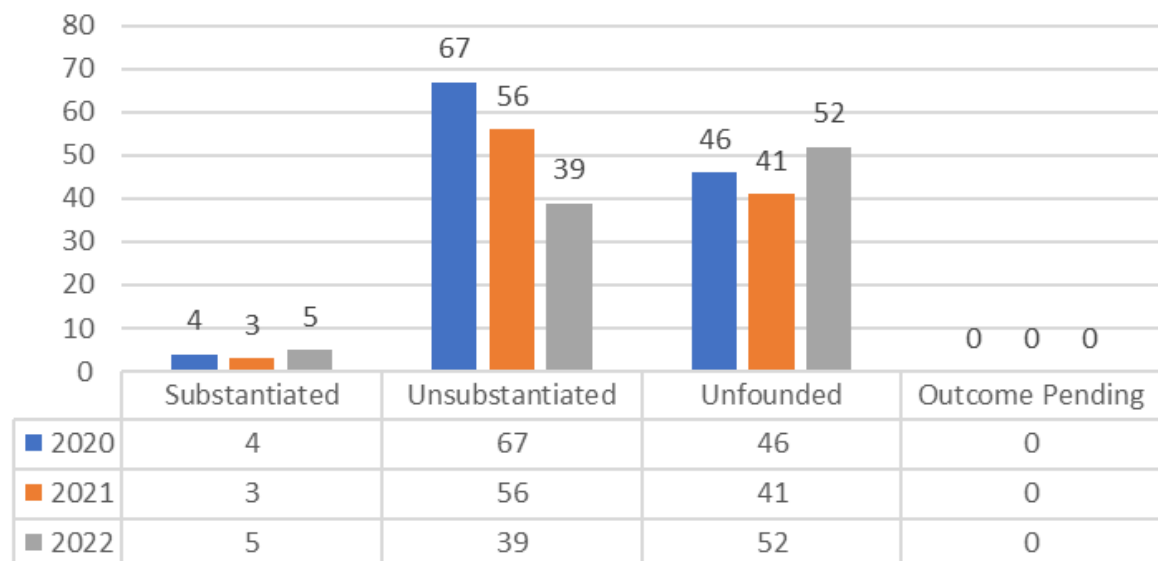
Inmate-on-Inmate sexual abuse cases presented the highest in volume of allegation type for 2022.

Allegation Breakdown

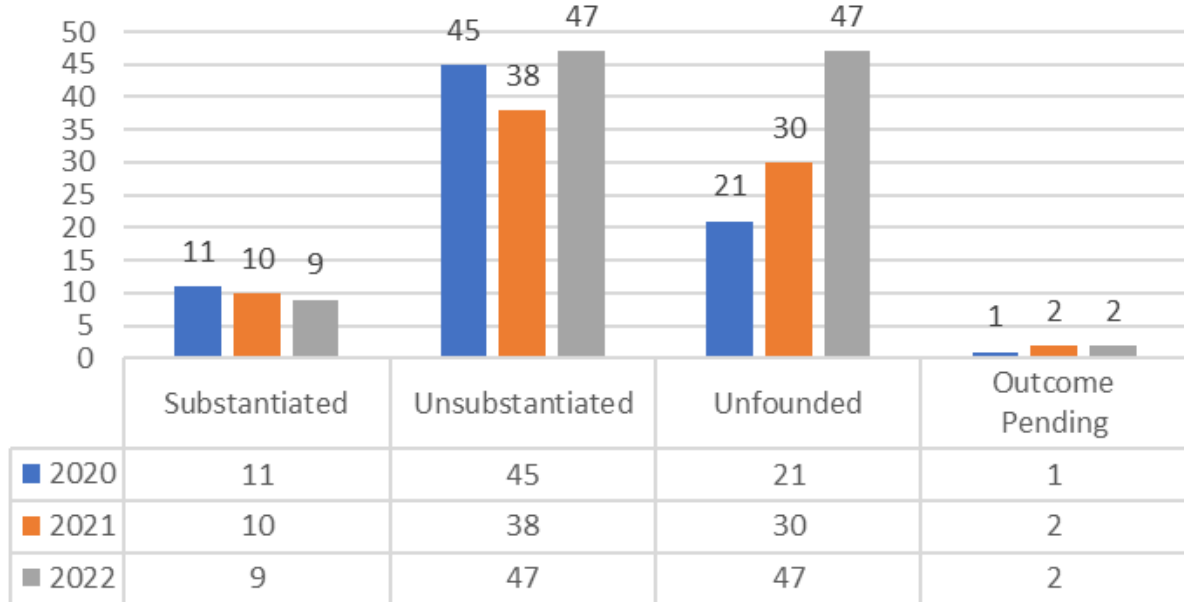
INMATE ON INMATE SEXUAL ABUSE January 1, 2020 - December 31, 2022



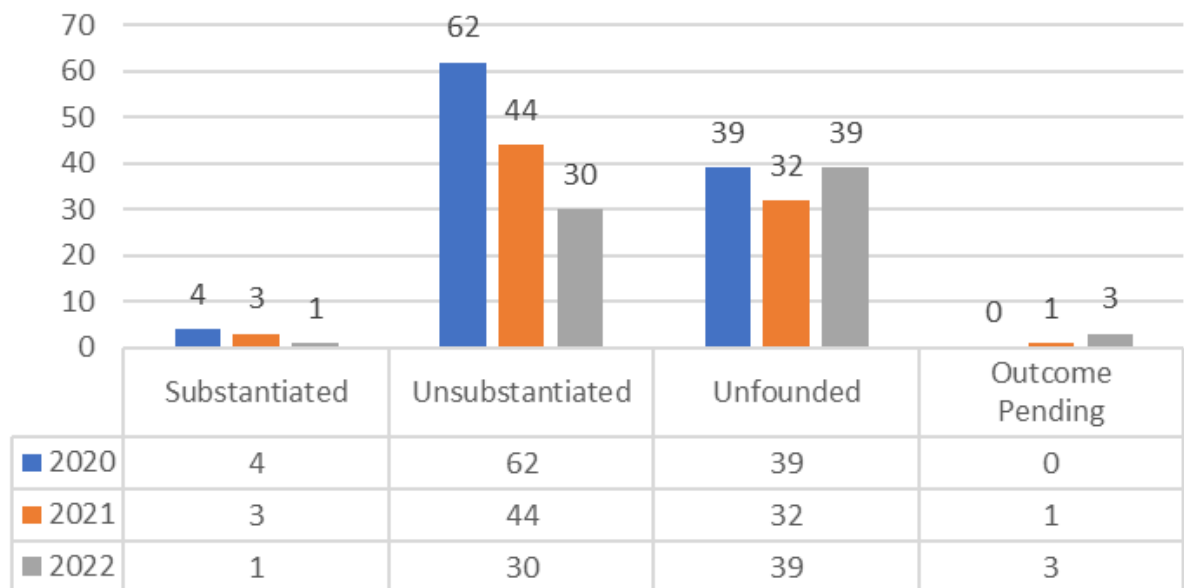
INMATE ON INMATE SEXUAL HARASSMENT January 1, 2020 - December 31, 2022



STAFF ON INMATE MISCONDUCT January 1, 2020 - December 31, 2022



STAFF SEXUAL HARASSMENT January 1, 2020 - December 31, 2022



Corrective Actions

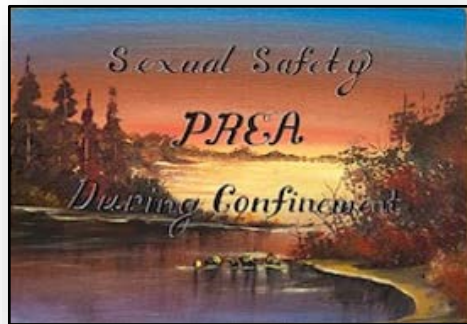
To ensure SCDC continues its path to full compliance with the Federal PREA Standards, the Office of Legal and Compliance and PREA Coordinator's Office, in coordination with institutional PREA Compliance Managers, have implemented several corrective actions to address issues for 2022.

1. **Video Monitoring:** SCDC continues to purchase additional cameras and mirrors to improve sexual safety in institutions with grant funds. We will continue to apply for grants to purchase additional monitoring equipment. Furthermore, the SCDC Division of Security is installing purchased cameras throughout the facilities to increase and improve video monitoring throughout the Agency for the protection of incarcerated individuals and staff.
2. **Documentation:** SCDC continually reviews and adjusts our documentation and procedures to better capture information and data to streamline our investigational processes. With the addition of several key staff, including an Assistant PREA Coordinator and 3 Regional PREA Managers (RPMs), SCDC has been better able to monitor and review documentation to ensure completeness and accuracy and ensure cases are moving forward timely to completion. The PREA Office continually updates training and holds multiple training classes annually to ensure that employees are aware of any new procedures and changes. The Special Victims Unit (SVU), which investigates sexual abuse-related cases, has been vital to this streamlined process since its inception last year.
3. **Physical Plant:** Due to the age of the buildings, several institutions require repairs and upgrades. The PREA Coordinator's Office is collaborating with Facilities Maintenance to address concerns raised by PREA auditors.
4. **Screening for Risk of Sexual Victimization and Abusiveness:** SCDC continues to improve its initial and 30-day reassessment processes for PREA Risk Screening. In addition, the PREA Office has collaborated with other divisions and the Resource and Information Management Team to purchase an electronic multifunctional database to better manage our cases and systems in the near future.
5. **Inmate Education:** SCDC is creating a digital orientation video that includes a pre-recorded inmate peer-led inmate education video that will ensure timely receipt of PREA information to the population. Classification staff will answer any questions inmates have and assist with the presentation process.
6. **Training:** SCDC continues to provide relevant updated SCDC annual PREA training to all staff. In addition, PREA Office staff will begin participating in employee orientation training at SCDC's Training Academy to provide in-person training and scenarios to ensure staff understand the process and their duties. RPMs conduct mock audits of case files quarterly, and the PREA Coordinator's Office provides specialized training to institutions in preparation for upcoming audits and the audit process.

Notable Successes

SCDC continues to make observable strides in achieving and maintaining compliance with the Prison Rape Elimination Act of 2003. In 2022, in Cycle 4 Year 1, all SCDC institutions audited for compliance with the National PREA Standards were fully compliant. Using grant funds, SCDC purchased multiple cameras and mirrors to upgrade and increase sexual safety in multiple prisons. In addition, SCDC has created and posted large metal PREA signage in English and Spanish outside dorm buildings and other areas ensuring inmates understand how to report. The PREA Coordinator's Office, in conjunction with multiple local rape crisis centers, has been piloting a program called "Pathfinders," which is intended to work with selected inmates trained to provide trauma-informed assistance and resources to inmates who experienced sexual trauma. These inmates are activated when limited mental health staff is available, such as at night and on weekends. Their role is to guide their peers to available resources to assist them in their time of need. Five (5) institutions are part of this pilot program, and the goal is to get this program running in all our medium and close custody level institutions. Other DOCs have requested to tour SCDC's facilities to get a similar program set up in their state. SCDC continues to work with Just Detention International (JDI), in a program initiated through JDI called "Cards Across America," where SCDC inmates create holiday cards to incarcerated individuals at other agency institutions across the United States. JDI sends out these cards promoting cheer during the holidays.

Several institutions, such as Allendale Correctional Institution, have held art contests showing the ingenuity and creativity of incarcerated individuals, demonstrating their knowledge regarding their right to be free of sexual abuse/sexual harassment in confinement. These art projects draw the viewer's attention to prevention of sexual abuse and sexual harassment, making this project a great success!



The SCDC PREA Coordinator has presented in 2022 at 4 national and international conferences as a "Subject Matter Expert" in PREA. In addition, SCDC worked with the certified PREA auditor to streamline audit processes for which the auditor has stated and reported to the PREA Resource Center is a National Best Practice. Other auditors have requested to see what we do.

Schedule of Audits

CYCLE 4 PREA Audit Schedule August 20, 2022, through August 19, 2025

CYCLE 4

Year 1 (August 20, 2022 - August 19, 2023)

Kirkland CI	September 7-9, 2022
McCormick CI	October 10-12, 2022
Manning CI	November 7-9, 2022
Goodman CI	November 15-17, 2022
Palmer CI	December 14-16, 2022
MacDougall CI	January 9-11, 2023
Allendale CI	February 6-8, 2023

Year 2 (August 20, 2023 - August 19, 2024)

Broad River (CI - SF)	August 28-30, 2023
Evans CI	September 18-20, 2023
Livesay CI	October 16-18, 2023
Tyger River CI	November 13-16, 2023
Lee CI	December 11-13, 2023
Perry CI	January 8-10, 2024
Ridgeland CI	February 5-7, 2024

Year 3 (August 20, 2024 - August 19, 2025)

Leath CI	August 26-28, 2024
Kershaw CI	September 23-25, 2024
Lieber CI	October 21-23, 2024
Camille Graham CI	November 11-13, 2024
Wateree River CI	December 9-11, 2024
Turbeville CI	January 6-8, 2025
Trenton CI	February 10-12, 2025

Note: Dates and times are subject to change.



*Audit in progress at
Allendale Correctional Institution*



*Audit in progress at
Allendale Correctional Institution*