



Health and Human Services

***2023 Annual Prison Rape  
Elimination Act (PREA) Report***

January 2024

## Iowa Department of Health and Human Services 2023 Annual Prison Rape Elimination Act Report

This report reflects the efforts, commitment, and changes made as the Iowa Department of Health and Human Services (HHS) continues compliance with the Prison Rape Elimination Act (PREA) Juvenile Standards. The HHS is committed to keeping the students we serve at the State Training School (STS) safe and free from harm and has zero tolerance for sexual abuse and sexual harassment.

This report covers allegations that were reported from January 1, 2023, through December 31, 2023.

### Staffing

Protecting students from sexual abuse and harassment and compliance with the PREA Juvenile Standards is a priority for the Iowa HHS and staff at the STS in Eldora. HHS has assigned a State PREA Coordinator responsible for overseeing the agency's PREA efforts. The STS has assigned a PREA Compliance Manager responsible for PREA compliance at the facility.

Policy and procedure have been developed to support compliance with PREA standards and protect students from sexual harassment and abuse.

### Training

All staff employed at the STS have participated in annual training to prevent, detect, intervene, and respond to incidents of sexual abuse or sexual harassment. Selected staff have also completed specialized training in investigations.

Every student participates in lessons providing information and instruction on recognizing sexual harassment and sexual abuse, how to protect themselves and how to report any incidents. Staff and students understand that the STS has a **Zero Tolerance** policy for sexual harassment, sexual abuse, or sexual contact of any nature.

### Policies

Iowa HHS and STS policies address **Zero Tolerance**, training requirements, and facility response and investigation requirements for reports of sexual harassment and abuse. Policies are reviewed annually and revised as needed.

### Support Services

The STS has agreements with the University of Iowa Hospitals and Clinics (UIHC) in Iowa City, Iowa for treatment of students. The UIHC employs SAFE/SANE personnel that are trained in forensic examinations. The STS also maintains an agreement with Crisis Intervention Services. This agency maintains a toll-free hotline for reporting incidents of sexual abuse. The agency also provides victim advocacy for students. All students have access to this hotline. Criminal investigations are referred to the Eldora Police Department when appropriate. When abuse is suspected, and the alleged perpetrator is an employee, contracted employee, or volunteer, referrals are made to

the Iowa Department of Inspections, Appeals, and Licensing (DIAL) to conduct and independent investigation to determine if the alleged act constituted child abuse.

### **Audits**

The STS conducts internal audits of the PREA Juvenile Standards periodically. Additionally, the PREA Coordinator and PREA Compliance Manager meet weekly to discuss PREA topics, review pending and/or completed investigations, and conduct quality assurance audits related to the STS's efforts to fully implement all applicable PREA Juvenile Standards and remain compliant.

Pursuant to PREA Standard 115.401, the STS completed an audit with a qualified auditor in April of 2023, scoring 100% compliance with all applicable PREA standards.

The next PREA audit has been scheduled to be completed by the end of April 2026.

### **2023 Sexual Incident Investigations & Reviews**

#### **Data Review for Corrective Action and Publication**

In compliance with PREA Standard 115.388, the facility PREA Compliance Manager has reviewed data collected and aggregated pursuant to PREA Standard 115.387 and incident specific data to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices and training including:

- identifying problem areas.
- taking corrective action on an ongoing basis; and
- preparing an annual report of its findings and corrective actions.

Also, in compliance with PREA Standard 115.389, the Iowa HHS will make all aggregated sexual abuse data readily available to the public at least annually by publishing data in a report and linking it the Department's website.

#### **General Definitions as defined by the PREA Standard 115.5**

*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 the event occurred.

**Student on Student sexual abuse is defined by PREA Standard 115.6 and includes the following:**

### **Nonconsensual Sexual Acts:**

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; and

1. Sexual contact between the penis and the vulva or the penis and the anus including penetration, however slight; or
2. Contact between the mouth and the penis, vulva, or anus; or
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

### **Abusive Sexual Contact:**

Sexual contact of a person without his or her consent, or of a person who is unable to consent or refuse; **and**

1. Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.
2. EXCLUDE incidents in which the contact was incidental to a physical altercation.

### **Student on Student Sexual Harassment:**

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one student directed toward another.

### **State Training School (STS) - Eldora Reported Incidents of Student-on-Student Allegations**

<b>Student-on-Student Allegations</b>					
<b>Reported and Investigated</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Nonconsensual Sexual Acts	0	0	1	0	0
Abusive Sexual Contact	8	2	8	4	5
Sexual Harassment	13	5	16	5	1
<b>Total Allegations</b>	<b>21</b>	<b>7</b>	<b>25</b>	<b>9</b>	<b>6</b>

### **Data Assessment**

After a review of investigation data and corrective actions taken by the STS, the State-Operated Specialty Care Division Director and the STS Institutional Superintendent will continue to monitor the STS's progress in preventing and reducing sexual violence at the facility. The STS continues to implement PREA requirements and to make changes that are necessary through on-going review.

**Staff on Student sexual abuse is defined by PREA Standard 115.6 and includes the following:**

### Staff Sexual Misconduct:

Any behavior or act of a sexual nature directed toward a student by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors.)

Sexual relationships of a romantic nature between staff and students are included in this definition. Consensual or nonconsensual sexual acts include:

1. Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire; **or**
2. Completed, attempted, threatened, or requested sexual acts; **or**
3. Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

### Staff Sexual Harassment

Repeated verbal statements, comments, or gestures of a sexual nature to a student by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors.) Include:

1. Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; **or**
2. Repeated profane or obscene language or gestures.

### State Training School (STS) - Eldora Reported Incidents Staff-on-Student Allegations

Staff-on-Student Allegations					
Reported and Investigated	2019	2020	2021	2022	2023
Staff Sexual Misconduct	0	5	2	5	9
Staff Sexual Harassment	4	5	0	3	7
<b>Total Allegations</b>	<b>4</b>	<b>10</b>	<b>2</b>	<b>8</b>	<b>16</b>

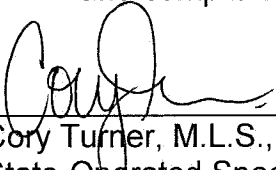
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The following are five (5) specific examples of changes that have occurred over this review period to increase safety, security, and overall service for the students and staff at STS.

1. STS has installed cameras in the psychology area offices and removed all window coverings in 2023.

2. STS has implemented a comprehensive video surveillance policy to govern the use of video surveillance to enhance student and staff safety, while maintaining students' right to privacy.
3. The new PREA Compliance Manager has attended 1-hour training sessions with the agency PREA Compliance Coordinator throughout 2023, addressing/reviewing PREA Standards, reviewing investigations, and preparing for the next comprehensive audit anticipated to take place in April of 2026.
4. STS offered refresher trainings to both students and staff at the close of the calendar year of 2023 and into January of 2024.
5. STS updated and revised its policy on how to report abuse, and how to report and respond to student grievances, both were done with PREA consideration and compliance in mind.



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Cory Turner, M.L.S., Director  
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Department of Health & Human Services

1/26/2024  
Date