

STATE OF IOWA DEPARTMENT OF  
**Health** AND **Human**  
SERVICES

***2022 Annual Prison Rape  
Elimination Act (PREA) Report***

**January 2023**

## Iowa Department of Health & Human Services 2022 Annual Prison Rape Elimination Act Report

This report reflects the efforts, commitment, and changes made as the Department of Health & Human Services (HHS) continues toward 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 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, 2022, through December 31, 2022.

### Staffing

Protecting students from sexual abuse and harassment and compliance with the PREA Standards is a priority for DHS and staff at the State Training School in Eldora. DHS has assigned a State PREA Coordinator responsible for overseeing the agency's PREA efforts. The State Training School 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 State Training School 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 State Training School has a **Zero Tolerance** policy for sexual harassment, sexual abuse, or sexual contact of any nature.

### Policies

Department of Human Services and State Training School 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 State Training School has agreements with the University of Iowa Hospital in Iowa City, Iowa for treatment of students. The University of Iowa Hospital employs SAFE/SANE personnel that are trained in forensic examinations. The State Training School also maintains an agreement with Crisis Intervention Services. This agency maintains a toll-free hotline for reporting incidents of sexual abuse. All students have access to this hotline. Criminal investigations are referred to the Eldora Police Department when appropriate.

### Audits

The State Training School conducts internal audits of PREA 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 State Training School's efforts to fully implement all applicable PREA Standards and remain complaint.

Pursuant to PREA Standard 115.401, the State Training School concluded an audit with a qualified auditor in May 2020, scoring 100% compliance with all applicable PREA standards.

The next PREA audit has been scheduled to be completed by the end of April 2023.

## **2022 Sexual Incident Investigations & Reviews**

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

In compliance with PREA Standard 115.388, 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, 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-Eldora Reported Incidents: January 1, 2022, to December 31, 2022 Student on Student Allegations**

	<b>Reported and Investigated</b>
<b>Nonconsensual Sexual Acts</b>	<b>0</b>
<b>Abusive Sexual Contact</b>	<b>4</b>
<b>Sexual Harassment</b>	<b>5</b>
<b>Total Allegations</b>	<b>9</b>

### **Data Assessment**

After a review of investigation data and corrective actions taken by the State Training School, the Mental Health and Disability Services Administrator and facility Superintendent will continue to monitor the State Training School's progress in preventing and reducing sexual violence at the facility. The State Training School 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- Eldora Reported Incidents: January 1, 2022, to December 31, 2022 Staff-on-Student Allegations

	Reported and Investigated
<b>Staff Sexual Misconduct</b>	<b>5</b>
<b>Staff Sexual Harassment</b>	<b>3</b>
<b>Total Allegations</b>	<b>8</b>

## Data Assessment

Historical Student-on-Student Allegations					
Reported and Investigated	2018	2019	2020	2021	2022
Nonconsensual Sexual Acts	0	0	0	1	0
Abusive Sexual Contact	1	8	2	8	4
Sexual Harassment	26	13	5	16	5
<b>Total Allegations</b>	<b>27</b>	<b>21</b>	<b>7</b>	<b>25</b>	<b>9</b>

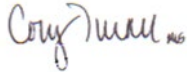
Historical Staff-on-Student Allegations					
Reported and Investigated	2018	2019	2020	2021	2022
Staff Sexual Misconduct	0	0	5	2	5
Staff Sexual Harassment	4	4	5	0	3
<b>Total Allegations</b>	<b>4</b>	<b>4</b>	<b>10</b>	<b>2</b>	<b>8</b>

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

The following are four 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 hired a full-time investigative staff for the first time who will assist with the investigation of PREA allegations in 2023 after completing training.

2. The PREA Compliance Manger has attended 1-hour training sessions with the agency PREA Compliance Coordinator throughout 2022, covering PREA Standards and preparing for the audit coming up in April Of 2023.
3. STS continues to advertise, interview, and hire direct care staff (Youth Service Workers) aggressively to maintain the safest staff to student ratio as possible.
4. STS was able to complete the remodeling project on one of its 3-Cottages targeted for renovations in December of 2022, this cottage was designed with safety in mind. Safety improvements included video monitoring in community areas, and single sleeping rooms.



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Cory Turner, M.L.S., Director  
State-Operated Facilities Division  
Department of Health & Human Services

1/6/2023  
Date