

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

INTRODUCTION

The Prison Rape Elimination Act of 2003 (PREA Public Law 108-79) established federal mandates to identify and prevent prison rape in correctional facilities within the jurisdictions of federal, state, local, and native territories across the United States. Public Law 108-79 was signed into law on September 4, 2003.

The United States Department of Justice adopted the National Standards to Prevent, Detect, and Respond to Prison Rape (the PREA Standards) effective August 20, 2012. In addition to establishing mandatory standards for prevention, detection and response to prison sexual abuse and sexual harassment, the PREA Standards require all correctional facilities to conduct sexual abuse incident reviews and collect uniform data using standardized definitions. Agencies must ensure that data collection includes allegations of sexual abuse and sexual harassment at facilities under its direct control.

Pursuant to Local Law 21 of 2019, codified by section 9-156 of the NYC Administrative Code, the Department is required to report on allegations of sexual abuse and sexual harassment for cases that lasted longer than 90 days within the preceding six-month period, and for cases that were closed within the preceding six months. The following report outlines the aggregate number and percentage of the data required by subdivisions b and c of the law. Data that cannot be aggregated has been provided to the Council and the Board of Correction but has not been included in this report. Throughout both reporting periods, there were incidents involving less than 6 individuals; due to privacy concerns, the Department cannot publicly report any number less than six. This report, which evaluates sexual abuse and sexual harassment allegations made within the past six months (January 2022 to June 2022), analyzes emerging trends, and assesses the corrective action contemplated and/or initiated at the facility level and department wide. It is important to note that allegations of sexual abuse and sexual harassment are preliminary and subject to change as these cases develop. Data discussed in allegation categories are not final, as they are ongoing or pending resolution. Data used in this report reflects the most current information available at the time of publication.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

SECTION ONE: SUBDIVISION B

The data in this section is related to alleged incidents of sexual abuse and harassment that occurred during the preceding six-month period for which an investigation lasted longer than 90 days.

- 1. The date on which the incident occurred and whether the incident took place between the times 7:00 AM and 3:00 PM, 3:00 PM and 11:00 PM, and 11:00 PM and 7:00 AM.¹**

During the first half of 2022, the majority (63.64%) of alleged incidents occurred during the 0700x1500 hours tour. Reports referencing the 0700x1500 tour make up half of the cases reported in that time frame during the last half of 2021. The time of an alleged incident is reported as unknown in instances in which the complainant did not report a time to the Investigation Division.

<i>Alleged Incidents by Time of Day</i>					
<i>Time of Alleged Incident</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
0700x 1500	<6	-	7	63.64%	-
1500x2300	<6	-	<6	-	-
2300x0700	0	0	0	0%	-
Unknown Time	0	0	0	0%	-
Total	4	100%	11	100%	

- 2. Number of allegations classified as sexual abuse or sexual harassment as defined in subdivision a of this section.**

In this reporting period, the Investigation Division experienced an increase in cases of alleged incidents of sexual abuse or sexual harassment that were not closed within 90 days. The number of open cases of sexual abuse or sexual harassment allegations changed from four cases to eleven cases.

¹ The date of the incident cannot be reported in the aggregate.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

<i>Total Number of Sexual Abuse and Sexual Harassment Allegations</i>					
<i>Type of Allegation</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Sexual Abuse	4	100%	8	72.73%	100%
Sexual Harassment	0	0%	<6	-	-
Total	4	100%	11	100%	

3. The date the incident was reported, and an investigation was opened.

This information cannot be reported in the aggregate.

4. The gender of the alleged victim.

In the first half of 2022, there were 11 incidents involving the following victim genders for which an investigation lasted longer than 90 days: male, female, and transgender women.

<i>Total Alleged Incidents by Gender of Alleged Victim</i>					
<i>Alleged Victim's Gender</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Male	<6	-	<6	-	-
Female	<6	-	<6	-	-
Transgender Man	0	0%	0	0%	-
Transgender Woman	<6	-	6	54.55%	-
Total	4	100%	11	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

5. Whether the alleged victim at the time of the incident was between the ages of 18-25, 26-35, 36-40, 41-60, over 60, or under 18 when such individuals are in department custody.

<i>Total Alleged Incidents by Age of Alleged Victim</i>					
<i>Alleged Victim's Age Range</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
<18	0	0%	0	0%	-
18-25	0	0%	<6	-	-
26-35	<6	-	<6	-	-
36-40	<6	-	<6	-	-
41-60	<6	-	0	-	--
>60	0	0%	0	-	-
Total	4	100%	11	-	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

6. The race and ethnic origin of the alleged victim. ²

The number of alleged incidents between reporting periods amongst all races/ethnicities, is delineated in the chart below.

<i>Total Alleged Incidents by Race and Ethnic Origin of Alleged Victim</i>					
<i>Alleged Victim's Race/Ethnicity</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Asian	<6	-	0	0%	-
Black	<6	-	8	72.73%	-
Hispanic	<6	-	<6	-	-
Other	<6	-	<6	-	-
White	<6	-	<6	-	-
Total	4	100%	11	100%	

7. Whether the alleged victim had been in custody for more than 24 hours and who, during such confinement, received treatment for a mental illness, not including incarcerated individuals seen by mental health staff on no more than two occasions during their confinement and assessed on the latter of those occasions as having no need for further treatment in any city correctional facility.³

<i>Time in Custody</i>	<i>Jul 2021 – Dec 2021</i>	<i>Jan 2022 – Jun 2022</i>
Alleged Victims in Custody less than 24 hours	0	0
Alleged Victims in Custody more than 24 hours	4	11
Total	4	11

² Race and ethnicity are voluntarily reported to the Department by each individual in custody. The Department makes no representation as to the completeness or accuracy of this data.

³ Correctional Health Services is precluded from sharing the protected health information outlined in New York City LL21 §9-156(b)7 with the Department of Correction by New York State Public Health Law §§ 18 and 27-F, New York State Mental Hygiene Law § 33.13, and section 543 of the Public Health Service Act, 42 U.S.C. 290dd-2, and its implementing regulations, 42 CHR Part 2.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

8. The gender of the alleged perpetrator.

Within both reporting periods, the majority of alleged perpetrators were male.

<i>Total Alleged Incidents by Gender of Alleged Perpetrator</i>					
<i>Alleged Perpetrator's Gender</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Male	<6	-	9	81.82%	-
Female	<6	-	<6	-	-
Transgender Woman	<6	-	0	0%	-
Unknown	0	0%	0	0%	-
Total	4	100%	11	100%	

9. Whether the alleged perpetrator was an incarcerated individual or staff.

In this reporting period, the majority of alleged perpetrators (72.73%) were staff.

<i>Total Alleged Incidents by Alleged Perpetrator</i>					
<i>Alleged Perpetrator</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Staff	0	-	8	72.73%	-
Incarcerated Individuals	<6	-	<6	-	-
Total	4	100%	11	100%	

10. If the alleged perpetrator was staff, the number of previous allegations against such staff that were substantiated and the outcome of each investigation.

There were no previous allegations substantiated during the current reporting period.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

11. If the alleged perpetrator was staff, the number of previous allegations against such staff that were unsubstantiated.

There were two previous allegations unsubstantiated during the current reporting period.

12. If the alleged perpetrator was staff, the number of previous allegations against such staff which are still pending

During both reporting periods, the number of allegations substantiated and still pending against alleged staff has remained at zero.

<i>Total Number of Pending Allegations Against Alleged Staff Perpetrator</i>					
<i>Status of Previous Staff Allegations</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Previous Staff Allegations</i>	<i>Percent of Previous Staff Allegations</i>	<i>Number of Previous Staff Allegations</i>	<i>Percent of Previous Staff Allegations</i>	
Substantiated	0	0%	0	0%	-
Unsubstantiated	0	0%	2	100%	-
Still pending	0	0%	0	0%	-
Total	0	100%	2	100%	-

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

13. The facility in which the incident occurred

During this reporting period, AMKC, which houses the highest number of people in custody, reported the highest percentage of alleged incidents.

<i>Total Alleged Incidents by Facility⁴</i>					
<i>Facility</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
AMKC	0	0%	<6	-	-
BHPW	0	0%	0	0%	-
EMTC	0	0%	0	0%	-
GRVC	0	0%	<6	-	-
NIC	0	0%	<6	-	-
OBCC	<6	-	0	0%	-
RMSC	<6	-	<6	-	-
RNDC	<6	-	0	0%	-
Transportation Div.	0	0%	0	0%	-
VCBC	<6	-	0	0%	-
WF	0	0%	<6	-	-
Total	4	100%	11	100%	

⁴ OBCC was not used to house people in custody during the reporting period.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

SECTION TWO: SUBDIVISION C

The data in this section is related to investigations of allegations of sexual abuse and sexual harassment that concluded during the preceding six-month period.

B1. The date on which the incident occurred and whether the incident took place between the times 7:00 AM and 3:00 PM, 3:00 PM and 11:00 PM, and 11:00 PM and 7:00 AM.⁵

In the Second half of 2021, there were significant percentage decreases in each timeframe category. Between January 2022 to June 2022, the majority (57.14%) of concluded cases were alleged to have occurred between 0700 to 1500 hours. The Investigation Division improved its methods, applying additional scrutiny to review of Genetec footage and exploring additional investigatory avenues, which resulted in an increase in cases where the time was identified.

<i>Total Alleged Incidents by Time of Day</i>					
<i>Time of Alleged Incident</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
0700x 1500	56	57.7%	44	57.14%	-21.42%
1500x2300	22	22.7%	17	22.08%	-22.72%
2300x0700	19	19.5%	16	20.78%	-15.78%
Not Tracked	0	0%	0	0	-
Unknown Time	0	0	0	0	-
Total	97	100%	77	100%	

⁵ The date on which the incident occurred cannot be reported in the aggregate.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B2. Whether the allegation is of sexual abuse or sexual harassment as defined in subdivision a of this section.

For both reporting periods, the majority of allegations investigated were alleged incidents of sexual abuse. Reports of alleged incidents decreased across both categories between reporting periods.

<i>Total Number of Sexual Abuse and Sexual Harassment Allegations</i>					
<i>Type of Allegation</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Sexual Abuse	82	84.54%	64	83.12%	-21.95%
Sexual Harassment	15	15.46%	13	16.88%	-13.33%
Total	97	100%	77	100%	

B3. The date the incident was reported, and an investigation was opened.

This information cannot be reported in the aggregate.

B4. The gender of the alleged victim.

Throughout this reporting period, male victims remain as the majority represented in these cases.

<i>Total Alleged Incidents by Gender of Alleged Victim</i>					
<i>Alleged Victim's Gender</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Male	66	68.04%	47	61.04%	-28.78%
Female	13	13.4%	13	16.88%	-
Transgender Man	0	0%	0	0%	-
Transgender Woman	18	18.56%	17	22.08%	-5.55%
Unknown	0%	0%	0	0%	-
Total	97	100%	77	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B5. Whether the alleged victim at the time of the incident was between the ages of 18-25, 26-35, 36-40, 41-60, over 60, or under 18 when such individuals are in department custody.

Throughout both reporting periods, the majority of alleged victims were between 26 - 35 years old.

<i>Total Alleged Incidents by Age of Alleged Victim</i>					
<i>Alleged Victim's Age Range</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
<18	0	-	0	-	-
18-25	11	11.34%	18	23.38%	+63.63%
26-35	43	44.33%	31	40.26%	-27.90%
36-40	16	16.49%	<6	-	-
41-60	27	27.84%	24	31.17%	-11.11%
>60	0	-	0	-	-
Unknown	0	-	0	-	-
Total	97	100%	77	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B6. The race and ethnic origin of the alleged victim.

The race/ethnicity of majority of alleged victims for both reporting periods was Black

<i>Total Alleged Incidents by Race and Ethnic Origin of Alleged Victim</i>					
<i>Alleged Victim's Race/Ethnicity⁶</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Asian	<6	-	<6	-	-
Black	59	60.8%	52	67.53%	-11.86%
Hispanic	17	17.5%	12	15.58%	-29.41%
Other	9	9.2%	<6	-	-
White	11	11.3%	6	7.79%	-45.45%
Total	97	100%	77	100%	

B7. Whether the alleged victim had been in custody for more than 24 hours and who, during such confinement, received treatment for a mental illness⁷, not including incarcerated individuals seen by mental health staff on no more than two occasions during their confinement and assessed on the latter of those occasions as having no need for further treatment in any city correctional facility.

<i>Time in Custody</i>	<i>Jul 2021 – Dec 2021</i>	<i>Jan 2022 – Jun 2022</i>
Alleged Victims in Custody less than 24 hours	0	0
Alleged Victims in Custody more than 24 hours	97	77
Total	97	77

⁶ Race and ethnicity are voluntarily reported to the Department by each individual in custody. The Department makes no representation as to the completeness or accuracy of this data.

⁷ Correctional Health Services is precluded from sharing the protected health information outlined in New York City LL21 §9-156(b)7 with the Department of Correction by New York State Public Health Law §§ 18 and 27-F, New York State Mental Hygiene Law § 33.13, and section 543 of the Public Health Service Act, 42 U.S.C. 290dd-2, and its implementing regulations, 42 CHR Part 2.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B8. The gender of the alleged perpetrator.

Within both reporting periods, the majority of incidents were alleged to have been committed by a male perpetrator.

<i>Total Alleged Incidents by Gender of Alleged Perpetrator</i>					
<i>Alleged Perpetrator's Gender</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Male	92	94.8%	54	70.13%	-41.30%
Female	14	-	12	15.58%	-14.28%
Unknown	0	-	0	-	-
Transgender Woman	<6	-	11	14.29%	-
Transgender Man	0	-	0	-	-
Total	97	100%	77	100%	

B9. Whether the alleged perpetrator was an incarcerated individual or staff.

The majority of alleged perpetrators in the reporting period were incarcerated individuals.

<i>Total Alleged Incidents by Alleged Perpetrator</i>					
<i>Alleged Perpetrator</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Staff	24	24.74%	25	32.47%	+4.16%
Incarcerated Individuals	73	75.26%	52	67.53%	-28.76%
Total	97	100%	77	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B10. If the alleged perpetrator was staff, the number of previous allegations against such staff that were substantiated and the outcome of each investigation.

Please see chart below number B12.

B11. If the alleged perpetrator was staff, the number of previous allegations against such staff that were unsubstantiated.

Please see chart below number B12.

B12. If the alleged perpetrator was staff, the number of previous allegations against such staff which are still pending.

In this period there was an increase in instances where a staff member had pending allegations, from zero to one.

<i>Total Previous Allegations Against Alleged Staff Perpetrators</i>					
<i>Status of Previous Staff Allegations</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Previous Staff Allegations</i>	<i>Percent of Previous Staff Allegations</i>	<i>Number of Previous Staff Allegations</i>	<i>Percent of Previous Staff Allegations</i>	
Substantiated	0	0%	0	0	-
Unsubstantiated	0	0%	1	1.3%	-
Still pending	0	0%	0	0	-
Total	0	0%	1	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

B13. The facility in which the incident occurred.

AMKC, which houses the highest number of people in custody, was the facility with the highest number of alleged incidents in this reporting period.

<i>Total Alleged Incidents by Facility⁸</i>					
<i>Facility</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
AMKC	36	37.1%	26	33.77%	-27.77%
BHPW	0	-	0	0%	-
BKCTS	0	-	0	0%	-
EHPW	0	-	0	0%	-
EMTC	<6	-	7	9.09%	-
GRVC	8	8.3%	8	10.39%	-
MDC	<6	-	0	0%	-
MNCT	0	-	0	0%	-
NIC	<6	-	0	0%	-100%
OBCC	11	11.3%	0	0%	-100%
QDCT	<6	-	-	<6	-
RMSC	19	19.5%	19	24.68%	-
RNDC	8	8.3%	7	9.09%	-12.5%
SOD	0	-	0	0%	-
Transportation Div.	<6	-	0	0%	-
VCBC	9	9.2%	9	11.69%	-
WF	0	-	0	0%	-
Total	97	100%	77	100%	

⁸ BKDC, MDC, and OBCC were not open for the full length of this reporting period.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

SECTION THREE: SUBDIVISION C

The data in this section is related to investigations of allegations of sexual abuse and sexual harassment that concluded during the preceding six-month period.

C1. The date in which the investigation opened and closed.

This information cannot be provided in the aggregate.

C2. Whether the department determined that the incident was substantiated, unsubstantiated, or unfounded.

<i>Total Alleged Incidents</i>					
<i>Case Conclusion</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Substantiated	3	3.09%	3	3.9%	-
Unsubstantiated	47	48.5%	32	41.56%	-31.91%
Unfounded	47	48.5%	42	54.55%	-10.63%
Total	97	100%	77	100%	

C3. Whether the allegation was referred to a district attorney’s office and whether that district attorney declined to prosecute, and whether the alleged perpetrator was convicted during the reporting period.

Of the cases that were closed during the January 2022 to June 2022 reporting period, none were referred to a DA’s office.

<i>Total Alleged Incidents Referred to DA’s Office</i>					
<i>Allegations Referred to DA’s Office</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	<i>Number of Alleged Incidents</i>	<i>Percent of Alleged Incidents</i>	
Yes	0	0%	0	0%	
No	97	100%	77	100%	
Total	97	100%	77	100%	

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

C4. Whether the investigation was conducted by the facility or by the investigation division.

Investigations into allegations of sexual abuse or sexual harassment are conducted by the Investigation Division, not the facility.

C5. Where an investigation was referred to the investigation division, the reason for such referral.

Investigations into allegations of sexual abuse or sexual harassment are conducted by the Investigation Division, not the facility.

C6. Whether the investigation was referred back from the investigative division to the department facility and the reason for such referral.

Investigations into allegations of sexual abuse or sexual harassment are conducted by the Investigation Division, not the facility.

C7. Whether the alleged victim was notified regarding the outcome of the investigation.

In this reporting period 87% of alleged victims were notified of the outcome of their investigation. A victim may not be notified if the Department does not have accurate contact information for that individual.

<i>Total Alleged Incidents Referred to DA's Office</i>					
<i>Allegations Referred to DA's Office</i>	<i>Jul 2021 – Dec 2021</i>		<i>Jan 2022 – Jun 2022</i>		<i>Percent Change</i>
	<i>Number of Alleged Victims Notified of Investigation Outcome</i>	<i>Percent of Alleged Victims Notified of Investigation Outcome</i>	<i>Number of Alleged Victims Notified of Investigation Outcome</i>	<i>Percent of Alleged Victims Notified of Investigation Outcome</i>	
Notified	95	97.9%	67	87.01%	-29.47%
Not Notified	2	2.06%	10	12.99%	+400%
N/A	0	0%	0	0%	-
Total	97	100%	77	100%	

New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022

SECTION FOUR: ASSESSMENT

Preliminary Trend Overview

Based on a comparison of previously reported data from July 2021 – December 2021, there was an increase of PREA-reportable cases within the reporting period of January 2022 to June 2022 that did not close within a 90-day period. There were instances where cases were submitted and returned as the Investigation was deemed insufficient to close.

Overall, the number of PREA Reportable allegations increased during the January 2022 to June 2022 reporting period by 16.9% (from 89 in the last reporting period to 104 in the current reporting period). The Department is committed to investigating all claims of sexual harassment and abuse in a rigorous and timely manner and will continue to do so moving forward. Every allegation required that two investigators respond to the facility to interview, conduct canvasses and collect pertinent documentation. The Division will continue to combat false reporting by working directly and persistently with the District Attorney's Office in the prosecution of founded allegations and false allegations, as appropriate.

This reporting period showed an increase of 83% (18 to 33) in allegations of staff-on-incarcerated individual sexual abuse and harassment cases. It is the Department's goal to achieve full compliance with all PREA standards, as well as to provide a safe environment for staff and persons in custody. Under Commissioner Molina and his new leadership team, including a new Deputy Commissioner of the Investigation Division, the Department has prioritized the thorough and timely investigation of PREA incidents and allegations. All efforts are made to properly record, evaluate, and fully investigate all allegations made by our staff and individuals in custody. These renewed focus on ensuring that all allegations are properly recorded and addressed may account for some of the increase in overall allegations noted during this reporting period.

With the high volume of allegations received, the investigators continue to carry high caseloads. Their caseload does not reflect the allegations that are dispatched for immediate response and are later deemed to not fit the reporting criteria. An immediate response into an allegation consists of full background, review of inmate phone calls, video review, alleged victim interview, alleged involved interview and canvas interviews. Follow-up includes, but is not limited to, staff statements and vouchering evidence. Hence, all allegations that are received and dispatched receive the same attention to detail to ensure a proper determination is made.

The Department continues to ensure staff are educated about PREA, starting at the Academy with each new recruit class, as well as all contractors and volunteers. All new employees receive training during their on-boarding process. The training covers recognizing the signs of sexual abuse and what steps to take when an allegation is made.

In the beginning of 2021, the Department modified the process for housing individuals in the Special Considerations Unit. The PREA Standards and Compliance Unit and the LGBTQ+ Affairs Unit provide support and work closely with the transgender, gender non-binary, and intersex (TGNBI) population. The Department has implemented significant custody management changes, and now houses each

New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022

individual consistent with their gender identity, absent prohibitive security or management concerns. The Department continues to operate the Special Consideration Unit (SCU) for individuals who come into custody and are deemed to be part of a vulnerable population, which includes TGNBI individuals. The Department evaluates each person in custody on a case-by-case basis when making housing determinations, as warranted by the PREA Standards. More discrete and confidential means of disclosing one's gender identity have also been established to promote an environment where individuals feel safe and supported when disclosing and/or discussing gender identity with staff.

Pending Allegations

The Department takes every allegation of sexual misconduct and sexual harassment seriously and investigates each complaint thoroughly. The Department's Investigation Division handles all PREA-related allegations, initiating an investigation within the first 72 hours. Investigation Division (ID) staff interviews alleged victims, separates individuals from identified alleged perpetrators, collects relevant evidence, affords alleged victims mental health, ministerial and victim services, and conducts a preliminary investigation, all within the first 72 hours.

The Department continues to stencil the Zero Tolerance Policy with telephone numbers for reporting allegations in the jail and court cells, housing areas, and in the corridors. Incarcerated individuals are also informed that they may call 311 to report incidents of sexual abuse and harassment. The Department conducts in-person orientation with new admissions. This allows individuals to ask the PREA Standards and Compliance Unit staff questions during the orientation or privately at its conclusion. The PREA Standards and Compliance Unit, the PREA ID Unit, and the LGBTQ+ Affairs staff work closely together to provide support to all incarcerated individuals, especially those that are most vulnerable.

SECTION FIVE: CORRECTIVE ACTION

While the Investigation Division has taken steps to become compliant with PREA Standards, review and refinement of the investigative process continues to be on going. For example, investigators have increased usage of body cameras for interviews, implemented more stringent requirements for the preservation of video evidence, identified areas of improvement in the interview process and has increased the level of detail contained in the preliminary reports. Additionally, a new Deputy Director of PREA Investigations was appointed during this reporting period. This appointment is one of many changes being made to improve timelines. The ID PREA Division continues responding to allegations within 72 hours and evaluating cases reasonably.

The Department continues to ensure staff, receive PREA training during recruit training and orientation, and that all contractors and volunteers with contact with incarcerated individuals are trained. Everyone receives training on recognizing the signs of sexual abuse and what steps to take when an allegation is made. In addition to posters in the facility detailing how to report an incident, the Department has strengthened our inmate grievance system to ensure that individuals in custody have an effective outlet to communicate and resolve issues of concern through a streamlined process.

**New York City Department of Correction
Semi-Annual Sexual Abuse & Harassment Report
Bi-Annual Comparison Report
January 1, 2022 – June 30, 2022**

Staffing

By the end of this reporting period, the Investigation Division's PREA Unit had one Deputy Director, nine Supervising Investigators, and 25 Investigators, to ensure thorough and timely investigations.

Currently, the Department has one (1) civilian PREA Compliance Managers (PCM) to oversee retaliation in all of the facilities. Uniformed staff previously assigned as PREA Ambassadors to work with each PCM and to assist with PREA implementation has also diminished due to redeployment.

Corrective Action Plan

During this reporting period, 11 PREA cases exceeded the 90-day closing time frame. Under the direction of the new administration, a review of the existing ID PREA process and supervisory structure was conducted in order to identify the inefficiencies that contributed to this lapse. Changes have been made to the way that cases are assigned to existing staff in order to minimize the impact of staff attrition and redeployment. Additionally, the new administration identified the need for improved leadership and management within the PREA Unit. A new Deputy Director of Investigation was hired during the reporting period to help identify areas of improvement and to provide stable guidance to existing front line supervisor. The Department is in the process of interviewing and selecting a new executive manager to fill the current vacancy in the PREA command structure. It is expected that the new executive management for ID PREA will continue the Departments efforts towards improving the timeliness and quality of investigations and move DOC closer to full compliance with PREA standards.