



**PRISON RAPE  
ELIMINATION ACT  
ANNUAL REPORT  
2022**

# PRISON RAPE ELIMINATION ACT

## CY2022

The Arkansas Department of Corrections (ARDOC) is committed to providing a safe environment for those in our facilities. Incarcerated individuals have the right to be free from sexual abuse, sexual harassment, and retaliation. The agency maintains a zero-tolerance policy toward all forms of sexual abuse and sexual harassment. All allegations of sexual abuse and sexual harassment are entered into the electronic offender management information system (eOMIS) and investigated. Below I describe the number of PREA allegations received in 2022 and the results of the investigations into them.

Pursuant to 28 CFR 115.87 Data Collection, the ARDOC is required to collect and maintain certain information related the sexual abuse and sexual harassment. The following is a summary of the agency's incident-based sexual abuse and sexual harassment data:

In 2022, the DOC received 502 total PREA allegations, a 28.7% decrease from the previous year. Of the allegations, 80%, were unfounded, while 13% were unsubstantiated and 7% were substantiated (see Table 1). Most of the substantiated incidents were Offender-on-Offender Sexual Harassment ( $n = 13$ ) and Staff-on-Offender Sexual Misconduct ( $n = 12$ ). The remaining 20 were Offender-on-Offender Nonconsensual Sexual Acts ( $n = 4$ ), Offender-on-Offender Abusive Sexual Contact ( $n = 3$ ), and Staff-on-Offender Sexual Harassment ( $n = 1$ ).

**Table 1:**  
*Allegation Type and Investigative Outcome*

TYPE		UNSUBSTANTIATED	UNFOUNDED	TOTAL
Offender - on - Offender Nonconsensual Sexual Acts	4	5	13	22
Offender - on - Offender Abusive Sexual Contact	3	3	4	10
Offender - on - Offender Sexual Harrassment	13	35	165	213
Staff - on - Offender Sexual Misconduct	12	12	44	68
Staff - on - Offender Sexual Harrassment	1	11	177	189
<b>TOTAL</b>	<b>33</b>	<b>66</b>	<b>403</b>	<b>502</b>

<sup>1</sup> All percentages are rounded to the nearest whole number

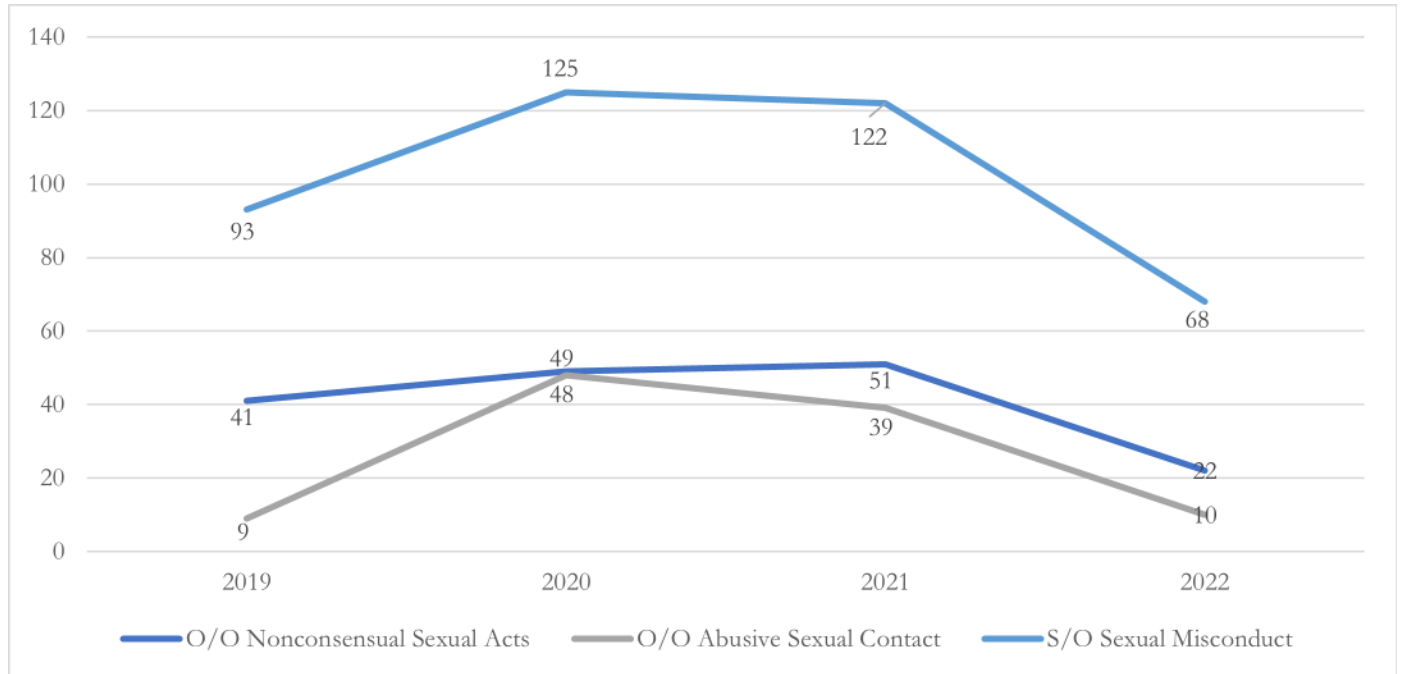
<sup>2</sup> Henceforth, sexual abuse is classified as Offender-on-Offender Nonconsensual Sexual Acts, Offender-on-Offender Abusive Sexual Contact, and Staff-on-Offender Sexual Misconduct. Sexual harassment is classified as Offender-on-Offender Sexual Harassment, and Staff-on-Offender Sexual Harassment.

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## 2019 - 2022

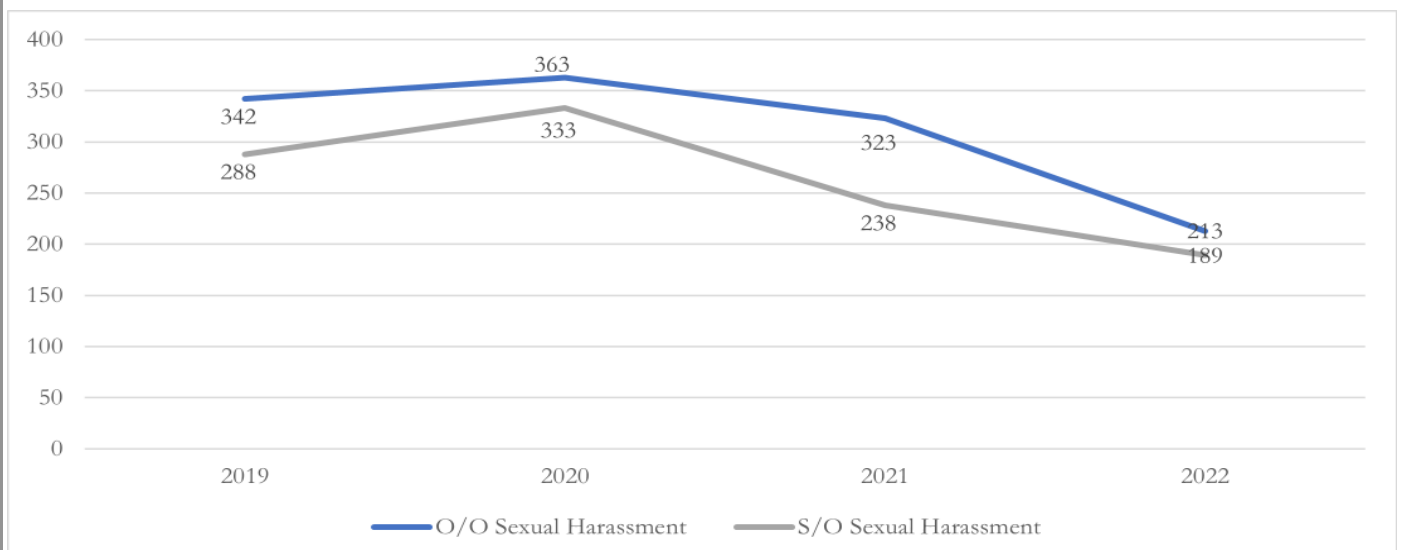
Since 2019, the most alleged sexual abuse violation has been Staff-on-Offender Sexual Misconduct, followed by Offender-on-Offender Nonconsensual Sexual Acts. While Offender-on-Offender Abusive Sexual Contact was the least reported allegations in 2019, 2020, 2021, and 2022 (see Figure 1).

**Figure 1:**  
*Sexual Abuse Allegations for 2019 through 2022*



The Allegations of sexual harassment were also consistent with two previous years (see Figure 2). That is, more allegations of Offender-on-Offender Sexual Harassment were made than those on Staff-on-Offender Sexual Harassment in 2019, 2020, 2021, and 2022.

**Figure 2:**  
*Sexual Harassment Allegations for 2019 through 2022*



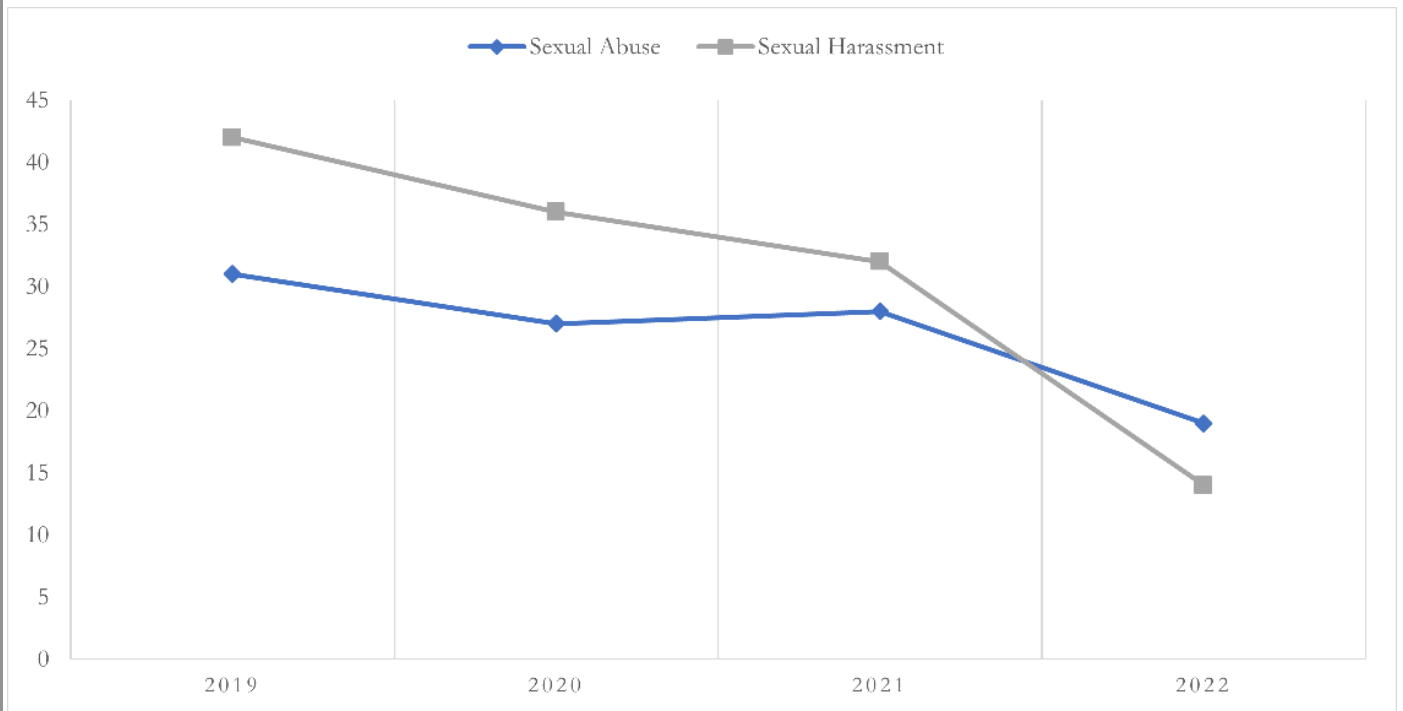
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## 2022 SUBSTANTIATED INCIDENTS

Of the 33 total substantiated incidents found in 2022 (see Table 1), four were Offender-on-Offender Nonconsensual Sexual Acts, three were Offender-on-Offender Abusive Sexual Contact, 13 Offender-on-Offender Sexual Harassment, 12 Staff-on-Offender Sexual Misconduct, and one Staff-on-Offender Sexual Harassment.

Figure 3 compares the substantiated sexual abuse and sexual harassment incidents from 2019 through 2022. In 2022, allegations of sexual abuse were substantiated more than those of sexual harassment.

**Figure 3:**  
*Substantiated Allegations from 2019 through 2022*



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### 2022 CORRECTIVE ACTION

Pursuant to 28 CFR 115.88 Data Review for Corrective Action, the following is a summary of the agency's efforts in adhering to PREA compliance:

Pursuant to 28 CFR 115.87, 115.88, and 115.89, the ARDOC collects accurate, uniform data for allegations of sexual abuse and harassment from prisons and community confinement facilities under the governor's direct control. Below is a summary of the significant enhancements to PREA compliance made in 2022.

ARDOC continues to enhance our efforts toward sexual safety for our incarcerated population. In 2022, the department revised several training modules (i.e., staff training, PREA for problem solvers, and PREA investigations training), increased opportunities for emotional support services, and provided informal audits of facilities to improve compliance.

Moving forward, ARDOC will continue to improve compliance with the PREA Standards. To improve compliance, the agency shall increase data collection efforts, enter memorandums of understanding with rape crisis centers for eligible facilities, and update policy to address non-compliant standards.

## APPENDIX A: DEFINITIONS

**Offender-on-Offender Abusive Sexual Contact** - Non-penetrative touching by an offender, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another offender.

**Offender-on-Offender Nonconsensual Sexual Acts** - Penetration by an offender of another Offender in which the offender is coerced into sexually abusive penetration by threats of violence or is otherwise unable to refuse.

**Offender-on-Offender 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.

**Staff-on-Offender Sexual Harassment** - A staff member's verbal comments or gestures of a sexual nature to an offender. This includes demeaning references to gender, gender identity, and sexual orientation, sexually suggestive or derogatory comments about an offender's body or clothing and repeated profane or obscene language and/or gestures.

**Staff-on-Offender Sexual Misconduct** - Sexual abuse that includes but is not limited to penetration, kissing, hugging, massaging, writing, or exchanging letters, pictures, phone calls, etc. of a romantic or sexual nature between staff and offenders.

**Substantiated** - The event was investigated and determined to have occurred.

**Unfounded** - The event was determined not to have occurred, or, if the event occurred, the conduct was nonetheless within policy and the alleged perpetrator exonerated.

**Unsubstantiated.** -The evidence was insufficient to make a final determination that the event occurred.