



DEPARTMENT OF THE NAVY
NAVAL CONSOLIDATED BRIG MIRAMAR DETACHMENT PEARL HARBOR
2056 WASP BOULEVARD
PEARL HARBOR, HI 96860

IN REPLY REFER TO
1640
Ser 00/003
09 Jan 18

From: Officer in Charge, Naval Consolidated Brig Miramar, Detachment Pearl Harbor
To: Commander, Navy Personnel Command (PERS-00D)
Via: Commander, Naval Consolidated Brig Miramar

Subj: PRISON RAPE ELIMINATION ACT (PREA) ANNUAL REPORT AND SECURITY STAFFING PLAN REVIEW FOR CY17

Ref: (a) 28 CFR 115 (Prison Rape Elimination Act National Standards)
(b) CNPC ltr 1640 Ser 00D/048 of 20 Mar 14 (Guidance Letter)

Encl: (1) NCBMDETPH 2017 Annual Report (BJS Form SSV-4)

1. Annual Reporting. Per references (a) and (b), enclosure (1) is submitted. Naval Consolidated Brig Miramar Detachment Pearl Harbor (NCBMDETPH) reports (enclosure (1)) no cases of sexual abuse or harassment. There are no cases of sexual abuse or harassment under investigation at this time.

2. Security Staffing Plan. The Prison Rape Elimination Act (PREA) requires each confinement facility to develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect prisoners against sexual abuse. In calculating adequate overall staffing as well as security levels and determining the need for video monitoring, the brig reports the following:

a. Generally accepted detention and correctional practices:

(1) The brig successfully passed its first PREA audit in March of 2015 validating generally accepted operational and personnel management and security staffing practices.

(2) The brig successfully achieved re-accreditation by the American Correctional Association in April of 2017, validating generally accepted detention and correctional practices.

(3) The brig received an audit by the agency headquarters during the May of 2016 which reflected adequate staffing levels and practices.

(4) Staffing numbers, mission, and prisoner population has remained static over the past three years.

b. Judicial findings of inadequacy: None.

c. Findings of inadequacy from Federal investigative agencies: None.

d. Findings of inadequacy from internal or external oversight bodies: None.

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e. All components of the facility's physical plant (including blind spots or areas where staff or prisoners may be isolated):

(1) In October of 2017 the brig conducted an internal security assessment of the facility plant for blind-spots, camera coverage, adequacy of physical layout sight lines, and facility communications. A blind-spot map was developed in order to recommend future upgrades and training security staff. Recommendations for physical plant improvements included but were not limited to, additional manpower at times when prisoners are in the galley, new radios, repair intercom, improve public address system, additional cameras, selection criteria for outdoor work assignments, and enhanced staff training.

(2) Requests were made to Naval Consolidated Brig Miramar for installation of additional cameras and the following actions are in progress.

(a) We are continuing procedures requiring an additional staff member being posted in the galley when prisoners are present. Training now includes educating staff to be aware of blinds spots in the execution of duties.

(b) Selection of prisoners to outside working assignments includes awareness of limited supplemental camera support. Additional training was conducted to ensure there is an acceptable level of professionalism by staff when supervising prisoners, including awareness of limited observation zones and acceptable lines of sight.

(c) Upgrades in public address system, intercom, and radios are being upgraded in 2018. Radios are being programmed as of Jan 2018. Intercom and public address systems are scheduled for upgrade in early 2018. Camera upgrades are pending funding. Enhanced staff communication will serve to improve effectiveness and execution of security staffing.

f. The composition of the prisoner population:

(1) The prisoner population is predominately male and physically separated from most contact with female prisoners. The average daily male population for CY 2017 was approximately 14 prisoners. There was only one female prisoner confined during the year for less than a three month period.

(2) There was a total throughput of exactly 100 prisoners during the past calendar year; this comes to one intake every three to four days. The facility has a 90-day post-trial limit. The average length of stay is calculated at 54 days during 2017. On any given day, the prisoner population is roughly split between pre-trial and post-trial, although 80 of the 100 intakes were post-trial, or became post-trial, at some point in the confinement period. The remaining prisoners were either released prior to going to court or received "time-served" at sentencing.

(3) The prisoner population is all military with some history of success within a disciplined environment. All were at least high school graduates with a significant number having some college or undergraduate degrees.

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g. The incidents of sexual harassment: There have been no incidences of sexual harassment between prisoners or by staff. No violent acts have been observed or reported. No allegations of prisoner-on-prisoner sexual abuse has been reported.

h. The overall Brig staffing plan includes a total of 64 staff members to operate a confinement facility with a capacity of 48 prisoners. The brig's average daily total staffing included about 55 correctional staff members in 2017, or about 86% of total staffing goal. Although the brig is staffed at 86%, the prisoner population is consistently running at less than 30% of design capacity. On any given day, the brig has ~55 staff members to operate a correctional mission for ~14 prisoners; this is deemed more than adequate for safe and secure mission accomplishment.

3. Point of contact for further information is Mr. Tom Dooley, PREA Compliance Manager, (808) 472-0020, thomas.p.dooley@navy.mil.

A handwritten signature in blue ink, appearing to read "R. L. Winters". The signature is stylized with a large initial "R" and a long, sweeping underline.

R. L. WINTERS

FORM **SSV-4**
(4-26-2017)**SURVEY OF SEXUAL VICTIMIZATION, 2017**
Other Correctional Facilities
Summary FormU.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
AND ACTING AS COLLECTION AGENT
U.S. DEPT. OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU**DATA SUPPLIED BY**

Name	Mr. Tom Dooley		Title	Assistant Officer in Charge	
OFFICIAL ADDRESS	Number and street or P.O. Box/Route Number 2056 Wasp Boulevard		City Pearl Harbor	State HI	ZIP Code 96707
TELEPHONE	Area code 808	Number 472-0020	FAX NUMBER	Area Code 808	Number 472-6610
E-MAIL ADDRESS	thomas.p.dooley@navy.mil				

(Please correct any error in name, mailing address, and ZIP Code)

What facilities are included in this data collection?

- **PRIVATELY OPERATED FACILITIES:** All privately owned or operated confinement facilities including prisons, jails, detention centers, community-based facilities, and other correctional facilities that are intended for adults but sometimes hold juveniles. INCLUDE privately operated multi-jurisdictional facilities.
- **FACILITIES OPERATED BY OR FOR:**
 - **THE UNITED STATES MILITARY**
 - **THE BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT**
 - **TRIBAL AUTHORITIES**
 - **THE BUREAU OF INDIAN AFFAIRS**

What inmates and incidents are included in this data collection?

Inmates under your custody between January 1, 2017, and December 31, 2017.

- INCLUDE incidents involving inmates under the authority, custody, or care of your confinement or community-based facilities or staff.
- **EXCLUDE inmates held in other jurisdictions.**

Reporting instructions:

- Please complete the entire SSV-4 Form.
- If the answer to a question is "not available" or "unknown," write "DK" (do not know) in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- Section I: when exact numeric answers are not available, provide estimates and mark () the box beside each figure.
- Sections II, III, and IV: if the answer to a question is "none" or "zero," write "0" or mark the box () provided.

Substantiated incidents of sexual violence:

- Please complete an Incident Form (Adult, SSV-IA) for each substantiated incident of sexual victimization.

Returning forms:

- If you need assistance, please call **Greta Clark** at the **U.S. Census Bureau** toll-free at **1-888-369-3613, option 2**, or e-mail **govs.ssv@census.gov**
- **Please return your completed summary and substantiated incident forms by August 1, 2018.**
- **You may complete these forms online (see enclosed instructions). Or if you prefer, you may return these forms by mail or fax.**
- **MAIL TO:** U.S. Census Bureau, P.O. Box 5000, Jeffersonville, IN 47199-5000
- **FAX (TOLL FREE) TO: 1-888-262-3974**

Burden statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 30 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

Section I – GENERAL INFORMATION

Section II – INMATE-ON-INMATE SEXUAL VICTIMIZATION

1. How many persons under the supervision of your facility were—

a. CONFINED on December 31, 2017?

- INCLUDE persons on transfer to treatment facilities but who remain under your jurisdiction.
- INCLUDE persons out to court while under your jurisdiction.
- INCLUDE persons held for other jurisdictions.
- EXCLUDE inmates on AWOL, escape, or long-term transfer to other jurisdictions.
- EXCLUDE all persons in non-residential community-based programs run by your facility (e.g., electronic monitoring, house arrest, community service, day reporting, work programs).

	Male	Female
Inmates on December 31, 2017.	12 <input type="checkbox"/>	0 <input type="checkbox"/>

b. ADMITTED to your facility during 2017?

- INCLUDE new admissions only, i.e., persons officially booked into and housed in your facilities by formal legal document and by the authority of the courts or some other official agency.
- INCLUDE repeat offenders booked on new charges.
- EXCLUDE returns from escape, work release, medical appointments/treatment facilities, and bail or court appearances.

	Male	Female
New admissions during 2017	99 <input type="checkbox"/>	1 <input type="checkbox"/>

2. Between January 1, 2017, and December 31, 2017, what was the average daily population of your confinement facility?

- To calculate the average daily population, add the number of persons for each day during the period January 1, 2017, through December 31, 2017, and divide the result by 365.

	Male	Female
Average daily population	14 <input type="checkbox"/>	.25 <input type="checkbox"/>

DEFINITIONS

The survey utilizes the definition of “sexual abuse” as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into three categories of inmate-on-inmate sexual victimization. These categories are:

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

- Contact between the penis and the vulva or the penis and the anus including penetration, however slight;

OR

- Contact between the mouth and the penis, vulva, or anus;

OR

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

AND

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

- EXCLUDE incidents in which the contact was incidental to a physical altercation.

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 inmate directed toward another.

3. Does your facility record allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS? (See definitions on page 2.)

01 Yes → **a. Do you record all reported occurrences, or only substantiated ones?**

- 01 All
- 02 Substantiated only

b. Do you record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?

- 01 Both attempted and completed
- 02 Completed only

02 No → Please provide the definition used by your facility for inmate-on-inmate NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 4 and 5.

4. Between January 1, 2017, and December 31, 2017, how many allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS were reported?

Number reported None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

5. Of the allegations reported in Item 4, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

a. Substantiated None

- The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C.F.R. §115.72).

b. Unsubstantiated None

- The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

c. Unfounded None

- The investigation determined that the event did NOT occur.

d. Investigation ongoing None

- Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

e. TOTAL (Sum of Items 5a through 5d) None

- The total should equal the number reported in Item 4.

6. Does your facility record allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT? (See definitions on page 2.)

01 Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS?**

- 01 Yes
- 02 No → Skip to Item 9.

02 No → Please provide an explanation in the space below and then skip to Item 9.

7. Between January 1, 2017, and December 31, 2017, how many allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT were reported?

Number reported None

- If an allegation involved multiple victimizations, count only once.
- Exclude any allegations that were reported as consensual.

8. Of the allegations reported in Item 7, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

a. Substantiated None

b. Unsubstantiated None

c. Unfounded None

d. Investigation ongoing None

e. TOTAL (Sum of Items 8a through 8d) None

- The total should equal the number reported in Item 7.

9. Does your facility record allegations of inmate-on-inmate SEXUAL HARASSMENT? (See definitions on page 2.)

01 Yes → **Do you record all reported allegations or only substantiated ones?**

01 All

02 Substantiated only

02 No → Please provide an explanation in the space below and then skip to Section III.

10. Between January 1, 2017, and December 31, 2017, how many allegations of inmate-on-inmate SEXUAL HARASSMENT were reported?

Number reported None

- If an allegation involved multiple victims or inmate perpetrators, count only once.
- Exclude any allegations that were reported as consensual.

11. Of the allegations reported in Item 10, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

a. **Substantiated** None

b. **Unsubstantiated** None

c. **Unfounded** None

d. **Investigation ongoing** None

e. **TOTAL** (Sum of Items 11a through 11d) None

- The total should equal the number reported in Item 10.

Section III - STAFF-ON-INMATE SEXUAL ABUSE

DEFINITIONS

The survey utilizes the definition of “sexual abuse” by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For purposes of SSV, sexual abuse is disaggregated into two categories of staff-on-inmate sexual abuse. These categories are:

STAFF SEXUAL MISCONDUCT

Any behavior or act of a sexual nature directed toward an inmate 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 inmates are included in this definition. Consensual or nonconsensual sexual acts include—

- 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

- Completed, attempted, threatened, or requested sexual acts;

OR

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reason unrelated to official duties or for sexual gratification.

STAFF SEXUAL HARASSMENT

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

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

OR

- Repeated profane or obscene language or gestures.

12. Does your facility record allegations of STAFF SEXUAL MISCONDUCT? (See definitions on page 4.)

01 Yes → **Do you record all reported occurrences, or only substantiated ones?**

01 All

02 Substantiated only

02 No → Please provide an explanation in the space below and then skip to Item 15.

13. Between January 1, 2017, and December 31, 2017, how many allegations of STAFF SEXUAL MISCONDUCT were reported?

Number reported None

- If an allegation involved multiple victimizations, count only once.

14. Of the allegations reported in Item 13, how many were — (Please contact the agency or office responsible for investigation allegations of sexual victimization in order to fully complete this form.)

a. **Substantiated** None

b. **Unsubstantiated** None

c. **Unfounded** None

d. **Investigation ongoing** None

e. **TOTAL** (Sum of Items 14a through 14d) None

- The total should equal the number reported in Item 13.

15. Does your facility record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 4.)

01 Yes → **Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?**

01 Yes

02 No → Skip to Item 18.

02 No → Please provide an explanation in the space below and skip to Item 18.

16. Between January 1, 2017, and December 31, 2017, how many allegations of STAFF SEXUAL HARASSMENT were reported?

Number reported None

- If an allegation involved multiple victims or staff, count only once.

17. Of the allegations reported in Item 16, how many were — (Please contact the agency or office responsible for investigating allegations of sexual victimization in order to fully complete this form.)

a. **Substantiated** None

b. **Unsubstantiated** None

c. **Unfounded** None

d. **Investigation ongoing** None

e. **TOTAL** (Sum of Items 17a through 17d) None

- The total should equal the number reported in Item 16.

Section IV – TOTAL SUBSTANTIATED INCIDENTS OF SEXUAL VICTIMIZATION

NOTES

18. What is the total number of substantiated incidents reported in Items 5a, 8a, 11a, 14a, and 17a?

Total substantiated incidents None

→ Please complete a Substantiated Incident Form (Adult, SSV-IA) for each substantiated incident of sexual victimization.

Clear Fields

Print Form

Save As