

# McHENRY COUNTY SHERIFF'S OFFICE





Robb Tadelman, Sheriff



## INTEROFFICE MEMORANDUM

DATE: January 9, 2023  
TO: Lt. Burke  
FROM: Sgt. Zenk SZ #1747  
SUBJECT: 2022 PREA Annual Report

The attached annual PREA report (Per § 115.88 Data storage, publication, and destruction) is for your review and approval. Please return the report to me for any corrections.

| Name               | Initial Approval  | Date     |
|--------------------|---|----------|
| Lt. Burke          |  #1519 | 1/9/23   |
| Chief Sciamè       |  #324  | 1/9/2023 |
| Undersheriff Bucci |  #2325 | 1/10/23  |
| Sheriff Tadelman   |  #114  | 1/10/23  |



# **McHENRY COUNTY ADULT CORRECTIONAL FACILITY**

**Prison Rape Elimination Act**

**2022 PREA Coordinator's Annual Report**



This report has been prepared in accordance with §115.87 and §115.88 of the PREA Standards to address and improve the effectiveness of the McHenry County Adult Correctional Facility in sexual abuse prevention, detection, and response policies, practices, and training. In subsequent years, the information collected for this report will be used to identify problem areas and to take corrective action on an ongoing basis.

### **Prison Rape Elimination Act (PREA)**

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct in correctional settings such as prisons, jails, lockups, juvenile facilities, and Immigration Services/ICE detention facilities.

The McHenry County Sheriff's Office is committed to enforcing a zero-tolerance policy for sexual abuse or assault of detainees or inmates, either by staff or other detainees or inmates. It shall be the policy of the McHenry County Sheriff's Office Corrections Division to provide a safe and secure environment for all detainees, employees, contractors, and volunteers free from the threat of sexual abuse or assault by maintaining a *Sexual Abuse and Assault Prevention and Intervention Program* that ensures effective procedures for preventing, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse or assault. The Corrections Division shall conduct investigations in a manner that avoids unnecessary embarrassment or indignity to the detainee or inmate. It shall also be the policy of the McHenry County Sheriff's Office to pursue administrative, disciplinary, and/or criminal sanctions against any detainee or inmate, staff member, contractor, or volunteer found to have committed sexual abuse or assault against a detainee or inmate. It shall be the responsibility of the medical staff to provide immediate first-aid to the victim and to refer the detainee or inmate to the appropriate medical facility.

### **General Information**

During 2012, there were 7,440 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 6,301 were male and 1,139 were female. The average daily population was 510 (473 males and 37 females).

During 2013, there were 6,503 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,443 were male and 1,060 were female. The average daily population was 440 (402 males and 38 females).

During 2014, there were 6,615 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,522 were male and 1,093 were female. The average daily population was 416 (376 males and 40 females).

During 2015, there were 6,353 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,359 were male and 994 were female. The average daily population was 385 (350 males and 35 females).

During 2016, there were 6,610 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,515 were male and 1,095 were female. The average daily population was 440 (398 males and 42 females).

During 2017, there were 6,615 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,405 were male and 1,210 were female. The average daily population was 472 (416 males and 56 females). \*\*\*\*Note\*\*\*\* There were two numerical errors made this year that caused the numbers between the reported and actual numbers to be off.

During 2018, there were 6,844 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,603 were male and 1,241 were female. The average daily population was 510 (441 males and 69 females).

During 2019, there were 6,452 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 5,200 were male and 1,252 were female. The average daily population was 503 (436 males and 67 females). We have a new category for 2019: "Non-Reportable." The auditor who completed our last audit informed the Corrections Division that we were reporting too much information, so the non-reportable category was created.

During 2020, there were 3,980 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 3,312 were male and 668 were female. The average daily population was 372 (333 males and 39 females).

During 2021, there were 3407 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 2,764 were male and 643 were female. The average daily population was 338 (301 males and 37 females). In 2021, there were two substantiated staff instances of sexual harassment. 1 was contract staff, and 1 was custody staff. Both staff members are no longer employed at this facility.

During 2022, there were 2974 new admissions into the McHenry County Adult Correctional Facility. Of the new admissions, 2,297 were male and 677 were female. The average daily population was 221 (194 males and 27 females).

## **Findings Definitions**

**Substantiated:** The allegation was investigated, and the investigation indicated that the alleged event did occur.

**Unsubstantiated:** The allegation was investigated, but there is insufficient evidence to determine whether or not an event occurred.

**Unfounded:** Allegations were investigated, and the investigation indicated the alleged event did not occur.

**Non-PREA:** The allegation was investigated, and the investigation revealed that the PREA-alleged event did not take place.

**Ongoing:** The investigation is ongoing.

**Other Facility:** An incident occurred outside of McHenry County.

**Out of Country:** Any allegations or incidents reported by detainees or inmates that occurred in a country other than the USA

**Non-Reportable:** The allegation was investigated, and the investigation indicated that the allegation was fabricated, fictional, or untrue, or an incident that happened in another facility at least six (6) months prior to being reported by the detainee or inmate.

## **Incident Reviews at PREA**

The McHenry County Adult Correctional Facility has implemented a Sexual Abuse Incident Review Group per PREA Standard 115.86. Under this standard, the Corrections Division must conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Such a review will ordinarily occur within thirty (30) days of the conclusion of the investigation. The review team will include upper-level management officials with input from line supervisors, investigators, and medical or mental health practitioners. The Corrections Division will either implement the recommendations for improvement or document its reasons for not doing so.

**Review Criteria:**

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
2. Consider whether the alleged incident was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated by or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the allegation occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and
6. Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1) through (d)(5) of this section and any recommendations for improvement, and submit such a report to the facility head and PREA compliance manager.

**Analysis:** There were two substantiated incidents of inmate-on-inmate sexual harassment in Booking by the same inmate.

**Corrective Action:** The inmate was disciplined, and a covering was placed over their holding cell window.

**Analysis:** There was a substantiated claim of inmate-on-inmate sexual harassment in a housing unit.

**Corrective Action:** The inmate was disciplined.

**Analysis:** Due to a blind spot, there was one substantiated claim of sexual harassment in court.

**Corrective Action:** Staff will monitor inmates at more frequent intervals, and the cell in question will no longer be used unless necessary because of keep separate issues.

**Analysis:** There was one substantiated incident of inmate-on-inmate sexual harassment in the kitchen.

**Corrective Action:** The inmate was disciplined, and his worker status was terminated.

**Analysis:** There was one substantiated incident of staff sexual misconduct against an inmate.

**Corrective Action:** The incident was turned over to Internal Affairs, where it was determined that no criminal activity occurred.

### PREA Activity

A table on the next page indicates the total number of "detainee/inmate against detainee/inmate," "staff against detainee/inmate," and reports that occurred each year.

### PREA Report Findings

A table on the next page indicates the findings of the investigations into "**detainee/inmate against detainee/inmate**" PREA allegations listed in the PREA Report Activity table on the preceding page.

A table on the next page indicates the findings of the investigations into "**staff against detainee/inmate**" PREA allegations listed in the PREA Report Activity table on the preceding page.

| <b>TOTALS</b>                 |  |   |                                 |
|-------------------------------|--|---|---------------------------------|
| <b>January -<br/>December</b> | <b>Detainee/Inmate Against<br/>Detainee/Inmate Reports</b> | <b>Staff Against<br/>Detainee/Inmates Reports</b> | <b>Medical Intake Screening</b> |
| <b>2012</b>                   | 1  | 1   | *****                           |
| <b>2013</b>                   | 3  | 2   | *****                           |
| <b>2014</b>                   | 10   | 5   | *****                           |
| <b>2015</b>                   | 17   | 9   | *****                           |
| <b>2016</b>                   | 21   | 11  | *****                           |
| <b>2017</b>                   | 25   | 2   | 1                               |
| <b>2018</b>                   | 20   | 14  | 0                               |
| <b>2019</b>                   | 17   | 13  | 0                               |
| <b>2020</b>                   | 19   | 3   | 1                               |
| <b>2021</b>                   | 12   | 0   | 3                               |
| <b>2022</b>                   | 15   | 11  | 9                               |

| <b>Detainee/Inmates Against Detainee/Inmate</b> |                      |                        |                  |                 |                |                       |                       |                       |
|---|----------------------|------------------------|------------------|-----------------|----------------|-----------------------|-----------------------|-----------------------|
| <b>January - December</b>                       | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Non-PREA</b> | <b>Ongoing</b> | <b>Other Facility</b> | <b>Out of Country</b> | <b>Non-Reportable</b> |
| 2012  | 0                    | 0                      | 1                | 0               | 0              | *****                 | *****                 | *****                 |
| 2013  | 0                    | 1                      | 0                | 2               | 0              | *****                 | *****                 | *****                 |
| 2014  | 1                    | 0                      | 5                | 4               | 0              | *****                 | *****                 | *****                 |
| 2015  | 4                    | 7                      | 1                | 3               | 2              | *****                 | *****                 | *****                 |
| 2016  | 0                    | 8                      | 3                | 1               | 0              | 8                     | 1                     | *****                 |
| 2017  | 6                    | 4                      | 4                | 6               | 0              | 4                     | 0                     | *****                 |
| 2018  | 0                    | 2                      | 3                | 8               | 2              | 4                     | 1                     | *****                 |
| 2019  | 0                    | 1                      | 2                | 2               | 1              | 2                     | 0                     | 9                     |
| 2020  | 0                    | 3                      | 1                | 2               | 0              | 2                     | 0                     | 7                     |
| 2021  | 1                    | 3                      | 0                | 3               | 0              | 0                     | 0                     | 5                     |
| 2022  | 5                    | 2                      | 1                | 1               | 0              | 2                     | 0                     | 4                     |

| <b>Staff Against Detainee/Inmate</b> |                      |                        |                  |                 |                |                       |                       |                       |
|--------------------------------------|----------------------|------------------------|------------------|-----------------|----------------|-----------------------|-----------------------|-----------------------|
| <b>January - December</b>            | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Non-PREA</b> | <b>Ongoing</b> | <b>Other Facility</b> | <b>Out of Country</b> | <b>Non-Reportable</b> |
| 2012                                 | 0                    | 0                      | 1                | 0               | 0              | *****                 | *****                 | *****                 |
| 2013                                 | 0                    | 0                      | 1                | 1               | 0              | *****                 | *****                 | *****                 |
| 2014                                 | 1                    | 0                      | 3                | 1               | 0              | *****                 | *****                 | *****                 |
| 2015                                 | 2                    | 0                      | 5                | 0               | 2              | *****                 | *****                 | *****                 |
| 2016                                 | 2                    | 1                      | 4                | 0               | 0              | 3                     | *****                 | *****                 |
| 2017                                 | 0                    | 1                      | 0                | 0               | 0              | 1                     | 0                     | *****                 |
| 2018                                 | 0                    | 3                      | 7                | 1               | 0              | 2                     | 1                     | *****                 |
| 2019                                 | 0                    | 0                      | 3                | 0               | 0              | 3                     | 0                     | 7                     |
| 2020                                 | 0                    | 0                      | 1                | 1               | 0              | 3                     | 0                     | 3                     |
| 2021                                 | 2                    | 0                      | 6                | 0               | 0              | 2                     | 1                     | 0                     |
| 2022                                 | 1                    | 2                      | 4                | 1               | 0              | 1                     | 0                     | 2                     |