



# 2023 PREA ANNUAL REPORT

Patrick "Pat" Labat  
Fulton County Sheriff

901 Rice Street NW  
Atlanta, GA 30318  
(404) 612-5100  
[www.fcsoga.org](http://www.fcsoga.org)

## **Introduction**

Fulton County Sheriff's Office (FCSO) mandates **zero-tolerance** towards all forms of sexual abuse and sexual harassment in all its facilities. FCSO has long embraced the principles associated with the Prison Rape Elimination Act of 2003 (PREA), and prior to the passage of PREA, FCSO took active steps to train agency staff to refrain from prohibited contact and inappropriate relationships with offenders while also working toward the prevention and elimination of sexual abuse within Fulton County Jail and its annexes.

It is the policy of FCSO that sexual conduct between employees, volunteers, contractors, or interns and individuals in a FCSO facility; regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions. This prohibition includes conversations or correspondence of a romantic and/or sexual nature. All employees, volunteers, contractors, and interns are expected to have a clear understanding that FCSO strictly prohibits any type of sexual relationship with individuals in an FCSO facility. These relationships will not be tolerated and shall be considered a serious breach of FCSO policies.

In November of 2023, the revised 400-12 PREA policy was issued. The policy enables Fulton County Jail and its annexes to comply with the United States DOJ PREA National Standards for Prisons and Jails. FCSO maintains a zero-tolerance policy towards all forms of sexual abuse and sexual harassment amongst approximately 3,000 inmates housed daily at Fulton County Jail and its annexes. FCSO has implemented a PREA policy to further strengthen the agencies' efforts to prevent all forms of abuse and harassment by implementing key provisions of the United States Department of Justice (DOJ) National Standards published in August 2012 for the prevention, detection, and response to sexual abuse in confinement facilities, in accordance with PREA.

## **Agency Overview**

Fulton County Sheriff's Office (FCSO) is the chief law enforcement agency in Fulton County, Georgia. As one of the largest, most progressive, professional, and well-respected organizations in the State of Georgia, FCSO serves the community with law enforcement and detention services in Fulton County. FCSO is also responsible for administration and operation of the Fulton County Jail, providing security for all Courtrooms and Judges, providing Warrant Service/Civil Process, Special Operations, Investigative Units, and conducts Delinquent Property Tax Sales. In addition, the agency is also charged with the responsibility of transporting mentally ill residents of Fulton County to mental health emergency receiving facilities. All the agency's vast resources are available to any municipality within Fulton County.

Fulton County was established by the Georgia General Assembly in 1853, making it the 144th of 159 counties in the state. Prior to its creation, the area that now comprises Fulton County was part of DeKalb County. In 1932, Fulton County underwent significant changes due to financial difficulties during the Great Depression. The counties of Milton and Campbell were merged into Fulton County, and the City of Roswell was annexed from Cobb County. Today, Fulton County covers an area of approximately 528.7 square miles and stretches for over 70 miles from north to south. The county's name honors Robert Fulton, a renowned inventor who built the Clermont, the first commercially successful steamboat, in 1807.

## **Some facts about FCSO**

1. **Jurisdiction**: FCSO is the primary law enforcement agency for Fulton County, Georgia, which is in the northern part of the state. The county seat is Atlanta, the state capital.
2. **Established**: FCSO was established in 1854, making it one of the oldest sheriff's offices in Georgia.
3. **Law Enforcement Jurisdiction**: FCSO has jurisdiction with over 1,000,000 residents of Fulton County, covering an area of 528.7 square miles.
4. **Operations**: FCSO is organized into several areas of operation, including:
  - a. **Jail Operations**: operate the Fulton County Jail and annexes.
  - b. **Law Enforcement Operations**: execute warrants, serve civil papers, transport, investigate crimes, and apprehend fugitives.
  - c. **Court Services Operations**: provide security and support to Fulton County Courts.
  - d. **Administrative Support Operations**: handle administrative tasks, such as budgeting and personnel management.
5. **Deputies and Staff**: As of December 31, 2023, FCSO had 637 sworn deputies and detention officers and 241 non-sworn (professional staff) members.
6. **Equipment and Vehicles**: The FCSO operates a fleet of over 250 vehicles, including patrol cars, trucks, vans, and motorcycles. They also use various specialized equipment, such as drones, K-9 units, and special operations vehicles.
7. **Community Engagement**: The FCSO has a strong focus on community outreach and engagement. They offer programs such as:
  - a. **Citizen's Academy**: A seven-week program designed to educate community members on law enforcement procedures, offering hands-on learning and insights into the daily operations of the FCSO.
  - b. **Junior Deputy Leadership Academy**: An extension of the Explorers Program, this two-week summer initiative provides youth (ages 11-16) with a unique opportunity to explore careers in law enforcement and gain a deeper understanding of law enforcement operations.
  - c. **FCSO Bike-A-Thon**: An annual event featuring instructional stations on bike safety, helmet fitting, hand signals, and more. The event also includes a bike and helmet giveaway, games, food, and entertainment to encourage safe cycling in the community.
  - d. **Chaplaincy Program**: Focused on providing spiritual support and guidance to officers, inmates, and citizens, the Chaplaincy Program holds quarterly meetings to assess and improve its impact. Annual training, organized by the FCSO Training Staff, ensures chaplains are well-prepared to serve our communities.
  - e. **Internship Program**: Open to high school seniors and college students, this year-round program offers practical experience for those interested in pursuing a career in law enforcement.
8. **Budget**: The FCSO total 2023 general fund was \$142,706,567.
9. **Sheriff**: The Sheriff of Fulton County is Patrick Labat, who has been serving in this position since January 1, 2021.

## **FCSO Jail Locations**

FCSO operates and administers five primary jail facilities:

### **FULTON COUNTY JAIL (Main Jail)**

404-613-2024

901 Rice Street NW

Atlanta, Georgia 30318

### **NORTH ANNEX JAIL**

404-612-3432

2565 Old Milton Parkway

Alpharetta, Georgia 30009

### **SOUTH ANNEX JAIL**

404-613-6637

6500 Watson Street

Union City, Georgia 30291

### **MARIETTA ANNEX**

404-613-2149

781 Marietta Blvd.

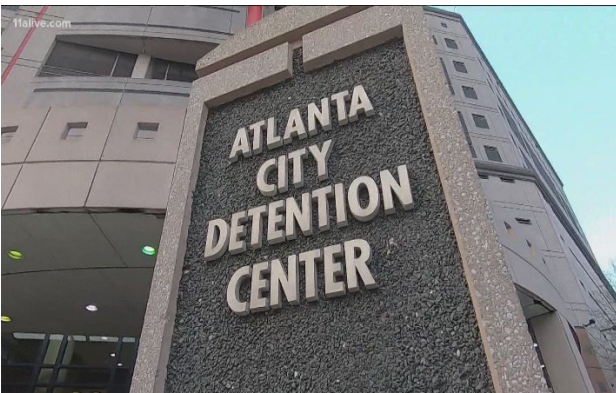
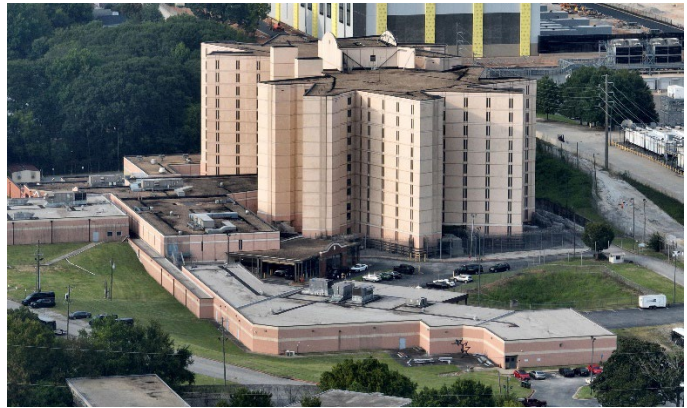
Atlanta, Georgia 30318

### **ATLANTA CITY DETENTION CENTER**

404-865-8001

254 Peachtree Street SW

Atlanta, Georgia 30303





## **SHERIFF PATRICK “PAT” LABAT**

Sheriff Patrick “Pat” Labat was elected as the 28th Sheriff of Fulton County, Georgia in November 2020. Labat has enjoyed a distinguished career with more years of experience in law enforcement, spending nearly a decade as Chief of the City of Atlanta Department of Corrections. Immediately upon taking office as sheriff, Labat changed the mission statement of the agency to one word: "Service," as he is fully committed to the agency serving the citizens of Fulton County helping to ensure it remains the elite place to live, work and play.

During his first year in office, Sheriff Labat worked to expand the presence of the Fulton County Sheriff’s Office throughout the county and prioritized public safety — expanding the K-9 unit, launching the first ever Motors Unit and Crime Suppression FAST Unit which is focused on getting guns used for illegal purposes off the streets, away from our youth and out of the hands of convicted felons, tracking repeat offenders, serving high risk warrants and serving as a force multiplier for law enforcement agencies throughout Fulton County.

Sheriff Labat is a relationship-builder and has worked hard to renew relationships between law enforcement and our community. He continues to partner with local, state, and federal agencies. He routinely challenges those he encounters to "Think Twice. Save a Life.", a campaign designed to remind citizens to take an active role in preventing tragedies by considering the often-irreversible consequences of gun violence.

Sheriff Labat served as President of the Georgia Chapter of the National Organization of Black Law Enforcement Executives (NOBLE), President of the Georgia Jail Association in 2016 and was named Georgia Jail Administrator of the Year. Sheriff Labat was invited to serve as a witness at the Social Problems Hearing for the President’s 2020 Commission for Law Enforcement and Justice and was recently appointed by the Governor to serve on the Georgia Criminal Case Data Exchange Board.

Sheriff Labat began his career in 1988 as a detention officer before working his way up the ranks to Chief and being re-elected Sheriff. As a native Atlantan, and lifelong resident of Fulton County, he is a proud graduate of Fredrick Douglass High School and Clark Atlanta University, and he earned his Masters in Public Administration from Columbus State University.

Labat coached little league baseball with the Cascade Youth Sports Organization and the Sandtown Youth Sports Association and volunteered with the North Atlanta High School PTSA and Basketball Booster Club. He and his wife, Jacki, share four adult children and 2 rescue dogs, and they reside in Midwest Cascade in Southwest Atlanta.

## History of PREA

The Prison Rape Elimination Act (PREA) is a federal law passed in the United States in 2003. The law aims to reduce the incidence of sexual harassment and sexual violence in correctional facilities, including prisons, jails, and juvenile facilities.

The history of PREA began in the late 1990s, when concerns about the high rates of sexual violence in correctional facilities began to gain national attention. A 1999 report by the Bureau of Justice Statistics (BJS) found that one in five inmates had been sexually victimized while incarcerated.

In response to this concern, Congress introduced the Prison Rape Elimination Act (S. 463) in 2001. The bill aimed to address the issue by establishing a national strategy to prevent, detect, and respond to sexual abuse in correctional facilities. After several years of debate and revision, PREA was signed into law by President George W. Bush on September 4, 2003.

The law requires that all correctional facilities receiving federal funds comply with its standards and guidelines. The Prison Rape Elimination Act consists of four main components:

1. *National Prison Rape Elimination Commission*: The commission was established to study and develop recommendations for reducing sexual violence in correctional facilities. The commission's report, released in 2009, provided a comprehensive framework for preventing and responding to sexual abuse.
2. *Standards and Guidelines*: PREA requires that correctional facilities develop policies and procedures to prevent, detect, and respond to sexual abuse. The law sets standards for issues such as staff training, victim support services, and investigation and prosecution of allegations.
3. *Reporting and Data Collection*: Correctional facilities are required to report incidents of sexual abuse to the Bureau of Justice Statistics (BJS) annually. The BJS collects and analyzes this data to track trends and monitor progress towards reducing sexual violence.
4. *Funding*: PREA authorizes funding for research, training, and technical assistance programs aimed at preventing sexual violence in correctional facilities.

Since its enactment, PREA has led to significant changes in the way correctional facilities address sexual violence. Some key outcomes include:

- a. *Improved reporting mechanisms*: Facilities now have established protocols for reporting incidents of sexual abuse, which has increased reporting rates.
- b. *Enhanced training*: Correctional staff receive training on recognizing signs of sexual abuse, responding to allegations, and providing support services to victims.
- c. *Increased accountability*: Facilities are held accountable for implementing PREA standards and guidelines through annual audits and reporting requirements.
- d. *Research and data collection*: Ongoing research and data collection have helped identify best practices for preventing sexual violence and measuring its impact.

While PREA has made progress in reducing sexual violence in correctional facilities, there is still much work to be done. Efforts continue to focus on improving reporting mechanisms, enhancing training and support services, and addressing the root causes of sexual violence in corrections.

## **PREA Grant Award**

According to the U.S. Department of Justice's Bureau of Justice Assistance (BJA), FCSO received a federal Prison Rape Elimination Act (PREA) grant award in 2020.

The grant, titled "Fulton County Sheriff's Office PREA Audit and Training Project," was awarded on April 30, 2020, with a total funding amount of \$143,911. The project aimed to support the implementation of PREA standards in the Fulton County Jail and to improve the prevention, detection, and response to sexual abuse and harassment in the facility.

The grant was designed to help the Fulton County Sheriff's Office conduct a comprehensive audit of their policies, procedures, and practices related to sexual abuse and harassment, as well as provide training for staff on PREA standards and best practices. The project also aimed to enhance the agency's reporting and tracking systems for incidents of sexual abuse and harassment.

The grant was funded through the BJA's PREA Grant Program, which provides funding to state and local governments to support their efforts to implement PREA standards and reduce sexual abuse in correctional facilities.

Overall, the purpose of the PREA grant is to help ensure that FCSO facilities are safe, secure, and respectful environments for all individuals in custody, while also holding individuals accountable for engaging in sexual abuse or failing to prevent or respond to such incidents.

## **FCSO Objectives & Accomplishments for the PREA Program**

FCSO mandates zero tolerance towards all forms of sexual abuse and sexual harassment in all its facilities. It is the policy of FCSO that sexual conduct between employees, volunteers, contractors, or interns and individuals in a FCSO facility; regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanctions.

The FCSO PREA program aims to ensure compliance with national standards and promote a culture of sexual safety throughout FCSO's jails and annexes. FCSO is committed to preventing, detecting, and responding to all cases of sexual abuse and sexual harassment in all its correctional facilities. The PREA program is a federal law that aims to eliminate sexual violence in correctional jails and prisons throughout the United States.

The PREA program's objectives are:

1. To significantly reduce the incidence of sexual abuse in all FCSO confinement facilities.
2. To enhance staff capacity to prevent sexual abuse and respond effectively to incidents in all FCSO confinement facilities.
3. To integrate PREA standards into the daily operations and organizational culture of FCSO confinement facilities, ensuring that they become an integral part of our daily practices.
4. To identify and document innovative and effective strategies for preventing sexual abuse, with the goal of sharing best practices with other correctional institutions across the country.
5. To foster a culture of zero tolerance for sexual abuse in all FCSO confinement facilities, promoting a safe and respectful environment for all individuals in our care.

In order to adhere to the Federal PREA compliance standards, FCSO has made the following accomplishments:

1. *Hired a full-time PREA Coordinator under the PREA grant award:* Under the federal grant award, a PREA Coordinator is responsible for ensuring that the grantee organization (FCSO) complies with the PREA standards. The PREA Coordinator is a critical position that plays a key role in preventing, detecting, and responding to incidents of sexual abuse in all FCSO facilities. The specific responsibilities of a PREA Coordinator under the federal grant award may vary depending on the grant program and the grantee organization, but some common responsibilities include:
  - a. *Developing and implementing a comprehensive PREA plan:* The PREA Coordinator is responsible for developing and implementing a PREA plan that outlines the policies, procedures, and strategies for preventing, detecting, and responding to incidents of sexual abuse in the correctional facility.
  - b. *Conducting annual audits:* The PREA Coordinator is responsible for conducting annual audits to ensure compliance with PREA standards and identifying areas for improvement.
  - c. *Providing training:* The PREA Coordinator provides training to staff on PREA policies and procedures, as well as on the detection and reporting of sexual abuse.
  - d. *Investigating incidents:* The PREA Coordinator investigates incidents of sexual abuse and ensures that they are properly documented and reported.
  - e. *Reporting incidents:* The PREA Coordinator is responsible for reporting incidents of sexual abuse to the appropriate authorities, such as local law enforcement or the FBI.
  - f. *Maintaining records:* The PREA Coordinator maintains accurate and complete records of incidents, investigations, and reports related to sexual abuse.
  - g. *Collaborating with other agencies:* The PREA Coordinator works with other agencies, such as law enforcement, social services, and mental health providers, to provide support to victims of sexual abuse and to prevent future incidents.
  - h. *Ensuring compliance with grant requirements:* The PREA Coordinator ensures that the grantee organization complies with all requirements related to the grant award, including those related to PREA.
  - i. *Monitoring progress:* The PREA Coordinator monitors progress towards meeting the goals and objectives of the PREA plan and makes recommendations for improvement.
  - j. *Providing support to victims:* The PREA Coordinator provides support to victims of sexual abuse, including providing information about available resources and services.
2. *Created PREA posters and brochures:* Created PREA posters and brochures for the inmate population and general public. PREA posters are visible throughout all common areas and in all housing units of FCSO correctional facilities.
3. *Conducts comprehensive assessments:* Conducts thorough assessments of FCSO policies, procedures, and practices to identify areas of risk and vulnerability.
4. *Developed PREA-compliant policies:* Created written policies that outlines FCSO's commitment to preventing, detecting, and responding to sexual abuse and sexual harassment. These policies are available online through FCSO website.
5. *Provides training information in all aspects of PREA:* Provides training information for staff, contractors, volunteers, interns and inmates on PREA requirements, recognizing signs of sexual abuse, responding to allegations, and reporting requirements.
6. *Established an internal & external reporting system:* Created a confidential reporting system for inmates and staff to report incidents of sexual abuse and sexual harassment.
7. *Conducts regular monitoring and auditing:* Regularly monitors and audits the facility's compliance with PREA standards and identifying areas for improvement.
8. *Implemented measures to prevent sexual abuse:* Implemented measures such as:



- a. Eliminated Alternative Lifestyles housing unit to reduce the risk of victimization.
  - b. Performs PREA Risk Assessments of every inmate upon intake to identify risk of victimization or abusiveness so that they are housed accordingly.
  - c. Conducts unannounced PREA rounds.
9. *Enhanced the PREA investigations process*: Improved the process for investigating allegations of sexual abuse and sexual harassment, including:
- a. Ensured that all identified investigators received the Specialized PREA Investigations training on sexual assault investigation techniques.
  - b. Ensures that all PREA investigations are thorough and timely.
10. *Provides information on support services for victims of sexual abuse and sexual harassment*: Support services for victims of sexual abuse includes:
- a. Access to mental health counseling services.
  - b. Access to medical care.
  - c. Access to Grady Rape Crisis Center
11. *Collaborated with an outside rape crisis agency*: Collaborated with Grady Rape Crisis Center and established a Memorandum of Understanding (MOU) to improve response to sexual abuse allegations by providing Sexual Assault Nurse Examiners (SANE) or Sexual Assault Forensic Examiner (SAFE) for victim examinations and advocacy services for inmates requesting services.
12. *Monitor and evaluate the effectiveness of the PREA program*: Continuously monitor and evaluate the effectiveness of the PREA program by maintaining a tracking log of all PREA incidents, monitoring the housing locations of all identified potential victims and abusers, and assessing staff knowledge and attitudes.

In addition, all FCSO facilities are enhanced with adequate and efficient cameras to decrease vulnerable areas, and modifications were made to the shower facilities to mitigate incidents of sexual abuse, while still allowing a degree of privacy.

## **Definitions Related to Sexual Abuse and Sexual Harassment (§115.6)**

**Sexual Abuse**: Unlawful sexual relations with a person of the same or opposite sex, done forcibly and/or against the person's will or done with a person incapable of consenting as a result of being drugged, drunk, unconscious, mentally abnormal, physically helpless, or legally incapable of giving consent.

**Sexual abuse** (as defined in PREA Standard §115.6) **includes**:

1. Sexual abuse of an inmate by another inmate; and
2. Sexual abuse of an inmate by a staff member, contractor, volunteer, or intern.

**Sexual abuse of an inmate by another inmate includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse**:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight,
2. Contact between the mouth and the penis, vulva, or anus,
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

**Sexual abuse of an inmate by a staff member, contractor, volunteer, or intern includes any of the following acts, with or without consent of the inmate**:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight,
2. Contact between the mouth and the penis, vulva, or anus,
3. Contact between the mouth and any body part where the staff member, contractor, volunteer, or intern has the intent to abuse, arouse, or gratify sexual desire,
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, volunteer, or intern has the intent to abuse, arouse, or gratify sexual desire,
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, volunteer, or intern has the intent to abuse, arouse, or gratify sexual desire,
6. Any attempt, threat, or request by a staff member, contractor, volunteer, or intern to engage in the activities described in paragraphs (1)-(5) of this section,
7. Any display by a staff member, contractor, volunteer, or intern of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, and
8. Voyeurism by a staff member, contractor, volunteer, or intern.

**NOTE: Sexual acts or contact between inmates and a staff member, contractor, volunteer, or intern, even when no objections are raised by either party, are always forbidden and illegal. Accordingly, except in cases where the staff member, contractor, volunteer, or intern is clearly the victim of sexually abusive behavior by an inmate, sexual behavior between a staff member, contractor, volunteer, or intern is always the staff member, contractor, volunteer, or intern responsibility.**

**Sexual Harassment:** Includes any non-contact behavior or act that subjects another person to verbal or written statements or gestures of sexual or romantic nature; creating or encouraging an atmosphere of intimidations, hostility, or offensiveness as perceived by the individual who observes the sexually offensive behavior or act including but not limited to the following:

1. Any repeated and/or unwelcome sexual advances, requests for sexual favors, obscene or profane language or verbal comments or actions of a derogatory or offensive sexual nature, including demeaning reference to gender, inappropriate, sexually suggestive, or derogatory comments about body or clothing, or obscene language or sexually harassing gestures, or written statements of a sexual or romantic nature.
2. Indecent exposure or any intentional or unwanted displays of anus, genitals, breasts, or other body parts to sexually harass another person or masturbation in the presence or direct vision of another person.
3. Taking or soliciting photographs or images of a person's nude breast's, genitals, buttocks, or naked body while performing bodily functions.
4. Any repeated unwelcome sexual advances, requests for sexual favors, unequal treatment, or other unwelcome verbal and physical conduct based on sex when:
  - a. Submission to such conduct is made either explicit or implicit as a term or condition of an individual's employment; or,
  - b. Submission to or rejections of such conduct is used as the basis for employment decisions about a person; or,
  - c. Such conduct has the purpose or effect of substantially and unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive or educational environment.

**NOTE: “Repeated” in the context of this provision means more than one incident. The seriousness of the conduct shall be taken into account in determining the appropriate commensurate response by the facility and serious misconduct along these lines, even if committed once, shall be addressed.**

## **How to Report a PREA Incident**

FCISO offers multiple ways for inmates to report sexual abuse and sexual harassment. Reports can also be made anonymously.

- Call the Internal PREA Hotline (404) 613-2251.
- Report to any staff, volunteer, contractor, intern, medical or mental health staff.
- Submit a grievance or a sick call slip.
- Report to the PREA coordinator or PREA compliance manager.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling the Internal PREA Hotline (404) 613-2251.
- Advocacy Services are provided by Grady Rape Crisis Center (404) 616-4861
- Inmates can also submit a report on someone’s behalf, or someone at the facility can report for them using the ways listed above.

## **PREA Definitions**

**Unfounded allegation:** an allegation that was investigated and determined not to have occurred.

**Substantiated allegation:** an allegation that was investigated and determined to have occurred.

**Unsubstantiated allegation:** an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether the event occurred.

**Notification Only:** a situation where an alleged sexual victim or perpetrator is notified of the allegations and the investigation, but no further action is taken. In a Notification Only response, the facility or institution is not required to investigate the allegations further or take any corrective action. The purpose of a Notification Only response is to ensure that both parties are aware of the allegations and can take any necessary steps to prevent future incidents.

**Inmate-On-Inmate Sexual Abuse (IISA):** refers to any sexual contact or behavior by an inmate towards another inmate without their consent, or in a manner that is non-consensual, coercive, or exploitative. This can include, but is not limited to, unwanted touching, fondling, oral sex, anal sex, or any other form of non-consensual sexual activity.

**Inmate-On-Inmate Sexual Harassment (IISH):** refers to any verbal or non-verbal conduct of a sexual nature that is directed at an inmate and is unwelcome, offensive, and creates an intimidating, hostile, or offensive work environment. This can include, but is not limited to, suggestive comments, lewd gestures, or other forms of unwanted attention.

**Staff-On-Inmate Sexual Abuse (SISA):** refers to any sexual contact or behavior by a corrections officer or other staff member towards an inmate without their consent, or in a manner that is non-consensual, coercive, or exploitative. This can include, but is not limited to, unwanted touching, fondling, oral sex, anal sex, or any other form of non-consensual sexual activity.

**Staff-On-Inmate Sexual Harassment (SISH):** refers to any verbal or non-verbal conduct of a sexual nature that is directed at an inmate by a corrections officer or other staff member and is unwelcome, offensive, and creates an intimidating, hostile, or offensive work environment. This can include, but is not limited to, suggestive comments, lewd gestures, or other forms of unwanted attention.

**Willing Sexual Activity (WSA):** refers to consensual and voluntary sexual activity between two adult inmates who have freely given their consent. This definition does not include situations where one or both parties may be coerced or forced into engaging in sexual activity against their will.

**Staff Voyeurism (SV):** refers to the act of a corrections officer or other staff member secretly observing an inmate engaging in a private or intimate act without their consent. This can include watching inmates undress or engage in personal hygiene activities without their knowledge or consent.

## **Ongoing Efforts**

The FCSO is dedicated to creating a safe and respectful environment for all inmates, where they are protected from harm and abuse. We are committed to eradicating sexual abuse and sexual harassment in all FCSO facilities, and we will not tolerate any form of such behavior. To achieve this goal, we will continue to pursue grant opportunities to enhance our surveillance technology, provide comprehensive training for our staff, and implement initiatives that promote a culture of respect and **zero tolerance** for sexual abuse and harassment. Our commitment to a safe and respectful environment is unwavering, and we are dedicated to ensuring that all inmates feel valued, respected, and protected during their incarceration.

In addition, a dedicated PREA Compliance Manager (PCM) will also be assigned to each facility and be responsible for ensuring compliance with PREA standards. This PCM will be responsible for monitoring and enforcing PREA policies and procedures, conducting regular audits and assessments, and implementing corrective actions as needed. The PCM will also provide training and education to staff on PREA requirements and promote a culture of zero tolerance for sexual harassment and sexual abuse within the facilities.

## **Investigations**

In all instances of alleged PREA violations that may constitute a criminal act, FCSO provides timely notification and works closely with Fulton County District Attorney Office. Training is conducted in accordance with PREA Standard §115.34. Following an investigation, each PREA incident will be determined to have been either Substantiated, Unsubstantiated, or Unfounded.

All substantiated allegations of sexual abuse or sexual harassment result in appropriate disciplinary actions taken against the Employee, Contractor, Volunteer, Intern, or Inmate. Termination shall be the presumptive disciplinary action sanction for staff who have engaged in sexual abuse and FCSO encourages criminal prosecution for all substantiated cases.

## **Investigator Training**

FCSO held Specialized Investigator Training for all PREA facility investigators. This session included several hours of training related to sexual abuse, interviewing, and evidence gathering.

## **PREA Training**

On November 29-30, 2023, a virtual training was hosted by the Bureau of Justice Assistance (BJA) PREA Management Office, with support from the National PREA Resource Center and the National Training and Technical Assistance Center. The training was the PREA 20th Anniversary Convening: Honoring our Accomplishments, Defining our Future.

## **Camera Installation and Upgrades**

As part of continuing efforts to enhance inmate safety and prevent sexual abuse, FCSO maintains a camera upgrade program in Fulton County Jail and its annexes.

## **2023 PREA Annual Report (§115.87) (§115.88)**

The purpose Standards §115.87 and §115.88 is to ensure that FCSO collect uniform data on how many allegations of sexual abuse and sexual harassment are made at Fulton County Jail and its annexes, the type of sexual abuse and sexual harassment alleged, and how the allegations were resolved. Collecting this data and comparing the data annually can reveal trends and/or changes in sexual safety. The standards envision sharing of the data annually with the Department of Justice to increase the knowledge of the prevalence of sexual abuse and sexual harassment in correctional facilities. Additionally, increasing the

available data and information on the incidence of sexual abuse and sexual harassment consequently improves the agency and facility management.

This report is compiled in accordance with DOJ PREA Standards §115.87 and §115.287 to provide direction for the collection of data. DOJ PREA Standards §115.88 and §115.288 outline the responsibility for the review and assessment of collected data to improve the effectiveness of policies, practices and training for sexual abuse prevention, detection, and response. This report provides a review of the incident-based and aggregated data for the 2023 calendar year. In addition, this report provides corrective action developed to eliminate sexual abuse and sexual harassment within Fulton County Jail and its annexes.

The annual report provides public notification of statistical data related to the PREA outcries, investigation statistics, and documentation of the specific actions taken by our staff to assist inmates in our custody. FCSO trains staff to respond to, investigate, and support the prosecution of sexual abuse according to our correctional procedures. Through continual education of staff and inmates, FCSO has increased awareness of safe reporting and provided services to victims, thereby creating a facility culture that discourages sexual abuse.

Through housing and classification assignments, FCSO identifies opportunities to separate and monitor sexual predatory inmates and vulnerable inmates to reduce the incidences of sexual abuse. FCSO policies stress the agency's zero-tolerance policy and provides guidelines to address prohibited and/or illegal sexually abusive behavior involving inmate perpetrator against staff victims, inmate perpetrator against inmate victims and staff perpetrator against inmate victims. The safety, security, and protection of FCSO inmates is top priority, and all employees, contractors, volunteers, and interns are trained to detect incidents, perpetrators, and inmate victims of sexually abusive behavior and how to seek assistance. FCSO educates employees, contractors, volunteers, and interns on how to intervene properly and in a timely manner by documenting, reporting, and investigating all reported incidents. The specialized investigators training teaches our staff how to collect evidence to assist in prosecuting perpetrators.

FCSO recognizes that addressing inappropriate sexual behavior furthers the objectives of PREA by increasing the overall safety and security of all facilities and maintains a partnership with local law enforcement and victim services within Fulton County to formally prosecute cases. Through continual education of staff and inmates, FCSO has increased awareness of safe reporting and provided services to victims, thereby creating a facility culture that discourages sexual abuse. All outcries of sexual assault generate a report of the case, even if the incident occurred prior to arrest or while in custody at the Fulton County Jail and its annexes.

The Office of Professional Standards (OPS) collaborates with the agency PREA Coordinator, Medical Staff, Jail Commanders, and community resources to monitor the abuse outcries to ensure the staff properly responds and provides the inmate the same resources that would be available to any Fulton County citizen. The annual review of reported incidents provides specific comparison data to track issues or concerns while ensuring that employees, contractors, volunteers, and interns follow specific policies and procedures. OPS performs a review of all PREA case files to ensure that FCSO staff followed proper procedures. In 2023, FCSO focused on creating multiple means of reporting abuse by giving the inmates access to reporting the incident directly to the PREA compliance manager, sworn and non-sworn staff members, contractors, volunteers, and interns. Inmates also have access to submit an emergency grievance in the inmate kiosk located in each housing pod. These methods allow the inmates to report incidents in a private manner which may not be overheard by other inmates.

## PREA Incidents Analysis & Data Review

In 2023, forty-eight (48) PREA allegations were received by FCSO. Due to the launch of the PREA program in August 2023, there may be additional PREA allegations that were not captured in the data, which could impact the accuracy of the 12-month record.

The breakdown of each complaint classification is as follows:

- Twenty-three (23) reported **Inmate-On-Inmate Sexual Abuse (IISA)** allegations
- Ten (10) reported **Inmate-On-Inmate Sexual Harassment (IISH)** allegations
- Six (6) reported **Staff-On-Inmate Sexual Abuse (SISA)** allegations
- Eight (8) reported **Staff-On-Inmate Sexual Harassment (SISH)** allegations
- One (1) reported **Willing Sexual Activity (WSA)** allegation
- Zero (0) reported **Staff Voyeurism (SV)** allegations

Each PREA allegation is designated a final outcome disposition once the case has closed. The outcome dispositions of each case for 2023 are as follows:

- Twenty-five (25) cases were determined **Unfounded**
- One (1) case was determined **Substantiated**
- Twenty (20) cases were determined **Unsubstantiated**
- Two (2) cases were **Notification Only**, and no outcome disposition information has been received from the facilities that were notified. The Notification Only process is covered by the PREA Standards under *Reporting to Other Confinement Facilities (§115.63)*, which states the following:
  1. If an inmate at Fulton County Jail and its annexes alleges sexual abuse during confinement at another facility, the Chief Jailer or designee shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred.
  2. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation, and documentation shall be retained and maintained by the PREA Compliance Manager.
  3. Upon receipt of notification of alleged abuse from another facility that occurred at Fulton County Jail and its annexes, the jail investigation unit (JIU) shall investigate the allegations in accordance with the National Standards to Prevent, Detect, and Respond to Prison Rape; Final Rule, dated, June 2012. **Note: Staff members shall refrain from talking openly about such issues. Staff members are required to immediately address inappropriate comments such as taunting or teasing. Breaches of confidentiality may result in corrective or disciplinary action up to and including dismissal.**

A Notification Only response may be used in situations where:

- a. The allegations are deemed to be unsubstantiated or unfounded.
- b. The alleged victim or perpetrator does not wish to pursue the matter further.
- c. The incident occurred more than 72 hours ago, and the facility has already taken reasonable steps to ensure the victim's safety.

However, it's important to note that a Notification Only response does not necessarily mean that the allegations are false or unfounded. It simply means that the facility has determined that further investigation or action is not necessary at that time.

Under PREA, facilities are required to maintain records of all notifications, including the date and time of notification, the names of those notified, and any actions taken as a result of the notification.



## **Summary**

A review of the PREA case investigative files reveals that inmates who reported allegations of sexual abuse and sexual harassment were immediately separated for their own safety and protection, and if applicable, staff attempted to preserve evidence. All inmate victims were taken to the medical infirmary for evaluation and treatment. If applicable, these inmates were transported to Grady Memorial Hospital for additional treatment and a rape kit at no cost to the inmate. Grady Memorial Hospital employs certified forensic nursing staff to properly obtain evidence, provide emotional support services, and address the needs of the victims. FCSO is in a contracted agreement with Grady Memorial Hospital to assist in the processing of the rape kits, address medical concerns, and provide additional resources for our inmates.

## **Conclusion**

FCSO continues to employ a zero-tolerance policy for all forms of sexual abuse and sexual harassment and strives to maintain a culture of secure reporting for all employees, contractors, volunteers, interns, and inmates. While not all investigations fall within PREA standard definitions of sexual abuse or sexual harassment, all complaints are taken seriously and investigated thoroughly. FCSO continues to make every effort to reduce and eliminate instances of sexual abuse and sexual harassment within Fulton County Jail and its annexes.

FCSO appreciates the collaboration of efforts from our community partners, fellow law enforcement agencies, and our contracted medical and mental health vendors. We will continue to work together to increase safety for the most vulnerable inmates in our facility while strengthening the foundation of safety for all inmates.