



2025

Annual PREA Report

115.88

By: Lt. Stephen Carmichael

PREA Investigator

Introduction

The Prison Rape Elimination Act (PREA) was signed into federal law in September 2003 following unanimous support from both parties in the United States Congress. The purpose of the law was to "provide information, resources, recommendations, and funding to protect inmates from prison rape." PREA seeks to establish a zero-tolerance policy regarding rape, sexual abusive behavior and sexual harassment in federal, state and correctional systems – to include: prisons, jails, police lock-ups and other confinement facilities for adults and juveniles. PREA also mandated the publication of standards to ensure compliance and to improve prevention, detection, and response strategies in addressing rape sexual abusive behavior and sexual harassment.

In August 2012, the United States Department of Justice (DOJ) issued the final PREA standards for: Prison and Jails, Lock-ups, Community Confinement Facilities and Juvenile Facilities. These standards required DOJ audits of all facilities under the agency's operational control of Maine COD executive branch, to include private facilities operating on behalf of the executive branch to house inmates. Failure to comply with the aforementioned standards would result in a loss of 5 percent of identified federal grant funding.

In 2012 The Two Bridges Regional Jail began to research and began to develop Policy to bring the facility into compliance with the PREA Jail Standards. TBRJ began to track PREA related cases through the facility data base.

In 2015 TBRJ approved and implemented a sound Policy on PREA and began to implement and assign a PREA Coordinator, PREA Monitor, and PREA Investigator. The PREA Policy was written in compliance with the PREA Standards for prisons and jails. TBRJ took a proactive approach to beginning a mission for full PREA compliance.

In October of 2018 TBRJ established with the approval of the Lincoln and Sagadahoc Multi County Jail Authority a mission to undertake a PREA Audit. TBRJ reached out to Jack Fitzgerald of Fitzgerald Correctional Consulting LLC to develop a professional bid for the audit to take place. To the delight of TBRJ we were compliant with all PREA standards.

In October of 2021 TBRJ undertook a 2nd PREA Audit and passed the inspection.

In October of 2024 TBRJ undertook its 3rd PPREA Audit and passed the inspection. In addition to this audit TBRJ was also audited by ICE using the National Detention Standards 2019 editions.

Purpose

The DOJ PREA standards require our agency to collect a defined set of data for every allegation of sexual abuse and sexual harassment. These standards further require TBRJ to aggregate and review that data in order to assess and improve our effectiveness as an agency at preventing, detecting and responding to PREA allegations. Standards related to the collection of data include: § 115.87 Data Collection, § 115.88 Data Review for Corrective Action and § 115.89 Data Storage, Publication, and Destruction. For reference purposes, they are included within this report.

§ 115.87 Data Collection

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- (d) The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.
- (e) The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.
- (f) Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

§ 115.88 Data Review for Corrective Action

- (a) The agency shall review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by:
 - (1) Identifying problem areas;
 - (2) Taking corrective action on an ongoing basis; and
 - (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.

- (b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.
- (c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.
- (d) The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.

§ 115.89 Data Storage, Publication, And Destruction

- (a) The agency shall ensure that data collected pursuant to § 115.87 are securely retained.
- (b) The agency shall make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means.
- (c) Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.
- (d) The agency shall maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

PREA Data Collection Capabilities

Through use of our agency's OMS data base, a PREA database is designed to collect and record a uniformed set of data (and definitions) for each allegation investigated. PREA standard § 115.87 requires collecting, at a minimum, the data necessary to answer questions contained in annual "Survey of Sexual Violence" reports conducted by the DOJ. TBRJ's PREA database was, in part, designed to provide the agency with that capability. OMS Program tracks all PREA Incidents and reports can be made from the OMS to satisfy all the data collection.

Definitions

Evidentiary Standard: The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

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

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

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

Notifications to Other Agencies 115.63: Any disclosure of PREA related cases that were committed in another facility will be reported to the facility of occurrence within 72hrs. One for 2025

Data: The SSV Report shows the data collected from 2025 absent any allegations investigated and were determined not to constitute a PREA violation by definitions as outline in the Prisons and Jail Standards, 115.6.

2025

Attached is the SSV Annual Data Report for TBRJ

Comparison of 2024 to 2025

TBRJ had a total of 4 reported PREA incidents all from inmates reporting allegations all were inmates making complaints on staff for perceived sexual harassment. All were unfounded and all were found to be in retaliation of inmates having received disciplinary action by the staff they made accusation on.

Identified Problem Areas and Corrective Action

- 1) We found no notable increases in rates of PREA prevalence or incidents this year.

Resolved Problem Areas An upgrade to the facility camera systems is in the budget for 2026. Also noted that AXON Body Cameras are now in use by Supervisors

Summary of Findings

No changes seen or suggested to be made from previous review in 2024 to this year in 2025.

TBRJ PREA program has been very successful in maintaining a great culture for inmates to thrive.

Respectfully Submitted by: Lt. Stephen W. Carmichael

Dated: 1-06-26

PREA Review Panel

Major William Frith

Col. James Bailey

Sgt. Steven Schutt