

# Prison Rape Elimination Act Maine Department of Corrections

2021 Annual Report



Conner McFarland, PREA Coordinator  
Operations Division  
Maine Department of Corrections  
25 Tyson Drive  
State House Station 111  
Augusta, Maine 04333-0111  
(207) 458-1076

## I. Purpose

The Prison Rape Elimination Act (PREA) requires that each facility collect and review data "in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training" per Standard 115.88/115.388. The standard requires that each agency identify problem areas and take corrective action to address those concerns. This report is intended to be publicly available through the Maine Department of Corrections website.

This report will examine aggregate allegation data from the Maine Department of Correction's adult and juvenile facilities both individually and collectively. This report will also review reporting channels, partnerships with community agencies, goals for the next audit cycle, and outline ongoing efforts to eliminate sexual violence in Maine prisons.

## II. Background

The Prison Rape Elimination Act (PREA) was passed in 2003 with unanimous support from both parties in Congress. The purpose of the act was to "provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape." (Prison Rape Elimination Act, 2003).

In addition to creating a mandate for significant research from the Bureau of Justice Statistics and through the National Institute of Justice, funding through the Bureau of Justice Assistance and the National Institute of Corrections supported major efforts in many state correctional, juvenile detention, community corrections, and jail systems. The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009 and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective on August 20, 2012.

The PREA Standards and the Final Rule can be viewed on the PREA Resource Center's website [here](#).

### III. Maine Department of Corrections Facilities and Audit Schedule

| <b>Facility</b>                     | <b>Date of Last Audit</b> | <b>Result of Last Audit</b>        | <b>Date of Next Audit</b> | <b>Report</b>                      |
|-------------------------------------|---------------------------|------------------------------------|---------------------------|------------------------------------|
| Maine State Prison                  | June 2019                 | Pass – Corrective Action Taken     | July 2022                 | <a href="#">MSP Final Report</a>   |
| Bolduc Correctional Facility        | June 2019                 | Pass – No Corrective Action Needed | July 2022                 | <a href="#">BCF Final Report</a>   |
| Mountain View Correctional Facility | May 2021                  | Pass – No Corrective Action Needed | 2024                      | <a href="#">MVCF Final Report</a>  |
| Maine Correctional Center           | July 2020                 | Pass – No Corrective Action Needed | 2023                      | <a href="#">MCC Final Report</a>   |
| Long Creek Youth Development Center | July 2020                 | Pass – No Corrective Action Needed | 2023                      | <a href="#">LCYDC Final Report</a> |

### IV. Governor's Certification

The Prison Rape Elimination act requires every Governor to certify that all facilities in the State under the operational control of the State's executive branch, including facilities operated by private entities on behalf of the State's executive branch are in compliance or working towards compliance with the PREA Standards.

Governor Janet T. Mills signed the certification for Audit Year 2 of Cycle 3 in November 2021.

## V. Facility Data

### Definitions

The Bureau of Justice provides definitions for the types of PREA allegations made as well as the outcomes of the investigation. The definitions are provided below.

#### **Outcomes of investigations**

***Substantiated allegation*** means the event was investigated and determined to have occurred, based on a preponderance of the evidence.

***Unfounded allegation*** means the investigation determined that the event did not occur.

***Unsubstantiated allegation*** means the investigation concluded that evidence was insufficient to determine whether or not the event occurred.

#### **Sexual victimization as reported by adult correctional authorities**

***Resident-on-resident or youth-on-youth sexual victimization*** involves non-consensual sexual acts or abusive contact with a victim without his or her consent or with a victim who cannot consent or refuse.

***Non-consensual sexual acts*** are the most serious victimizations and include—

- contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- contact between the mouth and the penis, vulva, or anus
- penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

***Abusive sexual contact*** is less serious and includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person. Incidents in which the contact was incidental to a physical altercation are excluded.

***Sexual harassment*** by another resident involves repeated and/or serious patterns of behavior which includes—

- repeated and unwelcome sexual advances
- requests for sexual favors
- verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

***Staff-on-resident or staff-on-youth sexual victimization*** includes any acts perpetrated on an resident by staff. Staff includes an employee, volunteer, contractor, official visitor, or other agency representative. Family, friends, and other visitors are excluded.

**Staff sexual misconduct** includes any consensual or non-consensual behavior or act of a sexual nature directed toward an resident by staff, including romantic relationships. Such 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
- completed, attempted, threatened, or requested sexual acts
- occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

**Staff sexual harassment** includes repeated verbal comments or gestures of a sexual nature to an resident by staff. Such statements include—

- demeaning references to an resident's sex or derogatory comments about his or her body or clothing
- repeated profane or obscene language or gestures.

**Staff:** Department employee or a person in a facility providing services to an adult resident by agreement with or under contract with the Department (e.g., facility health care staff), but not including a volunteer, student intern, delivery person, etc.

Allegations are categorized under the year in which the allegation was reported, not necessarily when the incident occurred.

## Maine State Prison

### Facility Information

Warden: Matthew Magnusson

PREA Compliance Manager: Vacant

PREA Monitor: Nicole Elliot

Population Capacity: 1118

Current Population: 667

Custody level of Prisoners: Close, Medium, and Special Management

### 2021 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 1                | 1            |
| <b>Abusive Sexual Contact</b>  | 1                    | 2                      | 0                | 3            |
| <b>Sexual Harassment</b>       | 0                    | 0                      | 0                | 0            |
| <b>Staff Sexual Misconduct</b> | 0                    | 2                      | 0                | 2            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 0                | 0            |
| <b>Total</b>                   | 1                    | 4                      | 1                | 6            |

### 2020 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 3                | 3            |
| <b>Abusive Sexual Contact</b>  | 0                    | 0                      | 2                | 2            |
| <b>Sexual Harassment</b>       | 1                    | 0                      | 0                | 1            |
| <b>Staff Sexual Misconduct</b> | 0                    | 1                      | 3                | 4            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 0                | 0            |
| <b>Total</b>                   | 1                    | 1                      | 8                | 10           |

### 2019 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 1                    | 0                      | 3                | 4            |
| <b>Abusive Sexual Contact</b>  | 0                    | 2                      | 3                | 5            |
| <b>Sexual Harassment</b>       | 1                    | 3                      | 1                | 5            |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 2                | 2            |
| <b>Staff Sexual Harassment</b> | 0                    | 3                      | 6                | 9            |
| <b>Total</b>                   | 2                    | 8                      | 15               | 25           |

## Bolduc Correctional Facility

Director: Russel Worcester

PREA Compliance Manager: Shane Blake, Assistant Director

PREA Monitor: Jennifer Jenkins

Population Capacity: 225

Current Population: 165

Custody level of Prisoners: Minimum/Community (Less than 3 years remaining on sentence)

### 2021 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 0         | 0     |
| <b>Abusive Sexual Contact</b>  | 0             | 0               | 0         | 0     |
| <b>Sexual Harassment</b>       | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Misconduct</b> | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Harassment</b> | 0             | 0               | 0         | 0     |
| <b>Total</b>                   | 0             | 0               | 0         | 0     |

### 2020 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 0         | 0     |
| <b>Abusive Sexual Contact</b>  | 0             | 0               | 0         | 0     |
| <b>Sexual Harassment</b>       | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Misconduct</b> | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Harassment</b> | 0             | 0               | 0         | 0     |
| <b>Total</b>                   | 0             | 0               | 0         | 0     |

### 2019 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 0         | 0     |
| <b>Abusive Sexual Contact</b>  | 0             | 0               | 0         | 0     |
| <b>Sexual Harassment</b>       | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Misconduct</b> | 0             | 1               | 0         | 1     |
| <b>Staff Sexual Harassment</b> | 0             | 0               | 0         | 0     |
| <b>Total</b>                   | 0             | 1               | 0         | 1     |

## Mountain View Correctional Facility

Warden: Jeff Morin

PREA Compliance Manager: Chad Cooper, Director of Security

PREA Monitor: Cheryl Preble

Population Capacity: 448 Male Adult Beds

Current Population: 304

Custody level of Prisoners: Medium/Minimum Security

### 2021 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 0         | 0     |
| <b>Abusive Sexual Contact</b>  | 0             | 0               | 0         | 0     |
| <b>Sexual Harassment</b>       | 0             | 0               | 1         | 1     |
| <b>Staff Sexual Misconduct</b> | 1             | 0               | 0         | 1     |
| <b>Staff Sexual Harassment</b> | 0             | 0               | 0         | 0     |
| <b>Total</b>                   | 1             | 0               | 1         | 2     |

### 2020 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 1         | 1     |
| <b>Abusive Sexual Contact</b>  | 0             | 1               | 0         | 1     |
| <b>Sexual Harassment</b>       | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Misconduct</b> | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Harassment</b> | 0             | 0               | 0         | 0     |
| <b>Total</b>                   | 0             | 1               | 1         | 2     |

### 2019 Allegation Data

|                                | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| <b>Non-Consensual Sex Act</b>  | 0             | 0               | 2         | 2     |
| <b>Abusive Sexual Contact</b>  | 0             | 0               | 0         | 0     |
| <b>Sexual Harassment</b>       | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Misconduct</b> | 0             | 0               | 0         | 0     |
| <b>Staff Sexual Harassment</b> | 0             | 1               | 0         | 1     |
| <b>Total</b>                   | 0             | 1               | 1         | 3     |



## Maine Correctional Center

Wardens: Amanda Woolford (Women's Center & SMRC) / Anthony Cantillo (Maine Correctional Center)

PREA Compliance Manager: Jeremiah Manning, Director of Security

PREA Monitor: Vicki Burbank

Population Capacity: 650 incarcerated men and women as well as a 96-bed Minimum and Community custody facility for women.

Current Population: 297 Men, 71 Women in Women's Center, 66 in Southern Maine Women's Reentry Center

Custody level of Residents: Medium/Minimum Security facility and houses both male and female residents

### 2021 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 0                | 0            |
| <b>Abusive Sexual Contact</b>  | 1                    | 1                      | 3                | 5            |
| <b>Sexual Harassment</b>       | 0                    | 2                      | 1                | 3            |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 3                | 3            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 0                | 0            |
| <b>Total</b>                   | 1                    | 3                      | 7                | 11           |

### 2020 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 2                | 2            |
| <b>Abusive Sexual Contact</b>  | 0                    | 3                      | 1                | 4            |
| <b>Sexual Harassment</b>       | 0                    | 4                      | 0                | 4            |
| <b>Staff Sexual Misconduct</b> | 0                    | 2                      | 2                | 4            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 1                | 1            |
| <b>Total</b>                   | 0                    | 9                      | 6                | 15           |

### 2019 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 3                      | 2                | 5            |
| <b>Abusive Sexual Contact</b>  | 0                    | 2                      | 3                | 5            |
| <b>Sexual Harassment</b>       | 4                    | 7                      | 5                | 16           |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 2                | 2            |
| <b>Staff Sexual Harassment</b> | 0                    | 1                      | 2                | 3            |
| <b>Total</b>                   | 4                    | 13                     | 14               | 31           |

## Long Creek Youth Development Center

Superintendent: Lynne Allen

PREA Monitor: Noah Boucher

Population Capacity: 163 Male and Female Resident Beds

Current Population: 24 Boys, 4 Girls

Custody level of Prisoners: Community, Minimum, Medium, Close

### 2021 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 0                | 0            |
| <b>Abusive Sexual Contact</b>  | 1                    | 0                      | 0                | 1            |
| <b>Sexual Harassment</b>       | 3                    | 0                      | 0                | 3            |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 0                | 0            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 0                | 0            |
| <b>Total</b>                   | 4                    | 0                      | 0                | 4            |

### 2020 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 1                | 1            |
| <b>Abusive Sexual Contact</b>  | 0                    | 0                      | 4                | 4            |
| <b>Sexual Harassment</b>       | 1                    | 1                      | 0                | 2            |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 2                | 2            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 1                | 1            |
| <b>Total</b>                   | 1                    | 1                      | 8                | 10           |

### 2019 Allegation Data

|                                | <b>Substantiated</b> | <b>Unsubstantiated</b> | <b>Unfounded</b> | <b>Total</b> |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| <b>Non-Consensual Sex Act</b>  | 0                    | 0                      | 0                | 0            |
| <b>Abusive Sexual Contact</b>  | 0                    | 0                      | 1                | 1            |
| <b>Sexual Harassment</b>       | 2                    | 1                      | 0                | 3            |
| <b>Staff Sexual Misconduct</b> | 0                    | 0                      | 2                | 2            |
| <b>Staff Sexual Harassment</b> | 0                    | 0                      | 0                | 0            |
| <b>Total</b>                   | 2                    | 1                      | 3                | 6            |

## Agency Data

Commissioner: Randall Liberty

Deputy Commissioner: Ryan Thornell, PhD.

PREA Coordinator: Conner McFarland

## Agency Highlights

- Jennifer Jenkins, PhD. has started as the PREA Monitor for Bolduc Correctional Facility. Jennifer is currently employed at MDOC as an Adult Education Teacher and has volunteered as a Sexual Assault Advocate for the Sexual Assault Services of Midcoast Maine (SASSMM). She has degrees in education and wrote her thesis on the management of sexual offenders in incarcerated settings.
- Mountain View Correctional Facility passed their triennial PREA Audit with no corrective action required. The facility exceeded on two standards – creating a culture of zero tolerance, and investigator training.
- The Maine Department of Corrections has received \$250,000 from the Bureau of Justice Assistance’s PREA Implementation grant. The grant will be used for the purchase of 100 body-worn cameras as well as advanced correctional investigator training for our Special Investigations and Intelligence teams.

## Contracts with Outside Agencies for the Confinement of Residents

The Maine Department of Corrections contracts with the [Maine Coastal Regional Re-Entry Center](#) to house community custody residents. Per the Department's agreement with the Center, the facility must comply with the PREA Standards and complete their triennial PREA Audit by a Bureau of Justice Certified auditor. The Center last participated in an audit in December 2021 and met all applicable standards. Their next PREA Audit is currently scheduled for 2024.

PREA Standard § 115.12 Contracting with other entities for the confinement of residents states:

*Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.*

The Maine Department of Corrections has accepted the preliminary report from MCRRC’s PREA Auditor certifying the facility’s full compliance with the PREA standards as evidence of their compliance with the contract’s conditions.



The mission of the Department of Corrections is making our communities safer by reducing harm through supportive intervention, empowering change and restoring lives.