

Introduction

Prison Rape Elimination Act & BOC Minimum Standards

The Prison Rape Elimination Act of 2003 (PREA Public Law 108-79) established federal mandates to identify and prevent prison rape in correctional facilities within the jurisdictions of federal, state, local, and native territories across the United States. Public Law 108-79 was signed into law on September 4, 2003.

The United States Department of Justice adopted the National Standards to Prevent, Detect, and Respond to Prison Rape (the PREA Standards), which became effective on August 20, 2012. In addition to establishing mandatory standards for prevention, detection and response to prison sexual abuse and sexual harassment, the PREA Standards require all correctional facilities to conduct sexual abuse incident reviews and collect uniform data using standardized definitions. Agencies must ensure that data collection includes allegations of sexual abuse and sexual harassment at facilities under its direct control. This incident-based sexual abuse information must be aggregated and made readily available to the public at least annually.

In 2016, the New York City Board of Correction (“the Board” or “BOC”) implemented Sexual Abuse and Sexual Harassment Minimum Standards which mirror the federal PREA Standards. Pursuant to the Board’s Minimum Standards §5-40 “Data Collection and Review,” the New York City Department of Correction (“the Department”) shall provide the Board with a semiannual report. This report reviews sexual abuse and sexual harassment allegations reported within the past six months (January 2025 through June 2025), analyzes emerging trends, and assesses the corrective action contemplated or initiated at the facility level and department wide. It is important to note that allegations of sexual abuse and sexual harassment are preliminary and subject to change as these cases develop. Data discussed in allegation categories are not final, as they are ongoing or pending resolution. Data used in this report reflect the most current information available at the time of publication. To avoid identifying unique instances of incidents which may risk re-identification, certain data is reported as a symbol.

Allegations of sexual abuse and harassment are based on the definitions provided by the Department of Justice and reporting requirements as specified in the National Standards to Prevent, Detect, and Respond to Prison Rape, under 28 CFR part 115 under the Prison Rape Elimination Act of 2003. (See Appendix A).

Zero Tolerance Policy

The New York City Department of Correction has a zero-tolerance policy regarding sexual abuse and sexual harassment. The Department continues to enforce this policy by stenciling a “Break the Silence” message, along with the telephone numbers for reporting allegations in jail housing areas, court holding pens, and corridors. There are various measures in place for victims to report

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allegations of sexual abuse and harassment, including but not limited to the confidential PREA reporting hotline, access to 311, and PREA informational posters strategically placed near the phone banks. These posters list designated points of contact to make reports and detail how to report an incident. In addition, all Department staff are responsible for taking measures to prevent sexual assault and harassment and for reporting incidents. The Department conducts in-person PREA orientation to all newly admitted individuals in custody. This allows individuals to ask the PREA Facility Compliance Unit staff questions during the orientation or privately at its conclusion. The PREA Facility Compliance Unit, the PREA Special Investigation Unit (PREA SIU), and the LGBTQ+ Affairs Unit work closely together to provide support to all PIC, especially those who are most vulnerable.

The Department treats every allegation of sexual misconduct and sexual harassment seriously and investigates each complaint thoroughly. All efforts are made to properly record, evaluate, and fully investigate all allegations made by people in custody. The Department's Special Investigations Unit (SIU) handles all PREA-related allegations initiating an investigation within the first 72 hours. PREA SIU Investigators interview alleged victims, separate individuals from identified alleged perpetrators, collect relevant evidence, afford alleged victims mental health, ministerial and victim services, and conduct a preliminary investigation.

The Department continues to engage in efforts to address the number of allegations received and concerns of the incarcerated population. These include the identification of appropriate housing for individuals in custody, especially those who may be vulnerable to victimization. The Department houses individuals based on gender identity: transgender, gender non-binary, and intersex individuals. These individuals are afforded a specialized housing and housing options that take into account heightened levels of vulnerability for this population. The PREA Facility Compliance Unit and the LGBTQ+ Affairs Unit provide support throughout all facilities and coordinate closely to protect individuals identified as particularly vulnerable. The PREA Facility Compliance Unit conducts monthly retaliation monitoring for individuals who have submitted PREA-related complaints. The Department's goal of achieving full compliance with all PREA standards while maintaining a safe and secure environment for all staff and persons in custody.

PREA Training

The Department provides PREA training for all staff during recruit training at the Academy and orientation on-boarding; contractors and volunteers who will have contact with individuals in custody are also trained during the on-boarding process. Refresher training is mandated every two years. PREA training includes instruction on recognizing the signs of sexual abuse and what steps to take when an allegation is made, as well as effectively communicating the importance of PREA compliance. PREA SIU investigative staff receive additional in-service training, including cross-training with the NYPD Evidence Collection Unit, and instruction from subject matter experts and law enforcement partners that offer training in human trafficking and enhanced interviewing skills.

Section One: Allegations of Sexual Abuse & Sexual Harassment

The Department reviews data pursuant to §115.87 of the National PREA Standards to assess and improve the effectiveness of its policies, practices, and training related to the prevention, detection, and response to sexual abuse and sexual harassment. The goal is to eliminate such incidents within Department facilities.

Type of Allegation

Allegations of sexual abuse and sexual harassment are categorized in accordance with the definitions outlined in the Prison Rape Elimination Act of 2003. These categories separate allegations by perpetrator type – staff or person in custody (PIC) – and compare this reporting period data to last period’s data, as shown in Figure 1 below.

Figure 1

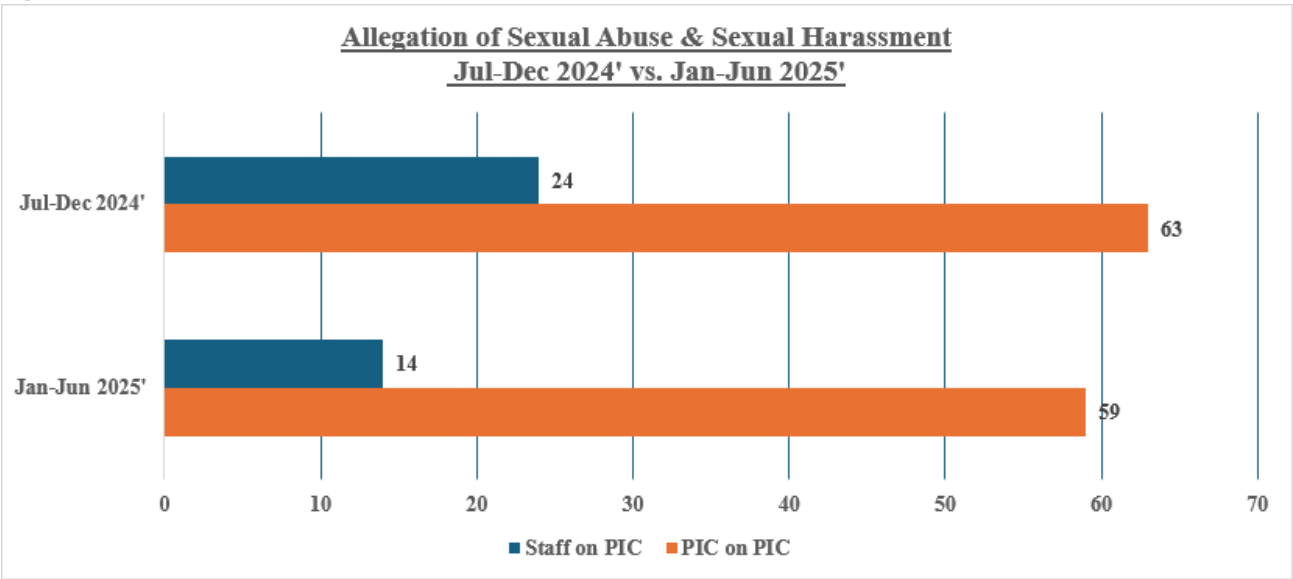


Figure 1 illustrates a decline in the total number of allegations reported during the current period. Specifically, staff-on-person in custody (PIC) allegations decreased by 42% (from 24 to 14), while PIC-on-PIC allegations declined by 6.4% (from 63 to 59) compared to the previous reporting period.

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Facility Breakdown

Table 1 provides a facility-level comparison of PREA-reportable allegations across the previous reporting period (July 2024 - December 2024) and the current reporting period (January 2025 - June 2025).

Table 1

Facility Breakdown Comparison					
Facility¹	July 2024 - December 2024		January 2025 - June 2025		% Change
	# of Allegations	%	# of Allegations	%	
AMKC ²	~~	~~	~~	~~	~~
BHPW	~~	~~	~~	~~	~~
EMTC	11	13%	8	11%	-13%
GRVC	18	21%	15	21%	-0.7%
MNCT	0	0%	~~	~~	~~
NIC	7	8%	~~	~~	~~
OBCC	20	23%	15	21%	-11%
RESH	~~	~~	0	0%	~~
RMSC	13	15%	12	16%	10%
RNDC	10	12%	11	15%	31%
VCBC ³	0	0%	0	0%	0%
WF	~~	~~	~~	~~	~~
Other	~~	~~	~~	~~	~~
Total	87	100%	73	100%	-16.09%

During the previous reporting periods, the Department consolidated operations by closing outdated facilities. During both reporting periods there were instances of an investigation of an incident that was alleged to have occurred in a currently closed facility when the facility was previously operational.

Age of Alleged Victim

Table 2 represents a comparative analysis of the ages of alleged victims from the previous reporting period (July 2024 - December 2024) and the current reporting period (January 2025 - June 2025), disaggregated by alleged perpetrator type (staff or PIC). Approximately 96% of all allegations during the current reporting period were reported by individuals in custody aged 22 or older, consistent with this age group's proportional representation in the overall population.

¹ Certain facilities that are no longer housing individuals in custody and/or are now close may have cases that remain open stemming from incidents that occurred during a previous reporting period when the facility was used to house individuals in custody.

² The Anna M. Kross Center ceased housing individuals in custody in August of 2023, though certain essential support operations continue at the facility.

³ The Venon C. Bain Center was closed per the State Commission of Correction in October 2023.

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Table 2

Age of Victim Breakdown						
<i>Alleged Victim Age at Incident Date</i>	<i>July 2024 – December 2024</i>			<i>January 2025 - June 2025</i>		
	<i># of Allegations</i>	<i>Staff on PIC</i>	<i>PIC on PIC</i>	<i># of Allegations</i>	<i>Staff on PIC</i>	<i>PIC on PIC</i>
18≤	~~	~~	~~	~~	~~	~~
19-21	~~	~~	~~	~~	~~	~~
22≥	86	24	62	70	14	56
Total	87	24	63	73	14	59

Age of Alleged Subject

Table 3 compare the ages of alleged subjects from the previous reporting period (July 2024 - December 2024) to the current reporting period (January 2025 - June 2025). The data is further disaggregated by type of alleged victim (staff or PIC). In 6% of the incidents during the current reporting period, the alleged victim was unable to identify the subject.

Table 3

Age of Subject Breakdown						
<i>Alleged Subject Age at Incident Date</i>	<i>July 2024 – December 2024</i>			<i>January 2025 - June 2025</i>		
	<i># of Allegations</i>	<i>Staff on PIC</i>	<i>PIC on PIC</i>	<i># of Allegations</i>	<i>Staff on PIC</i>	<i>PIC on PIC</i>
18≤	0	0	0	0	0	0
19-21	0	0	0	0	0	0
22≥	70	24	46	69	10	59
Unidentified Alleged Subject	17	0	17	4	4	0
Total	87	24	63	73	14	59

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Methods of Reporting

Table 4 details the methods by which alleged victims to reported PREA-related allegations.

Table 4

Reporting Method Breakdown					
Incident Type	Reporting Method	July 2024 – December 2024		January 2025 - June 2025	
		# of Allegations	%	# of Allegations	%
Staff-PIC	311	11	13%	2	14%
	DOI	0	0%	0	0%
	Facility	10	12%	6	43%
	ID	1	1%	3	21%
	PREA	2	2%	3	21%
	Other	0	0%	0	0%
Total		24	28%	14	100.00%
PIC-PIC	311	17	20%	6	10%
	DOI	0	0%	0	0%
	Facility	41	47%	41	70%
	ID	1	1%	2	3%
	PREA	3	4%	9	15%
	Legal Aid	0	0%	0	0%
	Other	1	1%	1	2%
Total		63	72%	59	100%

Overall Trends of PREA Allegations

Table 5 provides a comparative overview of total reported PREA incidents from the previous reporting period (July 2024 - December 2024) to the current period (January 2025 - June 2025). The total number of sexual abuse and sexual harassment allegations decreased by 16%, from 87 to 73 PREA-reportable incidents. Allegations that did not meet the threshold for a full investigation were referred to the appropriate entity for follow-up and response (e.g., Grievance, NYC Health + Hospitals/Correctional Health Services, LGBTQ+ Affairs).

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Table 5

<i>Comparison of Allegations of Sexual Victimization, by type of Incidents</i>			
<i>Incident Type</i>	<i>Jul 2024 – Dec 2024</i>	<i>Jan 2025 - June 2025</i>	<i>% Change</i>
Staff on PIC	24	14	-42%
Sexual Abuse	21	11	-48%
Sexual Harassment	3	3	0.00%
Among PIC	63	59	-6%
Abusive Sexual Contact	23	20	-13%
Non-Consensual Sex Act	32	32	0.00%
Sexual Harassment	8	7	-13%
Total	87	73	-16%

Staff Sexual Abuse

All Staff-on-PIC sexual abuse allegations are investigated as potential violations of New York State Penal Law §130. Effective September 1st, 2024, three Criminal Sex Act sections in Article 130 were repealed and consolidated into Rape statutes. In accordance with federal guidelines, staff voyeurism is investigated as abuse although no physical contact is alleged.

There were 24 staff-on-PIC allegations of sexual abuse and sexual harassment reported in the previous reporting period, compared to 14 during the current period – reflecting a 42% decrease in such allegations. (See above [Table 5](#)).

Allegations involving conduct defined as criminal under NY State Penal Law §130 represented the highest category of sexual abuse allegations against staff. These allegations spanned multiple categories, including inappropriate touching, and arose from various incident types, including strip searches and use of force. (See below, [Table 6](#))

Table 6

Staff-on-PIC Abuse Categories July 2024 - December 2024	
Category	# of Allegations
Inappropriate Touch	7
Crimes Under New York State Penal Law 130	14
Voyeurism	0
Other	0
Total	21

Incident Type	
UOF	6
Strip Search	10
Escort	0
Pat Frisk	0
Verbal	2
Recant	0

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Table 6 (continued)

Staff-on-PIC Abuse Categories January 2025 - June 2025		Incident Type	
Category	# of Allegations	UOF	0
Inappropriate Touch	7	Strip Search	6
Crimes Under New York State Penal Law 130	4	Escort	2
Voyeurism	0	Pat Frisk	0
Other	0	Verbal	0
Total	11	Recant	0

Staff Sexual Harassment

PREA-reportable staff sexual harassment includes repeated verbal statements, comments, or gestures of a sexual nature to a PIC by a staff member. As shown in [Table 7](#), the total number of staff-on-PIC sexual harassment allegations remained consistent across both reporting periods. However, the type of allegations shifted. (See below, [Table 7](#))

Table 7

Staff-on-PIC Sexual Harassment			
Sub-Category	July 2024 – December 2024	January 2025 - June 2025	% Change
	# Allegations	# Allegations	
Sexual Threat	1	0	-100%
Inappropriate Comments	1	3	200%
Homophobic Statement	1	0	-100%
Total	3	3	0%

Person in Custody Non-Consensual Acts

Non-consensual acts refer to incidents involving sexual penetration between PICs without consent or involving a PIC who is unable to either consent or refuses consent (see below, [Table 8](#)). During the previous reporting period, 32 non-consensual sex acts were reported - 31 of which were classified as violations of New York State Penal Law §130, and 1 as inappropriate touching. In the current reporting period, 33 non-consensual sex acts were reported: 32 under New York State Penal Law §130 and 1 as inappropriate touching.

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Table 8

Non-Consensual Sex Act	July 2024 – December 2024	January 2025 - June 2025
	# of Allegations	# of Allegations
Crimes Under NY State Penal Law 130	31	32
Inappropriate Touch	1	1
Total	32	33

Person in Custody Abusive Acts

PIC abusive acts are defined as unwanted intentional touching of a PIC without consent, or of a PIC who is unable to consent or refuse, by another PIC. As shown in *Table 9*, the total number of PIC abusive act allegations decreased by approximately 17%, from 24 allegations to 20 (see below, [Table 9](#)). The majority of these incidents involved inappropriate touching.

Table 9

PIC Abusive Acts	July 2024 – December 2024		January 2025 - June 2025		% Change
	# of Allegations	%	# of Allegations	%	
Inappropriate Touch	20	83%	18	90%	-10%
Crimes Under NY State Penal Law 130	0	0%	0	0%	0%
Other	4	17%	2	10%	-50%
Total	24	100%	20	100%	17%

Person in Custody Sexual Harassment

Sexual harassment among persons in custody is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature directed by one PIC toward another (see [Table, 10](#)).

Table 10

Person In Custody Sexual Harassment				
July 2024 – December 2024		January 2025 - June 2025		% Change
# Allegations	%	# Allegations	%	
8	9%	7	10%	4%

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Overview of Rates and Trends

The overall rate of reported allegations of sexual victimization increased from 6.52 per 1,000 PIC in the previous reporting period to 7.13 per 1,000 PIC during the first half of 2025. The rate of allegations against staff decreased from 3.67 per 1,000 PIC (24 allegations) during July-December 2024 to 1.34 per 1,000 PIC (14 allegations) during January-June 2025. Similarly, the rate of allegations among PIC against other PIC decreased from 9.65 per 1,000 PIC (63 allegations) to 5.66 per 1,000 PIC (59 allegations) in the current reporting period. (See below, [Table 11](#))

Table 11

Total Allegations of Sexual Victimization						
Incident Type	July 2024 – December 2024			January 2025 - June 2025		
	# of Allegations	%	Rate	# of Allegations	%	Rate
Staff on PIC	24	28	4	14	10%	1
Sexual Abuse	21	24%	3	11	8%	1
Sexual Harassment	3	4%	1	3	2%	0.3
PIC on PIC	63	72%	10	59	43%	6
Abusive Sexual Contact	23	26%	4	20	14%	2
Non-Consensual Sex Act	32	37%	5	32	23%	3
Sexual Harassment	8	9%	1	7	8%	1
Total	87	100%	13	73	100%	11

Section Two: Substantiated, Unsubstantiated, & Unfounded Allegations

Allegations of sexual abuse or sexual harassment are classified as substantiated, unsubstantiated, or unfounded following an investigation. An allegation is deemed substantiated when the evidence establishes, by a preponderance of the evidence, that the incident did occur. This classification indicates that it is more likely than not that the reported conduct took place. In contrast, an allegation is considered unsubstantiated when the investigation is unable to gather sufficient evidence to determine whether or not the incident occurred. These cases remain inconclusive, as the available information neither confirms nor disproves the allegation. Finally, an allegation is classified as unfounded when the investigation determines that the reported incident did not occur. This determination is based on evidence that directly contradicts the allegation and establishes that the event, as described, could not have taken place.

[Table 12](#) presents a comparison of the total number of allegations reported during each period, along with the status of all cases that were investigated and closed during the reporting period, regardless of

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when an allegation was reported. The data for the July 2024 - December 2024 reporting period reflects the status at the time of publication. Additional cases from earlier reporting periods may have been closed. The Department's progress in investigating and closing cases is discussed further in Section Three.

During the current reporting period (January 2025 - June 2025), the PREA Special Investigations Unit (PREA SIU) opened 92 cases, of which 73 were deemed PREA-reportable cases. Of those, 31 cases (42%) were closed during this period, with 2 cases exceeding the 90-day resolution requirement due to extenuating circumstances. Of the remaining 42 open cases, 37 cases remain open within compliance of the mandate and 5 cases remain on hold for extenuating circumstances. Overall, a total of 69 PREA-reportable cases were closed between January and June 2025, including 38 cases that originated in prior reporting periods but reached final disposition during the current one. A detailed breakdown of case status is provided in the table below.

Table 12

<i>Substantiated, Unsubstantiated, Unfounded and Pending Allegations of Sexual Victimization Department-wide</i>		
<i>Case Status</i>	<i>Case Reporting Period</i>	
	<i>July 2024 – December 2024</i>	<i>January 2025 - June 2025</i>
Total Allegations	87	73
Total Closed During Reporting Period⁴	90	69
Substantiated	5	4
Unsubstantiated	53	40
Unfounded	32	25
Total Open Still in 90 Day Compliance	41	37
Preliminary Findings-Substantiated	0	2
Preliminary Findings-Unsubstantiated	38	47
Preliminary Findings- Unfounded	0	0
Pending Final Disposition⁵	50	49

Table 13 illustrates the cases closed by the PREA Investigation Division regarding allegations reported prior to July 2025 (i.e., allegations reported up and including June 30, 2025) but were closed during the

⁴ These cases represent cases closed during the reporting period; some cases could have come from previous reporting periods.

⁵ Some cases may have opened during a previous reporting period.

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current reporting period. There was a total of 69 PREA-reportable cases closed during the current reporting period (January 2025 - June 2025) of which 38 cases were reported prior to January 1, 2025.

Table 13

<i>Initiated Investigation</i>				
<i>Case Disposition</i>	<i>2022-2023</i>	<i>2024</i>	<i>2025</i>	<i>Total</i>
Substantiated	0	3	1	4
Unsubstantiated	0	21	19	40
Unfounded	0	14	11	25
Total Closed	0	38	31	69

Rate of Sexual Victimization, by Facility

The rate of sexual victimization is the ratio of the number of incidents compared to the average number of individuals in the DOC custody between January 2025 to June 2025. This facility-level analysis helps identify areas requiring targeted intervention or increased oversight.

Table 14

<i>Substantiated, Unsubstantiated, and Unfounded Allegations of Sexual Victimization</i>							
<i>Facility Name</i>	<i>Substantiated</i>		<i>Unsubstantiated</i>		<i>Unfounded</i>		<i>Total</i>
	<i>#</i>	<i>Rate</i>	<i>#</i>	<i>Rate</i>	<i>#</i>	<i>Rate</i>	
AMKC	0	0	1	3%	0	0	1
BHPW	0	0	0	0	1	4%	1
BXCT	0	0	0	0	1	4%	1
BKDC	0	0	1	3%	0	0	1
EMTC	0	0	4	10%	2	8%	6
GRVC	2	50%	7	18%	2	8%	11
MNCT	0	0	1	3%	0	0	1
NIC	0	0	5	13%	1	4%	6
OBCC	0	0	9	23%	8	32%	17
RESH	0	0	0	0	2	8%	2
RMSC	1	25%	5	13%	0	0	6
RNDC	1	25%	6	15%	6	24%	13
VCBC	0	0	0	0	0	0	0
WF	0	0	1	3%	2	8%	3
Total	4	100%	40	100%	25	100%	69

Section Three: Trend Analysis

During this reporting period, the Department experienced a measurable decline in PREA-reportable incidents, despite an increase in the average daily population (ADP). A total of 73 PREA-reportable cases were investigated during this cycle, representing a 16% decrease from the 87 cases recorded in the previous six-month period. This decrease occurred even as the ADP rose from 6,524 to 7,125 individuals in custody, highlighting potential improvements in preventive efforts or a shift in reporting dynamics. Among the reported cases, there was a 6% decrease in PIC-on-PIC allegations (from 63 to 59), and a more significant 42% decrease in staff-on-PIC allegations (from 24 to 14).

While the Department addresses all allegations of sexual misconduct seriously, not every complaint meets the criteria to be classified as a PREA-reportable incident. The Department adheres to the federal definitions under PREA when determining whether an allegation qualifies as a reportable incident. Each complaint is subject to an initial screening process, during which trained PREA Unit supervisors assess the facts presented to determine whether the case meets reporting criteria. Complaints that do not meet the PREA standard are still logged and addressed through alternate internal mechanisms, such as referrals to Grievance, Health + Hospitals/Correctional Health Services, or the LGBTQ+ Affairs Unit.

During this reporting period, the PREA Unit received and responded to 614 complaints, all of which required in-person interviews. This equates to an average of approximately 102 complaints. Of those, 264 complaints (approximately 43%) originated from the City's 311 system. All complaints, regardless of outcome, are documented internally, and their disposition is determined following a preliminary review.

Following the screening process, 92 complaints were elevated to full investigations by the PREA Special Investigations Unit (PREA SIU). Of these, 73 were determined to fall under the scope of PREA and were subject to the federally mandated 90-day investigative timeline. These investigations are conducted by PREA SIU and result in findings of substantiated, unsubstantiated, or unfounded, as defined by the Federal PREA Standards (defined in Appendix B).

Of the 69 PREA-reportable sexual abuse and sexual harassment investigations closed from during this period, which includes cases initiated in prior reporting periods, 4 cases (6%) were substantiated, indicating that the allegation was supported by a preponderance of the evidence. 41 cases (59%) were unsubstantiated, meaning there was insufficient evidence to make a determination, and 24 cases (35%) were unfounded, determined through investigation to be false or baseless. These proportions are largely consistent with the previous reporting period, which saw 5 substantiated cases, 53 unsubstantiated, and 32 unfounded.

With respect to timeliness, 83% (57 out of 69) of the closed PREA-reportable cases were resolved within the required 90-day period. The remaining 12 cases (17%) exceeded the 90-day timeline but were accompanied by documented and justified delays, including circumstances such as sexual

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assault forensic kit processing, unavailability of essential witnesses, or pending reviews by external oversight bodies such as the District Attorney's Office of the NYC Department of Investigation.

In addition to PREA-reportable investigations, the Department closed 54 non-PREA-reportable cases during the reporting period. These involved incidents that did not meet the threshold for classification under PREA – such as one-time verbal harassment or complaints lacking sexual content but requiring review due to perceived misconduct. Of these cases, 53 were unsubstantiated, and 1 was determined to be unfounded.

As of the end of the reporting period, 5 PREA-reportable cases remain open beyond the 90-day threshold and are on administrative hold, and 16 cases remain under active review by external investigative bodies, which may delay closure beyond the Department's control. These figures reflect the Department's continued efforts to respond promptly and thoroughly to all allegations of sexual victimization, maintain transparency in investigative outcomes, and uphold compliance with both local and federal standards.

Corrective Action

The Department remains committed to strengthening its institutional response to allegations of sexual abuse and sexual harassment through continuous improvement, resource investment, and accountability. During the current reporting period, PREA SIU prioritized not only timely case resolution but also the long-term sustainability of its operations.

To that end, the Department expanded the PREA team by hiring additional investigative staff to address caseload demands and improve overall responsiveness. These new hires enhance the Department's capacity to manage both the volume and complexity of cases while helping to meet federally mandated closure deadlines.

Additionally, interviews were conducted for a newly created data analysis position, designed to support the Department's ability to track trends, identify patterns of concern, and produce more sophisticated data-driven assessments of risk and compliance. This role is expected to strengthen both short-term case monitoring and long-term strategic planning related to sexual safety within facilities.

PREA staff continue to receive ongoing professional development and cross-training opportunities, including collaboration with local law enforcement agencies, and subject matter experts in trauma-informed investigations. These trainings are intended to sharpen investigative skills, promote interagency coordination, and ensure staff are equipped to manage sensitive and high-impact cases effectively.

The Department also remains focused on refining internal reporting mechanisms, reinforcing zero-tolerance messaging, and evaluating PREA compliance through regular monitoring and facility-level engagement. As part of these efforts, the PREA Facility Compliance Unit, LGBTQ+ Affairs Unit, and PREA SIU maintain active partnerships to ensure that vulnerable populations receive appropriate support and are housed safely.

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Collectively, these corrective actions reflect the Department's broader goal to uphold a culture of safety, accountability, and compliance, and to ensure that all persons in custody-regardless of identity or circumstance-are protected from sexual abuse and sexual harassment while incarcerated.

Appendix A

Definitions of Sexual Victimization

The New York City Department of Correction (DOC) utilizes uniform definitions as provided by 28 C.F.R. §115.6 in the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003).

These definitions are used to categorize allegations of sexual abuse within New York State correctional facilities and to separate allegations by perpetrator type (staff or person in custody) and type of abuse.

Similar to the Survey on Sexual Victimization (SSV), the following categories of sexual abuse have been disaggregated into five categories as indicated below.

Person in Custody Nonconsensual Act - sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; and

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

Person in Custody Abusive Act - sexual contact with any person without his or her consent, or of a person who is unable to consent or refuse; and

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

Person in Custody Sexual Harassment – Repeated and unwanted sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one person in custody directed toward another.

Staff Sexual Misconduct – any act or behavior of a sexual nature directed toward a person in custody by an employee, volunteer, contractor or official visitor or other agency representative. Sexual

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relationships of a romantic nature between staff and person in custody are included in this definition. Consensual and nonconsensual acts include:

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse or gratify sexual desire; or
- Completed, attempted, threatened, or requested sexual acts; or
- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Staff Sexual Harassment – Repeated verbal statements, comments, or gestures of a sexual nature to a person in custody by an employee, volunteer, contractor, official visitor, or other agency representative, including:

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;
- Repeated profane or obscene language or gestures.

Appendix B

General Definitions

Resulting determinations from completed investigations are classified as outlined in the Code of Federal Regulations Title 28, Chapter 1, subpart A, section 115.5, *General Definitions* (28 C.F.R. § 115.5) as Substantiated, Unsubstantiated, or Unfounded. This standard state that agencies shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

Substantiated – An allegation was investigated and determined to have occurred based on a preponderance of the evidence.

Unsubstantiated – An allegation was investigated, and the investigation produced insufficient evidence to prove the event occurred.

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