

Prison Rape Elimination Act Maine Department of Corrections

2023 Annual Report



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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 states 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

| Facility | Date of Last Audit | Result of Last Audit | Date of Next Audit | Report |
|---|--------------------|--------------------------------------|--------------------|--|
| Maine State Prison | July 2022 | Pass – No Corrective Action Required | 2025 | MSP Final Report |
| Bolduc Correctional Facility | July 2022 | Pass – No Corrective Action Required | 2025 | BCF Final Report |
| Mountain View Correctional Facility | May 2021 | Pass – No Corrective Action Required | April 2024 | MVCF Final Report |
| Maine Correctional Center | July 2023 | Pass – No Corrective Action Required | July 2026 | MCC Final Report |
| Long Creek Youth Development Center | July 2023 | Pass – No Corrective Action Required | July 2026 | LCYDC Final Report |
| Downeast Correctional Facility | November 2022 | Pass – No Corrective Action Required | 2025 | DCF Final Report |
| Leading the Way Transitional Living Residence | November 2022 | Pass – No Corrective Action Required | April 2024 | Leading the Way Final Report |

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 1 of Cycle 4 in October 2023.

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 a 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 a 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 a resident by staff. Such statements include—

- demeaning references to a 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

Warden: Matthew Magnusson

PREA Compliance Manager: John Howlett

PREA Monitor: Nicole Elliot

Population Capacity: 1118

Current Population: 791

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

2023 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 1 | 0 | 0 | 1 |
| Abusive Sexual Contact | 0 | 3 | 4 | 7 |
| Sexual Harassment | 0 | 1 | 1 | 2 |
| Staff Sexual Misconduct | 1 | 0 | 2 | 3 |
| Staff Sexual Harassment | 0 | 1 | 0 | 1 |
| Total | 2 | 5 | 7 | 14 |

2022 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 0 | 0 |
| Abusive Sexual Contact | 1 | 2 | 0 | 3 |
| Sexual Harassment | 1 | 1 | 0 | 2 |
| Staff Sexual Misconduct | 0 | 0 | 0 | 0 |
| Staff Sexual Harassment | 0 | 0 | 0 | 0 |
| Total | 2 | 3 | 0 | 5 |

2021 Allegation Data

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

Bolduc Correctional Facility

Director: Russel Worcester

PREA Compliance Manager: Shane Blakely

PREA Monitor: Jennifer Jenkins /Shane Blakely

Population Capacity: 225

Current Population: 214

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

2023 Allegation Data

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

2022 Allegation Data

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

2021 Allegation Data

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

Mountain View Correctional Facility

Warden: Jeff Morin

PREA Compliance Manager: Chad Cooper

PREA Monitor: Scott Flannery

Population Capacity: 408 Male Adult Beds

Current Population: 300

Custody level of Residents: Medium/Minimum Security

2023 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 1 | 1 |
| Abusive Sexual Contact | 0 | 2 | 0 | 2 |
| Sexual Harassment | 0 | 4 | 2 | 6 |
| Staff Sexual Misconduct | 0 | 0 | 0 | 0 |
| Staff Sexual Harassment | 0 | 0 | 4 | 4 |
| Total | 0 | 6 | 7 | 13 |

2022 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 0 | 0 |
| Abusive Sexual Contact | 0 | 2 | 1 | 3 |
| Sexual Harassment | 0 | 1 | 1 | 2 |
| Staff Sexual Misconduct | 0 | 0 | 0 | 0 |
| Staff Sexual Harassment | 0 | 0 | 0 | 0 |
| Total | 0 | 3 | 2 | 5 |

2021 Allegation Data

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

Maine Correctional Center

Warden: Ben Beal

PREA Compliance Manager: Charles Dame

PREA Monitor: Vicki Burbank

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

Current Population: Total = 436 (247 Men, 98 Women in Women's Center, 91 in Southern Maine Women's Reentry Center)

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

2023 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 0 | 0 |
| Abusive Sexual Contact | 0 | 0 | 3 | 3 |
| Sexual Harassment | 2 | 6 | 5 | 13 |
| Staff Sexual Misconduct | 0 | 0 | 3 | 3 |
| Staff Sexual Harassment | 0 | 1 | 0 | 1 |
| Total | 2 | 7 | 11 | 20 |

2022 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 2 | 2 |
| Abusive Sexual Contact | 1 | 2 | 1 | 4 |
| Sexual Harassment | 1 | 0 | 1 | 2 |
| Staff Sexual Misconduct | 0 | 0 | 2 | 2 |
| Staff Sexual Harassment | 0 | 0 | 2 | 2 |
| Total | 2 | 2 | 8 | 12 |

2021 Allegation Data

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

Long Creek Youth Development Center

Superintendent: Lynne Allen
 PREA Compliance Manager: Sean O’Keefe
 PREA Monitor: Noah Boucher
 Population Capacity: 163 Male and Female Resident Beds
 Current Population: 32 Boys, 2 Girls
 Custody level of Residents: Community, Minimum, Medium, Close

2023 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 1 | 1 | 2 |
| Abusive Sexual Contact | 6 | 3 | 3 | 12 |
| Sexual Harassment | 2 | 2 | 8 | 12 |
| Staff Sexual Misconduct | 0 | 0 | 3 | 3 |
| Staff Sexual Harassment | 0 | 1 | 1 | 2 |
| Total | 8 | 7 | 16 | 31 |

2022 Allegation Data

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|---------------|-----------------|-----------|-------|
| Non-Consensual Sex Act | 0 | 0 | 13 | 13 |
| Abusive Sexual Contact | 3 | 0 | 3 | 6 |
| Sexual Harassment | 2 | 0 | 2 | 4 |
| Staff Sexual Misconduct | 0 | 0 | 0 | 0 |
| Staff Sexual Harassment | 0 | 0 | 2 | 2 |
| Total | 5 | 0 | 20 | 25 |

2021 Allegation Data

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

Downeast Correctional Facility

Warden: Jeff Morin
 PREA Compliance Manager: David Garrison
 PREA Monitor: Scott Flannery
 Population Capacity: 48 Male Adult Beds
 Current Population: 32
 Custody level of Residents: Minimum Security

2023 Allegation Data

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

2022 Allegation Data

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

Leading the Way Transitional Living Facility

Director: Jodie Johnson

PREA Monitor: Tammy Lewis

Population Capacity: 14 Male Adult Beds

Current Population: 10

Custody level of Residents: Community

2023 Allegation Data

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

2022 Allegation Data

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

Agency Data

Commissioner: Randall Liberty

Deputy Commissioner: Anthony Cantillo

PREA Coordinator: Donna Seppy

2023 Allegation Data (All Facilities)

| | Substantiated | Unsubstantiated | Unfounded | Total |
|--------------------------------|----------------------|------------------------|------------------|--------------|
| Non-Consensual Sex Act | 1 | 1 | 2 | 4 |
| Abusive Sexual Contact | 6 | 8 | 10 | 24 |
| Sexual Harassment | 4 | 13 | 16 | 33 |
| Staff Sexual Misconduct | 1 | 0 | 8 | 9 |
| Staff Sexual Harassment | 0 | 3 | 5 | 8 |
| Total | 12 | 25 | 41 | 78 |

Agency Highlights

- Maine Correctional Center/ Southern Maine Women’s Reentry Center and Long Creek Youth Development Center successfully completed PREA Audits in July 2023 with no corrective action.
- Maine Department of Corrections and County Jail Partners completed a trauma informed investigator training. This allowed investigators to develop in sexual misconduct investigations.

Contracts with Outside Agencies for the Confinement of Residents

Maine Coastal Regional Re-Entry Center

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. The biennial inspection of the reentry center took place in 2022 under PREA and the Maine Jail Standards. The facility passed all standards and continues to make efforts to maintain its federal PREA certification. A copy of the inspection report is available on the MDOC website.

Director: Major Raymond Porter
 Population Capacity: 32 Male Adult Beds
 Current Population: 28
 Custody level of Residents: Community

2023 Allegation Data

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

DocuSigned by:

Anthony Cantillo

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Signature of Commissioner or Designee



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