



## Prison Rape Elimination Act (PREA) Annual Report: 2018

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### Summary

This report represents an overview of PREA incident data collected from Multnomah County's Juvenile Detention Center and the in-house Assessment and Evaluation Program. The report focuses on the outcomes from the past year and provides a comparison of the previous year's data. The findings allow the Department of Community Justice (DCJ) to evaluate effectiveness of existing prevention, detection and response protocols related to incoming sexual abuse and sexual harassment reports within secure settings.

### Background

PREA was established in 2003 to address alarming national statistics that indicate the prolific existence of sexual assaults within U.S. correctional facilities. Four sets of standards were established and finalized in August 2012 and are the foundation of governance for ensuring youth and adults held in custody or community confinement facilities are protected from sexual abuse and sexual harassment.

In April of 2018, DCJ participated in its first, three-year-cycle audit. Out of 358 evaluation marks embedded in the 43 PREA Standards, there were two deficiencies flagged for the facility to correct within 90 days before a final report would be issued. Among the identified issues were: 1) establishment of a consistent system for unit entry announcements related to staff of an opposite gender; and 2) proof of a background recheck process for contractors every five years beyond hire date. Within 60 days, DCJ was able to implement the changes necessary and prove the newly adopted practices had become solidified. The final PREA Audit Report was released June 20, 2018 with a 100% compliance score.

### Incident Reports

All DCJ Juvenile and Adult Services staff who work directly with justice involved individuals receive varying levels of PREA training. Likewise, youth admitted to a secure detention or residential setting within Multnomah County, receive information about PREA and are instructed on what to do if they experience or witness sexual harassment or abuse.

Within the workforce training provided, there is a clear expectation for staff to immediately complete a Department PREA Incident Report once they become aware of (reported, witnessed or suspected) sexual contact or harassment. Staff's report is routed to the Department's PREA Compliance Manager and PREA Coordinator for review and subsequent investigatory steps. A compilation of facts end up guiding agency notifications and the outcome summary - which identifies whether the incident was declared substantiated, unsubstantiated or unfounded.

### Disposition Definitions

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

**Unsubstantiated:** An allegation produced insufficient evidence to determine whether or not the event occurred.

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



**Table 1:** Number and type of alleged incidents for **September 01, 2018- August 31, 2019**

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse	0	1	3	4
Youth to Youth Sexual Harassment	0	0	3	3
Staff to Youth Sexual Abuse	0	1	0	1
Staff to Youth Sexual Harassment	0	0	0	0
<b>Total</b>	<b>0</b>	<b>2</b>	<b>6</b>	<b>8</b>

<b>Non PREA reports</b>	<i>Alleged behavior was determined to not meet the definitions of sexual abuse or harassment under PREA.</i>	<b>6</b>
<b>Notification to other facility</b>	<i>Alleged incident occurred at a previous placement or facility.</i>	ASD = <b>3</b> JSD = <b>0</b>

**Table 2:** Demographics - *age and gender* - of Substantiated Allegation(s)

Perpetrator	Female	Male	Total
NA	0	0	0
Victim	Female	Male	Total
NA	0	0	0

**Table 3:** Number and type of alleged incidents for **September 01, 2017 - August 31, 2018**

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse	0	0	4	4
Youth to Youth Sexual Harassment	1	6	3	10
Staff to Youth Sexual Abuse	0	2	1	3
Staff to Youth Sexual Harassment	0	0	0	0
<b>Total</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>17</b>

<b>Non PREA reports</b>	<i>Alleged behavior was determined to not meet the definitions of sexual abuse or harassment under PREA.</i>	<b>8</b>
<b>Notification to other facility</b>	<i>Alleged incident occurred at a previous placement or facility.</i>	<b>0</b>

**Table 4:** Demographics - *age and gender* - of Substantiated Allegation(s)

Perpetrator	Female	Male	Total
19 yr old	0	1	1
Victim	Female	Male	Total
17 yr old	0	1	1

### **Comparison between Last Two Years**

The most recent year's numbers (Table 1) show 17 incoming reports. The previous year's numbers (Table 3) show 25 incoming reports. The 32% decrease of incoming reports can be attributed to a handful of factors. Among those factors would be both youth and staff's increased understanding about what behaviors and actions are acceptable in this environment. While staff are still reporting incidents that do not rise to the level of being deemed PREA, it is safe to deduct that the dip in reporting is not associated with underreporting.

Other facilities have reported challenges with youth/inmates creating fictitious reports in order to strategically move someone they don't like off of a unit, or gain a perceived housing advantage by misrepresenting their gender identity. Neither of these conditions seem to be a noteworthy dynamic at the Juvenile Justice Facility.

One last point of interest between the two years is identified in the Adult Services uptick in parole/probation officers' receipt of disclosed incidents that occurred in adult facilities. I believe education about PREA has allowed for an inspection outlet for instances that would've likely been discounted before.

### **Closing Statement**

In conclusion, it is important to recognize the workforce members at the Juvenile Justice Facility who engage with youth on a daily basis. These staff are diligent, compassionate and mindful about fulfilling their roles. Their commitment to doing their jobs well allows for youth caught in a temporary circumstance in life to gain their bearings in a safe environment and start a new trajectory.

This report has been approved by the Department's Director, Erika Preuitt, and is available for review on the Juvenile Services Division's public website.

**Next Review and Written Report: October 2020**