



Department of Community Justice

Prison Rape Elimination Act (PREA) Annual Report: Review of 2019 / 2020

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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. This synopsis focuses on the outcomes from the current year and provides a comparison to the previous year's data. The findings allow the Department of Community Justice (DCJ) to evaluate effectiveness of existing prevention, detection and response protocols associated with sexual abuse and sexual harassment reports within PREA's "Juvenile" and "Community Confinement" settings.

Background

PREA was established in 2003 to address alarming national statistics that indicated 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 secure custody or community confinement facilities are protected from sexual abuse and sexual harassment. As such, our annual assessment of incident reports spans the months of September 1st through August 31st.

DCJ participated in its first, three-year-cycle audit in 2018. 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. Additionally, 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 ends 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, 2019 - August 31, 2020

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Pending	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)		2	4		6
Youth to Youth Sexual Harassment (<i>verbal / gestures</i>)			2		2
Staff to Youth Sexual Abuse (physical contact)			2	1	3
Staff to Youth Sexual Harassment			1		1
Incident determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>				3
Incident occurred at a non-DCJ facility	<i>ASD or JSD staff recorded incident details and transferred PREA report(s) to facility of origin.</i>				ASD = 2 JSD = 1

TOTAL Reports for current year	18
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Table 2: Age, gender and location

Perpetrator	Female	Male	Gender not identified / unknown	Average youth age
	2	10	7	16.5
Victim	Female	Male	Gender not identified / unknown	Average youth age
	5	10	4	14.25
Location of incident	Youth's sleeping rm (x2); unit commons space (x4); library (1); transport van (1); non DCJ facility (x3); not identified (x7)			

Table 3: PREVIOUS YEAR'S DATA - September 01, 2018- August 31, 2019

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	0	1	3	4
Youth to Youth Sexual Harassment (<i>verbal / gestures</i>)	0	0	3	3
Staff to Youth Sexual Abuse	0	1	0	1
Staff to Youth Sexual Harassment	0	0	0	0
Incident determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>			6
Incident occurred at a non-DCJ facility	<i>ASD or JSD staff recorded incident details and transferred PREA report to facility of origin.</i>			ASD = 3 JSD = 0

TOTAL Reports for the previous year	17
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Comparison between Last Two Years

Table 1 reflects the current year's total number of reports as 18. The previous year's tally reflects 17 reports (see Table 3). While the totals between the two years do not have a significant story to tell, newly added demographic data within Table 2, allow us to take a closer look at subtext information. While extracting this data from the department's PREA incident report forms, it became apparent that there are a few gaps and inconsistencies with how and what staff capture or leave out when following the report's template. In some instances, details to an incident are unknown. In other instances, it is clear someone skipped a section or had access to the pertinent information, yet left it out. A staff overview of entry field content will become a targeted quality improvement campaign in the next four weeks and addressed by December 1st 2020.

As in the past, other facilities continue to report challenges with youth / inmates creating fictitious reports in order to have an individual strategically removed from a particular unit. This has not been a theme or ongoing issue for our facility. However, youth who experience extended stays at our facility (lasting more than a few weeks), are beginning to show their understanding that PREA's harassment definition requires more than one indecent verbal / gesture toward another individual in order to be deemed a PREA episode. For instance, two incoming reports this year captured quotes from youth stating, "so-and-so said <sexualized content>, to me three times." Reports from previous years did not include the emphasized number of times a youth said or gestured something.

Closing Statement

In conclusion, it is important to recognize the work from staff at the Multnomah County Juvenile Justice Complex who engage with youth on a daily basis, and from which most of the department's PREA reports are generated. These staff are diligent, compassionate and mindful about the work they do in order to help youth identify their strengths and seek healthier future paths. Their commitment to doing their jobs well, allows for several youth caught in a temporary circumstance to gain their bearings and start a new trajectory.

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

Next scheduled PREA incident report review: October 2021