

Prison Rape Elimination Act (PREA) Annual Report: 2017

Summary

This report captures an overview of incident data collected from Multnomah County's Juvenile Justice Complex that houses a Juvenile Detention Center and a Juvenile 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 pertaining to sexual abuse and sexual harassment, and to make policy and/or structural adjustments as necessary.

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

Background

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

Incident Reports

All DCJ Juvenile and Adult Services staff who work directly with justice involved individuals receive PREA training. Likewise, individuals admitted to a secure or community confinement setting receive information about PREA and are instructed on what to do if they experience or witness sexual harassment or abuse.

Once a staff becomes aware of suspected or witnessed sexual contact or harassment, they are trained to immediately complete a Department PREA Incident Report. That report is forwarded to the Department's PREA Compliance Manager and/or PREA Coordinator for the assignment of investigatory steps that unfold into a compilation of facts and an outcome summary.

Table 1: Number and type of alleged incidents for **September 01, 2016- August 31, 2017**

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse	0	1	3	4
Youth to Youth Sexual Harassment	2	0	1	3
Staff to Youth Sexual Abuse	0	0	0	0
Staff to Youth Sexual Harassment	0	0	0	0
Total	2	1	4	7
Non PREA reports*				6
Outside incidents reported to other facilities**				3 JSD / 1 ASD

*Alleged behavior was found to not meet the definitions of sexual abuse or harassment under PREA.

**PREA sex abuse or harassment reported to JSD staff that was alleged to have occurred at a previous placement or facility.

Table 2: Demographics of the 2 Substantiated Allegations

Perpetrators: Age/Gender	Female	Male	Total
12 - yr old	0	1	1
17 - yr old	0	1	1
Total	0	2	2
Victims: Age/Gender	Female	Male	Total
16 - yr old	0	2	2
14 - yr old	0	2	2
Total	0	4*	4*

**One of the substantiated incidents of harassment had 3 victims.*

Table 3: Number and type of alleged incidents for September 01, 2015 - August 31, 2016

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse	0	2	1	3
Youth to Youth Sexual Harassment	0	0	0	0
Staff to Youth Sexual Abuse	0	0	0	0
Staff to Youth Sexual Harassment	0	0	0	0
Total	0	2	1	3
Non PREA reports*				1
Outside incidents reported to other facilities**				1 (ASD)

**Alleged behavior was found to not meet the definitions of sexual abuse or harassment under PREA.*

***PREA sex abuse or harassment reported to JSD staff that was alleged to have occurred at a previous placement or facility.*

Disposition Types

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

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

Unsubstantiated: An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Comparison of the Last Two Years

The most recent year's data (Table 1) show there were 17 incoming reports, and the previous year's data (Table 3) show there were 5 incoming reports. This steep increase has been attributed to two primary influences: 1) Increased staff education about PREA as a whole, but particularly around the unacceptable practice of subjectively dismissing frivolous complaints without capturing the account in an incident report; and 2) Increased youth/client education about PREA and how to submit a concern/grievance related to PREA.

As noted in Table 1, six of the alleged incidents were investigated and found to not meet the definition of abuse or harassment as defined by PREA. An example - a detention youth “moonied” or “flashed” their buttocks to a fellow detained youth. Within the scope of PREA, an obscene or offensive gesture must occur more than one time to be deemed harassment. These types of inappropriate actions are discussed with the involved youth and incident reports are retained in case a similar action is repeated and PREA response protocols become paramount.

Evaluation of Substantiated Incidents

Both substantiated harassment incidents involved youth making sexually suggestive comments to their peers. Staff intervened in the behavior and the youth were separated to ensure no further harassment occurred. The victims were offered mental health services and were monitored closely for any retaliation. A review of these incidents was completed and it was determined that there was no obvious facility or supervision issues that could have prevented these comments.

Next Review and Written Report: October 2018