



Prison Rape Elimination Act (PREA) Annual Report 2022 / 2023

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Summary

This report represents an overview of the PREA data extracted from incident reports received from Multnomah County's Juvenile Detention Center, the in-house Juvenile Assessment & Evaluation Residential Program and parole/probation officers. Outcomes between last year and the previous year's reports are compared in order to evaluate effectiveness of existing prevention, detection and response protocols associated with sexual abuse and sexual harassment allegations.

Background

PREA was established in 2003. The goal has been to address alarming national statistics associated with the prevalence of sexual assaults within United States 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, we participate in the mandated annual assessment of incident reports. Our timeframe spans September 1st through August 31st.

The Department of Community Justice (DCJ) has completed two PREA audits -- one in June 2018 and one in August 2022. Out of 358 evaluation points embedded in the 43 PREA Standards, there were two deficiencies flagged for corrective action in 2018 and four deficiencies flagged in 2022. Following both audits, DCJ received 90-days to demonstrate adjustments prior to receiving a final report. Both final reports deemed DCJ to be 100% compliant. To better understand the type of remedial actions involved, the following was addressed in 2022's audit: 1) Policy statement addition addressing unannounced manager walk-throughs of detention units; 2) Policy expansion regarding retaliation prevention protocols; 3) PREA incident report checkbox that ensures investigative disposition is returned to the victim; and 4) Annual staffing plan review and sign-off process.

Awareness and Incident Reporting

All DCJ Juvenile and Adult Services staff who work directly with justice involved individuals are required to complete job-specific PREA training module(s). Additionally, youth admitted to our secure detention and residential placement, receive an overview of PREA and a copy of our zero tolerance of abuse statement that is posted throughout the facility. Youth are taught what to do if they witness or experience sexual harassment or abuse.

There are clear expectations for staff to immediately fill-out a PREA incident report once aware of a possible sexual contact or harassment event. Staff's report is then routed to the Department's PREA Compliance Manager and PREA Coordinator for review and subsequent investigatory steps. Compiled interviews and surveillance video analysis guide the outcome summary - which includes a finding of either 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 incident occurred.

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

Table 1: Number and type of alleged incidents for September 01, 2022 - August 31, 2023

Type of Allegation	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	--	--	--	0
Youth to Youth Sexual Harassment (<i>twice repeated verbal / gestures</i>)	1	--	--	1
Staff to Youth Sexual Abuse (<i>physical contact</i>)	--	--	--	0
Staff to Youth Sexual Harassment	--	1	2	3
Non-DCJ facility reports	<i>ASD or JSD staff recorded incident details and transferred PREA report(s) to facility of origin.</i>			ASD = 3 JSD = 1
Incident(s) determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>			3
TOTAL Reports for current year				11

Table 2: Age, gender and location

Perpetrator	Female 27%	Male 64%	Transgender --	Not identified / unknown 9%	Average youth age 17 yrs
Victim	Female 36%	Male 55%	Transgender --	Not identified / unknown 9%	Average youth age 15 yrs 4 mos
Location of incident	Unit commons space (3); Youth's sleeping rm (3); Intake (1); Non DCJ facility (4)				

Table 3 -- PREVIOUS YEAR'S DATA - September 01, 2021 - August 31, 2022

Type of Allegation	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	--	--	--	0
Youth to Youth Sexual Harassment (<i>twice repeated verbal / gestures</i>)	--	--	2	2
Staff to Youth Sexual Abuse (<i>physical contact</i>)	--	1	--	1
Staff to Youth Sexual Harassment	--	--	2	2
Non-DCJ facility reports	<i>ASD or JSD staff recorded incident details and transferred PREA report to facility of origin.</i>			ASD = 3 JSD = 1
Incident(s) determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>			3
TOTAL Reports for the previous year				12

Comparison of Last Two Years

Table 1 reflects 11 reports over the last 12 months. The previous year's tally was 12 reports. Prior to last year, 2020-2022's pandemic reduced the average daily detention population from 46 to 29 youth per day. Lower numbers most certainly can impact staffing oversight ratios and fewer reports. Moreover, since facility management has incorporated active supervision principles, snide remarks, verbal aggression and harassment are less apt to go unnoticed. Early redirection and intervention protocols interrupt negative behaviors that might otherwise escalate.

This last year there were two allegations that depicted voyeuristic behavior of staff. During one interview, the youth retracted their allegation on the basis of having been mad at the staff for holding them accountable in a previous situation. The other youth retracted aspects of their allegation when they were told that surveillance footage showed a different account of staff movement, then what was described in their written submission. While embellishments can occur, we always start with the premise of believing the youth's account and then walk through an interview to help fill-in missing gaps or unexplained details.

Data suggests that universally, youth and adults moving through the criminal justice system have become familiar with PREA and are choosing to share past experiences or witnessed events during their intake questionnaire process or when meeting with their parole/probation officer. Because a statute of limitations does not exist for PREA reports, agencies like ours are receiving and cataloging events that took place several months or even years ago.

As with previous years, our facility staff continue to overreport information beyond the scope of PREA. Three of last year's submissions were not applicable to PREA. This suggests that staff are highly attuned to the topic and are not filtering information themselves. We would much rather they practice this habit than apply their own discretion and eliminate a potential allegation from coming forth.

In conclusion, both Juvenile and Adult Services staff have proven to be continuously mindful of detainees and their well-being. There are a lot of moving pieces that make community justice work multi-dimensional and challenging. The Department's PREA Coordinator and PREA Compliance Manager extend gratitude to workforce members for their ongoing professionalism and commitment to safety and security.

This report is 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 2024