



Prison Rape Elimination Act PREA Annual Report: 2018

Multnomah County Sheriff's Office

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Summary

This is the Multnomah County Sheriff's Office (MCSO) annual report of data collected and aggregated pursuant to Prison Rape Elimination Act (PREA) Standard 115.88 – PREA Annual Report. The purpose of this report is to assess and improve the effectiveness of the agency's sexual abuse prevention, detection, and response policies, practices, and training. This report presents data collection findings and corrective actions for the two adult jail facilities, the Multnomah County Detention Center (MCDC) and Inverness Jail (MCIJ), and the agency as a whole and includes a comparison of data from prior years in order to provide an assessment of progress made in addressing sexual abuse.

This report has been approved by the Multnomah County Sheriff and is available on our website, <https://www.mcso.us/site/prea.php>

Background

The Prison Rape Elimination Act was established in 2003 to address the problem of sexual abuse and sexual harassment of persons in the custody of U.S. correctional agencies.

Pursuant to PREA policy requirements, each agency shall report their data annually. This report focuses on 2018 incidents and compares this data with four prior years: 2014, 2015, 2016, and 2017.

MCSO adopted a zero tolerance policy on issues pertaining to sexual abuse and sexual harassment involving inmates and

2018 Data Summary ...

In 2018, the Multnomah County Sheriff's Office documented 15 allegations of sexual abuse. Of these incidents, 14 were unfounded and one was unsubstantiated.

In addition, there were 11 allegations of sexual harassment. Of these, six were unsubstantiated and four were unfounded. One incident was substantiated.



has implemented new policies, training requirements, and standards for the detection, prevention, reduction and punishment of prison rape. Reporting data collected and aggregated provides important information to assist in improving processes. The goal of this report is to identify any problem areas, find solutions to these issues, and explain the findings in a comprehensive manner.

General Jail Information

MCSO serves the 813,300 residents of Multnomah County, Oregon¹. Portland, the largest city in Oregon, and Gresham, the state's fourth largest city, are both located in Multnomah County. MCSO manages the adult jail population with two facilities, MCDC and MCIJ.

Over the past five years, MCSO booked an annual average of 33,667 arrestees and had an average daily population of 1,164 inmates (Table 1). The total *budgeted*² capacity is 1,192 beds.

Table 1. Annual Bookings and Average Daily Population

	2014	2015	2016	2017	2018
Standard Bookings	34,974	32,403	30,321	28,336	30,119
Turn-Self In Bookings ³	1,569	1,417	1,625	1,373	1,215
In-Transit Bookings ⁴	1,033	1,059	1,004	925	976
Bookings Total	37,576	34,879	32,950	30,634	32,310
MCDC: Average Daily Population	398	392	399	402	398
MCIJ: Average Daily Population	787	776	756	673	678
Average Daily Population Total	1,185	1,168	1,155	1,075	1,076

MCSO Reported PREA Incident Data

No matter when an incident occurred, MCSO attempts to collect data on all PREA incidents, including those reported by arrestees and/or inmates that took place in another jurisdiction and those that were previously reported. Each incident is reviewed and, if necessary, investigated.

MCSO 2018 PREA Incidents

In 2018, a total of 175 PREA-related incidents were reported. Of these, 26 (15%) qualified for Federal reporting, as these allegations occurred within an MCSO facility, were stated to have

¹ <https://www.pdx.edu/prc/population-reports-estimates>, estimate as of 7/1/2018

² FY19 budget (July 2018 to June 2019).

³ Turn-Self In bookings are where an offender has been sentenced and ordered to return to jail at a later date.

⁴ In-Transit bookings are individuals being held for other jurisdictions while being transported.



occurred between January 1, 2018 and December 31, 2018, and were identified as a PREA incident per Federal definitions.

Facility: Multnomah County Detention Center (MCDC)

All bookings are processed at MCDC and PREA allegations may take place while an arrestee is being searched and booked. Of the 26 alleged incidents, 21 were reported at MCDC and all were unfounded or unsubstantiated.

Facility: Multnomah County Inverness Jail (MCIJ)

Five alleged incidents were reported at MCIJ. Of these, one inmate-on-inmate sexual harassment incident was determined to be substantiated while the remaining four incidents were unfounded.

Data Summary

Table 2 shows 2018 incidents by location, type, and disposition. (See the glossary for definitions of types and dispositions.)

Staff-on-inmate

In 2018, 10 of the 26 (38%) reported incidents were of Staff Sexual Misconduct. Nine of these incidents were unfounded; one was unsubstantiated.

There was one report of Staff Sexual Harassment. This incident was unfounded.

Inmate-on-inmate

There are three categories of inmate-on-inmate incidents. The most frequently reported allegation was of sexual harassment. In 2018, there were 10 alleged incidents of inmate-on-inmate sexual harassment. Of these, six were unsubstantiated, three were unfounded, and one was substantiated.

There was one report of inmate-on-inmate abusive contact. This incident was unfounded.

In 2018, there were four reports of an inmate-on-inmate nonconsensual sexual act – all were unfounded.

**Table 2: Number of Alleged Incidents by Facility, Type of Incident, and Disposition**

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
MCDC				
Nonconsensual Sexual Act		4		4
Abusive Sexual Contact				
Sexual Harassment		1	6	7
Staff Sexual Misconduct		8	1	9
Staff Sexual Harassment		1		1
MCDC Total		14	7	21
MCIJ				
Nonconsensual Sexual Act				
Abusive Sexual Contact		1		1
Sexual Harassment	1	2		3
Staff Sexual Misconduct		1		1
Staff Sexual Harassment				
MCIJ Total	1	4		5

Demographics

The substantiated incident was an inmate-on-inmate sexual harassment where the victim received an unwanted note. The victim was a 36 year old Hispanic/Latino female inmate. The perpetrator was a 31 year old transgender White inmate.

2013-2018 Comparisons of Reported Incident Data

Annual reporting requirement includes a comparison of current year data to prior years (Table 3). The number of PREA allegations decreased from 34 to 26 (24%) between 2017 and 2018. The number of substantiated incidents remained at one.

**Table 3. PREA Cases by Type, Disposition: 2014, 2015, 2016, 2017, 2018**

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
2014				
Nonconsensual Sexual Acts		1		1
Abusive Sexual Contact	3			3
Sexual Harassment	5	1	3	9
Staff Sexual Misconduct		4		4
Staff Sexual Harassment		3	1	4
2014 Total	8	9	4	21
2015				
Nonconsensual Sexual Acts		2		2
Abusive Sexual Contact		3		3
Sexual Harassment	3	2	5	10
Staff Sexual Misconduct		19	1	20
Staff Sexual Harassment		4		4
2015 Total	3	30	6	39
2016				
Nonconsensual Sexual Acts				
Abusive Sexual Contact		1		1
Sexual Harassment	1	4	4	9
Staff Sexual Misconduct		18		18
Staff Sexual Harassment		4		4
2016 Total	1	27	4	32
2017				
Nonconsensual Sexual Acts		3		3
Abusive Sexual Contact		2	1	3
Sexual Harassment	1	3	4	8
Staff Sexual Misconduct		17	1	18
Staff Sexual Harassment		1	1	2
2017 Total	1	26	7	34
2018				
Nonconsensual Sexual Acts		4		4
Abusive Sexual Contact		1		1
Sexual Harassment	1	3	6	10
Staff Sexual Misconduct		9	1	10
Staff Sexual Harassment		1		1
2018 Total	1	18	7	26



Inmates are provided education on PREA at all stages of their custody, from booking to housing, and are asked specifically about their experiences during intake and transfers through the system.

PREA incidents may be reported by a number of sources including arrestees, inmates, jail staff, medical personnel, outside family/contacts, and other jurisdictions. The MCSO Jail Detective reviews each case and investigates accordingly. The PREA Coordinator collects the case files and examines the information to make a final determination. If necessary, a case may be reviewed through the chain of command and/or sent for further investigation to Internal Affairs.

PREA Review Committee

The MCSO PREA Review Committee reviews cases of sexual abuse that are substantiated or unsubstantiated usually within 30 days from the conclusion of the investigation. The Committee is comprised of the Facility Commander where the incident occurred, the PREA Coordinator, Medical Staff and/or Mental Health Staff, the investigator, and a line supervisor. The Committee reviews the police reports and internal reports and evaluates the following areas for corrective action:

- Whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- Whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification status, or perceived status; gang affiliation; or other group dynamics at the facility;
- The area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- Adequacy of staffing levels in that area during different shifts;
- Whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The PREA Review Committee documents their findings and any recommended improvements. Their report is submitted to the PREA Compliance Manager and Facility Commander and the facility either implements the recommendations and documents completion, or documents the reasons for not implementing the recommendations.



Summary of Corrective Actions

Below are some corrective actions and information agency-wide:

- A new PREA Coordinator started in September 2018
- The PREA online class for employees was updated and released
- The PREA Supervisory checklist was updated



Glossary: Definitions for Federal Reporting

PREA Incident Types

Inmate-on-inmate Nonconsensual Sexual Act:

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND

Contact between the penis and the vulva or the penis and the anus including penetration, however slight; or contact between the mouth and the penis, vulva, or anus;

OR

Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

Inmate-on-inmate Abusive Sexual Contact:

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND

Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

EXCLUDES incidents in which the contact was incidental to a physical altercation.

Inmate-on-inmate Sexual Harassment:

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

Staff-on-inmate Sexual Misconduct

Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, or other agency representative (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and inmates are included in this definition.

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;

OR

Completed, attempted, threatened, or requested sexual acts;

OR

Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Staff-on-inmate Sexual Harassment

Repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, or other agency representative (exclude family, friends, or other visitors).



INCLUDES demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

OR

Repeated profane or obscene language or gestures.

PREA Disposition Types

Substantiated: An allegation that was investigated and determined 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.

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

Pending/Investigation ongoing: Investigation has not been completed.