



Prison Rape Elimination Act PREA Annual Report: 2023

Multnomah County Sheriff's Office

December 3, 2024

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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 monitor and assess the effectiveness of the agency's sexual abuse prevention, detection, and response policies, practices, and training. This report presents data 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.

This report has been approved by the Multnomah County Sheriff and is available on our website,

<https://www.mcso.us/agency-services-division/prison-rape-elimination-act>

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.

MCSO has established a zero-tolerance policy on issues pertaining to sexual abuse and sexual harassment involving adults in custody. The agency has implemented policies,

2023 Data Summary ...

In 2023, the Multnomah County Sheriff's Office documented 33 allegations of sexual abuse. Two are still under investigation and 31 were determined to be unfounded or unsubstantiated.

In 2023, there were 35 allegations of sexual harassment. Of these, 32 were unfounded or unsubstantiated. Three harassment allegations were determined to be substantiated.

training requirements, and standards for the detection, prevention, reduction and punishment of prison rape, sexual abuse and sexual harassment. Reporting data collected provides important information to assist in improving processes.

General Jail Information

MCSO serves the 805,007 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.

Over the past five years, MCSO booked an annual average of 19,187 adults and had an average daily population of 869 adults in custody (Table 1). The total *budgeted*² capacity is 1,130 beds.

Table 1. Annual Bookings and Average Daily Population

	2019	2020	2021	2022	2023
Standard Bookings	29,502	16,117	11,856	13,952	16,772
Turn-Self In Bookings ³	1,404	578	745	784	857
In-Transit Bookings ⁴	979	511	543	658	679
Bookings Total	31,885	17,206	13,144	15,394	18,308
MCDC: Average Daily Population	397	292	301	347	331
MCIJ: Average Daily Population	687	503	468	489	534
Average Daily Population Total	1,083	795	769	835	865

MCSO Reported PREA Incident Data

MCSO attempts to collect data on all PREA incidents, including those reported by adults arrested and/or in custody that took place in another jurisdiction and those that were previously reported. Each incident is reviewed and, if necessary, investigated.

In 2023, a total of 259 PREA-related incidents were reported. Of these, 68 (26%) qualified for Federal reporting, as these allegations were purported to have occurred within an MCSO facility, were stated to have occurred between January 1, 2023, and December 31, 2023, and were identified as a PREA incident per Federal definitions.

Facility: Multnomah County Detention Center (MCDC)

Of the 68 incidents that qualified for Federal reporting, 55 were alleged to have occurred at MCDC. Of these, 49 were unfounded, two were unsubstantiated, two were substantiated, and two are still under investigation.

¹ <https://www.pdx.edu/population-research/>, July 1, 2023 population estimate on November 15, 2023

² FY24 budget (July 2023 to June 2024)

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

Facility: Multnomah County Inverness Jail (MCIJ)

Thirteen of the 68 incidents were alleged to have occurred at MCIJ. Of these, eleven were unfounded, one was unsubstantiated, and one was substantiated.

Data Summary

Table 2 shows 2023 incidents by location, type, and disposition. (See the glossary for definitions of types and dispositions.)

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

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Open	Total
MCDC					
Sexual Abuse		3	1	1	5
Sexual Harassment	2	18			20
Staff Sexual Abuse		18		1	19
Staff Sexual Harassment		10	1		11
MCDC Total	2	49	2	2	55
MCIJ					
Sexual Abuse		3			3
Sexual Harassment	1	2	1		4
Staff Sexual Abuse		6			6
Staff Sexual Harassment					0
MCIJ Total	1	11	1	0	13

Staff-on-inmate⁵

In 2023, there were 25 allegations of Staff Sexual Abuse. Twenty-four were determined to be unfounded and one is still under investigation. In addition, there were eleven reports of alleged Staff Sexual Harassment. Of these, ten were unfounded and one was unsubstantiated.

Inmate-on-inmate

There are two categories of inmate-on-inmate incidents⁶. In 2023, there were eight reported incidents of inmate-on-inmate sexual abuse. Six were unfounded, one was unsubstantiated,

⁵ Although MCSO has adopted the term “adult in custody,” PREA standards reference the terms “staff-on-inmate” and “inmate-on-inmate.”

⁶ Bureau of Justice Statistics, “In 2023, changes were made to the summary and substantiated incident forms for the SSV” (Survey of Sexual Victimization). “Additionally, the SSV victimization category names were changed. Behaviors previously recorded as nonconsensual sexual acts or abusive sexual contact were combined into one category of sexual abuse and staff sexual misconduct was renamed staff sexual abuse.”



and one is still under investigation. There were twenty-four reports of inmate-on-inmate sexual harassment. Of these, twenty were unfounded, one was unsubstantiated, and three were substantiated.

Substantiated incidents

There were three substantiated incidents in 2023; all were inmate-on-inmate harassment.

In one incident, the perpetrator placed his genitalia through the adult in custody's food port and shook his genitals twice towards the other. The perpetrator was a black male, and the victim was a white male.

In the second incident, the perpetrator slipped a note under the adult in custody's door asking them to play the game "stripper". The perpetrator was a Hispanic male, and the victim was a Hispanic female.

In the third incident, an adult in custody reported that the perpetrator grabbed their crotch and then made a facial gesture with open mouth indicating oral sex. The perpetrator was a white male, and the victim was a white male.

In all of these incidents, it did not appear that race, gender identity, or other protected status was a motivation for the harassment.

2019-2023 Comparisons of Reported Incident Data

The annual reporting requirement includes a comparison of current year data to prior years (Table 3). The number of PREA allegations increased from 56 to 68 (21%) between 2022 and 2023. The number of substantiated incidents stayed the same at three.

Table 3. PREA Cases by Type, Disposition: 2019, 2020, 2021, 2022, and 2023

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Open	Total
2019					
Nonconsensual Sexual Acts		4	2		6
Abusive Sexual Contact		4			4
Sexual Harassment	2	17	3		22
Staff Sexual Misconduct		15	1		16
Staff Sexual Harassment		1			1
2019 Total	2	41	6		49
2020					
Nonconsensual Sexual Acts		4			4
Abusive Sexual Contact	1	1	1		3
Sexual Harassment		4	3		7
Staff Sexual Misconduct		17	2		19
Staff Sexual Harassment		5	1		6
2020 Total	1	31	7		39
2021					
Nonconsensual Sexual Acts		3	1		4
Abusive Sexual Contact		2	1		3
Sexual Harassment	2	5	5		12
Staff Sexual Misconduct		28	2		30
Staff Sexual Harassment		6			6
2021 Total	2	44	9		55
2022					
Nonconsensual Sexual Acts		2			2
Abusive Sexual Contact		4			4
Sexual Harassment	3	21			24
Staff Sexual Misconduct		24			24
Staff Sexual Harassment		2			2
2022 Total	3	53			56
2023					
Sexual Abuse		6	1	1	8
Sexual Harassment	3	20	1		24
Staff Sexual Abuse		24		1	25
Staff Sexual Harassment		10	1		11
2023 Total	3	60	3	2	68



Addressing PREA allegations

PREA incidents can be reported by a number of sources including adults in custody, jail staff, medical personnel, outside family/contacts, and other jurisdictions. When a PREA incident is reported, a staff member will gather information on what occurred. The alleged victim and perpetrator may be separated and, if warranted, a “keep separate” may be added between adults in custody.

If physical evidence is present, the victim will be advised to not shower, eat, drink, brush teeth, change clothes, or use the bathroom and a Sexual Assault Nurse Examiner (SANE) may come to collect evidence.

MCSO provides access to advocates for victims in need of support services. Call to Safety can provide emotional support, safety planning, information, and referrals. MCSO offers additional support through our programs staff, chaplains, and medical and mental health. These services are available to every adult in custody at no charge.

The MCSO Jail Detective reviews each case and investigates accordingly. If appropriate, cases are referred for criminal prosecution. The PREA Coordinator collects the case files, examines the information, and makes the final disposition determination on each case. If necessary, cases are reviewed through the chain of command and/or sent for further investigation to Internal Affairs.

If the victim is in custody once an investigation is completed, the adult in custody will be told the result of the case.

The PREA Coordinator enters information from each report into a centralized database. The Coordinator is able to review aggregate data for patterns, trends, or gaps that may indicate the need for additional review of cases, operational adjustments, areas for staff or adults in custody to receive additional education, or policy changes.

PREA Review Committee

The MCSO PREA Review Committee is comprised of the Facility Commander where the incident occurred, the PREA Coordinator, Classification Staff, Medical and/or Mental Health Staff, the Jail Detective, and a line-level supervisor. The Committee reviews substantiated or unsubstantiated cases of sexual abuse and evaluates the following areas for possible 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 within the facility;
- The location 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 respective facility 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 PREA-related information agency-wide from 2023:

- PREA training course materials for staff members, contractors and volunteers reviewed and updated.
- The Adult in Custody Orientation Guide published in 2022 was updated. The guide contains a section on “Helpful Information about PREA” and was written at a lower reading level and translated into four additional languages: Spanish, Russian, Chinese and Vietnamese.
- PREA related forms were reviewed and updated as necessary.
- Updates were made to the digital informational materials in the MCDL Reception area.
- Training was conducted for facility PREA Compliance Managers.

Glossary: Definitions for Federal Reporting

PREA Incident Types

Sexual Abuse: Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- 2) Contact between the mouth and the penis, vulva, or anus;
- 3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- 4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.



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, detainee, or resident directed toward another.

Staff Sexual Abuse: Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- 2) Contact between the mouth and the penis, vulva, or anus;
- 3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- 6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)–(5) of this section;
- 7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- 8) Voyeurism by a staff member, contractor, or volunteer.

Staff Sexual Harassment: Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, 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 and is still in process.