



**MARIN COUNTY SHERIFF'S DEPARTMENT  
INTER-OFFICE MEMORANDUM**

**TO: Robert Doyle, Sheriff**                      **DATE: February 27, 2017**  
**FROM: James Hickey, Lieutenant**  
**VIA: Chain of Command**  
**SUBJECT: PRISON RAPE ELIMINATION ACT ANNUAL REPORT 2016**

The Prison Rape Elimination Act (PREA) requires all law enforcement agencies with detention facilities of any kind to create an annual report of all sexual abuse and sexual harassment incidents reported within its facilities. This report must be completed, submitted to the agency head, and made public via the agency's Internet web site.

Additionally, we must identify problem areas and take corrective action on an ongoing basis. This report must include a comparison of the current year's data and corrective actions along with those from prior years and must provide an assessment of our progress in addressing sexual abuse.

Currently, the Marin County Sheriff's Office is in the active process of implementing PREA Standards and will be in full PREA compliance by March 2017. The Marin County Sheriff's Office is currently providing educational and informational material to all inmates, and providing training to staff. Our staff training consisted of a new General Order and assigned personnel to present PowerPoint presentations department wide. Refresher training is mandated for staff every two years. The Marin County Sheriff's Office is dedicated to providing the safest facility possible for those in our custody. Therefore, refresher training is provided department wide on an annual basis. In addition to the annual refresher training, detention staff also receives more specific training annually,

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which includes how to identify victims, crime scene protection and processing, and victim rights under PREA.

A toll free "hot line" is provided at the jail for all inmates so they can confidentially report sexual abuse or harassment, as well as seek outside advocacy and counseling from a community organization not affiliated with the Sheriff's Office. The agencies, who take these calls, by PREA standards, must be independent and not affiliated with the Sheriff's Office. Community Violence Solutions Rape Crises Center provides the services to the Sheriff's Office at no cost to the inmate. During 2016, educational material informing inmates how to avoid and report sexual assault and harassment was updated in the Inmate Rules and Regulations. This material is provided to each inmate being housed at the jail. Signage is posted in all inmate common areas throughout our jail.

2016 Prison Rape Elimination Act Annual Report:

In 2015, PREA was not implemented for the Marin County Sheriff's Office so therefore no statistics are available.

On September 24, 2016 PREA, standards were implemented for the Sheriff's Office. From September 24, 2016 through December 31, 2016, our agency received ten PREA reports from inmates housed at the Marin County Jail. In total, there were six reports of sexual harassment and four reports of sexual assault.

A breakdown of the complaints is listed below:

VICTIM	ACCUSED	COMPLAINT	DISPOSITION
Inmate	Inmate	Sexual Harassment	Unfounded
Inmate	Inmate	Sexual Assault	Unfounded
Inmate	Staff	Sexual Harassment	Unfounded
Inmate	Inmate	Sexual Assault	Unsubstantiated
Inmate	Inmate	Sexual Assault	Unsubstantiated
Inmate	Staff	Sexual Harassment	Unfounded
Inmate	Inmate	Sexual Assault	Unfounded
Inmate	Staff	Sexual Harassment	Unfounded
Inmate	Staff	Sexual Harassment	Unfounded
Inmate	Inmate	Sexual Harassment	Unfounded

The Department of Justice defines the dispositions of the above cases as the following:

- Unfounded refers to an allegation that was investigated and determined not to have occurred.
- Unsubstantiated refers to an allegation that was investigated and concluded the evidence was insufficient whether or not the event occurred.
- Substantiated refers to an allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.

All of these reports were thoroughly investigated by PREA certified and trained staff. The incidents were determined to be either unfounded or unsubstantiated, and no complaints were filed by the Marin County District Attorney's Office.

In reviewing these reports, most allegations were made against other inmates and these incidents primarily took place inside the inmate housing units. The Marin County Jail is a direct supervision facility and staff conducts safety checks regularly on all inmates, which is then documented. Our staff is committed to providing a secure, safe, and humane environment for the inmates and staff. In accordance with PREA and its standards, we mandate zero tolerance of sexual abuse and sexual harassment, and are committed to maintaining a program of education, prevention, detection, investigation, criminal and administrative sanctions against perpetrators, data collection, treatment, and support for inmates who have been a victim of sexual abuse or sexual harassment. At the conclusion of 2016 there were no deficiencies identified that needed correction or improvement to our facility.

In September 2016, we participated in a PREA audit and began the PREA implementation program inside the Marin County Jail. The Marin County Sheriff's Office expects to receive full PREA certification by March 2017.

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