



MARIN COUNTY SHERIFF'S DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Robert Doyle, Sheriff

DATE: 2/15/18

FROM: Jesse Klinge, Lieutenant

VIA: Chain of Command

SUBJECT: 2017 PRISON RAPE ELIMINATION ACT ANNUAL REPORT

The Prison Rape Elimination Act (PREA) requires all law enforcement agencies with detention facilities to create an annual report of all sexual abuse and sexual harassment allegations 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 meeting PREA standards and was PREA certified in April of 2017 after staff received PREA certified training. In addition to the PREA certification training, our staff refresher training consists of a review of General Order 5-27 (Prison Rape Elimination Act), a power point and video presentations. The Marin County Sheriff's Office is dedicated to providing the safest facility possible for those in custody. Therefore, refresher training is provided on an annual basis.

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 inmates. Educational

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material informing inmates how to avoid and report sexual assault and harassment is available in our Inmate Rules and Regulations handbook. This information will also be provided on computer tablets which will be implemented throughout the Marin County Jail this year. PREA related signage is also posted in all inmate common areas and public areas throughout our jail.

Statistics

2016

- PREA implemented September 24, 2016.
- The following 2016 statistics reflect allegations investigated between 9/24/16 – 12/31/16

VICTIM	ACCUSED	COMPLAINT	DISPOSITION
1. Inmate	Inmate	Sexual Harassment	Unfounded
2. Inmate	Inmate	Sexual Assault	Unfounded
3. Inmate	Staff	Sexual Harassment	Unfounded
4. Inmate	Inmate	Sexual Assault	Unsubstantiated
5. Inmate	Inmate	Sexual Assault	Unsubstantiated
6. Inmate	Staff	Sexual Harassment	Unfounded
7. Inmate	Inmate	Sexual Assault	Unfounded
8. Inmate	Staff	Sexual Harassment	Unfounded
9. Inmate	Staff	Sexual Harassment	Unfounded
10. Inmate	Inmate	Sexual Harassment	Unfounded

2017

VICTIM	ACCUSED	COMPLAINT	DISPOSITION
1. Inmate	Staff	Sexual Harassment	Unfounded
2. Inmate	Inmate	Sexual Assault	Unsubstantiated
3. Inmate	Staff	Sexual Assault	Unfounded
4. Inmate	Inmate	Sexual Assault	Unsubstantiated
5. Inmate	Inmate	Sexual Assault	Unsubstantiated

The Department of Justice defines the dispositions listed above as follows:

- 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

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- Substantiated refers to an allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.

All five incidents from 2017 were thoroughly investigated by PREA certified and trained staff who utilized significant investigative resources when necessary. Each incident was determined to be either unfounded or unsubstantiated. It should be noted that only five allegations were made in 2017 while there were ten allegations during a much shorter time frame in 2016. It is likely that the reporting of PREA crimes was higher for 2016 due to the implementation of PREA which resulted in a subsequent increase of PREA related education.

In reviewing the five reports from 2017, three of the allegations made were an inmate reporting their cellmate sexually assaulted them. These three incidents were classified as unsubstantiated. The remaining two alleged incidents involved inmates reporting that civilian staff either sexually harassed or sexually assaulted the inmate. These allegations were investigated and determined to be unfounded.

Although each allegation from 2017 was classified as unfounded or unsubstantiated, a review of the 2017 allegations was conducted with the Jail Command Staff and PREA coordinator. During this review there were no deficiencies identified that needed correction or improvement to our facility. During this review it was decided to change the dispositions for incident #2 and #5 from unfounded to unsubstantiated as the Jail Command Staff determined these incidents could not be disproved.

The Marin County Jail is a direct supervision facility and our staff conducts safety checks regularly on all inmates. These safety checks are subsequently documented. Our staff excels in running a secure and safe environment for our inmates. 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. We 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.

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