



MARIN COUNTY SHERIFF'S DEPARTMENT INTER-OFFICE MEMORANDUM

TO: Jamie Scardina, Sheriff

DATE: 1/5/23

FROM: Sean McKrell, Lieutenant

VIA: Chain of Command

SUBJECT: 2022 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 their 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 our Lexipol Policy #606 (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. We went through our PREA audit in 2020 and were found to be in compliance and meeting standards on April 12, 2021.

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 an independent community organization not affiliated with the Sheriff's Office. Community Violence Solutions Rape Crisis Center provides these services to the Sheriff's Office at no cost to the inmates.

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Educational material informing inmates how to avoid and report sexual assault and harassment is available in our Inmate Rules and Regulations handbook. This information is also provided on computer tablets which have been implemented throughout the Marin County Jail. 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

2018

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

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2019

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

2020

VICTIM	ACCUSED	COMPLAINT	DISPOSITION
1. Inmate	Staff	Sexual Assault	Unfounded
2. Inmate	Inmate	Sexual Harassment	Substantiated

2021

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

2022

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

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.

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- 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 seven incidents in 2022 were investigated by PREA certified and trained staff. All seven incidents were determined to be unfounded. Per policy, unfounded incidents are not reviewed.

A Capital Improvement Project has been approved and began the planning stages in 2021. This Capital Improvement Project will provide a new camera system to this facility with greater recording capabilities and additional camera coverage. This new camera system will enhance our ability to maintain a safe facility and enhance our investigations into all PREA complaints. This project is tentatively planned to begin in 2023 with the funding through the county already approved. There were no additional deficiencies identified that needed correction or improvements needed to our facility.

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, data collection, detection, investigation, administrative sanctions and criminal prosecution against perpetrators. We will continue to provide support for inmates who have been a victim of sexual abuse or sexual harassment.

- Personal Identifying Information has been redacted from the Annual Report as it may present a clear and specific threat to the safety and security of the Marin County Jail.

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