



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

**TO: Robert T. Doyle, Sheriff**

**DATE: 1/14/20**

**FROM: Brian Fay, Lieutenant**

**VIA: Chain of Command**

**SUBJECT: 2019 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 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 an independent community organization not affiliated with the Sheriff's Office. Community Violence Solutions Rape Crises Center provides these services to the Sheriff's Office at no cost to the inmates.

Educational material informing inmates how to avoid and report sexual assault and harassment is available in our Inmate Rules and Regulations

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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

2019

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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

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

All six incidents in 2019 were investigated by PREA certified and trained staff. For the first time, one incident was determined to be substantiated. The remaining five incidents were determined to be either unfounded or unsubstantiated.

Each incident which was determined to be substantiated or unsubstantiated in 2019 was reviewed. (Unfounded incidents were not reviewed.) This review was conducted with the Jail Command Staff and the PREA coordinator.

During this review, as in years past, we noted that improved camera coverage throughout our jail would help to deter any potential sexual assault. More camera coverage would also provide additional evidence if a sexual assault did in fact occur. As you are aware a Capital Improvement Project has been approved. 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. 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

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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.

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