



Department of Community Justice

Prison Rape Elimination Act (PREA) Annual Report: Review of 2020 / 2021

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Summary

This report represents an overview of the PREA incident data collected from Multnomah County's Juvenile Detention Center, the in-house Juvenile Residential Program and disclosures received within community justice. This synopsis focuses on the outcomes from the current year and provides a comparison to the previous year's data. The findings allow the Department of Community Justice (DCJ) to evaluate effectiveness of existing prevention, detection and response protocols associated with sexual abuse and sexual harassment reports within PREA's *Juvenile* and *Community Confinement* settings.

Background

PREA was established in 2003 to address alarming national statistics associated with the prevalence of sexual assaults within U.S. correctional facilities. Four sets of standards were established and finalized in August 2012 and are the foundation of governance for ensuring youth and adults held in secure custody or community confinement facilities are protected from sexual abuse and sexual harassment. As such, our annual assessment of incident reports spans the months of September 1st through August 31st.

DCJ participated in its first, three-year-cycle audit in 2018. Out of 358 evaluation marks embedded in the 43 PREA Standards, there were two deficiencies flagged for corrective action. DCJ received a 90-day response window before the report became final. The two identified shortcomings were: 1) establishment of a consistent system for unit entry announcements related to staff of an opposite gender; and 2) proof of a background recheck process for contractors every five years beyond hire date. Within 60 days, DCJ was able to implement necessary adjustments to prove the adopted practices had become memorialized. The final PREA Audit Report was released June 20, 2018 with a 100% compliance score.

Incident Reports

All DCJ Juvenile and Adult Services staff who work directly with justice involved individuals receive job-specific PREA training. Likewise, youth admitted to our secure detention and residential setting within Multnomah County, receive information about PREA and our zero tolerance policy. Youth are instructed on what to do if they witness or experience any form of sexual harassment or abuse.

Within the workforce training curriculum, there is a clear expectation for staff to immediately complete a department PREA incident report once they become aware of sexual contact or harassment (*reported, witnessed or suspected*). Staff's report is then routed to the department's PREA Compliance Manager and PREA Coordinator for review and subsequent investigatory steps. A compilation of facts guides agency notifications and the outcome summary - which identifies the designation of the incident as substantiated, unsubstantiated or unfounded.

Disposition Definitions

Substantiated: An allegation was investigated and determined to have occurred.

Unsubstantiated: An allegation produced insufficient evidence to determine whether or not the event occurred.

Unfounded: An allegation was investigated and determined **not** to have occurred.

September 2021

Table 1: Number and type of alleged incidents for September 01, 2020 - August 31, 2021

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	--	1	1	2
Youth to Youth Sexual Harassment (<i>twice repeated verbal / gestures</i>)	--	--	3	3
Staff to Youth Sexual Abuse (<i>physical contact</i>)	--	--	2	2
Staff to Youth Sexual Harassment	--	1	--	1
Incident(s) determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>			3
Incident(s) occurred at a non-DCJ facility	<i>ASD or JSD staff recorded incident details and transferred PREA report(s) to facility of origin.</i>			ASD = 2 JSD = 0

TOTAL Reports for current year	13
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Table 2: Age, gender and location

Perpetrator	Female 9%	Male 91%	Transgender --	Not identified / unknown --	Average youth age 17 yrs 4 mos
Victim	Female 9%	Male 91%	Transgender --	Not identified / unknown --	Average youth age 16 yrs 3 mos
Location of incident	Youth's sleeping rm (x6); unit commons space (1); Library (1); Gym (1); non DCJ facility (x2); not identified (x2)				

Table 3: PREVIOUS YEAR'S DATA - September 01, 2019 - August 31, 2020

Type of Incident Reported	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	--	2	4	6
Youth to Youth Sexual Harassment (<i>twice repeated verbal / gestures</i>)	--	--	2	2
Staff to Youth Sexual Abuse (<i>physical contact</i>)	--	--	2	2
Staff to Youth Sexual Harassment	1	--	1	2
Incident(s) determined not to be PREA	<i>Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.</i>			3
Incident(s) occurred at a non-DCJ facility	<i>ASD or JSD staff recorded incident details and transferred PREA report to facility of origin.</i>			ASD = 2 JSD = 1

TOTAL Reports for the previous year	18
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Comparison of Last Two Years

Table 1 reflects the current year's total number of reports as 13. The previous year's tally is 18 reports. The most notable contrast of these numbers is seen within the youth-to-youth allegations domain. It is likely this difference is attributed to the change in the average daily detention population from 2020 to 2021. Last year, the facility averaged 31 youth per day versus the previous year's 46 youth per day. The decline in youth numbers is due to the decision to matrix as many youth out of the facility as possible to address a local health crisis – the surge in Covid-19 cases within Oregon. Clearly, with less youth and more supervision, behaviors are more visible and there are less instances where staff's attention is pulled in multiple directions at once.

Another area of detectable improvement between the two years is found within the entry fields of the incident reports. Staff's improved efforts to provide complete information, whenever possible, are essential to creating a clear overall picture. The gleaned details help guide decision making and pinpoint areas of vulnerability. For instance, last year's data show half of all alleged incidents involved a youth in their room. Pointing this out to staff, allows for increased awareness and expanded diligence.

As seen in other secure facilities, there are a couple of reports each year that turn out to be fabricated with the intent of getting another youth or a staff in trouble / removed from the unit. While this tactic is not pervasive, it is important our onboard education for youth conveys the significance between the value of authentic reporting and the detriment associated with false reporting.

Closing Statement

In conclusion, I want to recognize the work of staff at the Multnomah County Juvenile Justice Complex. Custody Specialists and managers repeatedly prove that compassionate, consistent and mindful work helps youth strengthen their current footing to pursue healthier future paths. There are a lot of moving pieces that make this profession multi-dimensional and challenging. Their contribution to the lives of young people is invaluable -- and greatly appreciated.

This report is approved by the Department of Community Justice's Director, Erika Preuitt, and is available for review on the Juvenile Services Division's public website.

Next scheduled PREA incident report review: September 2022