



Department of Community Justice

Prison Rape Elimination Act (PREA) Annual Report: Review of 2021 / 2022

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Summary

This report represents an overview of the PREA data extracted from incident reports received from Multnomah County's Juvenile Detention Center, the in-house Juvenile Assessment & Evaluation Residential Program and community justice - parole/probation officers. Outcomes between the current year and the previous year's reports are reviewed so that department leadership may evaluate effectiveness of existing prevention, detection and response protocols associated with sexual abuse and sexual harassment allegations within the organization's juvenile facilities and community confinement placements.

Background

PREA was established in 2003 to address alarming national statistics associated with the prevalence of sexual assaults within United States 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.

The Department of Community Justice (DCJ) has completed two PREA audits -- one in June 2018 and one in August 2022. Out of 358 evaluation points embedded in the 43 PREA Standards, there were two deficiencies flagged for corrective action in 2018 and four deficiencies flagged in 2022. Following both audits, DCJ received 90-days to make adjustments prior to receiving a final report. Both final reports deemed DCJ to be 100% compliant. To better understand the type of remedial actions involved, here is our response to the 2022 audit: 1) Policy statement add-on addressing unannounced manager walk-throughs; 2) Policy expansion regarding retaliation protocols; 3) Policy content add-on and PREA Incident Report entry field that supports disclosing investigative disposition back to the victim; and 4) Staffing plan workflow that incorporates an annual review and sign-off process.

Incident Reports

All DCJ Juvenile and Adult Services staff who work directly with justice involved individuals receive job-specific PREA training. Additionally, youth admitted to our secure detention and residential placement, receive an overview of PREA and our zero tolerance of abuse policy. Youth learn what to do if they witness or experience 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. Compiled facts guide the outcome summary - which identifies 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 incident occurred.

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

October 2022

Table 1: Number and type of alleged incidents for September 01, 2021 - August 31, 2022

Type of Allegation	Substantiated	Unfounded	Unsubstantiated	Total
Youth to Youth Sexual Abuse (<i>physical contact</i>)	--	--	--	0
Youth to Youth Sexual Harassment (twice repeated <i>verbal / gestures</i>)	--	--	2	2
Staff to Youth Sexual Abuse (<i>physical contact</i>)	--	1	--	1
Staff to Youth Sexual Harassment	--	--	2	2
Non-DCJ facility reports	ASD or JSD staff recorded incident details and transferred PREA report(s) to facility of origin.			ASD = 3 JSD = 1
Incident(s) determined not to be PREA	Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.			3
TOTAL Reports for current year				12

Table 2: Age, gender and location

Perpetrator	Female 17%	Male 75%	Transgender --	Not identified / unknown 8%	Average youth age 17 yrs 3 mos
Victim	Female 17%	Male 83%	Transgender --	Not identified / unknown 0%	Average youth age 16 yrs 3 mos
Location of incident	Unit commons space (3); Youth's sleeping rm (1); Laundry room (1); not identified (3); Non DCJ facility (4)				

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

Type of Allegation	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
Non-DCJ facility reports	ASD or JSD staff recorded incident details and transferred PREA report to facility of origin.			ASD = 2 JSD = 0
Incident(s) determined not to be PREA	Alleged behavior did not meet the definitions of sexual abuse or harassment under PREA.			3
TOTAL Reports for the previous year				13

Comparison of Last Two Years

Table 1 reflects 12 reports for the current year. The previous year's tally was 13. Combined, the last two years reflect lower numbers than previous years. This difference is likely attributed to 2020-2022's pandemic impact, which reduced the average daily detention population from 46 to 29 youth per day. With fewer youth, staff are less apt to have their attention pulled in two to three directions at once. Moreover, since facility management has incorporated active supervision principles, staff's detection of youth functionality and the interplay of social exchanges has allowed for early redirection or intervention of problematic unit dynamics.

The data suggests more individuals moving through the criminal justice system have become familiar with PREA and are reporting experiences when they are either going through another facility's intake questionnaire, or they are meeting with their probation officer. Because a statute of limitations does not exist for PREA reports, facilities like ours may see a slight uptick of reported incidents from over ten to fifteen years ago.

Lastly, the Juvenile Complex staff continue to report information that falls outside of PREA parameters. This suggests that staff are highly attuned to the topic and are not filtering information themselves. While we use these examples as teaching opportunities, we also encourage staff to submit a report whenever they are unsure of whether PREA is applicable.

Closing Statement

In conclusion, the detention and residential staff at Multnomah County's Juvenile Justice Complex are continuously mindful of youth safety. There are a lot of moving pieces that make this profession multi-dimensional and challenging. Staff's positive contribution to the lives of young people is impactful and the Department's PREA Coordinator and PREA Compliance Manager thank them for the work they do.

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: October 2023