

Alameda County Sheriff's Office

Santa Rita Jail
5325 Broder Boulevard, Dublin, CA 94568-3309



*NOTED + FORWARDED
TO SHERIFF AHERN
R.T. Lucas 1/17/14*

Gregory J. Ahern, Sheriff

Director of Emergency Services
Coroner - Marshal

MEMORANDUM

DATE: January 13, 2014

TO: Gregory J. Ahern, Sheriff *AJ 1/13/14*

FROM: Jason H. Arbuckle, Lieutenant *JH Arbuckle*

VIA: Chain of Command *DS 1/16/14*

W. Meyer 1/16/14

SUBJECT: **PRISON RAPE ELIMINATION ACT ANNUAL REPORT FOR 2013**

The Prison Rape Elimination Act (PREA) requires all law enforcement agencies with detention facilities of any kind to create an annual report of all sexual assaults and sexual harassment committed 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.

On August 1, 2013, the Alameda County Sheriff's Office implemented PREA procedures, providing educational and informational material to inmates and training to staff. This staff training consisted of a new General Order, a Training Bulletin, and assigned staff to present PowerPoint presentations agency wide. Refresher training is mandated every two years. The Alameda County Sheriff's Office is dedicated to providing the safest facilities possible for those in our custody. Therefore, refresher training shall be provided agency wide on an annual basis.

A toll free "hot line" was provided to all inmates so they could confidentially report sexual assault or harassment, as well as seek outside advocacy and counseling. Tracking of calls and visits was not performed by the advocacy group for 2013. This data will be included in all future annual reports.

Educational material informing inmates how to avoid and report sexual assault and harassment was added to the Inmate Rules, the Inmate Orientation video, in handouts provided all arrestees, and posted in all inmate common areas throughout the facility.

In accordance with PREA statues, all inmates who were currently housed in both facilities as of August 1, 2013, were also shown the updated Inmate Orientation Video. Added information included new information on how to report sexual assaults and sexual harassment, so they were aware of their rights to be free of sexually abusive behavior.

Also required to be in compliance with PREA are all county buildings with temporary holding facilities. All effected duty stations have implemented the appropriate policy changes along with providing necessary training to all staff.

In 2013, there were a total of 13 reports filed by inmates complaining of sexual assault or harassment. All complaints were filed by inmates housed at Santa Rita Jail. A breakdown of the complaints is listed below:

<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
Inmate	Staff	Lewd Act	Unfounded
Inmate	Staff	Penetration/Foreign Obj.	Unfounded
Inmate	Staff	Sodomy	Unfounded
Inmate	Staff	Sexual assault	Unfounded
Inmate	Staff	Sexual harassment	Investigation ongoing
Inmate	Inmate	Sexual battery	No complaint
Inmate	Inmate	Sexual battery	Charged by Dist. Atty.
Inmate	Inmate	Sodomy	No complaint
Inmate	Inmate	Sodomy	Unfounded
Inmate	Inmate	Sodomy	Unfounded
Inmate	Inmate	Sexual harassment	No complaint
Inmate	Inmate	Sexual harassment	Unfounded
Inmate	Inmate	Sexual Assault	Unfounded

After reviewing all reports, it is apparent that all cases were investigated properly and in accordance with A.C.S.O. policy and PREA. One case was charged by the Alameda County District Attorney. One case against a staff member is non-criminal and still under administrative investigation. Those reports in which no complaint was filed, two suspects were re-classified and moved out of the housing unit prior to the reporting of the incident. The other declined to pursue a complaint. All others were unfounded.

Since there were no reportable incidents in 2012, I compiled the data for the last four years to get a better representation of all incidents of sexual assault and harassment throughout the agency. This data covers six temporary holding facilities classified by PREA as "Lockups" (Courts and Patrol) and two jail facilities housing approximately 3,400 inmates on a daily basis.

Over the past four years, the Alameda County Sheriff's Office has had a total of seven (7) confirmed reports of sexual assaults or harassment with inmates listed as the victim. These incidents included the crimes of sexual battery, sodomy, and penetration with a foreign object.

Of those seven confirmed reports, six (6) occurred in living areas (dorm or cell) of the housing

A

unit. One (1) occurred in a transport van.

In reviewing all of these reports, inmates are typically victimized by other inmates and these crimes primarily occur in inmate living areas, where the inmates have a certain amount of concealment from staff. The Alameda County Sheriff's Office conducts hourly checks of all inmates in accordance with California Title 15 section 1027 and are documented in General Observation Logs. Our staff does a very good job of managing care, custody and control of our inmates and we make every effort to prevent incidents of this type. Further education of the inmates and new intake screening tools recently implemented should further reduce the already minimal number of sexual assault incidents throughout the agency. I expect this, combined with continuing training of staff will continue to keep the number of sexual assaults of inmates in our custody at a minimum.

JHA:jha

Attachment

*Noted
A/12/11*

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PREA STATISTICS REPORT

2013

Santa Rita Jail

<u>Date</u>	<u>Incident Type</u>	<u>Location</u>	<u>Victim</u>	<u>Suspect</u>	<u>Disposition</u>
3/27/13	Sexual Battery	Cell	Inmate	Inmate	No Complaint
4/21/13	Lewd Act	Day Room	Inmate	Staff	Unfounded
7/7/13	Sodomy	Cell	Inmate	Inmate	Unfounded
7/18/13	Sodomy	Cell	Inmate	Inmate	Unfounded
7/27/13	Sodomy	Dorm	Inmate	Inmate	No Complaint
9/4/13	Sexual Harassment	Cell	Inmate	Inmate	Unfounded
9/9/13	Sexual Battery	Dorm	Inmate	Inmate	Criminally Charged
9/23/13	Penetration/Foreign Obj.	Booking	Inmate	Staff	Unfounded
9/26/13	Sexual Harassment	Housing Unit	Inmate	Staff	Ongoing Inv.
10/20/13	Sodomy	Cell	Inmate	Staff	Unfounded
11/7/13	Asslt w/intent sexually assault	Housing Unit	Inmate	Staff	Unfounded
12/11/13	Sexual Harassment	Cell	Inmate	Inmate	No Complaint
12/12/13	Sexual Assault	Dorm	Inmate	Inmate	Unfounded

Glenn E. Dyer Detention Facility

There were no reportable incidents at these facilities.

Eden Township Substation

There were no reportable incidents at this facility

Courts

There were no reportable incidents at this facility.