

# DAJD PREA Annual Report

2012 – 2014 Reported Incident Data

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## PRISON RAPE ELIMINATION ACT (PREA) ANNUAL REPORT

*This Annual Report of the King County Department of Adult & Juvenile Detention includes PREA information for the Adult Jails (KCCF & RJC), Juvenile Facility, and Work Release (WER).*

### PREA Intent, Purpose & Background

PREA was established in 2003 to address the problem of sexual abuse and sexual harassment of persons in the custody of U.S. correctional agencies. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment of prison rape. The Act applies to all public and private institutions that house adult or juvenile offenders and is also relevant to community-based agencies. DAJD has adopted a zero tolerance policy on issues pertaining to sexual abuse and sexual harassment involving inmates and is working continuously to implement new policies, training requirements for staff and inmates, and developing standards for detection, prevention, reduction and punishment of prison rape.

### Set of Definitions/Acronyms:

**ADP:** Average Daily Population

**Exonerated:** The allegation investigated substantially occurred, but was lawful and proper.

**Inmate Nonconsensual Sexual Act/Abuse:** Any of the following acts between inmates if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: contact between genitals, between mouth and genitals, penetration of genital or anal opening of another person, however slight, by a hand, finger, object, or other instrument; intentional touching, either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

**Inmate Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

**KCCF:** King County Correctional Facility

**Non-Sustained:** There is insufficient factual evidence either to prove or disprove the allegations.

**PREA:** Prison Rape Elimination Act

**PREA Allegation/Report:** Counts each and every victim and suspect involved in PREA Cases to ensure all distinct attributes (race, gender, age, etc.) are acknowledged and included in the data provided. The data in these tables will not match the exact number of PREA Cases due to multiple victims or suspects included in some PREA Cases.

**PREA Case:** A situation or set of incidents that may involve the same victims and suspects on particular incident date(s). We see each PREA Case as a set of alleged actions linked together by virtue of the same incident date and suspect(s) or different dates involving the same victim and suspect over time.

**RJC:** Regional Justice Center

**SAIRC:** Sexual Abuse Incident Review Committee

**Staff Sexual Harassment:** Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

**Staff Sexual Misconduct/Abuse:** Any of the following acts toward an inmate by a staff member, contractor, or volunteer with or without consent: contact between genitals, between mouth and genitals, penetration of genital or anal opening, however slight, by a hand, finger, object, or other instrument; intentional touching/contact, either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks that is unrelated to official duties or where the staff member, contractor or volunteer has the intent to abuse, arouse, or gratify sexual desire; any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities above; display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate and voyeurism by a staff member, contractor or volunteer.

**Sustained:** The allegation is supported by sufficient factual evidence.

**Undetermined:** The complainant withdraws the complaint, cannot be located, and/or is uncooperative OR the accused employee separates from the Department before the conclusion of the investigation.

**Unfounded:** The allegation is false or not factual.

**WER:** Work, Education & Release.

## Population Information

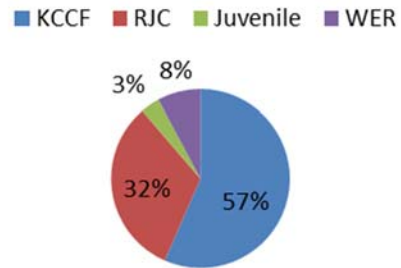
### Population by Facility

Population by Facility 2012 - 2014			
	2012	2013	2014
	ADP	ADP	ADP
<b>KCCF</b>	1,107	1,098	1136
<b>RJC</b>	629	679	753
<b>Juvenile</b>	68	58	57
<b>WER</b>	153	133	142

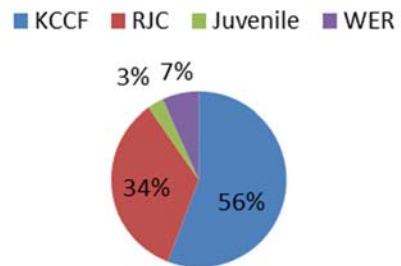
Additional information regarding our Average Detention Population (ADP) data such as gender, age, race/ethnicity can be found on our DAJD statistic website here:

[http://www.kingcounty.gov/courts/detention/DAJD\\_Stats.aspx](http://www.kingcounty.gov/courts/detention/DAJD_Stats.aspx)

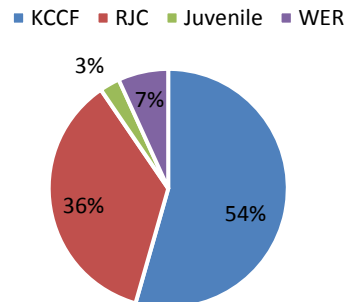
### 2012 ADP



### 2013 ADP



### 2014 ADP



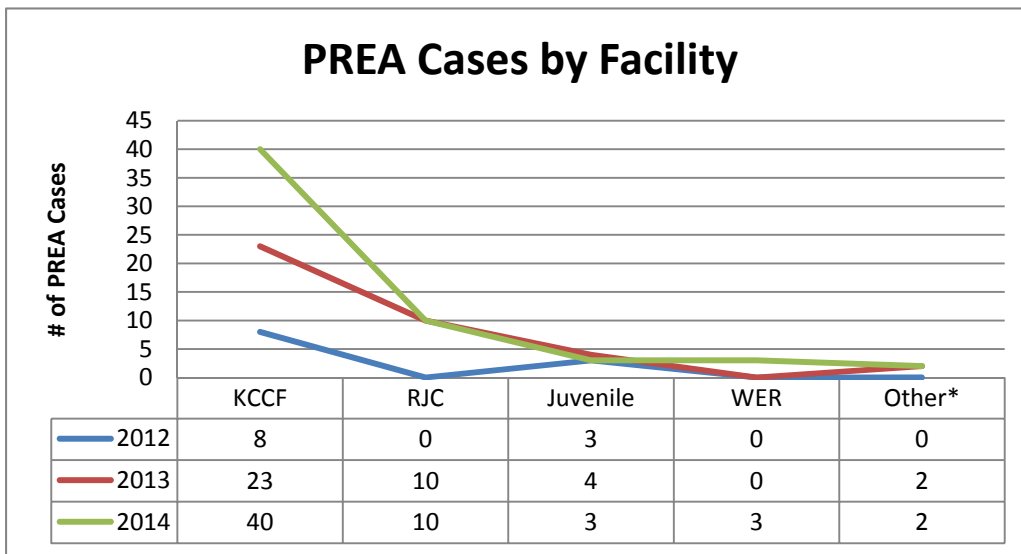
## PREA Cases & Allegations/Reports

**Important Information:** The following data will use the term “PREA Case” and “PREA Allegations/Reports” differently. The term “PREA Case” counts as a situation or set of incidents that may involve the same victims and suspects on particular incident date(s). We see each PREA Case as a set of alleged actions linked together by virtue of the same incident date and suspect(s) or different dates involving the same victim and suspect over time. The term “PREA Allegations/Reports” counts each and every victim and suspect involved in PREA Cases to ensure all distinct attributes (race, gender, age, etc.) are acknowledged and included in the data provided. The data in these tables will not match the exact number of PREA Cases due to multiple victims or suspects included in some PREA Cases.

### By Facility

PREA Cases by Facility 2012 - 2014			
	2012	2013	2014
KCCF	8	23	40
RJC	0	10	10
Juvenile	3	4	3
WER	0	0	3
Other*	0	2	2

\*Report received regarding incidents/allegations that occurred at an Outside Facility or location unknown by reporter



## By Description

### Incident Description Definitions:

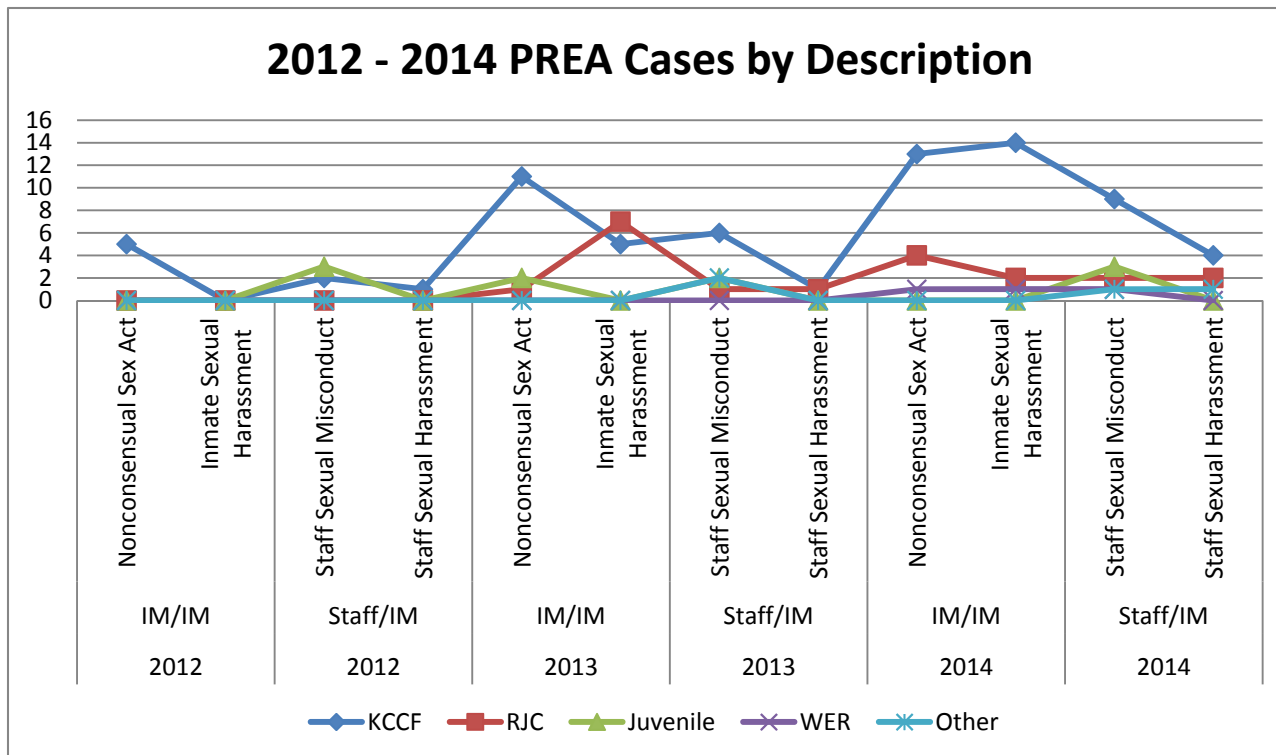
- **Inmate Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.
- **Inmate Nonconsensual Sexual Act/Abuse:** Any of the following acts between inmates if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: contact between genitals, between mouth and genitals, penetration of genital or anal opening of another person, however slight, by a hand, finger, object, or other instrument; intentional touching, either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.
- **Staff Sexual Harassment:** Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- **Staff Sexual Misconduct/Abuse:** Any of the following acts toward an inmate by a staff member, contractor, or volunteer with or without consent: contact between genitals, between mouth and genitals, penetration of genital or anal opening, however slight, by a hand, finger, object, or other instrument; intentional touching/contact, either directly or through clothing of the genitalia, anus, groin, breast, inner thigh, or the buttocks that is unrelated to official duties or where the staff member, contractor or volunteer has the intent to abuse, arouse, or gratify sexual desire; any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities above; display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate and voyeurism by a staff member, contractor or volunteer.

***Note:*** The definitions above were paraphrased from the Department of Justice PREA standards definitions. DAJD also uses the PREA definitions in the relevant Standard Operating Procedures (SOPs).

## PREA Cases by Description

PREA Cases by Description (IM-on-IM & Staff-on-IM)												
	2012		2012		2013		2013		2014		2014	
	IM/IM		Staff/IM		IM/IM		Staff/IM		IM/IM		Staff/IM	
	Nonconsensual Sex Act	Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment	Nonconsensual Sex Act	Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment	Nonconsensual Sex Act	Inmate Sexual Harassment	Staff Sexual Misconduct	Staff Sexual Harassment
KCCF	5	0	2	1	11	5	6	1	13	14	9	4
RJC	0	0	0	0	1	7	1	1	4	2	2	2
JUV	0	0	3	0	2	0	2	0	0	0	3	0
WER	0	0	0	0	0	0	0	0	1	1	1	0
Other	0	0	0	0	0	0	2	0	0	0	1	1

Note: Where there were multiple descriptions per report, the most severe allegation is counted





## Findings of Investigation

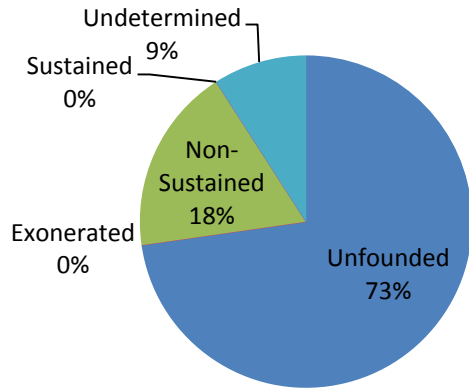
### Investigation Findings Definitions:

- **Unfounded (Unf.):** The allegation is false or not factual.
- **Exonerated (Exon.):** The allegation investigated substantially occurred, but was lawful and proper.
- **Non-Sustained (Non-Sus.):** There is insufficient factual evidence either to prove or disprove the allegations.
- **Sustained (Sus.):** The allegation is supported by sufficient factual evidence.
- **Undetermined (Undet.):** The complainant withdraws the complaint, cannot be located, and/or is uncooperative OR the accused employee separates from the Department before the conclusion of the investigation.
- **Other (O):** The investigation is not yet closed or the conclusion does not fit in the categories above (e.g., a consensual act, etc.)

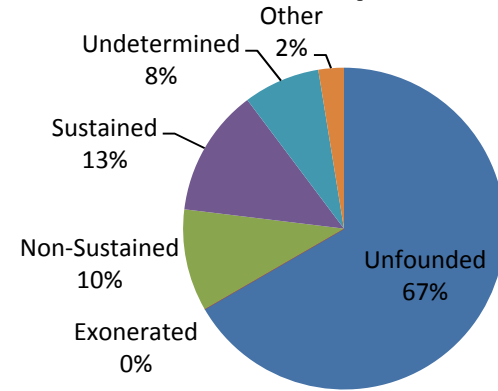
PREA Cases by Finding

	2012					2013						2014					
	Unf.	Exon.	Non-Sus.	Sus.	Undet.	Unf.	Exon.	Non-Sus.	Sus.	Undet.	O	Unf.	Exon.	Non-Sus.	Sus.	Undet.	O
<b>All</b>	8	0	2	0	1	26	0	4	5	3	1	46	0	1	3	1	7
<b>KCCF</b>	6	0	1	0	1	15	0	2	4	1	1	32	0	1	2	0	5
<b>RJC</b>	0	0	0	0	0	7	0	2	1	0	0	7	0	0	1	1	1
<b>JUV</b>	2	0	1	0	0	4	0	0	0	0	0	3	0	0	0	0	0
<b>WER</b>	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0
<b>Other</b>	0	0	0	0	0	0	0	0	0	2	0	1	0	0	0	0	1

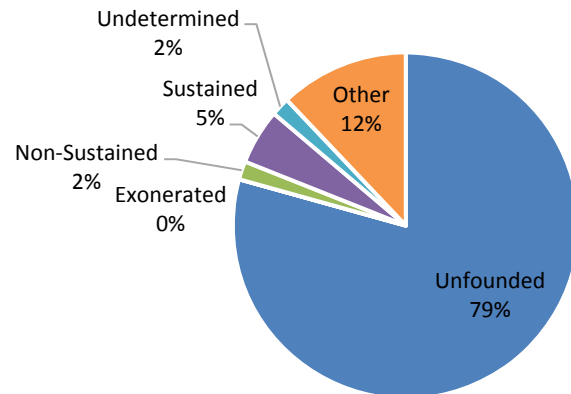
### 2012 PREA Case Findings - All Facilities/Locations



### 2013 PREA Cases by Finding - All Facilities/Locations



### 2014 PREA Case Findings - All Facilities/Locations



## Sexual Abuse Incident Review Committee

The Sexual Abuse Incident Review Committee (SAIRC) was formed by DAJD in February 2013 to comply with PREA Standards 115.86 (Adult), 115.386 (Juvenile) and 115.286 (Community Confinement/WER) Sexual Abuse Incident Reviews. According to these standards, DAJD must conduct a sexual abuse incident review at the conclusion of each sexual abuse investigation except when the allegation is determined as unfounded. These reviews typically occur within 30 days of the conclusion of a PREA Case investigation. The review team includes upper-level management (with input from line supervisors) and medical or mental health practitioners. For each investigation the SAIRC reviews the following criteria:

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

## Summary of Corrective Actions

During 2014, several changes were initiated to become compliant with PREA standards and prepare for the first DAJD PREA Audit that occurred at the Adult Facilities (KCCF and MRJC) in May. These efforts included: policy and procedure review and updates, form refinement, establishing formal processes for response to reports of sexual assault, establishing coordinated responses with internal and external agencies, enhancement of PREA training and specialized training in Transgender Policies, etc. Below are some corrective actions and information by facility/location:

### King County Correctional Facility (KCCF)

- Refinement of relevant policies;
- Establishment and clarity of processes, procedures and forms;
- PREA Training enhancement – including transgender policy content, how to detect and respond to potential PREA-related situations, increased awareness and deeper understanding of various factors that contribute to gender identity and targets for potential predators;
- Transgender Policy Training;
- New Inmate Orientation Video – includes a specific updated section on PREA;
- Completion of all PREA Audit Corrective Actions.

## Regional Justice Center (RJC)

- Refinement of relevant policies;
- Establishment and clarity of processes, procedures and forms;
- PREA Training enhancement – including transgender policy content, how to detect and respond to potential PREA-related situations, increased awareness and deeper understanding of various factors that contribute to gender identity and targets for potential predators;
- Transgender Policy Training;
- New Inmate Orientation Video – includes a specific updated section on PREA;
- Completion of all PREA Audit Corrective Actions.

## Juvenile Detention Facility

- Preparation for PREA Audit in February 2015;
- Development and refinement of policies, processes, procedures and forms;
- PREA Training enhancement – increased information relevant for youth in detention, early detection and response to potential PREA-related situations, etc.;
- Juvenile PREA Education enhancement upon entry/admission;
- Establishment of PREA Audit Preparation Team – use of experts in each major service area to instill PREA into all facets of operations;
- Development of PREA Checklist.

## Work, Education & Release (WER)

- Review and refinement of PREA-related policies;
- Establishment of partnerships at other Work Release/Community Confinement agencies that are PREA-compliant;
- Internal discussions/reviews for PREA-readiness in preparation for audit on or before August 2016.

## References

- Data Sources:
  - DAJD Statistics and DAR Reports:  
[http://www.kingcounty.gov/courts/detention/DAJD\\_Stats.aspx](http://www.kingcounty.gov/courts/detention/DAJD_Stats.aspx)
  - DAJD Director's PREA Log/Spreadsheet
  - DAJD PREA Compliance Environment
- Information Sources:
  - PREA Resource Center: <http://www.prearesourcecenter.org/>