



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. The Clackamas County Sheriff's Office has adopted a zero tolerance on issues pertaining to sexual abuse and sexual harassment involving adults in custody and is working continuously to implement new policies, training requirements for staff and adults in custody, and developing standards for detection, prevention, reduction and punishment of prison rape.

It is the policy of the Clackamas County Sheriff's Office to provide a safe and secure environment for the adults in custody committed to the care and custody of the Clackamas County Jail (CCJ). The passage of the Prison Rape Elimination Act (PREA) by the United States Congress in 2003 reinforces previous policies of the Clackamas County Jail. All sworn/non-sworn staff, volunteers and contractors of the Clackamas County Sheriff's Office must abide by this and related laws, policies and standards that help prevent, detect, reduce, document and punish adult in custody sexual assault. Sexual misconduct, in any form, between staff and adult in custody or adult in custody and adult in custody is strictly prohibited.

General Information

During 2023, there were a total of 11,307 new admissions into the Clackamas County Jail. Of the new admissions, 8,556 were male, and 2,751 were female. The average daily population of the Facility was 314 adults in custody.

DEFINITIONS OF SEXUAL VIOLENCE

The definition of "rape" as required under the Prison Rape Elimination Act of 2003 will be operationalized by disaggregating sexual assault into two categories of adult in custody-on-adult in custody SEXUAL VIOLENCE. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control, in "Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements," Centers for Disease Control and Prevention. The categories of adult in custody-on-adult in custody SEXUAL VIOLENCE are:



NONCONSENSUAL SEXUAL ACTS:

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND/OR

Contact between the mouth and the penis, vagina, or anus;

OR

Penetration of the anal or genital opening of another person by a hand, finger, or other object.

ABUSIVE SEXUAL CONTACTS:

Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND

Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

SEXUAL HARASSMENT:

The definition of SEXUAL HARASSMENT was also developed by the National Institute of Corrections. SEXUAL HARASSMENT includes repeated verbal statements or comments of a sexual nature to an adult in custody by an employee, volunteer, contractor, official visitor, or other agency representative (exclude adult in custody family, friends, or other visitors).

Demearing references to gender or derogatory comments about body or clothing;

OR

Repeated profane or obscene language or gestures.

FINDINGS

Following an investigation into an adult in custody's allegation that he or she was the victim of sexual misconduct, the Clackamas County Jail classifies each investigation as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Those findings are defined as such:

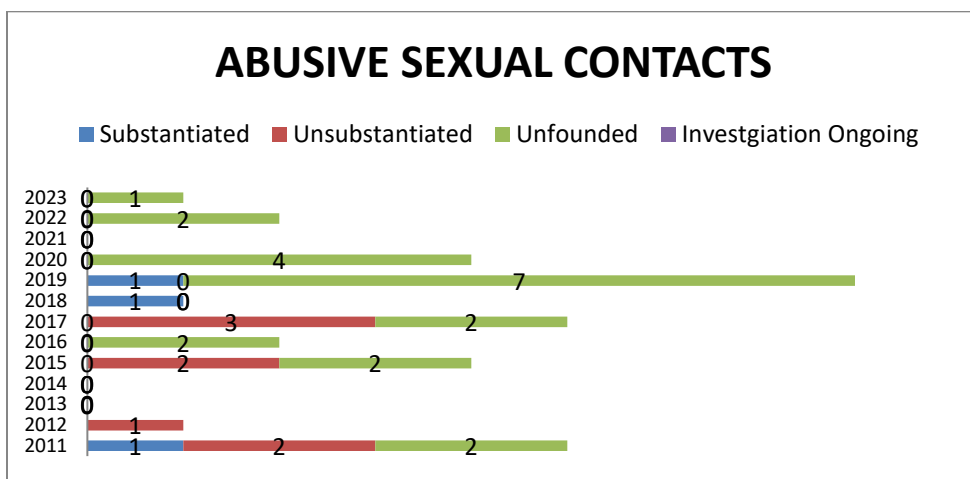
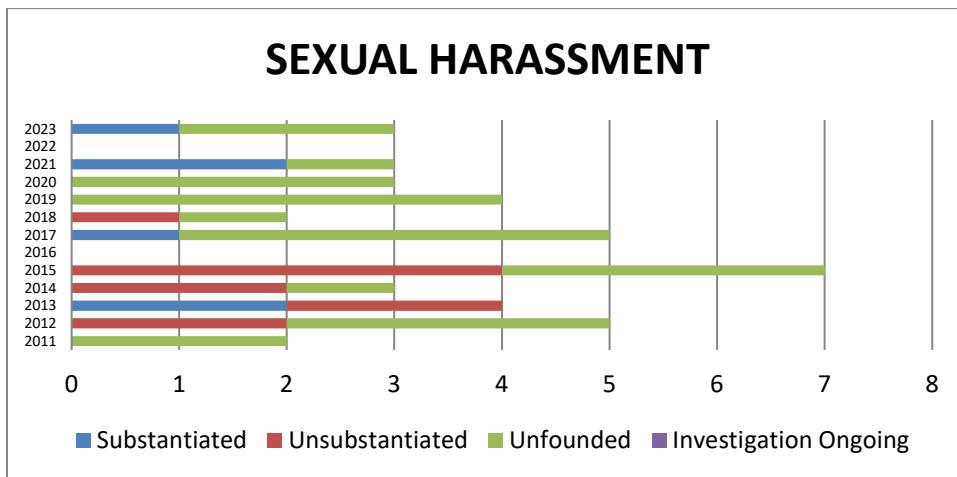
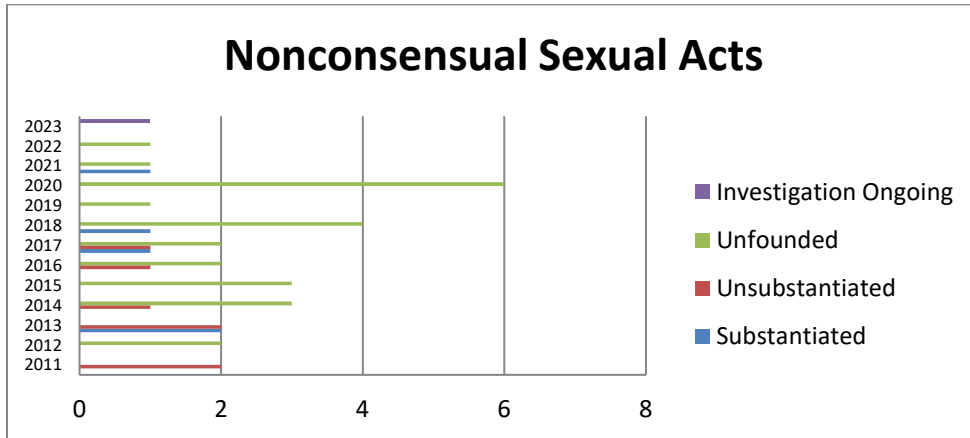
UNFOUNDED: The allegation is false or not factual.

UNSUBSTANTIATED: There is insufficient factual evidence either to prove or disprove the allegations.

SUBSTANTIATED: The allegation is supported by sufficient factual evidence.



PREA REPORT ACTIVITY





STAFF SEXUAL MISCONDUCT

DEFINITION OF STAFF SEXUAL MISCONDUCT

Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire; The definition of STAFF SEXUAL MISCONDUCT is based on "Training for Investigators of Staff Sexual Misconduct," prepared by the National Institute of Corrections.

STAFF SEXUAL MISCONDUCT includes any behavior or act of a sexual nature directed toward an adult in custody by an employee, volunteer, contractor, official visitor, or other agency representative (exclude adult in custody family, friends, or other visitors). Sexual relationships of a romantic nature between staff and adults in custody are included in this definition.

Consensual or nonconsensual sexual acts including:

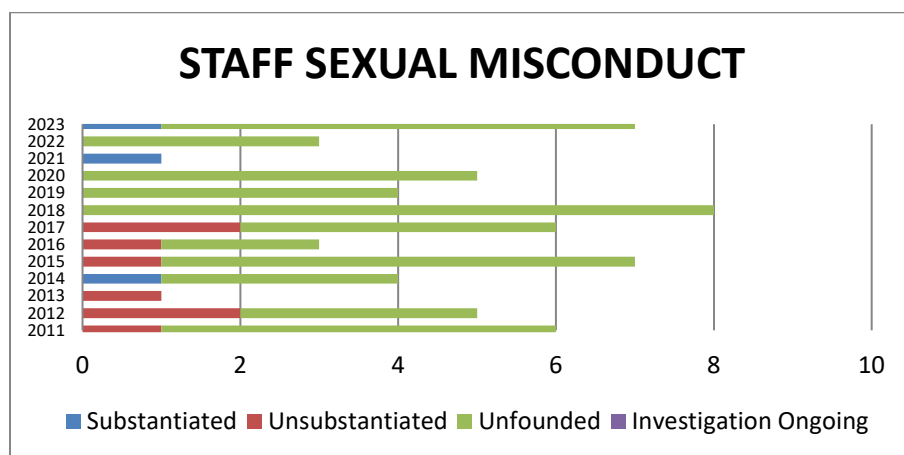
Completed, attempted, threatened, or requested sexual acts;

OR

Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification;

OR

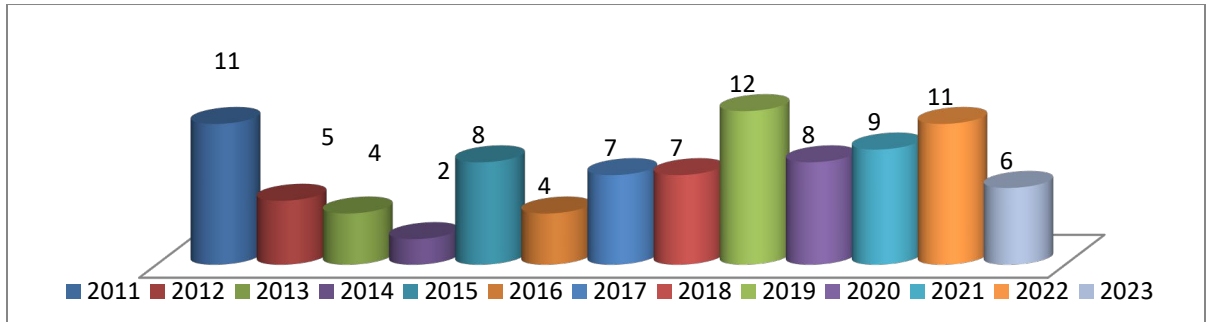
Verbal statements or comments of a sexual nature to an adult in custody to include demeaning references to gender or derogatory comments about body or clothing; or repeated profane or obscene language or gestures.





Referrals

Upon receiving an allegation that an adult in custody was sexually abused while confined at another facility, PREA Coordinator shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The following referrals occurred:



CLOSING

PREA Violation are taken very seriously and all incidents are reviewed. All PREA complaints are investigated to meet PREA guidelines or referred to the agency where the incident was alleged to happened.

The 2023 PREA Annual Report concluded after a comprehensive assessment aimed at ensuring compliance and accountability in preventing incidents of sexual assault within correctional facilities. Throughout the evaluation, the review process highlighted the overall adherence to PREA standards and protocols. However, it regrettably uncovered one concerning incident involving staff misconduct involving voyeurism, which was promptly addressed and remedied according to established procedures meeting all necessary PREA standards for sustained staff misconduct.

Despite this isolated incident, the overall evaluation did not identify any systemic shortcomings that necessitated substantial alterations to the existing policies and protocols. The implemented measures demonstrated effectiveness in maintaining a safe and secure environment, mitigating risks, and ensuring the protection of inmates from sexual abuse and assault.

Moving forward, continued vigilance, staff training, and reinforcement of existing protocols remain imperative to sustain the established standards and further prevent any potential misconduct or incidents within correctional facilities. Sworn staff acquired 5 of PREA training during the 2023 calendar year. The commitment to upholding the principles of the Prison Rape Elimination Act remains steadfast, aiming for a correctional environment that is free from sexual violence and misconduct.

The Clackamas County Jail completed a review of last year’s complaints and have found no need to change policy or practices. No physical barriers and or staffing issues were found as contributing factors to any incidents. Clackamas County Jail will continue to educate staff and work to meet all PREA regulations and Federal guidelines in 2024.