



Clackamas County Sheriff's Office

PREA ANNUAL REPORT FOR CLACKAMAS COUNTY JAIL

2021

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 2021, there were a total of 8,004 new admissions into the Clackamas County Jail. Of the new admissions, 6,300 were male, and 1,704 were female. The average daily population of the Facility was 224 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:



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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.

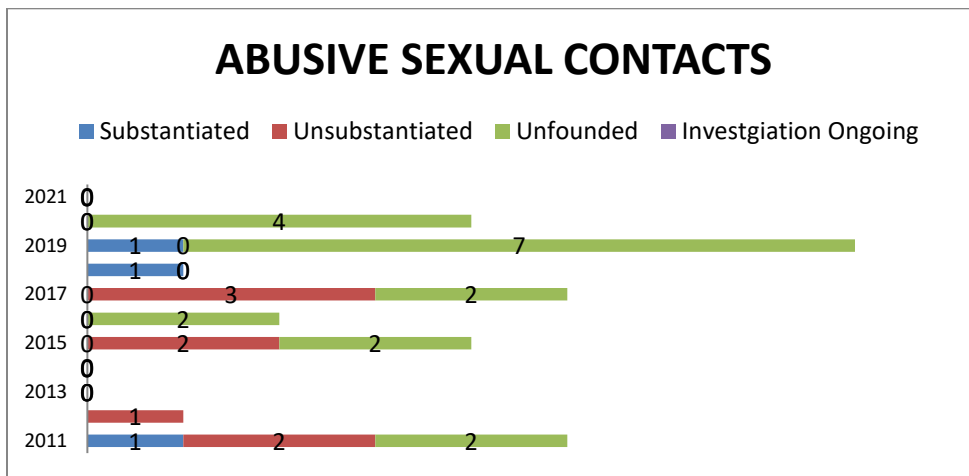
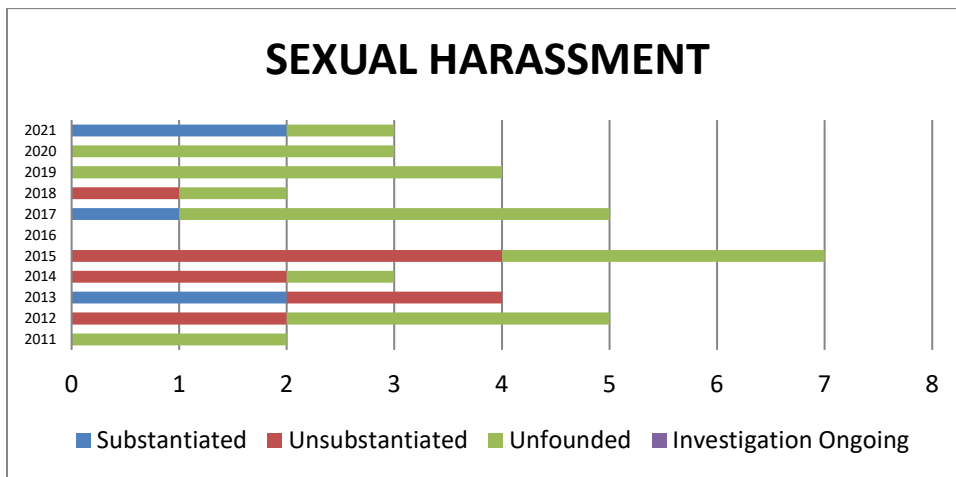
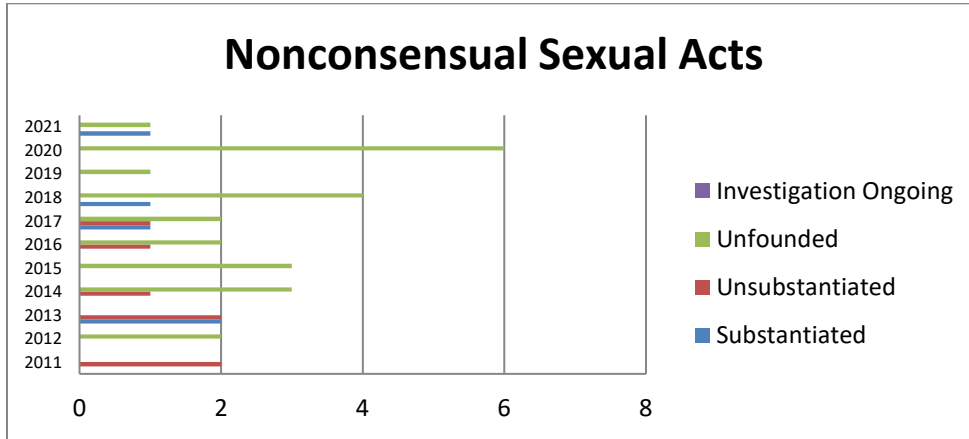
SUBSTANTIATED: The allegation is supported by sufficient factual evidence.



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PREA REPORT ACTIVITY





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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:

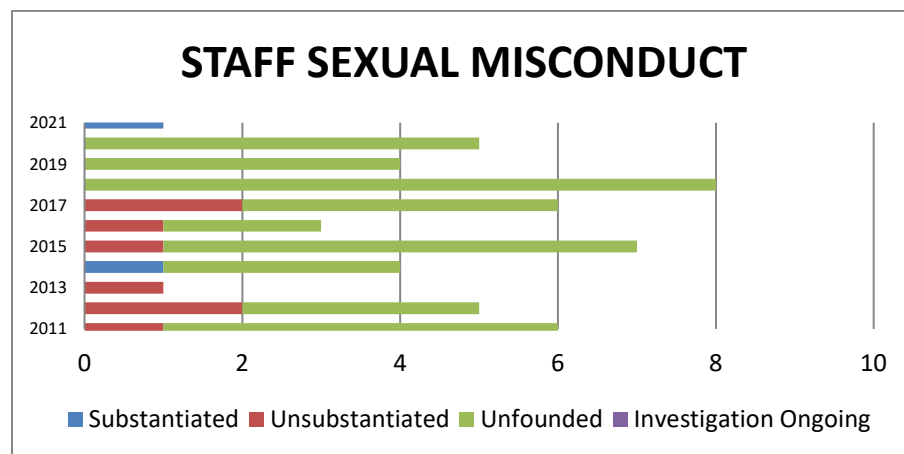
Completed, attempted, threatened, or requested sexual acts;

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.



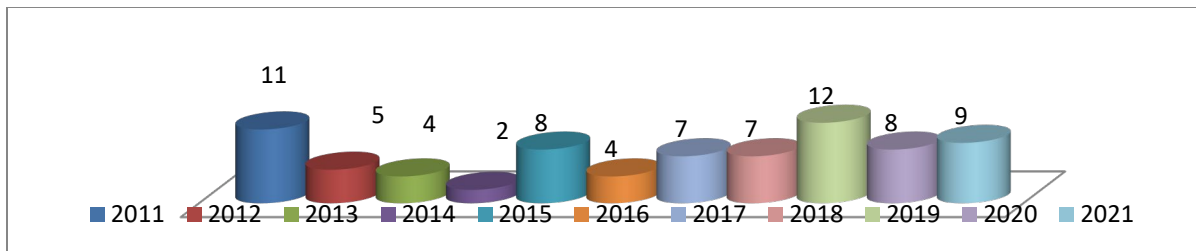
Referrals

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:



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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. Sworn staff acquired 4.5 of PREA training during the 2021 calendar year. Due to the ongoing training and discussions, it has been found jail staff are more confident in PREA policies and procedures to include starting the investigation, documenting the incident and then forwarding the information for further review for administration.

Clackamas County Jail continues to work with the Family Justice Center and their assigned Detectives. This year the jail had a violation involving a staff member which was referred to Clackamas County Sheriff's Office Professional Standards Unit. This incident was investigated to the fullest extent of the law to include a review by the Clackamas County District Attorney's Office. The trust of the Citizens of Clackamas County and fellow staff members of the Sheriff's Office is taken seriously and any violation requires full accountability on the part of the employee violating that trust. This incident was investigated and it was determined a sustained policy occurred. The staff member was held accountable for their actions and in accordance with policy and PREA regulations the employee no longer is a member of the Sheriff's Office.

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 the incidents. Clackamas County Jail will continue to educate staff and work to meet all PREA regulations and Federal guidelines.