

**Prison
Rape
Elimination
Act**

**Annual
Statistical
Report**



**Santa Clara County
Sheriff's Office
Custody Bureau**

The Santa Clara County Sheriff's Office Custody Bureau is committed to meeting the requirements of the Prison Rape Elimination Act of 2003 and enhancing the safety and security for the agency's offenders as a result thereof. This report is a summary of the agency's efforts in PREA compliance. By examining the collection of agency data, the Santa Clara County Sheriff's Office Custody Bureau is dedicated to improving the effectiveness of sexual abuse detection, prevention, and response.

08/01/16 - 07/31/17

Background

The Prison Rape Elimination Act (PREA) was established in 2003 to address sexual abuse, sexual misconduct and sexual harassment of incarcerated people. Major provisions of PREA include the development of standards for detection, prevention, reduction and punishment of prison/jail sexual assaults. PREA applies to all public and private institutions that house adult or juvenile offenders. The Santa Clara County Sheriff's Office has adopted a zero-tolerance policy for sexual abuse, sexual harassment, or sexual assault of any kind. The Santa Clara County Sheriff's Office is working continuously to implement new policies, training requirements for staff and inmate, and developing standards for detection, prevention, reduction and punishment of sexual abuse, sexual misconduct and sexual harassment.

Introduction

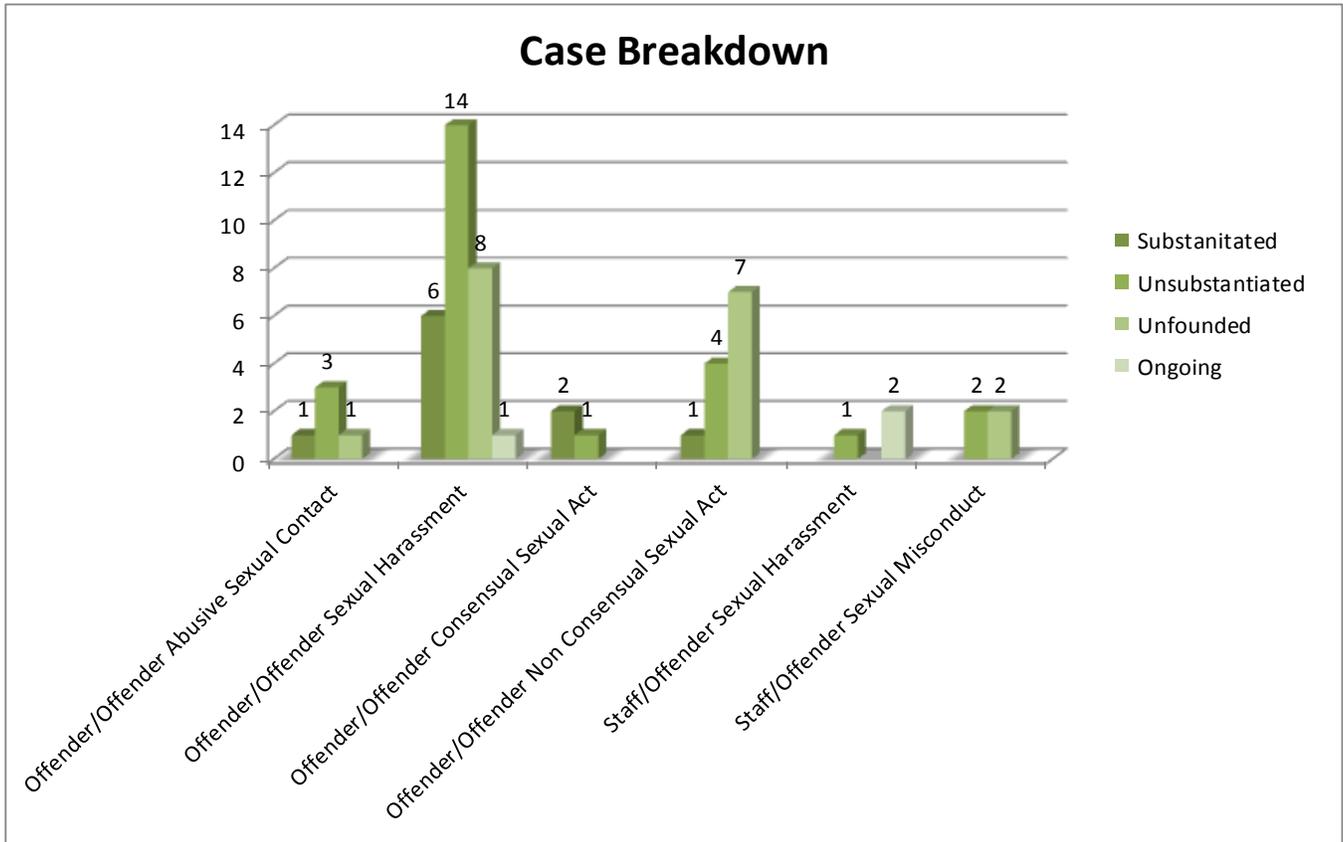
PREA requires all law enforcement agencies with detention facilities of any kind to create an annual report of all sexual abuse and harassment reported within its facilities. The Santa Clara County Sheriff's Office is making this statistical data available to the public. By providing this information publicly it will outline the amount of cases received annually, the findings of such allegations and the constant efforts made to detect, investigate and prosecute cases accordingly. The Santa Clara County Sheriff's Office is committed to reviewing PREA incidents from multiple perspectives including: training, procedures, staffing, building construction and surveillance technology with the ultimate goal of identifying problem areas and applying appropriate corrective action to make improvements.

Inmate Reporting and Education

On August 1, 2012, the Santa Clara County Sheriff's Office implemented the PREA policy and procedural changes, providing educational and informational material to inmates, and training to our staff. The educational material informs inmates how to avoid and report sexual assault, sexual harassment and sexual misconduct. Pamphlets are provided to all inmates and signage is posted in all common areas throughout our facilities. A toll-free reporting number is provided to inmates on the pamphlets and signage so inmates may confidentially report sexual abuse, sexual misconduct, sexual harassment and seek outside advocacy and counseling. PREA standards require an outside agency to provide advocacy and counseling services. Our contract for this service is with the YWCA of Silicon Valley.

Annual Statistics

Sexual Harassment, Nonconsensual Sexual Acts, and Abusive Sexual Contact are all defined as PREA related incidents involving inmates. Staff Sexual Misconduct and Staff Sexual Harassment are defined as PREA related incidents involving staff. During the period of August 1, 2016 through July 31, 2017, there were 53 PREA related complaints filed by inmates while incarcerated in our facilities. Consensual Sexual Acts are not PREA related however, 3 were reported. Each complaint was investigated by the Jail Crimes Investigation Unit. Below is a breakdown of those complaints.



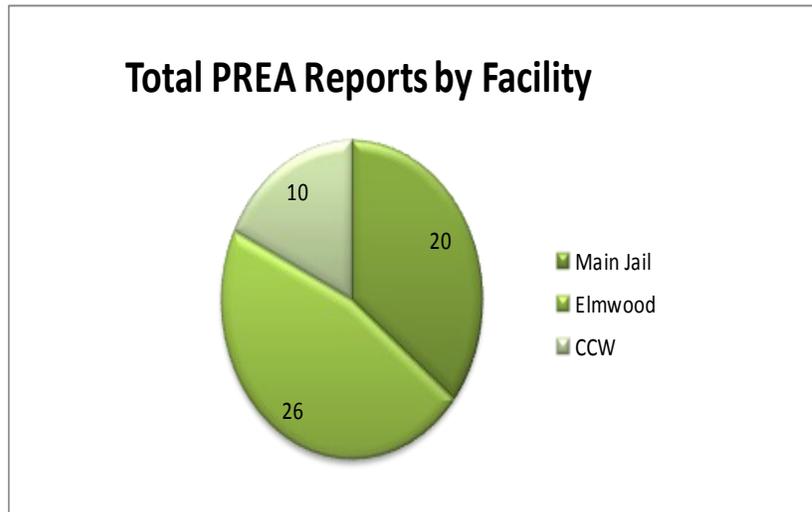
Definitions

PREA defines the dispositions of the above sexual abuse and sexual harassment cases as the following:

- Unfounded refers to an allegation that was investigated and determined not to have occurred.
- Unsubstantiated refers to an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- Substantiated refers to an allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.

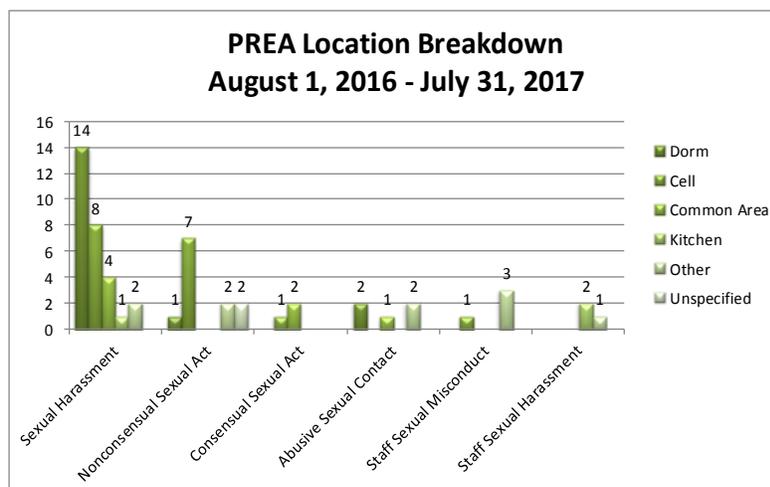
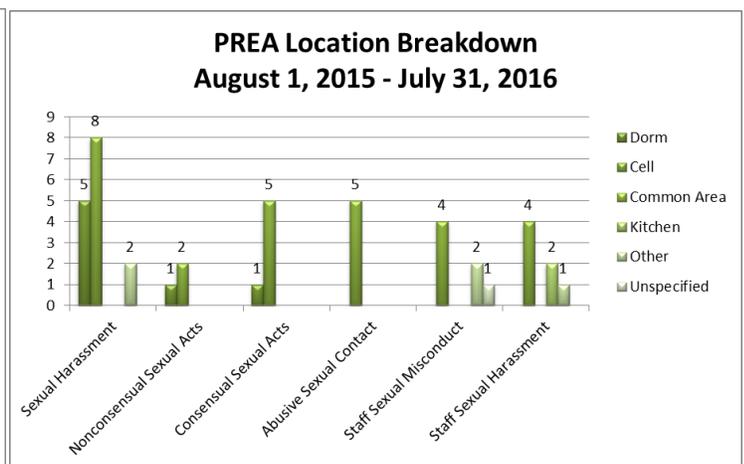
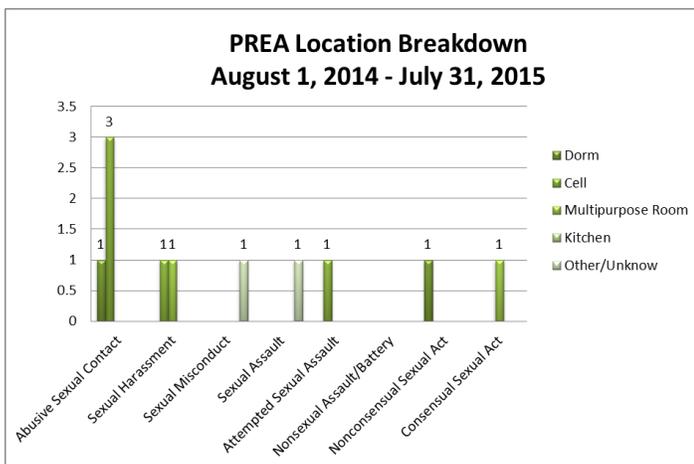
PREA Reports By Facility

Displayed below is a graph representing the PREA reports file by facility for the period of August 1, 2016 - July 31, 2017. The disproportion of the breakdown between facilities is due to the inmate population at the facilities, with Elmwood having a greater population than CCW (Women's facility).



Annual Statistical Comparison

Displayed below is a comparison of the PREA cases for the periods spanning August 1st, 2014 - July 31st, 2015, August 1st, 2015 - July 31st, 2016 and August 1st, 2016 - July 31st, 2017.



In reviewing each of the reports since we began tracking them, excluding those that are determined to be unfounded, inmates are typically victimized by other inmates. These crimes occur primarily in inmate living areas, where the inmates have a certain amount of concealment from staff. Further, it can be inferred that the amount of reporting was higher during the 2016-2017 period due to an increase of PREA related education. As cited in the **“Department of Justice National Standards to Prevent, Detect, and Respond to Prison Rape Executive Summary”**:

“An increase in incidents reported to facility administrators might reflect increased abuse, or it might just reflect inmates’ increased willingness to report abuse, due to the facility’s success at assuring inmates that reporting will yield positive outcomes and not result in retaliation. Likewise, An increase in substantiated incident could mean either that a facility is failing to protect inmates, or else simply that it has improved its effectiveness at investigating allegations. For these reasons, the standards generally aim to inculcate policies and procedures that will reduce and ameliorate bad outcomes, recognizing that one possible consequence of improved performance is that evidence of more incident will come to light.”

Continuous Prevention Measures

The Santa Clara County Sheriff’s Office is continuously working to prevent sexual victimization. In an attempt to reduce the number of incidents of sexual victimization, staff conducts thorough physical searches of identified blind-spots in isolated areas within inmate housing areas. These blind-spot checks are in addition to the standard welfare checks already conducted at set-time intervals. To date, we have installed over 300 fixed video surveillance cameras in the Main Jail Complex. There are approximately 850 fixed video surveillance cameras scheduled to be installed at the Elmwood Complex.

While the monitoring upgrades will increase protections for both staff and inmates, the Santa Clara County Sheriff’s Office Custody Bureau is continually striving to maintain the appropriate amount of staff to ensure inmates are safe from sexual abuse, sexual harassment and sexual misconduct. We are averaging three Correctional Deputy Academy classes annually. Upon completion of the academy, the new Correctional Deputies are immediately assigned to a custodial facility. This increases our staffing levels and helps ensure the overall security of our facilities.

In August 2014, a PREA-required audit of the Women’s Facility at the Elmwood Complex was conducted. As a result, we ensured that all inmates would be screened more closely for potential victimization. We mandated that PREA educational and informational material outlining how to report abuses would be available in pamphlet and poster form for inmates.

Additionally, the YWCA Rape Crisis hotline was established for inmates to report sexual abuse. Lastly, we required staff to conduct regular inspections of areas identified as “blind-spots” as part their routine welfare checks. During each shift, supervisors visited their areas of responsibility unannounced, ensuring staff was not alerted prior to their arrival in an attempt to deter both staff and inmates from participating in sexually abusive behavior.

From August 1st, 2015 to July 31st, 2016 we continued our progress with PREA compliance and have made even more inmates aware of their PREA related rights. We have ensured all staff are educated with regard to PREA, starting at the academy level all the way through contractors and volunteers, to recognize signs of sexual abuse and how to handle it when reported. We have also added PREA education for all visitors who enter our facilities. We are currently undergoing a major overhaul in our inmate grievance policy which will allow for a much more manageable tracking and processing system.

The new jail building will address the need for an increase in inmate programs and mental health treatment. Ultimately, the design will feature an increase in safety and security for both inmates and staff. The next phase; drafting and approval of building plans is expected to be completed by mid-2017. The scheduled completion date for the new jail is estimated at the end of 2019.

Conclusion

The Santa Clara County Sheriff’s Office Custody Bureau is committed to continual and progressive culture change and continues to implement the requirements of the PREA standards and make adjustments on an on-going basis. In doing so, The Santa Clara County Sheriff’s Office Custody Bureau is eager to raise the bar in the confidence and integrity of our system agency wide.