



PRISON RAPE ELIMINATION ACT

PREA Annual Report

FY 2017-2018

Washoe County Sheriff's Office Detention Bureau

The Washoe County Sheriff's Office Detention Bureau is committed to meeting the requirements of the Prison Rape Elimination Act of 2003 and enhancing the safety and security for the agencies inmates and staff 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 Washoe County Sheriff's Office Detention Bureau is dedicated to improving the effectiveness of sexual abuse detection, prevention, and response.

Purpose

The Prison Rape Elimination Act (PREA) requires an agency to collect and review data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices and training. The intention of the data is to identify problem areas, take corrective action on an ongoing basis, compare the current year's data and corrective actions with previous years, and provide an assessment of the agency's progress in addressing sexual abuse (PREA Standard 115.88).

The Washoe County Sheriff's Office will make the Annual Incident Reports, Survey of Sexual Victimization and the PREA Annual Report available to the public on the agencies website. All reports made available to the public will be free of all personal identifiers (PREA Standard 115.89). This report has been approved by the Washoe County Sheriff and is available on our website: (<https://www.washoesheriff.com/sub.php?page=prison-rape-elimination-act-prea&expand=Detention>).

Background

The Prison Rape Elimination Act (PREA) was passed in 2003 with unanimous support from both parties in Congress. The purpose of the act was to "provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape." (Prison Rape Elimination Act, 2003).

The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. Those standards were published in June 2009, and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012.

Washoe County Sheriff's Department has established a zero tolerance policy for the incidents of detention rape and sex-related offenses and attempts thereof. The Department will make the prevention of detention rape a top priority. The Department will strictly enforce all federal, state and local laws regarding inmate sexual misconduct, threats of sexual assault or intimidation by providing clear definitions of prohibited conduct, establishing uniform methods of the prompt reporting and investigation of allegations of sex-related offenses or threat, identification of predators, protection of victims and prescribing sanctions for substantiated sexual offenses as well as false allegations.

Zero Tolerance

The Washoe County Sheriff's Office has zero tolerance toward all forms of sexual abuse, sexual harassment, and retaliation against any person who reports or cooperates with a sexual abuse or sexual harassment investigation. (S.O.P. 715.325 & Washoe County Policy Manual 904)

Progress in Addressing Sexual Abuse Prevention, Detection & Response at the Washoe County Sheriff's Office

Agency Achievements in FY 2017-2018

- The inmate's Crime Tip Hotline number was disconnected in Intake during the last remodel. The line is now working properly. Inmates are able to make confidential calls. These calls go directly to voicemail and are checked daily by the Intake Sergeant.
- Staff Training— The Moodle version the of PREA training was created and released in January 2018 for all detention personnel as a part of their mandatory annual training. Staff will need to take this course every even year.
- PREA training is being taught at the NNLEA CAT III/Transition Academy. The training became a part of the Transition Academy in December 2016.
- The PREA portion of the Inmate Education / Orientation Video was updated. The new Inmate Orientation Video was released for Inmate viewing on 7/16/18 by ASU.
- The PREA portion of the Inmate Handbook has been updated.
- A PREA webpage was created and placed on the WCSO Website in the Inmate Information section. The webpage has all required elements to comply with PREA Standards with the exception of posting PREA Annual Reports. This Annual Report (FY 2017-2018), will be the first report posted making us compliant with the following PREA Standards: 115.87, 115.88, and 115.89,
- A PREA Email address was created as an additional resource to report a PREA allegation.
- PREA Review Team was created – If a substantiated PREA incident occurs, the PREA Review Team will review the incident and determine what changes need to be made to prevent any future incidents from occurring. Team members have been identified as: Detention Captain, PREA Coordinator, PREA Compliance Manager.

In the Works for FY 18-19:

- Outside Reporting Agency – Inmates must have the ability to report a PREA incident to an outside agency. Nevada Department Of Corrections (NDOC) has agreed to be our Outside Reporting Agency. A MOU has been created and is currently in review with NDOC's legal staff.
- Zero Tolerance Signage has been created and will be printed and posted throughout the detention center now that the new phone company, Legacy, is on board. Legacy has verified the Crime Tip number and calling process has remained the same.
- The current PREA Policy is being updated to ensure all the PREA standards are met and the policy is in compliance with PREA Standards.
- A PREA Employee Refresher Training program via Moodle will be created which will include required, updated, and new PREA information. The refresher course should be approximately 20 to 30 minutes in length, and will be required every odd year, beginning in January 2019.
- The PREA Risk Assessment has been created and complies with PREA Standards. Implementation of the PREA Risk Assessment Questionnaire along with the required follow up assessments will begin as soon as the inmates and staff have all had the appropriate PREA training. The area and staff who will be conducting the Risk Assessment is still being discussed.
- The Contractor / Volunteer Training will be reviewed to verify PREA compliance. Any necessary changes needed for compliance will be forwarded to ASU.

FY 17-18 Washoe County Detention Facility Annual Statistics

The Washoe County Sheriff's Office serves approximately
460,000 residents of Washoe County, Nevada

Annual Bookings and Average Daily Population

Annual Bookings: 21,365

Male: 15,893

Female: 5,472

Average Daily Population: 1127

Male: 870

Female: 257

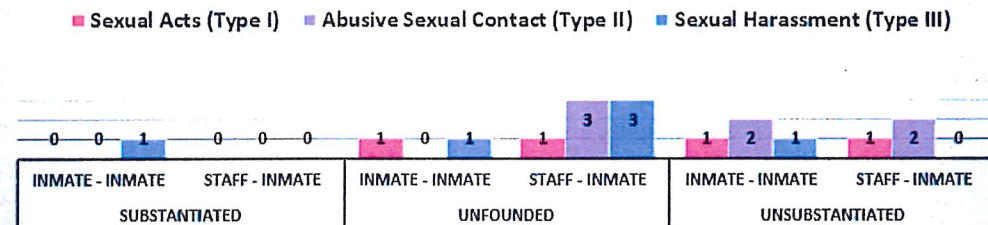
Average Length of Stay: 14.79 days

Annual PREA Statistics

FY 2017-2018 PREA Incidents

	Substantiated		Unfounded		Unsubstantiated	
	Inmate - Inmate	Staff - Inmate	Inmate - Inmate	Staff - Inmate	Inmate - Inmate	Staff - Inmate
Sexual Acts (Type I)	0	0	1	1	1	1
Abusive Sexual Contact (Type II)	0	0	0	3	2	2
Sexual Harassment (Type III)	1	0	1	3	1	0
Agency Total	1	0	2	7	4	3

FY 2017-2018 PREA Incidents



PREA Disposition Types

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

Unfounded: An allegation that was investigated and determined not to have occurred.

Unsubstantiated: 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: An allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.

Investigation ongoing: Investigation has not been completed.

Annual Statistical Comparison

Displayed below is an annual statistical comparison of the PREA incidents for Sexual Acts, Abusive Sexual Contact, and Sexual Harassment for FY 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

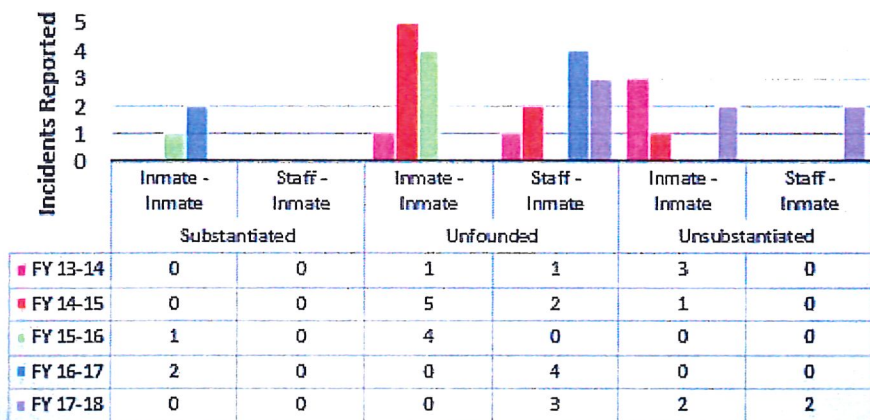
Sexual Acts (Type I) Annual Comparison



Sexual Acts: There were 18 incidents of Sexual Acts reported during this five year comparison. During this period there was one substantiated PREA incident, which occurred in FY 14-15, involving two inmates who had voluntarily engaged in sexual conduct. This incident occurred between cellmates while housed in a secured housing unit. Both inmates were charged with voluntary sexual conduct between prisoner and another person.

Abusive Sexual Contact: There were 31 incidents of Abusive Sexual Contact reported during this five year comparison. During this period there were three substantiated PREA incidents, which occurred in FY 15-16 and FY 16-17. In FY15-16, one incident: 1) An inmate made inappropriate physical contact with another inmate and was charged with Battery by Prisoner. In FY 16-17 two incidents: 2.) Three inmates made voluntary physical contact of a sexual nature amongst themselves, no criminal charges were pursued. 3) An inmate was charged with Open and Gross Lewdness for openly masturbating in front of cellmate.

Abusive Sexual Contact (Type II) Annual Comparison



Sexual Harassment (Type III) Annual Comparison



Sexual Harassment: There were 25 incidents of Sexual Harassment reported during this five year comparison. During this period there were five substantiated PREA incidents, which occurred in FY 15-16, FY 16-17, and FY 17-18. All Five incidents involved inmates making sexual related comments to other inmates. All involved inmates were appropriately disciplined per policy. One incident also involved indecent exposure to a cellmate, in which the inmate was charged with Open and Gross Lewdness.

Summary of Annual Statistical Comparison

- **Substantiated Incidents**

- There have been nine substantiated PREA incidents in five years

- **Sexual Acts**

- The number of reported sexual assaults have decreased since FY 14-15
- There have been no substantiated incidents since FY 14-15

- **Abusive Sexual Contact**

- The number of reported abusive sexual contacts have remained between 5-8
- The only substantiated incidents occurred in FY 15-16 and FY 16-17

- **Sexual Harassment**

- The number of reported sexual harassments incidents have increased
- The number of substantiated incidents has decreased

Definitions

Sexual Acts Statistics

Sexual Acts tracked by WCSO IMU is also known as Nonconsensual Sexual Acts as referred to in the Bureau of Justice Statistics Survey of Sexual Victimization form.

WCSO Statistical Purposes:

TYPE I - Sexual Acts

TYPE II - Abuse Sexual Contact

TYPE III - Sexual Harassment

Sexual Abuse

Per NRS 2120188: Sexual abuse includes any of the following acts between an employee of or a contractor or volunteer for a prison and a prisoner, regardless of whether the prisoner consents to the act:

1. Sexual intercourse or anal intercourse, including penetration, however slight;
2. Fellatio, cunnilingus or contact between the mouth and the anus;
3. Penetration, however slight, of an object into the genital or anal opening of the body of a prisoner committed with the intent to abuse the prisoner or to arouse, appeal to or gratify the sexual desires of either person;
4. Any other intentional contact with a prisoner's unclothed genitals, pubic area, anus, buttocks, inner thigh or breasts committed with the intent to abuse the prisoner or to arouse, appeal to or gratify the sexual desires of either person;
5. Watching a prisoner change clothing or use a shower, toilet or urinal;
6. Requiring a prisoner to expose his or her genitals, buttocks or breasts; or
7. Capturing an image of the private area of a prisoner in violation of NRS 200.604.

Unauthorized Custodial Conduct

Per NRS 212.188: Unauthorized custodial conduct includes any of the following acts between an employee of or a contractor or volunteer for a prison and a prisoner, regardless of whether the prisoner consents to the act:

1. Contact between the mouth and any part of the body committed with the intent to abuse the prisoner or to arouse, appeal to or gratify the sexual desires of either person;
2. Any other intentional contact with a prisoner's clothed genitals, pubic area, anus, buttocks, inner thigh or breasts committed with the intent to abuse the prisoner or to arouse, appeal to or gratify the sexual desires of either person;
3. Any threat or request by an employee or a contractor or volunteer to engage in any act described in sub-subparagraphs (I) or (II); or
4. Any display by an employee or a contractor or volunteer of his or her unclothed genitals, buttocks or breasts in the presence of a prisoner.
5. Does not include acts of an employee of or a contractor or volunteer for the prison in which the prisoner is confined that are performed to carry out the official duties of such an employee, contractor or volunteer.

Sexual Harassment

Per Washoe County policy 904: Sexual harassment includes:

1. 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, detainee, or resident directed toward another; and
2. Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident 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.

Prison Rape Elimination Act

PREA Annual Report



Captain Jeffery Clark

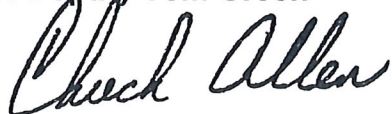
8-30-18

Date



Chief Deputy Tom Green

8/30/18
Date



Sheriff Chuck Allen

8/30/18

Date