



PRISON RAPE ELIMINATION ACT PREA Annual Report

FY 2019-2020

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 Fiscal Year (FY) 2019-2020

- Background Checks— Background checks have been completed for WCSO Contractors and Volunteers.
- PREA Risk Assessment—Implementation of the Inmate PREA Risk Assessment Questionnaire was implemented along with the required follow up assessments and staff training.
- Cross Gender Announcements— Policies and procedures have been implemented that require staff of the opposite gender to announce their presence when entering an inmate housing unit.
- PREA Hotline—Hotline has been installed and set up to receive free calls from inmates housed in WCSO and our Outside Agency Reporting partner Las Vegas Metropolitan Police Department (LVMPD). Complaint Logs, used to log all received calls, was created and implemented. Training for those responsible for monitoring the PREA Hotline was completed.
- Inmate Education—Created and implemented a PREA Comprehensive Education Video to be played after the Inmate Orientation Video.
- Inmate Education—Implemented an Inmate Orientation and PREA Comprehensive Education Video Log for Intake
- Inmate Education—Updated PREA Signs and posted them throughout the facility
- Data Collection—BJA Survey of Sexual Victimization for 2018 completed
- Applied for and was approved to be a host facility for the PREA Auditor Field Training Program in May 2021. WCSO will undergo an audit to determine our level of compliance with PREA Standards. At the end of the audit WCSO will receive an assessment on findings of compliance and corrective action recommendations.

In the Works for Fiscal Year (FY) 2020-2021:

- Zero Tolerance—PREA policies have been revised and are currently up for review pending any additional revisions and final approval.
- Audits— An informal audit of our current compliance is being completed by PREA Coordinators Lt. Mosley and Brenda Larson. The audit will determine needed implementations and/or changes to our current policies and/or procedures necessary for compliance.
- Contractor / Volunteer Training—The Contractor / Volunteer Training will be reviewed to verify PREA compliance. Any necessary changes needed for compliance will be forwarded to DSU.
- Inmate Education—The inmate education program has been reviewed by PREA Resource Center (PRC). The PRC audit will be reviewed and suggested recommendations will be reviewed and implemented as deemed necessary.
- Data Collection—BJA Survey of Sexual Victimization for 2019 to be completed when received

FY 2019-2020 Washoe County Detention Facility Annual Statistics

The Washoe County Sheriff's Office serves approximately
471, 519 residents of Washoe County, Nevada

Annual Bookings and Average Daily Population

Annual Bookings: 16,850
Male: 12,536
Female: 4,314

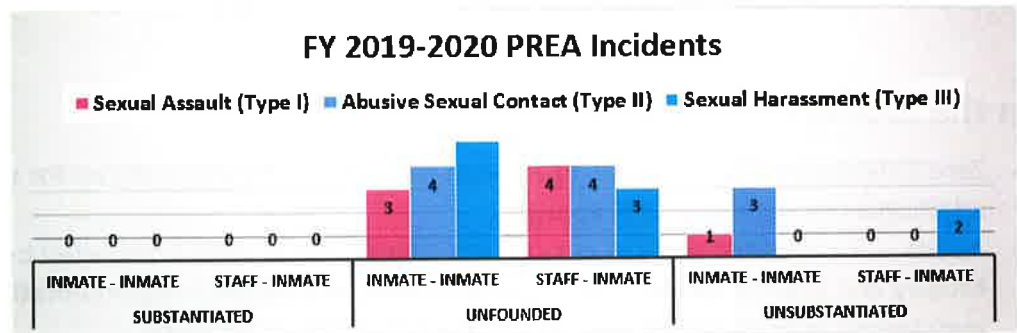
Average Daily Population: 982
Male: 815
Female: 171

Average Length of Stay: 15.67 days

Annual PREA Statistics

FY 2019-2020 PREA Incidents

	Substantiated		Unfounded		Unsubstantiated	
	Inmate - Inmate	Staff - Inmate	Inmate - Inmate	Staff - Inmate	Inmate - Inmate	Staff - Inmate
Sexual Assault (Type I)	0	0	3	4	1	0
Abusive Sexual Contact (Type II)	0	0	4	4	3	0
Sexual Harassment (Type III)	0	0	7	3	0	2
Agency Total	0	0	14	11	4	2



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.

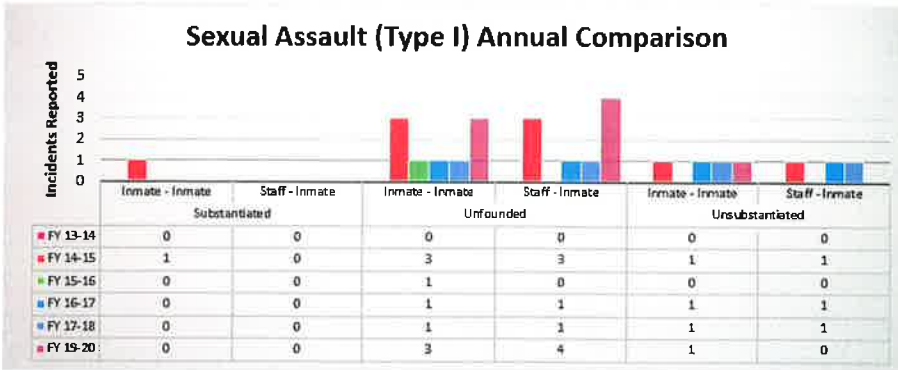
Annual Statistical Comparison

Displayed below is an statistical comparison of the PREA incidents for Sexual Assault, Abusive Sexual Contact, and Sexual Harassment beginning in FY 13-14 to current FY 19-20.

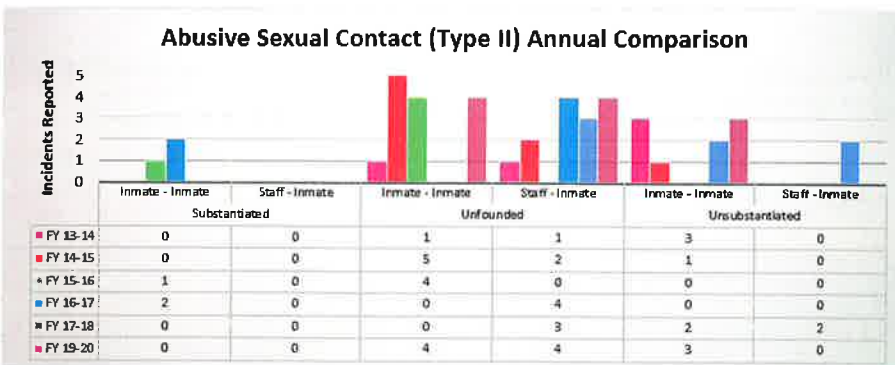
There were no substantiated claims of Sexual Assault, Abusive Sexual Contact, or Sexual Harassment during the FY 19-20.

Sexual Assault: There were 32 incidents of Sexual Assault reported during this seven year comparison. During this seven year period there was one substantiated PREA incident, which occurred in

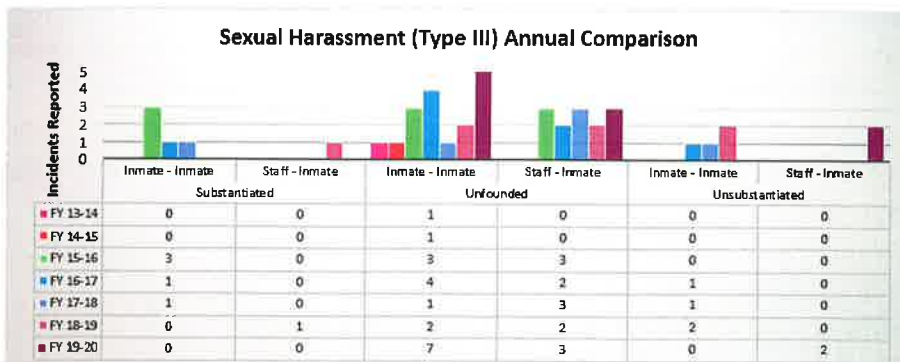
FY 14-15, involving two inmates who had voluntarily engaged in sexual conduct. This incident occurred between cellmates while housed in a secured housing unit. Both inmates were charged with voluntary sexual conduct between prisoner and another person.



Abusive Sexual Contact: There were 49 incidents of Abusive Sexual Contact reported during this seven year comparison. During this seven year 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.



Sexual Harassment: There were 44 incidents of Sexual Harassment reported during this seven year comparison. During this seven year period there were six substantiated PREA incidents. The five incidents occurring in FY 15-16, FY 16-17, and FY 17-18 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. The incident occurring in FY 18-19 involved a volunteer making unprofessional and provocative comments to an inmate and physically touching the inmates hair. The volunteer was permanently removed from the facility and the volunteer program.



Summary of Annual Statistical Comparison

Substantiated Incidents

There have been ten substantiated PREA incidents in seven years

- **Sexual Assaults**

- The number of reported sexual assault incidents increased in FY 19-20
- There have been no substantiated incidents since FY 14-15

- **Abusive Sexual Contact**

- The number of reported incidents have remained the same
- Reported incidents average approximately seven per year
- The only substantiated incidents occurred in FY 15-16 and FY 16-17

- **Sexual Harassment**

- The number of reported incidents between inmate-inmate have increased
- The number of reported incidents between staff-inmate has remained the same
- The number of substantiated incidents between inmate-inmate have decreased since FY 15-16
- One substantiated incident between volunteer-inmate occurred in FY 18-19

Definitions

Sexual Assault Statistics

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

WCSO Statistical Purposes:

TYPE I - Sexual Assaults

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

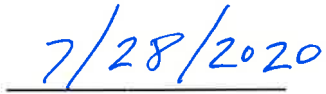
Per Washoe County policy 904: Sexual harassment includes:

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



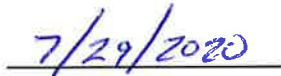
Captain Marc Bello



Date



Chief Deputy Jeffery Clark



Date



Sheriff Darin Baalam



Date