



# **Prison Rape Elimination Act Annual Report 2023**

**Detention Bureau  
Marion County Sheriff's Office  
3290 NW 10<sup>th</sup> Street  
Ocala, Florida 34475**



## WHAT IS PREA?

The federal Prison Rape Elimination Act (PREA) was signed into law September 2003 by President George W. Bush. Its main purpose is to protect the Eighth Amendment rights of federal, state and local prisoners and inmates. PREA makes the prevention of sexual abuse and sexual harassment of incarcerated persons a top priority with national standards for the detection, prevention, reduction and punishment of sexual misconduct and sexual abuse in prisons and jails. It also increases accountability for administrators who fail to prevent, reduce and punish such misconduct.



## WHAT IS A VIOLATION OF PREA AND HOW WILL THE SHERIFF'S OFFICE RESPOND?

Sexual contact in any form between staff (contractors, volunteers, and vendors) and inmates is a violation of PREA. This not only applies to inmates in custody, but also to those who may be in transition between custody levels, such as in drug court, under treatment, in transitional housing and/or under Probation, Parole and Post-Prison supervision. It also applies to same sex, as well as opposite sex encounters. There is no such thing as consensual sex between staff and inmates. Sexual abuse and sexual harassment between inmates is also a PREA violation. The **Marion County Sheriff's Office** is committed to a ZERO TOLERANCE STANDARD for sexual abuse or sexual harassment of inmates under its authority. The MCSO will aggressively respond, investigate and support prosecution of such misconduct.

On June 20, 2012, the D.O.J. issued the Final Rule for the National Standards which went into effect August 20, 2013. The PREA standards require agencies to ensure that each facility operated by the agency, or by a private organization on behalf of the agency, receive an external audit. The Marion County Sheriff's Office decided to begin the task of becoming PREA compliant in 2013 and initiated processes to bring that decision to fruition. On June 29, 2015, through July 2, 2015, the Marion County Sheriff's Office underwent a full audit conducted by an outside auditor, Hubert Kent. Of the 43 mandatory standards, the Marion County Jail passed 41 standards, exceeding in 6 of the 41; 2 standards were found to be non-applicable to our operation.

On November 14, 2016, through November 16, 2016, the Marion County Sheriff's Office underwent its second full audit with outside auditor, Juanita Thornton. Of the 43 mandatory standards, the Marion County Jail Passed 41 standards, exceeding in 3 of the 41; 2 standards were found to be non-applicable to our operation. The Marion County Sheriff's Office was the first agency to become PREA Certified in the State of Florida during the new 2016-2019 audit cycle.

On December 13, 2021, through December 16, 2021, The Marion County Sheriff's Office completed its third PREA audit with Auditor James Kenney. Of the 43 standards, the Marion County Jail passed all 43, exceeding in 2 of them. The Marion County Sheriff's Office has always put a priority on inmate safety and wellbeing. Implementing these PREA Standards has acted to help enhance the processes and practices already in place and has helped inmates and staff in reporting, detecting and investigating any allegations of sexual harassment or sexual abuse.

Due to the implementation of PREA, the Marion County Sheriff's Office has hired a full-time PREA Coordinator, implemented policy changes throughout the Agency and developed a training curriculum for staff and inmates with ongoing training for all new staff, volunteers and contractors. As always, the Marion County Sheriff's Office is striving for excellence in this process and is dedicated to PREA's "Zero Tolerance" regarding any type of sexual harassment or abuse in its facility.



## DEFINITION OF TERMS

- **Unfounded Allegation** - an allegation that was investigated and determined not to have occurred.
- **Unsubstantiated Allegation** - 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 Allegation**- an allegation that was investigated and determined to have occurred.



## Between January 1, 2023, and December 31, 2023, how many acts of inmate-on-inmate non-consensual sexual acts were reported?

Number reported	.....	2
Number Substantiated	.....	1
Number Unsubstantiated	.....	0
Number Unfounded	.....	1
Investigation Ongoing	.....	0

## How many allegations of inmate-on-inmate sexual contacts were reported?

Number Reported	.....	11
Number Substantiated	.....	5
Number Unsubstantiated	.....	2
Number Unfounded	.....	4
Number Ongoing	.....	0



## How many allegations of inmate-on-inmate sexual harassment were reported?

Number reported	.....	7
Number Substantiated	.....	1
Number Unsubstantiated	.....	4
Number Unfounded	.....	2
Investigation Ongoing	.....	0

## How many allegations of staff sexual misconduct were reported?

Number Reported	.....	2
Number Substantiated	.....	0
Number Unsubstantiated	.....	0
Number Unfounded	.....	2
Number Ongoing	.....	0



## How many allegations of staff sexual harassment were reported?

Number reported	.....	2
Number Substantiated	.....	0
Number Unsubstantiated	.....	0
Number Unfounded	.....	2
Investigation Ongoing	.....	0

**\*\*This report complies with PREA Standard 115.87**