



MARION COUNTY

SHERIFF'S OFFICE

**DETENTION BUREAU
PRISON RAPE ELIMINATION ACT**

**ANNUAL DATA REVIEW
AND CORRECTIVE ACTION
2022-2023**

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 are also a PREA violation. The Marion County Sheriffs 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. In 2013, The Marion County Sheriffs Office decided to adapt and become compliant with the PREA Standards and initiated a process to bring that decision to fruition. On June 29, 2015, through July 2, 2015, the Marion County Sheriffs 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 six of the 41; two standards were not applicable to our operation. In addition to the 43 mandatory standards, most standards have

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sub-standards attached bringing the total number of standards to 190 items that need to be audited and passed.

On November 14 through November 16, 2016, The Marion County Sheriff's Office underwent their second PREA Audit for the new audit cycle running August 20, 2016, through August 19, 2019. This audit was conducted by Juanita Thornton, an outside auditor. Of the 43 mandatory standards, the Marion County Jail passed 41 standards, exceeding in 3 of the 41; two standards were not applicable to our operation.

On December 13 through December 16, 2021, The Marion County Jail passed their most recent PREA audit with Auditor James Kenney. The Marion County Jail was found compliant with all 43 standards, exceeding in two.

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 Jail 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 the event occurred.

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Substantiated Allegation - an allegation that was investigated and determined to have occurred.

DATA COMPARISON OF SEXUAL ABUSE ALLEGATIONS 2022-2023

Inmate on inmate nonconsensual sexual acts reported:

2022 - 7 (Number substantiated-1, unsubstantiated-1, unfounded-5, ongoing-0)

2023 - 2 (Number substantiated-1, unsubstantiated-0, unfounded-1, ongoing-0)

Inmate on inmate sexual contacts reported:

2022-3 (Number substantiated-0, unsubstantiated-1, unfounded-2, ongoing-0)

2023-11 (Number substantiated-5, unsubstantiated-2, unfounded-4, ongoing-0)

Inmate on inmate sexual harassment allegations reported:

2022 - 11 (Number substantiated-1, unsubstantiated-4, unfounded-6, ongoing-0)

2023-7 (Number substantiated-1, unsubstantiated-4, unfounded-2, ongoing-0)

Allegations of staff sexual misconduct reported:

2022 - 2 (Number substantiated-0, unsubstantiated-0, unfounded-2, ongoing-0)

2023 - 2 (Number substantiated-0, unsubstantiated-0, unfounded-2, ongoing-0)

Allegations of staff sexual harassment reported:

2022 - 2 (Number substantiated-0, unsubstantiated-0, unfounded-1, ongoing-1)

2023 - 2 (Number substantiated-0, unsubstantiated-0, unfounded-2, ongoing-0)

REVIEW OF DATA

While there were fluctuations in the number of allegations reported across some fields, substantiated findings in the investigations performed in 2022 and 2023 remain stable. There are no alarming numbers to be analyzed or dissected. The Marion County Sheriff's Office is committed to the Zero Tolerance concept of PREA and is cognizant that even one instance of sexual harassment/abuse is one too many. The Marion County Sheriff's Office is committed and vigilant to investigate any/all allegations of sexual harassment and sexual abuse in its facility.

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ANALYSIS/CORRECTIVE ACTIONS TAKEN 2013-2023

The Marion County Sheriff's Office recognized the necessity and impact PREA would have on the Agency. In 2013, The Marion County Sheriff's Office declared The Agency would become compliant with the PREA Standards and initiated measures to bring that declaration to fruition. The MCSO spent 2013 and 2014 becoming educated and proficient in the concept of how this new law would affect the Agency with the anticipation of a PREA Audit in 2015. The MCSO has always been proactive in maintaining high standards of care, custody, and control of the inmate population; including inmate sexual harassment and sexual abuse. However, the adaptation of the PREA Standards acts to enhance policy, practice and procedures that were already in place to facilitate our high standards of excellence as we strive to maintain a smooth and orderly running facility.

Analysis: Need to educate staff and inmate population regarding PREA.

Corrective Action: The MCJ undertook the task of developing a training curriculum for staff, vendors, and contractors, specific to each group's level of contact with inmates. In addition, a training process was initiated for inmates with ongoing instruction on PREA that begins at the booking process and continues throughout their stay by way of printed materials, signage, videos, and personal follow-ups. (2013-present)

Analysis: There was not a MOU (memorandum of understanding) between The Marion County Domestic Violence/Sexual Assault Center, Safe/Sane Nurses, and the MCSO.

Corrective Action: An MOU was signed by The Marion County Sheriff's Office and the Marion County Domestic Violence/Sexual Assault Center in January 2015. A MOU was also signed in January 2015 with The Havens and The Marion County Sheriff's Office for qualified safe/sane nurses to conduct forensic examinations on inmates when required. (2015-present)

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Analysis: The Marion County Jail requested to develop a process and practice with The Haven (SANE), in the event a forensic exam is needed due to a sexual abuse allegation made at the Marion County Jail.

Corrective Action: Senior staff from The Marion County Jail, OCC Medical, OCC Mental Health, The Jail Investigator, Rebecca Teston (The Haven), and Rhonda Kessinger (The Haven) met on May 3, 2016, to outline a process and practice to enhance and expedite the logistics in performing a forensic exam for an alleged sexual abuse victim of the Marion County Jail. A nine-point process was outlined and dispersed to all Jail Supervisors, OCC Medical, Mental Health and the Haven. (2016)

Analysis: There was no contract for services exclusive to the MCJ for language interpretation for LEP inmates.

Corrective Action: the MCJ entered a contract with The Language Line to provide more than 200 languages to LEP inmates on an as needed basis. {2014-present}

Analysis: PREA Policy needed to be updated to fully comply with PREA Standards. PREA Standards needed to be incorporated in pertinent operational directives throughout the Agency.

Corrective Action: The MCJ analyzed our PREA Operational Directive {6603.00} and compared each PREA Standard to our directive making changes and updates to ensure uniformity between the two. In addition, the PREA Standards have been written into more than 16 additional policies throughout the Agency to ensure continuity throughout our practices, policies, and procedures. {2014-present}

Analysis: There was not a full-time PREA Coordinator on staff.

Corrective Action: Committed to the implementation of PREA, The Marion County Sheriff's Office hired a full time PREA Coordinator in September 2014. {2014-present}

Analysis: MCSO website needed to be updated with additional PREA information and reports.

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Corrective Action: Third party reporting information and annual reports are posted on the MCSO website. {2014-present)

Analysis: Need for a PREA Review Team

Corrective Action: A PREA Review Team was established composed of high-ranking supervision, Medical and Mental Health Facilitators, Jail Investigator, Classification Supervisor, PREA Coordinator, Line Supervisors and Line Staff. This Team meets regularly to review unsubstantiated/substantiated allegations made to evaluate those allegations to better protect, respond and/or prevent similar incidents from occurring in the future. {2014-present)

Analysis: Need to obtain additional camera and surveillance equipment.

Corrective Action: The MCSO purchased an additional \$80,000.00 worth of cameras and equipment in 2014. We updated and installed some of this equipment in 2015 to continue to update and enhance our surveillance systems. In addition, the MCJ purchased three 46-inch flat screen televisions for the inmates to view as they go through the booking process. The televisions run a continuous loop of information concerning PREA and orientation of the facility rules and regulations. {2014)

In September 2015, MCSO obtained successful bids from two companies for the installation of the 52 additional state of the art digital cameras purchased in 2014. The installations were complete September 30, 2015, with an overall investment in surveillance technology improvements coming in at just under \$150,000.00 for 2014-2015.

The MCSO upgraded our technology again in April 2016, by installing additional cameras in all rover areas, recreation yards and classrooms also purchasing an additional 35 digital cameras for installation to be completed in 2017 with an estimated cost of over \$62,000.00.

In 2017, the MCSO continued to upgrade our surveillance and technology in the jail. We contracted with Site-Secure to do regular maintenance, repairs, run new wire for cameras and install/replace cameras. In 2017, the MCSO spent \$60,144.89

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on upgrades and maintenance to our surveillance system. This represents a total investment of more than \$352,144.89 since 2014 for upgrades in surveillance and technology. The year 2020 was committed to operational maintenance while planning was moving forward on the RFP to replace all older analog cameras and back end supporting I.T. systems in the Jail. The RFP was published in the last quarter of 2020 and should be awarded in the first quarter of 2021 with a project completion date in the third quarter of 2021.

We, are continually striving to improve our video surveillance in the facility and have identified our next areas to be considered for camera installations to reduce blind spots within the facility. (2014-present)

In 2022 the kitchen was included in the areas covered by cameras.

Analysis: Need to be audited by an outside entity during each three-year audit cycle.

Corrective Action: On June 30, July 1 and 2, 2015 the Marion County Sheriff's Office underwent an in depth outside audit by PREA Auditor Hubert Kent. There are 43 mandatory standards that are required to be met with 100% compliance. Out of the 43 standards, MCSO met 41 standards, exceeding in 6 standards with 2 standards being not applicable to our operation.

On November 14, 2016, through November 16, 2016, the Marion County Jail underwent a second comprehensive PREA audit. This audit was conducted by an outside auditor, Juanita Thornton. Of the 43 mandatory standards the Marion County Jail passed 41 standards, exceeding in 3 of the 41, with 2 standards found to be non-applicable to our operation.

On December 13, 2021, through December 16, 2021, The Marion County Jail underwent its third PREA audit. This audit was conducted by outside auditor, James Kenney. Of the 43 standards, the Marion County Jail passed all 43, exceeding in 2 of them.

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reporting, detecting, and investigating any allegations of sexual harassment or sexual abuse.

Analysis: Needed additional privacy for inmate toilet facilities in common areas.

Corrective Action: MCSO installed 11 additional concrete block privacy walls for toilets in Med Pod (2), Hotel Pod (4), Gulf Pod (4) and Booking (1). These walls were constructed to provide adequate privacy for inmates using the toilets without compromising security. {2015}

Analysis: Needed to improve our orientation video for inmates during intake and for subsequent additional inmate education on PREA.

Corrective Action: The MCSO's IT Department developed a state-of-the-art video for adults and youths to be viewed upon intake and for inmate education at later dates in their stay. These videos discuss the rules/regulations of the facility as well as pertinent information regarding PREA and their ability to detect, report and respond to sexual harassment/sexual abuse. {2015}

Analysis: Needed an additional personal resource for the officers to utilize for their personal use for information as they deal with possible PREA matters.

Corrective Action: Ordered 200 additional copies from Quick SeriesJ PREA Standards a Guide for Employees, Contractors and Volunteers. These copies will be issued as needed and used for new hires as well. {2015} and again in {2019}

Analysis: Needed additional space and resources for more proficient PREA investigations and training.

Corrective Action: (2022) Moved PREA office into larger space with newly developed PREA training center. Added additional monitors to the investigation's office with multi-view screens to better address faulty cameras and enhance monitoring capability.

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This report is completed and posted on the MCSO website in compliance with PREA Standard 115.88 which states, "The agency shall review data collected and aggregated to assess and improve effectiveness of its sexual abuse prevention, detection and response policies, practices and training by:

1. Identifying problem areas
2. Taking corrective action
3. Preparing an annual report which will be made public on the agency's website or if the agency does not have one, through other means.

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