



KERN COUNTY SHERIFF'S OFFICE ANNUAL CENTRAL RECEIVING FACILITY PREA REVIEW REPORT

The Kern County Sheriff's Office (KCSO) PREA compliance team and the Central Receiving Facility (CRF) manager have prepared this report to inform the public about the agencies' and facility's efforts to prevent, detect, and respond to sexual abuse.

The Central Receiving Jail Facility as a custodial facility under the Kern County Sheriff's Office (KCSO) has implemented policies and procedures from the Prison Rape Elimination Act. (PREA) with the goal of reducing or eliminating sexual abuse of inmates incarcerated in its jail facilities.

The CRF facility manager and the PREA facility compliance manager, in conjunction with the KCSO PREA compliance team, conduct yearly examinations of all abuse reports received throughout the reporting period in order to compile specific data for the purpose of making comparisons from year to year.

These comparisons allow the CRF facility report team to discover any commonalities and/or contributing factors related to the abuse reports. Contributing factors in which KCSO staff can identify a solution, will be forwarded to the Detention Bureau administration staff with a recommendation for change in policy, practice, or a facility specific issue.

The KCSO Detentions Bureau has continued with its goal of being 100% compliance with the PREA standards. The CRF facility was most recently audited for compliance in 2017 and maintained 100% compliance with all standards issued by the Department of Justice.

During 2017, the average daily inmate population of CRF was 119. CRF had seven reported PREA incidents in 2017.

The seven incidents reported in 2017, were for inmate-on-inmate abuse except one incident alleged sexual harassment against staff. All reports were thoroughly investigated; below is a brief synopsis of them:

- Nonconsensual sexual acts – Inmates claimed to have been sexually assaulted either with force or by pressure.
 - 1 unsubstantiated nonconsensual sexual act: inmate alleged he was assaulted in 2012, it was investigated in 2012 and no evidence was discovered. He felt that he did not receive a fair investigation.
- Abusive sexual contact – Inmates claimed to have been touched by another inmate.
 - 2 unsubstantiated sexual abuse allegations: inmates stated that they had been assaulted but refused to provide details or aide in an investigation.
- Sexual harassment - Inmates stated that they were told to perform a sexual act, or subjected to view an unclothed inmate.
 - 3 reported incidents of sexual harassment
 - 2 substantiated reports of sexual harassment: which includes an indecent exposure allegation (inmate was convicted and sentence to psychiatric treatment at a

California State Hospital) and the other the suspect admitted to having asked another inmate to take off her clothes

- 1 unsubstantiated allegation: Inmate alleged he was forced to watch another inmate masturbate. All witnesses in the cell denied ever seeing this allegation happen.
- Staff sexual harassment – Inmates claimed to have been sexually harassed by deputies.
 - 1 unsubstantiated staff sexual harassment allegation: Video and audio evidence along with the staff member was never alone with the reporting party the allegation was not able to be substantiated.

In reviewing the incidents reported in 2017, the review team did identify a common denominator among several of the reports that has not been seen in reports from other facilities. Often the inmate making the allegation was either under the influence of alcohol or drugs, or they had significant mental health issues. In most cases the individual did not provide any credible information about an abuser, they just blurted out incoherent and rambling statements that staff documented due to the nature of the comments.

Possible explanations for so many reports similar in nature could be that as a result of the individual's impaired physical state or mental status, something could be triggered or suggested from staff asking the PREA risk screening questions that ask about past sexual abuse. It was also discussed during the incident reviews that directly after inmates are asked about past sexual abuse, they are then physically searched by the receiving Deputy. If the inmate is resistive to the searching, then the search itself may seem assaultive in nature to a person who is impaired by substances or mental issues. There is also a possibility that an inmate may think they can make an allegation and get their charges reduced or dropped as part of a deal.

Over 31,000 inmates were booked into CRF in 2017. The facility informs inmates at various times throughout their incarceration beginning at the booking counter, about the Sheriff's zero-tolerance toward sexual abuse, how to report abuse, and ways to avoid sexual abuse.

CRF management, the PREA compliance team, and KCSO as a whole believes that by the multiple pro-active PREA prevention, detection, and response measures instituted, such as providing inmates with vital information about PREA and their rights along with the installation of a video surveillance system - has made a noticeable difference in; not only the number of reports, but the legitimacy of the reports as well and has furthered KCSO's goals to keep inmates safe and to be accountable to the public.

There were no recommended corrective actions to request or include in this report.

This report utilizes definitions of "sexual abuse" and "sexual abuse" by a staff member, contractor, or volunteer as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003).

NONCONSENSUAL SEXUAL ACTS – Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

- AND** - Contact between the penis and the vulva or the penis and the anus including penetration, however slight;
- OR** - Contact between the mouth and the penis, vulva, or anus;
- OR** - Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

ABUSIVE SEXUAL CONTACT – Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse;

- AND** - Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person;

This excludes incidents in which contact is incidental to a physical altercation.

SEXUAL HARASSMENT - 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 directed toward another.

STAFF SEXUAL MISCONDUCT – Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative. Sexual relationships of a romantic nature between staff and inmates are included in this definition. Consensual or nonconsensual sexual acts include;

- ANY** - Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse; arouse, or gratify sexual desire;
- OR** - Completed, attempted, threatened, or requested sexual acts;
- OR** - Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

STAFF SEXUAL HARASSMENT – Repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative include;

- ANY** - Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;
- OR** - Repeated profane or obscene language or gestures.

This section provides information about reported incidents of sexual abuse, assault or harassment of inmates in the custody of the Kern County Sheriff's jail facilities in accordance with the Prison Rape Elimination Act of 2003 (PREA) standards below.

§ 115.87 Data collection.

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.*
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.*
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.*

§ 115.88 Data review for corrective action.

- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.*
 - (b) Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.*
 - (c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.*

Facility: Central Receiving Facility (CRF)

Average daily inmates: 119

This period: 1/1/17 to 12/31/17

Prior period: 1/1/16 to 12/31/16

Prior period reported allegations of inmate-on-inmate nonconsensual sexual acts: 3

This period reported allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS: 1

Prior period substantiated: 1

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 1

The event was investigated and determined to have occurred, based on a preponderance of the evidence.

The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

Prior period unfounded: 2

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

The investigation determined that the event did NOT occur.

Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

Prior period reported allegations of inmate-on-inmate abusive sexual contact: 0

This period reported allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT: 2

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 2

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of inmate-on-inmate sexual harassment : 0

This period reported allegations of inmate-on-inmate SEXUAL HARASSMENT : 3

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 2

This period unsubstantiated: 1

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of staff sexual misconduct : 2

This period reported allegations of STAFF SEXUAL MISCONDUCT : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

Prior period unfounded: 2

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of staff sexual harassment : 0

This period reported allegations of STAFF SEXUAL HARASSMENT : 1

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 1

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Incident Information – Victim Section

Location of abuse in allegation(s) <small>(more than one may apply to each incident)</small>			Prior period	This period	Times of specific incident(s)			Prior period	This period
	Victims' cell:	1	1			Morning (6 a.m. to noon)	1	2	
	Perpetrator's cell:	0	1			Afternoon (noon to 6 p.m.)	0	0	
	Dorm / multiple cell:	1	0			Evening (6 p.m. to midnight)	2	0	
	Common area:	0	0			Overnight (midnight to 6 a.m.)	0	0	
	Holding cell:	0	1			Time unknown	2	5	
	Shower / toilet area:	0	0						
	Instructional area:	0	0						
	Recreation area:	0	0						
	Medical area:	0	0						
	Staff area:	0	0						
	Offsite / in transit:	0	0						
Other:	3	4							

Video monitoring available			Prior period	This period	Abuse victim's gender / sexual orientation by allegation			Prior period	This period
	Number of allegations "yes"	2	3			Male:	3	4	
	Number of allegations "no"	3	4			Female:	2	3	
					Lesbian, gay, bisexual	0	0		
					Transgender, intersex	0	0		

Abuse victim's age by specific allegation			Prior period	This period	Abuse victim's ethnicity / race by allegation			Prior period	This period
	18 – 24:	1	2			White:	3	0	
	25 – 29:	1	3			Black:	1	1	
	30 – 34:	1	0			Hispanic:	1	6	
	35 – 39:	1	0			American Indian:	0	0	
	40 – 44:	0	2			Asian:	0	0	
	45 – 54:	0	0			Pacific Islander:	0	0	
55 or older:	1	0		Other:	1	0			

Perpetrator Section

Physical injuries reported	Prior period		This period		Perpetrator's gender / sexual orientation by allegation	Prior period		This period	
	Number of allegations "yes"	0	0	0		Male:	5	4	
	Number of allegations "no"	3	7	0		Female:	0	0	
					Lesbian, gay, bisexual	0	0		
					Transgender, intersex	0	0		

Perpetrator's age by specific allegation	18 – 24:	0	2	Perpetrator's ethnicity / race by allegation	White:	0	0
	25 – 29:	0	0		Black:	3	2
	30 – 34:	0	0		Hispanic:	1	2
	35 – 39:	1	1		American Indian:	0	0
	40 – 44:	0	0		Asian:	0	0
	45 – 54:	0	1		Pacific Islander:	0	0
	55 or older:	0	0		Other:	1	0

Nature of incident (more than one may apply to each incident)	Voluntary sexual contact between inmates:	0	0	Type of force or pressure used by perpetrator on the victim (more than one may apply to each incident)	Persuasion, talked into sexual activity:	0	1
	Sexual harassment:	0	2		Bribery or blackmail:	0	0
	Indecent exposure, masturbation, or voyeurism:	0	2		Sexual harassment, sexual innuendo, verbal comments:	0	3
	Horseplay:	0	0		Threatened w/weapon:	0	0
	Repeated, unwelcome sexual advances, requests for sexual favors:	0	0		Surprised victim w/unwanted touching, grabbing, groping, or victim was asleep:	1	1
	Unwanted touching for sexual gratification or abusive sexual contact:	1	2		Gave victim drugs or alcohol:	0	0
	Pressure, coercion w/o force resulting in a nonconsensual sexual act:	0	0		Offered protection from other inmates:	0	0
	Physical force or threat of force resulting in a nonconsensual sexual act:	1	0		Threatened with physical harm:	0	0
	Other:	1	1		Physically harmed or injured:	0	0
			Physically held victim down or restrained:	1	0		
			Other:	1	2		

Staff Section

Staff			Prior period	This period	Staff employment status			Prior period	This period
	Allegations against staff:		0	1		Full / part time paid:		1	1
	Male:		0	1		Contract / vendor:		0	0
	Female:		2	0		Volunteer / intern:		0	0
				Other:		1	0		


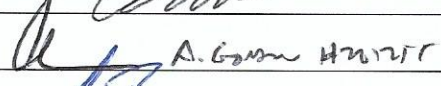

Staff age by allegation			Prior period	This period	Staff ethnicity / race by allegation			Prior period	This period
	18 – 24:		0	1		White:		0	0
	25 – 29:		0	0		Black:		0	0
	30 – 34:		0	0		Hispanic:		0	1
	35 – 39:		0	0		American Indian:		0	0
	40 – 44:		0	0		Asian:		0	0
	45 – 54:		0	0		Pacific Islander:		0	0
55 or older:		0	0	Other:		1	0		

Nature of allegation or incident involving staff (more than one may apply to each incident)			Prior period	This period	Position of staff for allegation or incident (more than one may apply to each incident)			Prior period	This period
	Physical force resulting in nonconsensual sexual act:		0	0		Administrator, assistant, other in administrative position:		0	0
	Pressure or abuse of power resulting in nonconsensual sexual act:		1	1		Deputy, Detentions Deputy, Supervisory staff:		1	1
	Indecent exposure, invasion of privacy, voyeurism for sexual gratification:		0	0		Clerical, receptionist, other administrative support staff:		0	0
	Unwanted touching for sexual gratification:		1	0		Maintenance, kitchen, drivers, other facility support staff:		0	0
	Wrote letters, showed pictures, offered gifts or special privileges to inmate:		0	0		Health care staff; doctors, counselors, dentist, psychiatrists, psychologists, nurses:		0	0
	Sexual relationship between inmate and staff that appeared to be consensual:		0	0		Education staff; instructors, teachers, librarians:		0	0
				Other staff; Chaplain, volunteers, etc.		1	0		

Sanctions / Corrective Actions

		Prior period	This period			Prior period	This period
Perpetrator sanctions (more than one may apply to each incident)	Transferred to other housing unit or facility:	1	2	Employee / Contractor sanctions (more than one may apply to each incident)	Sent to training or counseling:	0	0
	Administratively segregated:	0	0		Reprimanded or discipline:	0	0
	Disciplinary isolation, or loss of visits / commissary, :	0	0		Demoted or temporary suspension:	0	0
	Reclassified to higher security level:	0	0		Discharged, contract cancelled or not renewed:	0	0
	Released prior to investigation conclusion:	0	1		Administrative leave, referred for prosecution:	0	0
	No action, perpetrator identify unknown:	0	3		Staff resigned prior to investigation conclusion:	0	0
	Referred to DA for prosecution:	2	1		Convicted, plea deal, or sentenced, employment terminated:	0	0
	Other this year:	click to type			Other this year:	The one allegation against staff was unsubstantiated based on evidence, no sanctions imposed.	

Comments:	CRF had an increase of reported incidents from the previous year; however, these incidents are mainly being reported as sexual harassment. Harassment is unwanted or unwelcomed advances or comments from another person. There were three cases where the victim refused to provide suspect information, so those suspects could not be held accountable.
Facility changes needed, or reasoning if none:	None, the CRF facility continues to see incidents reported from new arrestees who allege that they were assaulted either as a child or prior to them being arrested for a crime.
Agency changes needed, or reasoning if none:	None see above.

Facility manager:	Lieutenant Ollague		Date: 3/20/2018
PREA Coordinator:	Lieutenant Gordon	 A. Gordon #20125	Date: 3/20/2018
Agency head or designee:	Commander Bishop	 #200992	Date: 3/20/2018