



KERN COUNTY SHERIFF'S OFFICE ANNUAL MOJAVE JAIL FACILITY PREA REVIEW REPORT

The Kern County Sheriff's Office (KCSO) PREA compliance team and the Mojave facility 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 Mojave 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 Mojave 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 Mojave facility report team to discover any commonalities and/or contributing factors related to any 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 2017 annual report for Mojave contains no previous year statistical data for comparison; however Mojave and the KCSO Detentions Bureau as a whole have implemented methods to prevent, detect, and respond to reports of sexual abuse. Areas of prevention such as inmate rights, and inmate PREA education are known to aid in reducing sexual abuse. Earlier installation of a video camera surveillance system is also a known deterrent toward staff misconduct.

During the current reporting year 2017, Mojave booked 1017 inmates, and had a daily population average of 3 inmates remained at the facility for one or more nights. As in 2016, there were no reports of sexual abuse made during the 2017 reporting period. Though the Mojave facility is small and serves limited numbers of inmates, the staff assigned there take their role in the Sheriff's overall goal of inmate safety and zero-tolerance seriously. Mojave started to participate in a formal PREA audit process in 2015 and has been in compliance with the standards since implementation. Mojave is scheduled for its biannual audit this year. The results of this audit will be posted as soon as available.

Though the staff have the ability to mostly keep inmates separate from one another, the staff continue to embrace the goals and principals of PREA by providing inmates with PREA education despite no requirement to do so, which helps to ensure that once they are transferred from Mojave they are already well informed about PREA, their rights, and ways to stay safe once they arrive at a facility in Bakersfield.

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 report 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: Mojave Jail	Average daily inmates: 3
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: 0

This period reported allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS: 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

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: 0

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: 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

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 : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

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 : 0

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: 0

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 : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

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

Video monitoring available	Prior period		This period		Abuse victim's gender / sexual orientation by allegation	Prior period		This period		
	Number of allegations "yes"	0	0	0		Male:	0	0	0	0
	Number of allegations "no"	0	0	0		Female:	0	0	0	0
						Lesbian, gay, bisexual	0	0	0	0
					Transgender, intersex	0	0	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:	0	0	0		White:	0	0	0	0
	25 – 29:	0	0	0		Black:	0	0	0	0
	30 – 34:	0	0	0		Hispanic:	0	0	0	0
	35 – 39:	0	0	0		American Indian:	0	0	0	0
	40 – 44:	0	0	0		Asian:	0	0	0	0
	45 – 54:	0	0	0		Pacific Islander:	0	0	0	0
55 or older:	0	0	0	Other:	0	0	0	0		

Perpetrator Section

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

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

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

Staff Section

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

Staff age by allegation			Prior period	This period	Staff ethnicity / race by allegation			Prior period	This period
	18 – 24:		0	0		White:		0	0
	25 – 29:		0	0		Black:		0	0
	30 – 34:		0	0		Hispanic:		0	0
	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:		0	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:		0	0		Deputy, Detentions Deputy, Supervisory staff:		0	0
	Indecent exposure, invasion of privacy, voyeurism for sexual gratification:		0	0		Clerical, receptionist, other administrative support staff:		0	0
	Unwanted touching for sexual gratification:		0	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.		0	0		

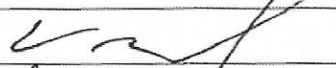


Sanctions / Corrective Actions

		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:	0	0	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	0		Administrative leave, referred for prosecution:	0	0
	No action, perpetrator identify unknown:	0	0		Staff resigned prior to investigation conclusion:	0	0
	Referred to DA for prosecution:	0	0		Convicted, plea deal, or sentenced, employment terminated:	0	0
	Other this year:	click to type				Other this year:	click to type

Comments: There has not been any reported sexual harassment or sexual abuse incidents for the previous years.

Facility changes needed, or reasoning if none: None, facility operating safely.

Agency changes needed, or reasoning if none: None, agency has recently implemented numerous inmate safety policies and procedures.

Facility manager:	Lieutenant Sword 	Date: 3/16/2018
PREA Coordinator:	Lieutenant Gordon 	Date: 3/21/2018
Agency head or designee:	Commander Posey 	Date: 4-20-18