



Prison Rape Elimination Act PREA Annual Report: 2022

Multnomah County Sheriff's Office

November 15th, 2023



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Summary

This is the Multnomah County Sheriff's Office (MCSO) annual report of data collected and aggregated pursuant to Prison Rape Elimination Act (PREA) Standard 115.88 – PREA Annual Report. The purpose of this report is to monitor and assess the effectiveness of the agency's sexual abuse prevention, detection, and response policies, practices, and training. This report presents data for the two adult jail facilities, the Multnomah County Detention Center (MCDC) and Inverness Jail (MCIJ), and the agency as a whole and includes a comparison of data from prior years.

This report has been approved by the Multnomah County Sheriff and is available on our website, <https://mcsso.us/site/quick-access/prea>

Background

The Prison Rape Elimination Act was established in 2003 to address the problem of sexual abuse and sexual harassment of persons in the custody of U.S. correctional agencies.

Pursuant to PREA policy requirements, each agency shall report their data annually.

MCSO adopted a zero-tolerance policy on issues pertaining to sexual abuse and sexual harassment involving adults in custody and has implemented policies, training requirements, and standards for the detection, prevention, reduction and punishment of prison rape. Reporting data collected provides important information to assist in improving processes.

2022 Data Summary ...

In 2022, the Multnomah County Sheriff's Office documented 30 allegations of sexual abuse. All 30 were unfounded.

In 2022, there were 26 allegations of sexual harassment. Of these, 23 were unfounded. Three harassment allegations were determined to be substantiated.



General Jail Information

MCSO serves the 810,242 residents of Multnomah County, Oregon¹. Portland, the largest city in Oregon, and Gresham, the state's fourth largest city, are both located in Multnomah County.

Over the past five years, MCSO booked an annual average of 21,988 adults and had an average daily population of 912 adults in custody (Table 1). The total *budgeted*² capacity is 1,117 beds.

Table 1. Annual Bookings and Average Daily Population

	2018	2019	2020	2021	2022
Standard Bookings	30,119	29,502	16,117	11,856	13,952
Turn-Self In Bookings ³	1,215	1,404	578	745	784
In-Transit Bookings ⁴	976	979	511	543	658
Bookings Total	32,310	31,885	17,206	13,144	15,394
MCDC: Average Daily Population	398	397	292	301	347
MCIJ: Average Daily Population	678	687	503	468	489
Average Daily Population Total	1,076	1,083	795	769	835

MCSO Reported PREA Incident Data

MCSO attempts to collect data on all PREA incidents, including those reported by adults arrested and/or in custody that took place in another jurisdiction and those that were previously reported. Each incident is reviewed and, if necessary, investigated.

In 2022, a total of 214 PREA-related incidents were reported. Of these, 56 (26%) qualified for Federal reporting, as these allegations occurred within an MCSO facility, were stated to have occurred between January 1, 2022 and December 31, 2022, and were identified as a PREA incident per Federal definitions.

Facility: Multnomah County Detention Center (MCDC)

Of the 56 incidents that qualified for Federal reporting, 48 were alleged to have occurred at MCDC. Of these, 46 were unfounded and two were substantiated.

Facility: Multnomah County Inverness Jail (MCIJ)

Eight of the 56 incidents were alleged to have occurred at MCIJ. Of these, seven were unfounded and one was substantiated.

¹ <https://www.pdx.edu/population-research/>, July 1, 2022 population estimate on November 15, 2022

² FY23 budget (July 2022 to June 2023)

³ Turn-Self In bookings are where an offender has been sentenced and ordered to return to jail at a later date

⁴ In-Transit bookings are individuals being held for other jurisdictions while being transported



Data Summary

Table 2 shows 2022 incidents by location, type, and disposition. (See the glossary for definitions of types and dispositions.)

Table 2: Number of Alleged Incidents by Facility, Type of Incident, and Disposition

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
MCDC				
Nonconsensual Sexual Act				
Abusive Sexual Contact		2		2
Sexual Harassment	2	20		22
Staff Sexual Misconduct		22		22
Staff Sexual Harassment		2		2
MCDC Total	2	46		48
MCIJ				
Nonconsensual Sexual Act		2		2
Abusive Sexual Contact		2		2
Sexual Harassment	1	1		2
Staff Sexual Misconduct		2		2
Staff Sexual Harassment				
MCIJ Total	1	7		8

Staff-on-inmate⁵

In 2022, there were 24 allegations of Staff Sexual Misconduct. All 24 were unfounded. In addition, there were two reports of alleged Staff Sexual Harassment. Both were unfounded.

Inmate-on-inmate

There are three categories of inmate-on-inmate incidents. In 2022, there were two reported incidents of inmate-on-inmate nonconsensual sexual act. Both incidents were unfounded. There were four reports of inmate-on-inmate abusive contact and all four were unfounded. There were 24 alleged incidents of inmate-on-inmate sexual harassment. Of these, 21 were unfounded and three were substantiated.

⁵ Although MCSO has adopted the term “adult in custody,” PREA standards reference the terms “staff-on-inmate” and “inmate-on-inmate.”



Substantiated incidents

There were three substantiated incidents in 2022; all were inmate-on-inmate harassment.

In one incident, an adult in custody provided another adult in custody with a lunch tray that may have been masturbated in. The perpetrators also made negative comments to the victim. The perpetrators were white males and the victim was a Hispanic male.

In the second incident, an adult in custody exposed their genitals to another adult in custody. The perpetrator was a Native American or Alaskan transgender female and the victim was a black female.

In the third incident, an adult in custody made sexual remarks and gestures to another adult in custody. The perpetrator was a black male and the victim was a black male.

In all of these incidents, it did not appear that race, gender identity, or other protected status was a motivation for the harassment.

2018-2022 Comparisons of Reported Incident Data

The annual reporting requirement includes a comparison of current year data to prior years (Table 3). The number of PREA allegations increased from 55 to 56 (2%) between 2021 and 2022. The number of substantiated incidents increased from two to three.

In response to COVID-19, bookings and the average daily population remained reduced in 2022.



Table 3. PREA Cases by Type, Disposition: 2018, 2019, 2020, 2021, 2022

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
2018				
Nonconsensual Sexual Acts		4		4
Abusive Sexual Contact		1		1
Sexual Harassment	1	3	6	10
Staff Sexual Misconduct		9	1	10
Staff Sexual Harassment		1		1
2018 Total	1	18	7	26
2019				
Nonconsensual Sexual Acts		4	2	6
Abusive Sexual Contact		4		4
Sexual Harassment	2	17	3	22
Staff Sexual Misconduct		15	1	16
Staff Sexual Harassment		1		1
2019 Total	2	41	6	49
2020				
Nonconsensual Sexual Acts		4		4
Abusive Sexual Contact	1	1	1	3
Sexual Harassment		4	3	7
Staff Sexual Misconduct		17	2	19
Staff Sexual Harassment		5	1	6
2020 Total	1	31	7	39
2021				
Nonconsensual Sexual Acts		3	1	4
Abusive Sexual Contact		2	1	3
Sexual Harassment	2	5	5	12
Staff Sexual Misconduct		28	2	30
Staff Sexual Harassment		6		6
2021 Total	2	44	9	55
2022				
Nonconsensual Sexual Acts		2		2
Abusive Sexual Contact		4		4
Sexual Harassment	3	21		24
Staff Sexual Misconduct		24		24
Staff Sexual Harassment		2		2
2022 Total	3	53		56



Addressing PREA allegations

PREA incidents can be reported by a number of sources including adults in custody, jail staff, medical personnel, outside family/contacts, and other jurisdictions. When a PREA incident is reported, a staff member will gather information on what occurred. The alleged victim and perpetrator may be separated and, if warranted, a “keep separate” may be added between adults in custody.

If physical evidence is present, the victim will be advised to not shower, eat, drink, brush teeth, change clothes, or use the bathroom and a Sexual Assault Nurse Examiner (SANE) may come to collect evidence.

MCSO provides access to advocates for victims in need of support services. Call to Safety can provide emotional support, safety planning, information, and referrals. MCSO offers additional support through our programs staff, chaplains, and medical and mental health. These services are available to every adult in custody at no charge.

The MCSO Jail Detective reviews each case and investigates accordingly. The PREA Coordinator collects the case files, examines the information, and makes the final determination on each case. If necessary, cases are reviewed through the chain of command and/or sent for further investigation to Internal Affairs.

If the victim is in custody once an investigation is completed, the adult in custody will be told the result of the case.

The PREA Coordinator enters information from each report into a centralized database. The Coordinator is able to review aggregate data for patterns, trends, or gaps that may indicate the need for additional review of cases, operational adjustments, areas for staff or adults in custody to receive additional education, or policy changes.

PREA Review Committee

The MCSO PREA Review Committee is comprised of the Facility Commander where the incident occurred, the PREA Coordinator, Classification Staff, Medical and/or Mental Health Staff, the Jail Detective, and a line supervisor. The Committee reviews substantiated or unsubstantiated cases of sexual abuse and evaluates the following areas for corrective action:

- Whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- Whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification status, or perceived status; gang affiliation; or other group dynamics at the facility;



- The area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- Adequacy of staffing levels in that area during different shifts;
- Whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The PREA Review Committee documents their findings and any recommended improvements. Their report is submitted to the PREA Compliance Manager and Facility Commander and the facility either implements the recommendations and documents completion, or documents the reasons for not implementing the recommendations.

Summary of Corrective Actions

Below are some corrective actions and PREA-related information agency-wide from 2022:

- The PREA Coordinator created an updated online PREA training class for staff members.
- The MCSO Staffing Plan was approved for 2022.
- Multnomah County Information Technology deployed an improved PREA database application.
- The MCDCC Detention Electronics Project to replace the current camera system with an improved version was completed.
- Grievance tracking and auditing was completed for all PREA grievances.
- A new Adult in Custody Orientation Guide was created for all adults in custody who are housed with MCSO. The guide contains a section on “Helpful Information about PREA” and was written at a lower reading level and translated into four additional languages: Spanish, Russian, Chinese and Vietnamese.
- The AIC PREA Response Pamphlet was also updated and written at a lower reading level and translated into the same four languages, to increase accessibility to the AIC population.
- Training materials for contractors and volunteers were updated.
- The PREA Training class for newly hired staff members was also reviewed and revised.
- Additional training for staff involved with PREA was provided and new PREA trainers were educated to be able to conduct PREA new hire training.



Glossary: Definitions for Federal Reporting

PREA Incident Types

Inmate-on-inmate Nonconsensual Sexual Act:

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.

Inmate-on-inmate 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.

EXCLUDES incidents in which the contact was incidental to a physical altercation.

Inmate-on-inmate 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-on-inmate Sexual Misconduct

Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, or other agency representative (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and inmates are included in this definition.

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-on-inmate Sexual Harassment

Repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, or other agency representative (exclude family, friends, or other visitors).



INCLUDES demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

OR

Repeated profane or obscene language or gestures.

PREA Disposition Types

Substantiated: An allegation that was investigated and determined 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.

Unfounded: An allegation that was investigated and determined not to have occurred.

Pending/Investigation ongoing: Investigation has not been completed.