



Prison Rape Elimination Act PREA Annual Report: 2021

Multnomah County Sheriff's Office

September 29, 2022



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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.

2021 Data Summary ...

In 2021, the Multnomah County Sheriff's Office documented 37 allegations of sexual abuse. Of these, 33 were unfounded and four were unsubstantiated.

In 2021, there were 18 allegations of sexual harassment. Of these, 11 were unfounded and five were unsubstantiated. Two harassment allegations were determined to be substantiated.



General Jail Information

MCSO serves the 820,672 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 25,036 adults and had an average daily population of 960 adults in custody (Table 1). The total *budgeted*² capacity is 1,117 beds.

Table 1. Annual Bookings and Average Daily Population

	2017	2018	2019	2020	2021
Standard Bookings	28,336	30,119	29,502	16,117	11,856
Turn-Self In Bookings ³	1,373	1,215	1,404	578	745
In-Transit Bookings ⁴	925	976	979	511	543
Bookings Total	30,634	32,310	31,885	17,206	13,144
MCDC: Average Daily Population	402	398	397	292	301
MCIJ: Average Daily Population	673	678	687	503	468
Average Daily Population Total	1,075	1,076	1,083	795	769

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 2021, a total of 174 PREA-related incidents were reported. Of these, 55 (32%) qualified for Federal reporting, as these allegations occurred within an MCSO facility, were stated to have occurred between January 1, 2021 and December 31, 2021, and were identified as a PREA incident per Federal definitions.

Facility: Multnomah County Detention Center (MCDC)

Of the 55 incidents that qualified for Federal reporting, 32 were alleged to have occurred at MCDC. Of these, 27 were unfounded, four were unsubstantiated, and one was substantiated.

Facility: Multnomah County Inverness Jail (MCIJ)

Twenty-two of the 55 incidents were alleged to have occurred at MCIJ. Of these, 16 were unfounded, five were unsubstantiated, and one was substantiated.

¹ <https://www.pdx.edu/population-research/population-estimates>, July 1, 2021 population estimate on April 2022

² FY22 budget (July 2021 to June 2022)

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



Facility: Other

One incident was alleged to have occurred while the person was held at the Troutdale Sheriff's Operations Center. This incident was unfounded.

Data Summary

Table 2 shows 2021 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		3		3
Abusive Sexual Contact				
Sexual Harassment	1	2	2	5
Staff Sexual Misconduct		19	2	21
Staff Sexual Harassment		3		3
MCDC Total	1	27	4	32
MCIJ				
Nonconsensual Sexual Act			1	1
Abusive Sexual Contact		2	1	3
Sexual Harassment	1	3	3	7
Staff Sexual Misconduct		8		8
Staff Sexual Harassment		3		3
MCIJ Total	1	16	5	22
Other				
Nonconsensual Sexual Act				
Abusive Sexual Contact				
Sexual Harassment				
Staff Sexual Misconduct		1		1
Staff Sexual Harassment				
Other Total		1		1



Staff-on-inmate⁵

In 2021, there were 30 allegations of Staff Sexual Misconduct. Twenty-eight were unfounded and two were unsubstantiated. In addition, there were six reports of alleged Staff Sexual Harassment. All six were unfounded.

Inmate-on-inmate

There are three categories of inmate-on-inmate incidents. In 2021, there were four reported incidents of inmate-on-inmate nonconsensual sexual act. Three of these incidents were unfounded and one was unsubstantiated. There were three reports of inmate-on-inmate abusive contact - two were unfounded and one was unsubstantiated. There were 12 alleged incidents of inmate-on-inmate sexual harassment. Of these, five were unfounded, five were unsubstantiated, and two were substantiated.

Substantiated incidents

There were two substantiated incidents in 2021; both were inmate-on-inmate harassment. In one incident, several adults in custody complained about another adult in custody repeatedly making sexual gestures (touching self). The perpetrator was a black male, while the victims included one white male, one Hispanic/Latino male, and two black males.

In the second substantiated incident of sexual harassment, one adult in custody passed a note to another adult in custody containing a sexual proposition. The perpetrator was a Hispanic male and the victim was a white male.

In neither of these incidents did it appear that race, gender identity, or other protected status was a motivation for the harassment.

2017-2021 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 39 to 55 (41%) between 2020 and 2021. The number of substantiated incidents increased from one to two.

In response to COVID-19, bookings and the average daily population remained reduced in 2021.

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



Table 3. PREA Cases by Type, Disposition: 2017, 2018, 2019, 2020, 2021

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
2017				
Nonconsensual Sexual Acts		3		3
Abusive Sexual Contact		2	1	3
Sexual Harassment	1	3	4	8
Staff Sexual Misconduct		17	1	18
Staff Sexual Harassment		1	1	2
2017 Total	1	26	7	34
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



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, 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 2021:

- The PREA Coordinator updated the online PREA class for staff.
- The MCSO Staffing Plan was approved for 2021.
- Multnomah County Information Technology continued work on developing an improved PREA database application.
- MCSO response to COVID-19 continued, to include housing modules for screening and/or observing adults in custody before placement into open dorms, conducting advanced cleaning protocols, reducing programs and face-to-face social visiting, and increasing social distancing by opening dorms and reducing the overall jail capacity.
- As part of the MCDC Detention Electronics Project, cameras were replaced and installed for all housing units at MCDC, the 3rd floor, and the lower levels.
- The MCSO PREA Review Committee convened to review cases. The Committee did not identify staffing as a contributing factor in these incidents and recommended improvements to video monitoring systems, which were in process in 2021.
- Call to Safety and MCSO established a memorandum of understanding (MOU). This partnership with Call to Safety provides advocacy and support through a local organization.
- A new grievance policy was adopted to centralize how grievances are tracked, screened, and routed so that all grievances receive a timely response.
- Work began to create an Adult in Custody Orientation Guide that contains a section on "Helpful Information about PREA."
- Updates were made to the "AIC PREA Response Pamphlet."
- Supervision response forms were updated.



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.