



Prison Rape Elimination Act PREA Annual Report: 2020

Multnomah County Sheriff's Office

November 15, 2021



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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://mcsos.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.

2020 Data Summary



In 2020, the Multnomah County Sheriff's Office documented 26 allegations of sexual abuse. Of these, 22 were unfounded and three were unsubstantiated. There was one substantiated incident of sexual abuse in 2020.

In 2020, there were 13 allegations of sexual harassment. Of these, nine were unfounded and four were unsubstantiated.



General Jail Information

MCSO serves the 829,560 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 28,997 adults and had an average daily population of 1,037 adults in custody (Table 1). The total *budgeted*² capacity is 1,117 beds.

Table 1. Annual Bookings and Average Daily Population

	2016	2017	2018	2019	2020 ³
Standard Bookings	30,321	28,336	30,119	29,502	16,117
Turn-Self In Bookings ⁴	1,625	1,373	1,215	1,404	578
In-Transit Bookings ⁵	1,004	925	976	979	511
Bookings Total	32,950	30,634	32,310	31,885	17,206
MCDC: Average Daily Population	399	402	398	397	292
MCIJ: Average Daily Population	756	673	678	687	503
Average Daily Population Total	1,155	1,075	1,076	1,083	795

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 2020, a total of 139 PREA-related incidents were reported. Of these, 39 (28%) qualified for Federal reporting, as these allegations occurred within an MCSO facility, were stated to have occurred between January 1, 2020 and December 31, 2020, and were identified as a PREA incident per Federal definitions.

Facility: Multnomah County Detention Center (MCDC)

Of the 39 incidents that qualified for Federal reporting, 24 were alleged to have occurred at MCDC. Of these, 20 were unfounded and four were unsubstantiated.

Facility: Multnomah County Inverness Jail (MCIJ)

Fifteen of the 39 incidents were alleged to have occurred at MCIJ. Of these, 11 were unfounded, three were unsubstantiated, and one was substantiated.

¹ <https://www.pdx.edu/population-research/population-estimates>, July 1, 2020 population estimate on April 2021

² FY21 budget (July 2020 to June 2021)

³ COVID-19 response included reducing bookings and jail beds to increase physical distancing in the facilities

⁴ Turn-Self In bookings are where an offender has been sentenced and ordered to return to jail at a later date

⁵ In-Transit bookings are individuals being held for other jurisdictions while being transported



Data Summary

Table 2 shows 2020 incidents by location, type, and disposition. (See the glossary for definitions of types and dispositions.)

Staff-on-inmate⁶

In 2020, there were 19 allegations of Staff Sexual Misconduct. Seventeen were unfounded and two were unsubstantiated. In addition, there were six reports of alleged Staff Sexual Harassment. Five were unfounded and one was unsubstantiated.

Inmate-on-inmate

There are three categories of inmate-on-inmate incidents. In 2020, there were four reported incidents of inmate-on-inmate nonconsensual sexual act. All were unfounded. Also, there were three reports of inmate-on-inmate abusive contact. One was unfounded, one was unsubstantiated, and one was substantiated. There were seven alleged incidents of inmate-on-inmate sexual harassment. Of these, four were unfounded and three were unsubstantiated.

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			1	1
Sexual Harassment		3	1	4
Staff Sexual Misconduct		11	2	13
Staff Sexual Harassment		3		3
MCDC Total		20	4	24
MCIJ				
Nonconsensual Sexual Act		1		1
Abusive Sexual Contact	1	1		2
Sexual Harassment		1	2	3
Staff Sexual Misconduct		6		6
Staff Sexual Harassment		2	1	3
MCIJ Total	1	11	3	15

Substantiated incidents

There was one substantiated incident of inmate-on-inmate sexual abuse (intentional touching). The victim was a 19-year-old Asian male and the perpetrator was a 56-year-old White male.

⁶ Although MCSO has adopted the term “adult in custody,” PREA standards reference the terms “staff-on-inmate” and “inmate-on-inmate.”



2016-2020 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 decreased from 49 to 39 (22%) between 2019 and 2020. The number of substantiated incidents decreased from two to one.

In response to COVID-19, the average daily population decreased in the jail by 27% between 2019 and 2020.

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, staff immediately separate the alleged victim and perpetrator. If warranted, a “keep separate” may be added between adults in custody, which could result in changes to housing.

MCSO can provide access to advocates for victims in need of support services. If physical evidence is present, MCSO may request a Sexual Assault Nurse Examiner (SANE) to collect the evidence. Additionally, medical and mental health services are available to adults in custody at no charge, at any time.

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.

**Table 3. PREA Cases by Type, Disposition: 2016, 2017, 2018, 2019, 2020**

Type of Incident	Substantiated	Unfounded	Unsubstantiated	Total
2016				
Nonconsensual Sexual Acts				
Abusive Sexual Contact		1		1
Sexual Harassment	1	4	4	9
Staff Sexual Misconduct		18		18
Staff Sexual Harassment		4		4
2016 Total	1	27	4	32
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



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 Committee documents any findings and recommended improvements.

Summary of Corrective Actions

Below are some corrective actions and PREA-related information agency-wide from 2020:

- The PREA Coordinator updated and released the online PREA class for staff.
- The MCSO Staffing Plan was approved for 2020.
- Multnomah County Information Technology began developing an improved PREA database application.
- MCSO response to COVID-19 included setting up 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.
- Many of COVID-19 response procedures required increased monitoring by staff of housing areas.
- As part of the MCDC Detention Electronics Project, MCDC continued to replace and install cameras for video monitoring, partially completing the project in 2020.
- The MCSO PREA Review Committee reviewed the substantiated case where DNA indicated that unwanted touching may have occurred. Although the incident occurred in a bathroom stall, an area prohibited from video monitoring, the committee noted that the incident was discovered quickly by staff and responded to appropriately. The perpetrator was held accountable through the disciplinary process.
- Additional recommendations from the MCSO PREA Review Committee included adding cameras to housing areas, which is in process.



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.