

**2019-20 Fiscal Year
PREA Annual Report
Bay County Sheriff's Office**

Background

The Prison Rape Elimination Act (PREA) was passed by Congress and signed into law by President George W. Bush in 2003 to prevent, detect, and respond to sexual abuse that occurs in confinement settings. On June 20, 2012, the Department of Justice (DOJ) published national standards that were developed by the National Prison Rape Elimination Commission to help reduce prison sexual assaults.

The Bay County Sheriff's Office has a zero tolerance for any incidence of rape, sexual assault or sexual misconduct and complies with all applicable components of the PREA Act. Implementation of these standards to combat sexual abuse in confinement facilities will be contingent upon effective agency and facility leadership, and the development of an agency's principles prioritizing efforts to combat sexual abuse.

Bay County Sheriff's Office Approach

The Sheriff's Office Jail Division will continue conducting an aggressive annual training program specific to the prevention, identification, reporting, and handling of inmate sexual misconduct/sexual assault, including common indicators of misconduct to all staff. Other efforts include, but are not limited to:

- Continued education concerning sexual misconduct throughout the facility.
- Continue to revise and update BCSO policy and procedures as it relates to sexual misconduct.

Since the passing of the PREA standards, the BCSO designated a PREA Coordinator within the Jail Division. A substantial responsibility of the position is to ensure compliance with PREA standards by continual development of policies, implementation, training and constant review of the PREA policies and procedures. The BCSO entered into a Memorandum of Agreement with the Gulf Coast Sexual Assault Program which maintains a 24 hour hotline, and also provides incarcerated victims of sexual abuse appropriate victim advocate support.

Annually, the BCSO has participated in the DOJ annual survey of PREA data collection, providing statistics of incidents of sexual assault or harassment.

Definitions:

Once a report of sexual abuse has been initiated and investigated, the incident is assigned a number and entered into a database maintained by the PREA Coordinator. The incident will be classified using one of the following findings:

- Sustained/Substantiated- allegation is supported by sufficient evidence to justify a reasonable conclusion of guilt.
- Not sustained/Unsubstantiated- insufficient evidence to either prove or disprove the allegation.
- Unfounded- the allegation is false.

PREA standards 115.6 specifically defines sexual abuse in terms of inmate-on-inmate, staff-on-inmate, along with sexual harassment and voyeurism.

Sexual Abuse Report Activity

Inmates may confidentially disclose incidents of sexual abuse and sexual harassment to any Sheriff's Office employee, either verbally or in writing. This process allows for confidential reporting by inmates 24 hours per day, 7 days a week. The administrative investigation shall be completed not later than 90 days of the initial filing of the complaint or grievance.

Following are the Department of Justice reported numbers for 2019, in the Bay County Jail:

| Inmate-on-Inmate Non-Consensual Sexual Acts | |
|--|----------|
| Number Reported | <u>4</u> |
| Substantiated | 0 |
| Unsubstantiated | 1 |
| Unfounded | 3 |

| Inmate-on-Inmate Abusive Sexual Contact | |
|--|----------|
| Number Reported | <u>4</u> |
| Substantiated | 2 |
| Unsubstantiated | 0 |
| Unfounded | 2 |

| Inmate-On-Inmate Sexual Harassment | |
|---------------------------------------|----------|
| Number Reported | <u>2</u> |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 2 |

| Staff Sexual Misconduct | |
|-------------------------|----------|
| Number Reported | <u>2</u> |
| Substantiated | 0 |
| Unsubstantiated | 1 |
| Unfounded | 1 |

| Staff Sexual Harassment | |
|-------------------------|----------|
| Number Reported | <u>1</u> |
| Substantiated | 0 |
| Unsubstantiated | 0 |
| Unfounded | 1 |

Thorough and systematic investigations of sexual victimization are conducted by the Bay County Sheriff's Office. All investigations incorporate current incident review criteria pursuant with PREA standard 115.86.

In Fiscal Year 2019-20, a critical incident review of substantiated and unsubstantiated cases were conducted by Jail Facility Personnel consisting of the PREA Coordinator, Security and Administrative Chiefs, Medical, and facility Investigator. These hearings are thorough and systematic reviews of sexual victimization and incorporate current incident review criteria pursuant with PREA Standard 115.86.