

# Alameda County Sheriff's Office

Santa Rita Jail  
5325 Broder Boulevard, Dublin, CA 94568-3309



## Gregory J. Ahern, Sheriff

Director of Emergency Services  
Coroner - Marshal

### MEMORANDUM

DATE: January 17, 2018  
TO: Gregory J. Ahern, Sheriff  
FROM: Jason H. Arbuckle, Lieutenant  
VIA: Chain of Command

*4/19/18*  
*Reviews Forensic*  
*Forensic*  
*1. MASHIN #832*  
*JH/A/S*

SUBJECT: PRISON RAPE ELIMINATION ACT ANNUAL REPORT-2017

The Prison Rape Elimination Act (PREA) requires all law enforcement agencies with detention facilities of any kind to create an annual report of all sexual abuse and sexual harassment incidents reported within its facilities. This report must be completed, submitted to the Agency head, and made public via the agency's Internet website.

Additionally, we must identify problem areas and take corrective action on an ongoing basis. This report must include a comparison of the current year's data and corrective actions along with those from prior years and must provide an assessment of our progress in addressing sexual abuse and harassment.

On August 1, 2013, the Alameda County Sheriff's Office (ACSO) implemented the PREA standards, providing educational and informational material to inmates and training to staff. This staff training consisted of a new General Order, a Training Bulletin, and assigned staff to present PowerPoint presentations agency wide. Refresher training is mandated every two years. The Alameda County Sheriff's Office is dedicated to providing the safest facilities possible for those in our custody. Therefore, refresher training is provided agency wide on an annual basis through the issuance of a Training Bulletin. In addition to the annual refresher training provided agency wide, Detention and Corrections staff also receive more specific training every two years, including how to identify victims, crime scene protection and processing, and victim rights under PREA. This training occurs during the Standards for Training in Corrections (STC) course.

A toll free "hot line" is provided at both jails for all inmates so they can confidentially report sexual abuse or harassment, as well as seek outside advocacy and counseling from a community organization not affiliated with the Sheriff's Office. The agencies who take these calls, by PREA standards, must be independent and not affiliated with the Sheriff's Office. Bay Area Women Against Rape, Highland Hospital Sexual Assault Center, and Tri Valley Haven for Women provide these services to the Sheriff's Office at no cost to the inmate.

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During 2017, these agencies received 109 calls on the confidential telephone line. 101 calls were made from Santa Rita Jail and 8 were made from Glenn E. Dyer Detention Facility (GEDDF). A total of 123 on site counseling visits were made by Tri Valley Haven to Santa Rita Jail.

Additionally, Tri Valley Haven began presenting group classes for victims of sexual abuse and domestic violence in 2017. These one hour classes are designed to provide group therapy and are focused on sexual abuse and domestic violence survivors. Both classes were well attended during 2017, and the instructors from Tri Valley Haven continue to receive high praise from those who have completed the course. A total of 172 classroom hours were offered to 861 female inmates at Santa Rita Jail throughout the year. This number does include those who attended the classes more than once. These classes have proven to be very popular and often have a waiting list.

During 2017, material informing inmates how to avoid and report sexual assault and harassment continued to be provided. This material was distributed through various media formats, including the Inmate Orientation video, the Inmate Rules and Regulations, and handouts provided to all arrestees at Intake. Information on reporting abuse and harassment is posted in all inmate common areas throughout the facility. Mandated ongoing inmate education, including the video from Just Detention International on sexual abuse prevention was provided on a weekly basis in both facilities through pre-scheduled programming on inmate televisions. During the playing of the video, no other channels are accessible.

In August of 2016, Santa Rita Jail was audited by a United States Department of Justice certified PREA Auditor. The audit lasted three days and encompassed every aspect of the entire facility where inmates and staff have contact. An extensive review of PREA related documentation, including agency policies, was conducted by the auditor prior to her arrival. Once at the facility, she spent time speaking to approximately 120 inmates and 35 staff members, ensuring inmates and staff alike were aware of their rights and responsibilities under PREA, as well as examining inmate living, recreational, and work areas. The certification of compliance to PREA standards awarded to Glenn E. Dyer Detention Facility in 2015 and Santa Rita Jail in 2016, resulted in the Alameda County Sheriff's Office being only the third agency in the State of California to be PREA certified at all its facilities.

In 2017, there were a total of 60 reports filed by inmates complaining of sexual abuse or harassment, an increase of 22% over 2016. Fifty seven reports were generated at Santa Rita Jail (SRJ) and three came from Glenn E. Dyer Detention Facility (GEDDF). The increase appears to be due to a higher number of reports of sexual harassment by inmates against other inmates. There was one report of sexual abuse made by an inmate which occurred outside of Alameda County Sheriff's Office facilities. There was also a report of consensual sexual activity between two inmates. These reports are not accounted for below, leaving 58 reports of sexual abuse or harassment within Alameda County Sheriff's Office Detention and Corrections facilities. A breakdown of the complaints is listed on the following pages.

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**GLENN E. DYER DETENTION FACILITY (GEDDF)**

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
March 19, 2017	Inmate	Staff	Sexual Harassment	Unfounded
September 20, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved

**SANTA RITA JAIL (SRJ)**

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
January 1, 2017	Inmate	Inmate	Sexual Harassment	Victim Moved
January 7, 2017	Inmate	Staff	Sexual Harassment	Unfounded
January 27, 2017	Inmate	Staff	Sexual Harassment	Unfounded
February 14, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
February 17, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
February 28, 2017	Inmate	Staff	Sexual Battery	Unfounded
March 8, 2017	Inmate	Inmate	Sexual Battery	Unfounded
March 9, 2017	Inmate	Inmate	Sodomy	Not Charged
March 30, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
April 4, 2017	Inmate	Inmate	Sexual Battery	Suspect Deceased
April 15, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
April 21, 2017	Inmate	Staff	Rape	Unfounded
April 30, 2017	Inmate	Staff	Sexual Battery	Unfounded
May 10, 2017	Inmate	Inmate	Sodomy	Unfounded
May 25, 2017	Inmate	Staff	Sexual Harassment	Unfounded
May 26, 2017	Inmate	Inmate	Sexual Harassment	Victim Moved
May 28, 2017	Inmate	Inmate	Sodomy	Unfounded
June 12, 2017	Inmate	Inmate	Sodomy	Unfounded
June 28, 2017	Inmate	Inmate	Sodomy	Unfounded
July 1, 2017	Inmate	Inmate	Sexual Battery	Not Sustained
July 8, 2017	Inmate	Inmate	Sexual Battery	Occ. 1973
July 8, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
July 9, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
July 13, 2017	Inmate	Inmate	Sexual Battery	Unfounded
July 15, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
July 21, 2017	Inmate	Inmate	Oral Copulation	D/A-No charges
July 27, 2017	Inmate	Staff	Unspec. Sex Assault	Unfounded
August 5, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
August 6, 2017	Inmate	Inmate	Sexual Battery	D/A-No charges
August 8, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
August 22, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
September 11, 2017	Inmate	Inmate	Sexual Harassment	Victim Moved
September 12, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
September 15, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved

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<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
September 19, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
September 20, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
September 21, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
September 24, 2017	Inmate	Inmate	Sexual Harassment	Victim Moved
September 30, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
October 2, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
October 21, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
October 23, 2017	Inmate	Staff	Sexual Harassment	Unfounded
November 27, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
November 27, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
December 3, 2007	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 4, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 4, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 4, 2017	Inmate	Inmate	Sexual Battery	Unfounded
December 4, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 7, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
December 18, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
December 18, 2017	Inmate	Inmate	Sexual Harassment	Unfounded
December 26, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 26, 2017	Inmate	Inmate	Sexual Harassment	Suspect Moved
December 28, 2017	Inmate	Inmate	Sexual Harassment	Victim Moved
December 29, 2017	Inmate	Staff	Sexual Battery	Unfounded

Throughout both jail facilities, there were a total of 40 reports of sexual harassment, 10 reports of sexual battery, five reports of sodomy, two reports of unspecified sexual assault, one report of oral copulation. Of the 58 reports within Detention and Corrections, 10 were against staff (a 41% reduction from 2016) and 48 were against other inmates. Of the 48 reports involving inmates only, 35 were for sexual harassment, seven reports of sexual battery, five reports of sodomy and one report of oral copulation.

In regards to the reports of inmate on inmate sexual harassment, as a general rule, the suspected parties were reclassified to a different housing unit. In those events in which the victim was relocated, the victims were moved to other housing units within their classification to ensure their safety.

There were 10 reports which listed ACSO staff as suspects. All of these cases were thoroughly investigated and determined to be unfounded. Several of these unfounded allegations were determined as such based upon body worn cameras that were in use at the time of the alleged event.

There was a 65% decrease in reports of sexual abuse and harassment against staff in 2017. It is my opinion, based upon the individual determination of each investigation, while inmates continue to file false reports as a tactic to retaliate against staff, the number has decreased due to our thorough investigative procedures and proactive enforcement of jail rules and the penal code

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pertaining to filing of false reports.

After reviewing all 58 reports, it is apparent that all cases were investigated properly and thoroughly, in accordance with ACSO policy and PREA standards. There were two cases in 2017 which were submitted for consideration of complaint for charges by the District Attorney. Due to lack of evidence, the District Attorney did not charge either case.

I have compiled historical data for the previous four years (2014-2017) to provide a better representation of all incidents of sexual abuse and harassment throughout the agency, since the implementation of PREA standards. This data covers six temporary holding facilities classified by PREA as “Lockups” (Courts and Patrol) and two jail facilities housing an average of approximately 2533 inmates on a daily basis during 2017.

2014	Sexual Harassment	Sexual Battery	Sodomy	Penetration with a Foreign Object	Forced Oral Copulation	Total
Dorm	3	0	0	0	0	3
Cell	8	6	0	1	3	18
Common Area	0	0	0	0	0	0
ITR	0	2	1	0	0	3
Other	2	2	2	0	0	6
<b>Total</b>	<b>13</b>	<b>10</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>30</b>

2015	Sexual Harassment	Sexual Battery	Sodomy	Penetration with a Foreign Object	Unspecified Sexual Assault	Total
Dorm	0	0	2	0	0	2
Cell	6	3	2	4	2	17
Common Area	1	1	0	0	0	2
ITR	1	1	0	0	1	3
Other	4	1	1	0	1	7
<b>Total</b>	<b>12</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>31</b>

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<b>2016</b>	Sexual Harassment	Sexual Battery	Sodomy	Penetration with a Foreign Object	Unspecified Sexual Assault	<b>Total</b>
Dorm	1	2	0	0	2	<b>5</b>
Cell	10	6	0	0	2	<b>18</b>
Common Area	3	4	0	0	0	<b>7</b>
ITR	2	1	2	0	1	<b>6</b>
Other	2	4	0	4	0	<b>10</b>
<b>Total</b>	<b>18</b>	<b>17</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>46</b>

<b>2017</b>	Sexual Harassment	Sexual Battery	Sodomy	Oral Copulation	Rape	Other	<b>Total</b>
Dorm	0	0	0	0	0	0	<b>0</b>
Cell	19	2	4	1	1	1	<b>28</b>
Common Area	15	2	0	0	0	0	<b>17</b>
ITR	1	4	0	0	0	0	<b>5</b>
Other	5	2	1	0	0	0	<b>8</b>
<b>Total</b>	<b>40</b>	<b>10</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>58</b>

In reviewing all of the reports since 2014, excluding those determined to be unfounded, inmates are typically victimized by other inmates and these crimes primarily occur in inmate living areas, where the inmates have a certain amount of concealment from staff. This trend continued into 2017, although there was a significant increase in reports generated from common areas.

The Alameda County Sheriff's Office conducts hourly checks of all inmates in accordance with California Title 15 section 1027.5. These checks are documented in General Observation Logs. We are audited by the Board of State and Community Corrections (BSCC) every two years and our most recent audit was in 2016. During the inspection, our General Observation Logs were determined to be in compliance.

The security upgrade project at Santa Rita Jail, which will include the installation of fixed video cameras in the common areas throughout the facility, will provide better monitoring of the inmates in our care and reduce concealment in these areas. This project was funded by the Board of Supervisors in June of 2016 and is moving forward.

While the Sheriff's Office provides orientation and continued PREA education to inmates, the continuing trend of false allegations against staff continues, although decreased significantly in 2017. The trend of inmates using the report of sexual abuse or harassment as a tool to have other inmates or staff moved out of housing units has continued and is expected to do so in the future.

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As in past years, several investigations have resulted in a determination of “Unfounded” based upon inmates’ admissions of using the system as a method to manipulate the system in order to either remove another inmate or staff member; or as an attempt to gain a more favorable housing assignment. Regardless, our staff continue to take reports of this nature seriously and fully investigate these incidents in a professional manner.

The regularly assigned staff at both Santa Rita Jail and Glenn E. Dyer Detention Facility continue to do an outstanding job of managing care, custody and control of our inmates. They work very hard every day and interact with the inmates regularly and in a professional manner to ensure the Agency’s mission is met.

JHA:jha

Reviewed Follow  
Recommendations and Post-  
A4/9/18