

# 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

NOTED + FORWARDED  
TO SHERIFF AHERN  
R.T. LUCA VIS  
3/29/19

## MEMORANDUM

DATE: March 5, 2019

TO: Tom Madigan, Division Commander

FROM: David Bonnell, Lieutenant

VIA: Chain of Command

SUBJECT: **PRISON RAPE ELIMINATION ACT (PREA) ANNUAL REPORT**

The attached memorandum has been prepared for the Sheriff's review and signature in accordance with PREA standard 115.88. This document will be considered public record and as stated in the previously mentioned PREA standard, shall be placed on the agency's web page once signed by the Sheriff.

DBB:dbb

Reviewed / Forwarded  
TO HQ-1  
TIMASIGN #832  
03/11/19

KAH/LS  
3/26/19

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## MEMORANDUM

NOTED + FORWARDED  
TO SHERIFF AHERN  
R.T. LUCAUIS  
3/29/19

DATE: March 5, 2019  
TO: Gregory J. Ahern, Sheriff  
FROM: David Bonnell, Lieutenant  
VIA: Chain of Command

3/29/19  
Reviewed  
2/4/19  
Reviewed / FORWARDED  
T. MASLAN #832  
03/11/19

**SUBJECT: PRISON RAPE ELIMINATION ACT ANNUAL REPORT-2018**

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 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 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 Alameda County Sheriff's Office. The agencies who take these calls, by PREA standards, must be independent and not affiliated with the Alameda County 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.



## 2018 Prison Rape Elimination Act Annual Report

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During 2018, these agencies received 198 total calls on the confidential telephone line. 189 calls were made from Santa Rita Jail and 9 were made from Glenn E. Dyer Detention Facility. A total of 75 on site counseling visits were made by Tri Valley Haven to Santa Rita Jail.

Tri Valley Haven continued to present to groups of victims of sexual abuse and domestic violence during 2018. 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 2018, and the instructors from Tri Valley Haven continue to receive high praise from those who have completed the course. A total of 138 classroom hours were offered to 718 female inmates at Santa Rita Jail throughout the year. This number does include those who have attended the class on more than one occasion. These classes have proven to be very popular and often have a waiting list to attend.

During 2018, 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. Ongoing inmate education training, includes the video from Just Detention International on sexual abuse prevention, which is provided on a weekly basis in both facilities through pre-scheduled programming on inmate televisions. During the duration of the video, no other channels are accessible.

In December of 2015, Glenn E. Dyer was audited by a United States Department of Justice certified PREA Auditor, as well as Santa Rita Jail in August of 2016. The audit lasted three days and encompassed every aspect of both facilities where inmates and staff have contact. An extensive review of PREA related documentation, including agency policies was conducted by the auditor prior to their arrival. Once at the facility, the auditor spent time speaking to inmates and staff members. This was to ensure inmates and staff alike were aware of their rights and responsibilities under PREA, as well as examining inmate living, recreational, and work areas. Both facilities were awarded the certification of compliance to PREA standards.

In 2018, there were a total of 77 reports filed by inmates complaining of Sexual Abuse (Non-Consensual Sexual Act/Abusive Sexual Contact) or Sexual Harassment, an increase of approximately 32% over 2017. Seventy-one (71) reports were generated at Santa Rita Jail and 6 were generated from Glenn E. Dyer Detention Facility. The increase appears to be due to a higher number of reports of sexual harassment by inmates against other inmates. There were 4 reports of sexual abuse made by inmates, in which they stated the abuse occurred outside of Alameda County Sheriff's Office facilities. These reports are listed below, due to each inmate disclosing this for the first time to Alameda County Sheriff's Office staff. A breakdown of the complaints are listed on the following pages.



2018 Prison Rape Elimination Act Annual Report

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

<b><u>DATE</u></b>	<b><u>VICTIM</u></b>	<b><u>ACCUSED</u></b>	<b><u>COMPLAINT</u></b>	<b><u>DISPOSITION</u></b>
March 4, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
April 25, 2018	Inmate	Inmate	Abusive Sexual Contact	Ref LA County
May 30, 2018	Inmate	Inmate	Abusive Sexual Contact	Ref CDC Solano
September 20, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
September 25, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
October 9, 2018	Inmate	Inmate	Sexual Harassment	Unfounded

**SANTA RITA JAIL (SRJ)**

<b><u>DATE</u></b>	<b><u>VICTIM</u></b>	<b><u>ACCUSED</u></b>	<b><u>COMPLAINT</u></b>	<b><u>DISPOSITION</u></b>
January 5, 2018	Inmate	Inmate	Abusive Sexual Contact	Unsubstantiated
January 5, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
January 10, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
January 23, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
January 26, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
January 26, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
January 30, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
February 5, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
February 5, 2018	Inmate	Inmate	Abuse Sexual Contact	Unfounded
February 10, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
February 12, 2018	Inmate	Staff	Abusive Sexual Contact	Unfounded
February 23, 2018	Inmate	Inmate	Abusive Sexual Contact	Unsubstantiated
February 26, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
February 27, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
March 1, 2018	Inmate	Inmate	Abusive Sexual Contact	Unfounded
March 2, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
March 5, 2018	Inmate	Inmate	Abusive Sexual Contact	Refer to Folsom
March 6, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
March 12, 2018	Inmate	Staff	Sexual Harassment	Unfounded
March 19, 2018	Inmate	Inmate	Non-Consent Sexual Act	Ref LA County
March 22, 2018	Inmate	Staff	Non-Consent Sexual Act	Unfounded
March 23, 2018	Inmate	Inmate	Sexual Harassment	Suspect Moved
March 30, 2018	Inmate	Inmate	Abusive Sexual Contact	Substantiated
April 10, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
April 12, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
April 13, 2018	Inmate	Inmate	Sexual Harassment	Substantiated
April 23, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated



2018 Prison Rape Elimination Act Annual Report

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
April 23, 2018	Inmate	Inmate	Sexual Harassment	Substantiated
April 26, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
May 4, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
May 7, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
May 14, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
June 8, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
June 15, 2018	Inmate	Inmate	Abusive Sexual Contact	Unfounded
June 20, 2018	Inmate	Unknown	Non-Consent Sexual Act	Unfounded
June 20, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
June 21, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
June 28, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
July 16, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
July 16, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
July 18, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
July 18, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
July 30, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
August 3, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unsubstantiated
August 17, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
August 21, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
September 2, 2018	Inmate	Staff	Abusive Sexual Contact	Unfounded
September 14, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
September 17, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
September 27, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unsubstantiated
October 3, 2018	Inmate	Unknown	Abusive Sexual Contact	Unfounded
October 4, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
October 5, 2018	Inmate	Staff	Sexual Harassment	Unsubstantiated
October 7, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
October 17, 2018	Inmate	Inmate	Sexual Harassment	Substantiated
October 21, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
October 29, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
November 3, 2018	Inmate	Inmate	Abusive Sexual Contact	Substantiated
November 6, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
November 13, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
November 16, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
November 17, 2018	Inmate	Inmate	Sexual Harassment	Substantiated
December 7, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
December 13, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
December 13, 2018	Inmate	Inmate	Abusive Sexual Contact	Unfounded
December 15, 2018	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
December 18, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
December 19, 2018	Inmate	Inmate	Sexual Harassment	Unfounded



2018 Prison Rape Elimination Act Annual Report

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
December 21, 2018	Inmate	Inmate	Sexual Harassment	Unsubstantiated
December 22, 2018	Inmate	Inmate	Sexual Harassment	Unfounded
December 29, 2018	Inmate	Inmate	Sexual Harassment	Unfounded

Throughout both jail facilities, there were a total of 54 reports of sexual harassment, 9 reports of Non-Consensual Sexual Acts and 14 reports of Abusive Sexual Contact. Of the 77 reports within Detention and Corrections, 5 were against staff (over a 30% reduction from 2017) and 72 were against other inmates. Of the 72 reports involving inmates only, 52 were for sexual harassment, 8 reports of Non-consensual Sexual Acts and 12 reports of Abusive Sexual Acts.

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 5 reports which listed ACSO staff as being involved. All of these cases were thoroughly investigated and determined to be unfounded. A review of these unfounded allegations were determined as such, based upon the investigation and a review of body worn cameras that were in use at the time of the alleged event.

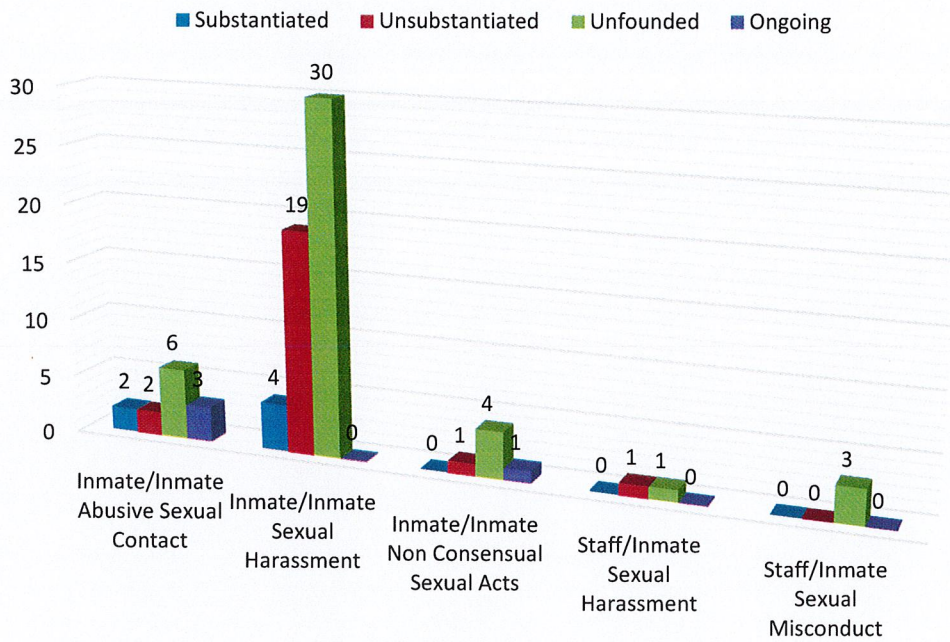
There was a 50 % decrease in reports of sexual abuse and harassment against staff in 2018. It is my opinion, based upon the individual determination of each investigation, inmates continue to file false reports as a tactic to retaliate against staff. However, the number appears to have decreased due to thorough investigative procedures and educating inmates of jail rules and laws pertaining to filing false reports.

After reviewing all 77 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 2018 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.

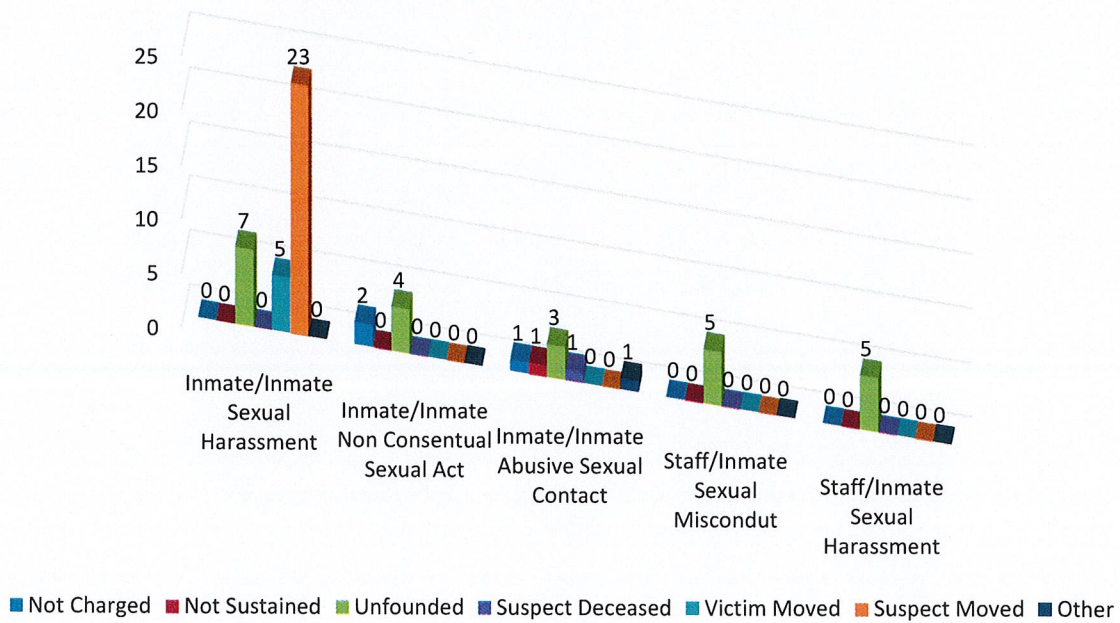
I have compiled historical data for the past 2 years (2017-2018) to provide a better representation of all incidents of sexual abuse and harassment throughout the agency. This data covers six temporary holding facilities classified by PREA as "Lockups" (Courts and Patrol) and two jail facilities housing an average of approximately 2565 inmates on a daily basis during 2018.



### Case Breakdown - 2018



### Case Breakdown - 2017





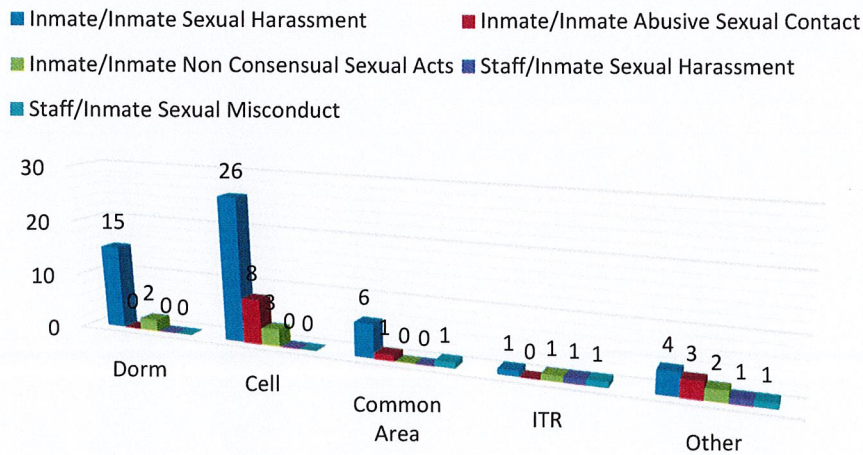
## 2018 Prison Rape Elimination Act Annual Report

### Definitions

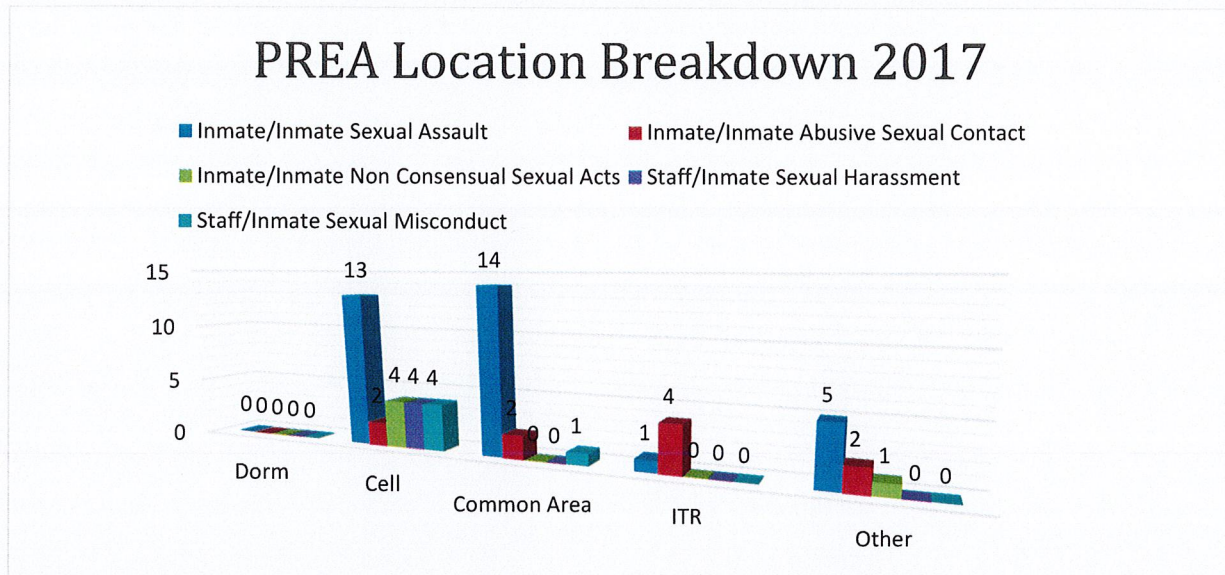
PREA defines the dispositions of the above sexual abuse and sexual harassment cases as the following:

- Unfounded refers to an allegation that was investigated and determined not to have occurred.
- Unsubstantiated refers to an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- Substantiated refers to an allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.
- Ongoing refers to an investigation that has not been completed.

### PREA Location Breakdown - 2018







In reviewing all of the reports from 2017, 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 continued into 2018, with an increase in reports generated from inmates who alleged they were sexually harassed within the confines of their assigned cells.

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 June of 2018. 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 at Santa Rita Jail. The Glenn E. Dyer Detention Facility has already completed their camera installation.

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 2018. 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.

As in past years, several investigations have resulted in a determination of “Unfounded” based upon inmate’s admissions of using the PREA reporting as a method to manipulate the process, 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.



2018 Prison Rape Elimination Act Annual Report

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.

DBB:dbb

Noted -  
No further action needed -  
A 3/29/19