



SOLANO COUNTY SHERIFF'S OFFICE
Thomas A. Ferrara, Sheriff-Coroner

530 Union Avenue, Ste. 100, Fairfield, CA 94533
(707) 784-7000

MEMORANDUM

February 14th, 2019

TO: Sheriff Thomas A. Ferrara

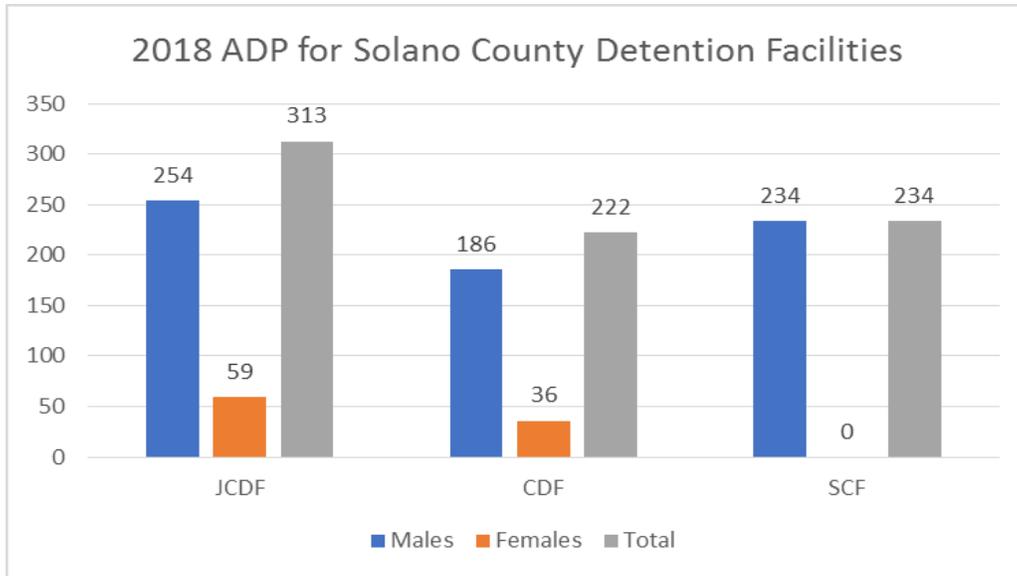
FROM: Lieutenant Bill Hornbrook

SUBJECT: Prison Rape Elimination Act Annual Report 2018

The Prison Rape Elimination Act (PREA) requires an annual report of all sexual abuse and harassment incidents alleged to have occurred in custody facilities. This report must be submitted to the Sheriff and made available to the public through our website. The report shall include the current year's statistics and comparisons to previous years, as well as identify problem areas and any corrective actions made.

2018 was our second year of working towards PREA compliance. This process takes a full three years of inspections, 1 year for each of our three detention facilities. In March of 2018, our first audit was complete with the Stanton Correctional Facility (SCF) passing the federal audit. In August of 2018, we began the audit process at the Claybank Detention Facility (CDF). The physical plant audit, policy review, classification review, and review of staff training records have been completed. We have entered into our correction phase of the audit with 11 identified standards for correction. We are scheduled to complete the CDF audit by May of 2019.

The Average Daily Population (ADP) of inmates is an important number to look at, when examining the number of PREA allegations. Over the course of the calendar year, the average daily population for all three detention facilities was 769 inmates; 674 males and 95 females. Below is a breakdown of the average daily number of inmates, by gender, at each facility during the 2018 calendar year.

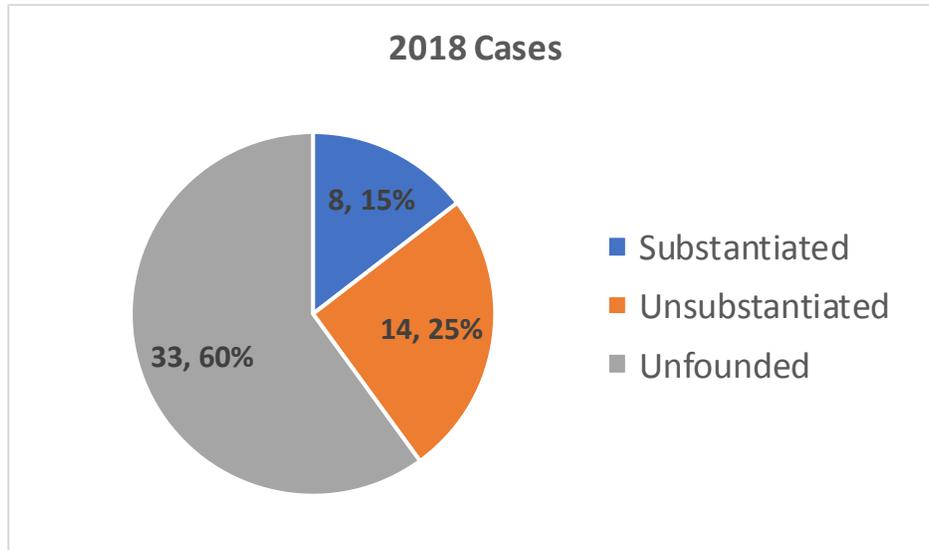


As seen in the chart above, the largest numbers of inmates on average were housed at the Justice Center Detention Facility (JCDF) with an average daily population of 313 inmates. The Claybank Detention Facility (CDF) had an average daily population of 222 inmates and the Stanton Correctional Facility (SCF) had an average daily population of 234 inmates. In 2018, the Stanton Correctional Facility only housed male inmates. Female inmates were housed at both the Justice Center Detention Facility and the Claybank Detention Facility.

In 2018, there were 55 allegations reported by inmates alleging sexual abuse or harassment. Of the 55 reports, 33 were from inmates at the Justice Center Detention Facility, 12 were from inmates at the Stanton Correctional Facility and 10 were from inmates at the Claybank Detention Facility. All Personal Identifying Information is redacted from the Annual report as publication of this information would present a clear and specific threat to the safety and security of the facility.

Each case that is investigated is closed with one of three dispositions; substantiated, unsubstantiated, and unfounded. The standard for determining if a case is substantiated is no higher than a preponderance of the evidence; which is well below the standard needed to file criminal charges. Unsubstantiated cases are established when there is not enough evidence to make a final determination whether the event occurred, and in unfounded cases, the investigation determined the event did not occur. There were a total of 8 substantiated cases, 14 unsubstantiated cases, and 33 unfounded cases in 2018.

Of the 55 cases, 31 were reported with allegations against another inmate and 24 were allegations against staff. Only 3 of the cases were criminal in nature and sent to the District Attorney's Office for review; there were no criminal filings. Eight (8) cases were closed as substantiated. The nature of the substantiated complaints was related to sexual harassment (4), sexual contact (3) and sexual misconduct (1). Below is a breakdown of all the PREA case dispositions:.



Justice Center Detention Facility

Cases	Accused	Type of conduct	Disposition
1	Staff	Staff Sexual Misconduct	Unfounded
2	Inmate	Inmate Sexual Harassment	Unfounded
3	Inmate	Inmate Sexual Harassment	Unfounded
4	Staff	Staff Sexual Harassment	Unfounded
5	Staff	Staff Sexual Misconduct	Unfounded
6	Staff	Staff Sexual Misconduct	Unfounded
7	Staff	Staff Sexual Harassment	Substantiated
8	Staff	Staff Sexual Harassment	Unfounded
9	Staff	Staff Sexual Harassment	Unfounded
10	Inmate	Inmate Sexual Harassment	Unfounded
11	Inmate	Inmate Sexual Harassment	Unfounded
12	Inmate	Inmate Sexual Contact	Substantiated
13	Inmate	Inmate Sexual Act	Unfounded
14	Staff	Staff Sexual Harassment	Unfounded
15	Inmate	Inmate Sexual Harassment	Unfounded
16	Inmate	Inmate Sexual Contact	Substantiated
17	Inmate	Inmate Sexual Act	Unfounded
18	Inmate	Inmate Sexual Contact	Unfounded
19	Staff	Staff Sexual Harassment	Unfounded
20	Staff	Staff Sexual Misconduct	Unfounded
21	Inmate	Inmate Sexual Contact	Unsubstantiated
22	Inmate	Inmate Sexual Harassment	Unfounded
23	Staff	Staff Sexual Harassment	Unsubstantiated
24	Staff	Staff Sexual Harassment	Unfounded

25	Staff	Staff Sexual Harassment	Unfounded
26	Staff	Inmate Sexual Harassment	Unsubstantiated
27	Inmate	Inmate Sexual Act	Unsubstantiated
28	Inmate	Inmate Sexual Act	Unsubstantiated
29	Staff	Staff Sexual Harassment	Unfounded
30	Inmate	Inmate Sexual Contact	Substantiated
31	Inmate	Inmate Sexual Harassment	Substantiated
32	Inmate	Inmate Sexual Harassment	Unsubstantiated
33	Staff	Staff Sexual Misconduct	Unfounded

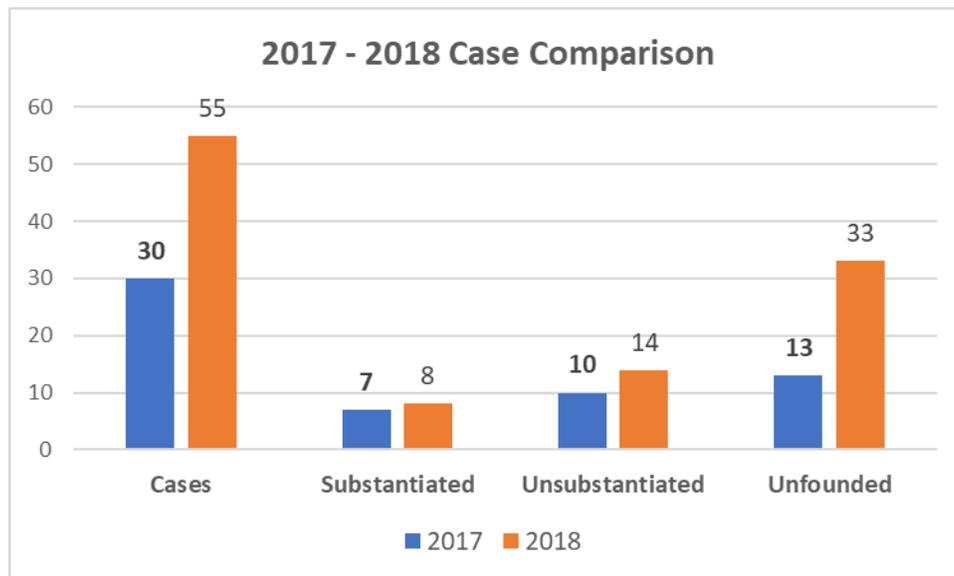
Claybank Detention Facility

Cases	Accused	Type of Conduct	Disposition
1	Inmate	Inmate Sexual Harassment	Unsubstantiated
2	Staff	Staff Sexual Harassment	Substantiated
3	Inmate	Inmate Sexual Harassment	Unsubstantiated
4	Inmate	Inmate Sexual Harassment	Unfounded
5	Staff	Staff Sexual Harassment	Unfounded
6	Inmate	Inmate Sexual Harassment	Unfounded
7	Staff	Staff Sexual Misconduct	Substantiated
8	Inmate	Inmate Sexual Contact	Unsubstantiated
9	Staff	Staff Sexual Harassment	Unsubstantiated
10	Inmate	Inmate Sexual Harassment	Unsubstantiated

Stanton Correctional Facility

Cases	Accused	Type of Conduct	Disposition
1	Inmate	Inmate Sexual Harassment	Unsubstantiated
2	Staff	Staff Sexual Misconduct	Unfounded
3	Staff	Staff Sexual Harassment	Unfounded
4	Inmate	Inmate Sexual Harassment	Substantiated
5	Inmate	Inmate Sexual Harassment	Unfounded
6	Staff	Staff Sexual Harassment	Unfounded
7	Staff	Staff Sexual Harassment	Unfounded
8	Inmate	Inmate Sexual Harassment	Unfounded
9	Staff	Staff Sexual Harassment	Unfounded
10	Inmate	Inmate Sexual Harassment	Unfounded
11	Inmate	Inmate Sexual Harassment	Unsubstantiated
12	Inmate	Inmate Sexual Harassment	Unsubstantiated

There was an increase of reported cases from our first year of PREA compliance in 2017 to our second year 2018. In 2017 we had 30 allegations, 7 were substantiated, 10 unsubstantiated, and 13 unfounded. In 2018 there were 55 cases, 8 substantiated, 14 unsubstantiated, and 33 unfounded. Both years did not have a case with enough evidence to generate a criminal complaint from the District Attorney's Office. Even with almost doubling the reported cases from 2017 to 2018, the substantiated cases remained almost identical, 7 and 8 respectively.



The 2018 increase in case reporting over 2017 can be attributed to several factors. The first is a more complete PREA inmate education throughout all three detention facilities. All inmates in custody have now been through the PREA education program and every new inmate receives their PREA education within 30 days of booking. Secondly, some of these inmates have also been in and out of custody and have seen the comprehensive education multiple times. These inmates have also seen the way we react to complaints. In almost all circumstances, the inmate making the complaint is separated from another inmate or the accused staff member; even on unproven allegations of harassment. At times, this seems to be a way for the inmate to manipulate housing assignments or staff work assignments.

Incident reviews are completed on all sexual abuse investigations, unless the case was determined to be unfounded. The purpose of the review is to determine if there is a need to make any changes to our policy or practices to better detect, prevent, or respond to sexual abuse allegations. Incident reviews also look at the potential motivations of allegations like race, gender identification, sexual preference, and gang affiliations. Two of our substantiated cases committed by inmates can be attributed to mental health issues. New housing assignments and different security levels for these inmates were implemented as a result of the investigation. The remaining substantiated cases by inmates occurred either inside a cell or in the shower area. As required, cameras and personnel have limited views of these areas effectively causing some blind spots. New classifications or housing restrictions are applied to inmates who cannot reside peacefully together. In the

substantiated cases involving our staff, new training was provided and in one case involving a contract employee, their employment was terminated.

Three inmates from Solano County were housed outside our county jail. This was through a contract with the Sacramento County Sheriff's Office for a mental health treatment program called Jail Based Competency Treatment (JBCT). This program exists to help bring inmates accused of crimes back to a level of competency so they may stand trial. The program usually last several weeks and the inmate is returned to Solano County. No PREA incidents regarding our inmates were reported during 2018. You can view Sacramento County's PREA annual reports on their website for further information.

Several corrective action items were implemented in 2017 and 2018. These items were put in place to assist staff with inmate monitoring and to provide sexual safety for both staff and inmates. In areas as the kitchen and warehouse, we have added mirrors and bathroom door locks. We are currently beginning a construction phase to add new cameras, as well as replace old cameras, with recording ability throughout the downtown jail (JCDF). We also plan to add another full- time supervisor assigned to PREA to assist with training and prevention related to sexual harassment and sexual assault.

The Sheriff's Office goal for the 2019 calendar year is to continue to expand agency wide PREA compliance. The auditing process began at the Stanton Correctional Facility in 2017 and in 2018 we began the process at the Claybank Detention Facility. In 2019, we will begin the audit process for the Justice Center Detention Facility. This will conclude the three-year process to complete our detention facility audits and reach compliance with Federal Prison Rape Elimination Act regulations.