



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

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MEMORANDUM

March 11th, 2020

TO: Sheriff Thomas A. Ferrara

FROM: Lieutenant Bill Elbert

SUBJECT: Prison Rape Elimination Act Annual Report 2019

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.

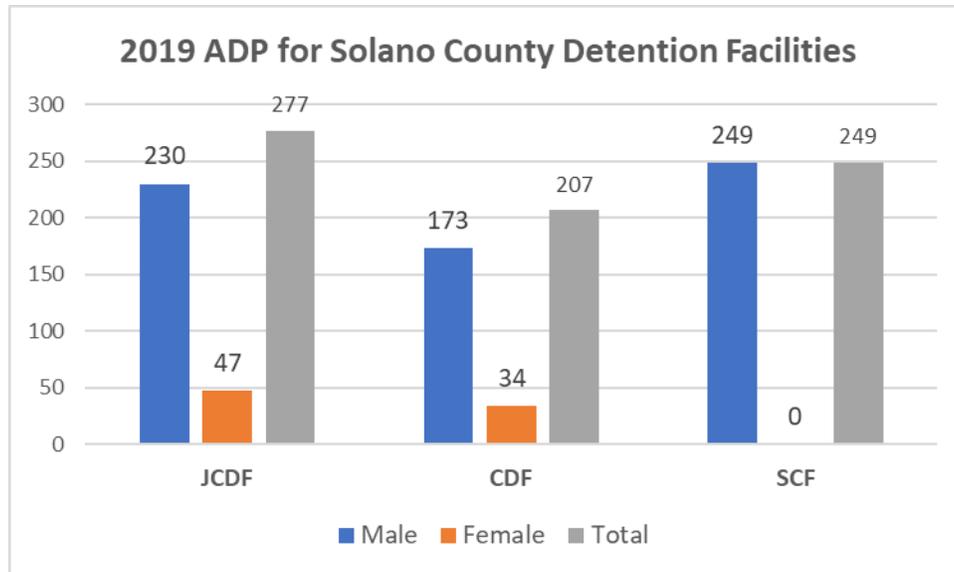
2019 marks the Sheriff's Office third year of being fully PREA compliant. This compliance process takes a full three years of inspections. Each year one of our three detention facilities is audited by a certified PREA Auditor. Each audit is comprised of a physical plant inspection, policy review, classification review, review of staff training records, and random interviews with staff and inmates.

In March of 2018 and March 2019, the Stanton Correctional Facility (SCF) and the Claybank Detention Facility (CDF), respectively, were audited and found to be in compliance with the federal PREA Standards.

In July of 2019, the Sheriff's Office began the audit of the Justice Center Detention Facility (JCDF). During the audit, 17 corrective actions were identified by the auditor. Each corrective action was successfully addressed. JCDF was found to be PREA compliant on March 3rd, 2020.

The Average Daily Population (ADP) of inmates is an important number to consider, when examining the number of PREA allegations. Over the course of the calendar year, the average daily population for all three detention facilities was 734 inmates, comprised of 652 males and 82 females. Below is a chart reflecting the breakdown of the average daily number of inmates by gender at each facility during the 2019 calendar year.

Dedicated to Community Service

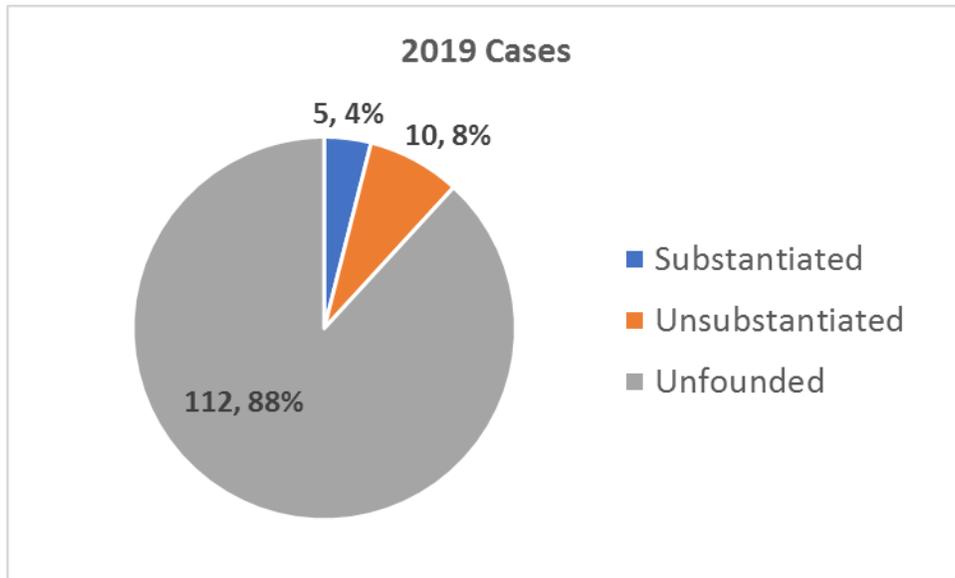


As seen in the chart above, the largest number of inmates on average were housed at the Justice Center Detention Facility (JCDF) with an average daily population of 277 inmates. The Claybank Detention Facility (CDF) had an average daily population of 207 inmates and the Stanton Correctional Facility (SCF) had an average daily population of 249 inmates. In 2019, 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 2019, there were 127 allegations reported by inmates alleging sexual abuse or harassment. Of the 127 reports, 113 were from inmates at the Justice Center Detention Facility, eight were from inmates at the Stanton Correctional Facility and six were from inmates at the Claybank Detention Facility. Of the 127 cases, 24 were reported with allegations against another inmate and 101 were allegations against staff. Four cases were not related to an identified person. Eighteen cases, which were determined to be criminal in nature, were referred to the District Attorney's Office for review; there were no criminal filings. 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 five substantiated cases, 10 unsubstantiated cases, and 112 unfounded cases in 2019.

Of the five substantiated cases, none were grievances against staff. The nature of the substantiated complaints included two sexual-harassment cases, two sexual-act cases, and one sexual-contact case. Below is a breakdown of all the PREA case dispositions:



Justice Center Detention Facility

Case	Type of Conduct	Disposition
1	Inmate Sexual Harassment	Unfounded
2	Staff Sexual Harassment	Unfounded
3	Staff Sexual Harassment	Unfounded
4	Staff Sexual Harassment	Unfounded
5	Staff Sexual Harassment	Unfounded
6	Staff Sexual Harassment	Unfounded
7	Staff Sexual Harassment	Unfounded
8	Staff Sexual Harassment	Unfounded
9	Staff Sexual Harassment	Unfounded
10	Staff Sexual Misconduct	Unfounded
11	Staff Sexual Harassment	Unfounded
12	Staff Sexual Harassment	Unfounded
13	Staff Sexual Harassment	Unfounded
14	Staff Sexual Misconduct	Unfounded
15	Staff Sexual Misconduct	Unfounded
16	Staff Sexual Misconduct	Unfounded
17	Staff Sexual Misconduct	Unfounded
18	Staff Sexual Harassment	Unfounded
19	Staff Sexual Harassment	Unfounded
20	Staff Sexual Harassment	Unfounded

21	Staff Sexual Harassment	Unfounded
22	Staff Sexual Harassment	Unfounded
23	Staff Sexual Harassment	Unfounded
24	Staff Sexual Harassment	Unfounded
25	Inmate Sexual Act	Unfounded
26	Staff Sexual Misconduct	Unfounded
27	Staff Sexual Misconduct	Unfounded
28	Staff Sexual Misconduct	Unfounded
29	Staff Sexual Harassment	Unfounded
30	Staff Sexual Harassment	Unfounded
31	Staff Sexual Harassment	Unfounded
32	Inmate Sexual Act	Unfounded
33	Staff Sexual Harassment	Unfounded
34	Staff Sexual Harassment	Unfounded
35	Staff Sexual Harassment	Unfounded
36	Staff Sexual Harassment	Unfounded
37	Staff Sexual Harassment	Unfounded
38	Staff Sexual Harassment	Unfounded
39	Staff Sexual Harassment	Unfounded
40	Staff Sexual Harassment	Unfounded
41	Staff Sexual Harassment	Unfounded
42	Staff Sexual Harassment	Unfounded
43	Staff Sexual Harassment	Unfounded
44	Staff Sexual Harassment	Unfounded
45	Staff Sexual Harassment	Unfounded
46	Staff Sexual Harassment	Unfounded
47	Staff Sexual Harassment	Unfounded
48	Staff Sexual Harassment	Unfounded
49	Staff Sexual Harassment	Unfounded
50	Staff Sexual Harassment	Unfounded
51	Staff Sexual Harassment	Unfounded
52	Staff Sexual Harassment	Unfounded
53	Staff Sexual Harassment	Unfounded
54	Staff Sexual Harassment	Unfounded
55	Staff Sexual Harassment	Unfounded
56	Staff Sexual Harassment	Unfounded
57	Staff Sexual Harassment	Unfounded
58	Staff Sexual Harassment	Unfounded
59	Other	Unfounded
60	Staff Sexual Misconduct	Unsubstantiated
61	Staff Sexual Misconduct	Unfounded

62	Staff Sexual Harassment	Unfounded
63	Staff Sexual Harassment	Unfounded
64	Staff Sexual Harassment	Unfounded
65	Staff Sexual Harassment	Unfounded
66	Staff Sexual Misconduct	Unsubstantiated
67	Staff Sexual Misconduct	Unsubstantiated
68	Staff Sexual Misconduct	Unsubstantiated
69	Staff Sexual Harassment	Unfounded
70	Staff Sexual Harassment	Unfounded
71	Staff Sexual Misconduct	Unfounded
72	Inmate Sexual Harassment	Unfounded
73	Staff Sexual Harassment	Unfounded
74	Staff Sexual Harassment	Unsubstantiated
75	Staff Sexual Misconduct	Unfounded
76	Staff Sexual Harassment	Unfounded
77	Staff Sexual Misconduct	Unfounded
78	Staff Sexual Misconduct	Unfounded
79	Other	Unsubstantiated
80	Staff Sexual Harassment	Unfounded
81	Staff Sexual Misconduct	Unfounded
82	Staff Sexual Harassment	Unfounded
83	Staff Sexual Harassment	Unfounded
84	Inmate Sexual Contact	Unfounded
85	Staff Sexual Misconduct	Unfounded
86	Staff Sexual Misconduct	Unfounded
87	Staff Sexual Harassment	Unfounded
88	Staff Sexual Harassment	Unfounded
89	Inmate Sexual Contact	Other Agency Investigation
90	Staff Sexual Harassment	Unfounded
91	Staff Sexual Harassment	Unfounded
92	Staff Sexual Misconduct	Unfounded
93	Staff Sexual Harassment	Unfounded
94	Staff Sexual Harassment	Unfounded
95	Inmate Sexual Harassment	Unfounded
96	Staff Sexual Harassment	Unfounded
97	Staff Sexual Misconduct	Unfounded
98	Inmate Sexual Harassment	Unfounded
99	Inmate Sexual Harassment	Unfounded
100	Staff Sexual Harassment	Unfounded
101	Inmate Sexual Contact	Unfounded
102	Staff Sexual Misconduct	Unfounded

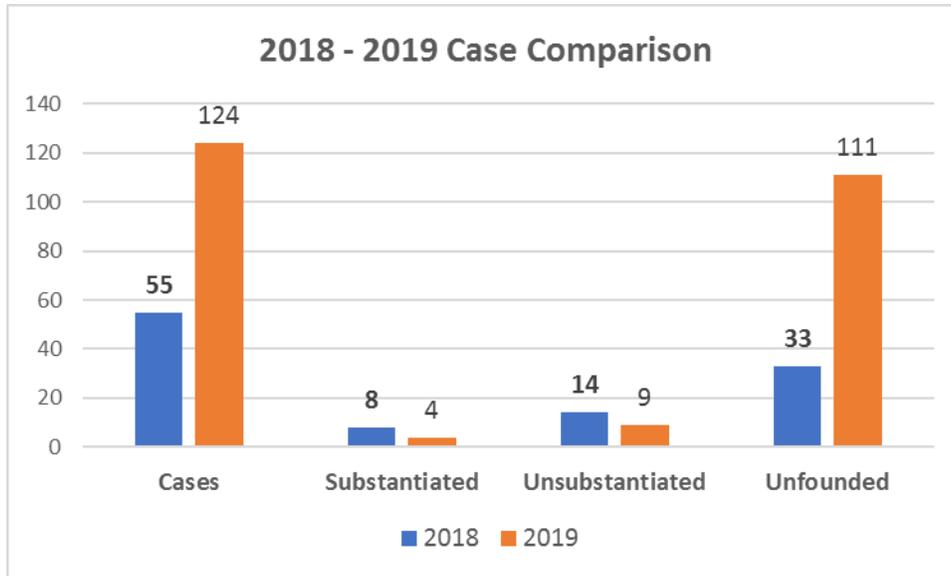
103	Staff Sexual Harassment	Unfounded
104	Staff Sexual Misconduct	Unfounded
105	Staff Sexual Harassment	Unfounded
106	Staff Sexual Harassment	Unfounded
107	Inmate Sexual Act	Substantiated
108	Inmate Sexual Harassment	Unfounded
109	Staff Sexual Harassment	Unfounded
110	Staff Sexual Misconduct	Unfounded
111	Staff Sexual Misconduct	Unfounded
112	Staff Sexual Misconduct	Unfounded
113	Other	Unfounded

Claybank Detention Facility

Case	Type of Conduct	Disposition
1	Inmate Sexual Harassment	Unsubstantiated
2	Staff Sexual Harassment	Unfounded
3	Inmate Sexual Harassment	Substantiated
4	Inmate Sexual Contact	Substantiated
5	Inmate Sexual Harassment	Unfounded
6	Inmate Sexual Harassment	Unfounded

Stanton Correctional Facility

Case	Type of Conduct	Disposition
1	Inmate Sexual Act	Substantiated
2	Inmate Sexual Contact	Unsubstantiated
3	Inmate Sexual Contact	Unsubstantiated
4	Inmate Sexual Act	Unfounded
5	Staff Sexual Harassment	Unfounded
6	Staff Sexual Misconduct	Unfounded
7	Inmate Sexual Harassment	Unfounded
8	Inmate Sexual Harassment	Substantiated



As seen in the graph above, the reported cases in 2019 were in excess of twice the amount in 2018. Despite these numbers, the substantiated cases were less than in 2018: from eight in 2018 to four in 2019. To date, the PREA grievances from 2019 have not generated a criminal complaint from the District Attorney's Office. The dramatic increase of reported cases in 2019 were attributed to a single inmate who filed over 94 grievances in 2019. None of those grievances were found to be substantiated.

An incident review team convenes for 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 and practices to better detect, prevent, or respond to sexual abuse allegations. Incident reviews also look at the potential motivation of allegations like race, gender identification, sexual preference, and gang affiliations. All four substantiated cases dealt with inmates sexually harassing or providing unwanted contact with another inmate. These cases occurred in areas where inmates are allowed a higher level of privacy. As required by law, cameras and personnel have limited views of these private areas, which allows for unwarranted actions to occur.

Three of four cases were considered criminal in nature. In each case, the inmates were separated. New classifications or housing restrictions are applied to inmates who cannot reside peacefully together.

In 2018, there were three Solano County inmates housed outside of our county jails 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 lasts several weeks and the inmate is returned to Solano County. In 2019, Solano County jails did not house any inmates out of county.

As part of our agency's pro-active efforts to remain PREA compliant, the Sheriff's Office began a project to retrofit the existing camera system with a more advanced and modern camera system.

The JCDF audit has concluded the three-year process to complete our detention facility audits and reach compliance with Federal Prison Rape Elimination Act regulations. The Sheriff's Office goal for the 2020 calendar year is to continue to adhere to PREA compliance Standards. In June 2020, we will begin the second three-year audit cycle beginning with the Stanton Correctional Facility.