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City of Issaquah Jail

2018 Annual PREA (Prison Rape Elimination Act) Report

What is PREA?

The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to address the elimination and prevention of sexual assault, sexual misconduct and harassment for those who are incarcerated. Sexual misconduct under this law includes:

- ◆ Inmate-on-Inmate sexual assault and abuse
- ◆ Staff-on-inmate sexual misconduct (sexual/inappropriate relationships with inmates)
- ◆ Inmate-on-inmate and staff-on-inmate sexual harassment

The City of Issaquah Police Department and Jail is committed to providing a safe and healthy environment for staff and inmates. The City has zero tolerance towards all forms of sexual abuse and sexual harassment. The facility immediately responds to allegations, thoroughly investigates all reported incidents, and will pursue disciplinary action and criminal charges if applicable. The City of Issaquah Jail's policies regarding sexual misconduct apply to all inmates. They also apply to employees, contractors, and volunteers.

General Information

During calendar year 2018, there were a total of 1904 new admissions into the City of Issaquah Jail. These admissions include repeat inmates booked on new charges and persons booked into and housed in our jail by formal legal document and by the authority of the courts or some other official agency. Of the new admissions, 1390 were male, and 514 were female. The average daily population of the City of Issaquah Jail was 44.08 inmates.

The City of Issaquah Jail uses the Survey of Sexual Victimization, provided by the U.S. Department of Justice, to categorize and collect its data.

That survey utilizes the definition of "sexual abuse" as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape

Elimination Act of 2003). For purposes of data collection, sexual abuse is disaggregated into three categories of inmate-on-inmate sexual victimization. These categories are:

Nonconsensual Sexual Acts:

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; and

- Contact between the penis and the vulva or the penis and the anus including penetration, however slight; or
- Contact between the mouth and the penis, vulva, or anus; or
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, or other instrument.

Abusive Sexual Contacts:

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; and

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person (excluding incidents in which the contact was incidental to a physical altercation).

Sexual Harassment:

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

We also use the definition of “sexual abuse” by a staff member, contractor or volunteer as provided by 28 C.F.R. §115.6 in the *National Standards to Prevent, Detect, and Respond to Prison Rape* (under the Prison Rape Elimination Act of 2003). For the purpose of data collection, sexual abuse is disaggregated into two categories of staff-on-inmate sexual victimization. These categories are:

Staff Sexual Misconduct:

Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative (excluding family, friends or other visitors.)

Sexual relationships of a romantic nature between staff and inmates are included in this definition. Consensual or nonconsensual sexual acts include:

- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire;

OR

- Completed, attempted, threatened, or requested sexual acts;

OR

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Staff Sexual Harassment:

Repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (excluding family, friends, or other visitors). To include;

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

OR

- Repeated profane or obscene language or gestures.

The chart below depicts the number of complaints/incidents of Inmate-on-Inmate, Staff-on-Inmate, and Inmate-on-Staff that occurred during 2018.

Type of Allegation	Reported	Unfounded	Exonerated	Not Sustained	Sustained	Undetermined	Referred
<i>Inmate on Inmate</i>							
Nonconsensual Sexual Act-							
Attempted	1	0	0	1	0	0	0
Nonconsensual Sexual Act							
Abusive Sexual Contact	0	0	0	0	0	0	0
Sexual Harassment	0	0	0	0	0	0	0
<i>Staff on Inmate</i>							
Sexual Misconduct	0	0	0	0	0	0	0
Sexual Harassment	0	0	0	0	0	0	0
<i>Inmate on Staff</i>							
Sexual Misconduct	0	0	0	0	0	0	0
Sexual Harassment	0	0	0	0	0	0	0

Outcomes of complaints are defined as below:

Unfounded – The alleged act did not occur.

Exonerated – The alleged act occurred but that the act was justified, lawful and/or proper.

Not Sustained – There is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained – The allegation has sufficient evidence to establish that the act occurred and that it constituted misconduct.

Undetermined – The complainant withdraws the complaint, cannot be located, and/or is uncooperative OR the accused member separates from employment before the conclusion of the investigation.

Referred – When the investigation discloses that the alleged act occurred at another confinement facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. The agency shall document that it has provided such notification. The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

The following are actions to be taken by the City of Issaquah Jail in 2019 to be proactive in preventing and/or addressing sexual abuse and sexual harassment.

1. Continued review of all department policies to ensure compliance with PREA standards and related expectations.
2. Updating/continued PREA training to all staff, contractors, volunteers and vendors who have contact with inmates.
3. Ongoing specialized training for investigators of reported PREA violations.
3. Partnering with the King County Sexual Assault Resource Center for support services to inmate sexual assault victims.

The City of Issaquah Jail is committed to providing a safe and healthy environment for staff and inmates. Prevention of sexual assault, abuse or misconduct, is of paramount importance.