



KERN COUNTY SHERIFF'S OFFICE ANNUAL MOJAVE JAIL FACILITY PREA REVIEW REPORT

The Kern County Sheriff's Office (KCSO) PREA compliance team and the Mojave facility manager have prepared this report to inform the public about the agencies efforts as a whole and those of the facility to prevent, detect, and respond to sexual abuse in this jail facility.

The Mojave Jail Facility, as a custodial facility under the Kern County Sheriff's Office (KCSO) has implemented policies and procedures from the Prison Rape Elimination Act. (PREA) with the goal of reducing or eliminating sexual abuse of inmates incarcerated in its jail facilities.

The Mojave facility manager and the PREA facility compliance manager, in conjunction with the KCSO PREA compliance team conduct yearly examinations of all abuse reports received throughout the reporting period in order to compile specific data for the purpose of making comparisons from year to year.

These comparisons allow the Mojave facility report team to discover any commonalities and/or contributing factors related to any abuse reports. Contributing factors in which KCSO staff can identify a solution, will be forwarded to the Detention Bureau administration staff with a recommendation for change in policy, practice, or facility specific issue.

The first annual report for Mojave contains no previous year statistical data for comparison; however Mojave and the KCSO Detentions Bureau as a whole have throughout 2013 implemented methods to prevent, detect, and respond to reports of sexual abuse. Areas of prevention such as inmate rights, and inmate PREA education are known to aid in reducing sexual abuse. Earlier installation of a video camera surveillance system is also a known deterrent toward staff misconduct.

During 2015, Mojave booked 1,165 inmates, and 658 remained at the facility for one or more nights. As in 2014, there were no reports of sexual abuse made during the 2015 reporting period. Though the Mojave facility is small and serves limited numbers of inmates, the staff assigned there take their role in the Sheriff's overall goal of inmate safety and zero-tolerance seriously. Mojave participated in the formal PREA audit process in 2015 and received its compliance approval certificate August 10th.

Though the staff have the ability to mostly keep inmates separate from one another, the staff continue to embrace the goals and principals of PREA by providing inmates with PREA education despite no requirement to do so, which helps to ensure that once they are transferred from Mojave they are already well informed about PREA, their rights, and ways to stay safe once they arrive at a facility in Bakersfield.

There were no recommended corrective actions to request or include in this report.

This report utilizes definitions of “sexual abuse” and “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).

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, object, or other instrument.

ABUSIVE SEXUAL CONTACT – 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 contact 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.

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. 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 include;

- Demeaning references to gender; or sexually suggestive or Derogatory comments about body or clothing;
- OR** - Repeated profane or obscene language or gestures.

In accordance with the Prison Rape Elimination Act of 2003 (PREA) standards below;

§ 115.87 Data collection.

- (a) The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.*
- (b) The agency shall aggregate the incident-based sexual abuse data at least annually.*
- (c) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.*

§ 115.88 Data review for corrective action.

- (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole.*
 - (b) Such report shall include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the agency’s progress in addressing sexual abuse.*

(c) The agency's report shall be approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means.

This report provides information about reported incidents of sexual abuse, assault or harassment of inmates in the custody of the Kern County Sheriff's jail facilities.

Facility: Mojave Jail

Average daily inmates: 3.3

This period: 1/1/15 to 12/31/15

Prior period: 1/1/14 to 12/31/14

Prior period reported allegations of inmate-on-inmate nonconsensual sexual acts: 0

This period reported allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS: 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

The event was investigated and determined to have occurred, based on a preponderance of the evidence.

The investigation concluded that evidence was insufficient to determine whether or not the event occurred.

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

The investigation determined that the event did NOT occur.

Evidence is still being gathered, processed or evaluated, and a final determination has not yet been made.

Prior period reported allegations of inmate-on-inmate abusive sexual contact: 0

This period reported allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT: 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of inmate-on-inmate sexual harassment : 0

This period reported allegations of inmate-on-inmate SEXUAL HARASSMENT : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of staff sexual misconduct : 0

This period reported allegations of STAFF SEXUAL MISCONDUCT : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Prior period reported allegations of staff sexual harassment : 0

This period reported allegations of STAFF SEXUAL HARASSMENT : 0

Prior period substantiated: 0

Prior period unsubstantiated: 0

This period substantiated: 0

This period unsubstantiated: 0

Prior period unfounded: 0

Prior period investigation ongoing: 0

This period unfounded: 0

This period investigation ongoing: 0

Incident Information – Victim Section

Location of abuse in allegation(s) <small>(more than one may apply to each incident)</small>		Prior period	This period	Times of specific incident(s)		Prior period	This period
	Victims' cell:	click	click		Morning (6 a.m. to noon)	click	click
	Perpetrator's cell:	click	click		Afternoon (noon to 6 p.m.)	click	click
	Dorm / multiple cell:	click	click		Evening (6 p.m. to midnight)	click	click
	Common area:	click	click		Overnight (midnight to 6 a.m.)	click	click
	Holding cell:	click	click		Time unknown	click	click
	Shower / toilet area:	click	click				
	Instructional area:	click	click				
	Recreation area:	click	click				
	Medical area:	click	click				
	Staff area:	click	click				
	Offsite / in transit:	click	click				
	Other:	click	click				

Video monitoring available		Prior period	This period	Abuse victim's gender / sexual orientation by allegation		Prior period	This period
	Number of allegations "yes"	click	click		Male:	click	click
	Number of allegations "no"	click	click		Female:	click	click
					Lesbian, gay, bisexual	click	click
			Transgender, intersex	click	click		

Abuse victim's age by specific allegation		Prior period	This period	Abuse victim's ethnicity / race by allegation		Prior period	This period
	18 – 24:	click	click		White:	click	click
	25 – 29:	click	click		Black:	click	click
	30 – 34:	click	click		Hispanic:	click	click
	35 – 39:	click	click		American Indian:	click	click
	40 – 44:	click	click		Asian:	click	click
	45 – 54:	click	click		Pacific Islander:	click	click
	55 or older:	click	click		Other:	click	click

Perpetrator Section

		Prior period	This period			Prior period	This period
Physical injuries reported	Number of allegations "yes"	click	click	Perpetrator's gender / sexual orientation by allegation	Male:	click	click
					Female:	click	click
	Number of allegations "no"	click	click		Lesbian, gay, bisexual	click	click
					Transgender, intersex	click	click

Perpetrator's age by specific allegation	18 – 24:	click	click	Perpetrator's ethnicity / race by allegation	White:	click	click
	25 – 29:	click	click		Black:	click	click
	30 – 34:	click	click		Hispanic:	click	click
	35 – 39:	click	click		American Indian:	click	click
	40 – 44:	click	click		Asian:	click	click
	45 – 54:	click	click		Pacific Islander:	click	click
	55 or older:	click	click		Other:	click	click

Nature of incident <small>(more than one may apply to each incident)</small>	Voluntary sexual contact between inmates:	click	click	Type of force or pressure used by perpetrator on the victim <small>(more than one may apply to each incident)</small>	Persuasion, talked into sexual activity:	click	click
	Sexual harassment:	click	click		Bribery or blackmail:	click	click
	Indecent exposure, masturbation, or voyeurism:	click	click		Sexual harassment, sexual innuendo, verbal comments:	click	click
	Horseplay:	click	click		Threatened w/weapon:	click	click
	Repeated, unwelcome sexual advances, requests for sexual favors:	click	click		Surprised victim w/unwanted touching, grabbing, groping, or victim was asleep:	click	click
	Unwanted touching for sexual gratification or abusive sexual contact:	click	click		Gave victim drugs or alcohol:	click	click
	Pressure, coercion w/o force resulting in a nonconsensual sexual act:	click	click		Offered protection from other inmates:	click	click
	Physical force or threat of force resulting in a nonconsensual sexual act:	click	click		Threatened with physical harm:	click	click
	Other:	click	click		Physically harmed or injured:	click	click
			Physically held victim down or restrained:	click	click		
			Other:	click	click		

Staff Section

Staff	Prior period		This period	Staff employment status	Prior period		This period
	Allegations against staff:	click	click		Full / part time paid:	click	click
	Male:	click	click		Contract / vendor:	click	click
	Female:	click	click		Volunteer / intern:	click	click
				Other:	click	click	

Staff age by allegation	18 – 24:	click	click	Staff ethnicity / race by allegation	White:	click	click
	25 – 29:	click	click		Black:	click	click
	30 – 34:	click	click		Hispanic:	click	click
	35 – 39:	click	click		American Indian:	click	click
	40 – 44:	click	click		Asian:	click	click
	45 – 54:	click	click		Pacific Islander:	click	click
	55 or older:	click	click		Other:	click	click

Nature of allegation or incident involving staff (more than one may apply to each incident)	Prior period		This period	Position of staff for allegation or incident (more than one may apply to each incident)	Prior period		This period
	Physical force resulting in nonconsensual sexual act:	click	click		Administrator, assistant, other in administrative position:	click	click
	Pressure or abuse of power resulting in nonconsensual sexual act:	click	click		Deputy, Detentions Deputy, Supervisory staff:	click	click
	Indecent exposure, invasion of privacy, voyeurism for sexual gratification:	click	click		Clerical, receptionist, other administrative support staff:	click	click
	Unwanted touching for sexual gratification:	click	click		Maintenance, kitchen, drivers, other facility support staff:	click	click
	Wrote letters, showed pictures, offered gifts or special privileges to inmate:	click	click		Health care staff; doctors, counselors, dentist, psychiatrists, psychologists, nurses:	click	click
	Sexual relationship between inmate and staff that appeared to be consensual:	click	click		Education staff; instructors, teachers, librarians:	click	click
			Other staff; Chaplain, volunteers, etc.	click	click		

Sanctions / Corrective Actions

		Prior period	This period			Prior period	This period
Perpetrator sanctions (more than one may apply to each incident)	Transferred to other housing unit or facility:	click	click	Employee / Contractor sanctions (more than one may apply to each incident)	Sent to training or counseling:	click	click
	Administratively segregated:	click	click		Reprimanded or discipline:	click	click
	Disciplinary isolation, or loss of visits / commissary, :	click	click		Demoted or temporary suspension:	click	click
	Reclassified to higher security level:	click	click		Discharged, contract cancelled or not renewed:	click	click
	Released prior to investigation conclusion:	click	click		Administrative leave, referred for prosecution:	click	click
	No action, perpetrator identify unknown:	click	click		Staff resigned prior to investigation conclusion:	click	click
	Referred to DA for prosecution:	click	click		Convicted, plea deal, or sentenced, employment terminated:	click	click
	Other this year:	click to type			Other this year:	click to type	

Comments: There have been no reported sexual harassment or sexual abuse incidents for the past three year reporting period of 2013-2015.

Facility changes needed, or reasoning if none: None, facility operating safely.

Agency changes needed, or reasoning if none: None, agency has recently implemented numerous inmate safety policies and procedures.

Facility manager: Lieutenant Little **Date:** 2/19/2016

PREA Coordinator: Lieutenant Gordon **Date:** 2/29/2016

Agency head or designee: Commander Beasley **Date:** 2/24/2016