

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION

Prison Rape Elimination Act (PREA) Annual Report – Calendar Year 2019

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of offenders in confinement settings. On August 20, 2012, the PREA Standards Final Rule, to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment behind bars was released, prompting the revision of the California Department of Corrections and Rehabilitation (CDCR) PREA policy.

CDCR's PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct, and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations against CDCR offenders. A further purpose of this policy is to provide guidelines for the successful community re-entry of offenders.

CDCR continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against offenders. Staff and offenders are educated on the Department's zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

Substantiated allegation: an allegation that was investigated and determined to have occurred

Unsubstantiated allegation: an allegation that was investigated and insufficient evidence was obtained to determine if the allegation did or did not occur.

Unfounded allegation: an allegation that was investigated and proven not to have occurred

Ongoing investigation: the investigation was initiated and is continuous.

STATISTICS:

The following are statistics of reported allegations within CDCR adult institutions, by category:

➤ Inmate on Inmate Nonconsensual Sexual Acts

	2014	2015	2016	2017	2018	2019
Substantiated	1	5	4	9	3	7
Unsubstantiated	103	180	159	192	186	153
Unfounded	21	32	64	76	54	59
Ongoing investigation	2	9	44	13	16	18
Total:	127	226	271	290	259	237

Inmate on Inmate Nonconsensual Sex Acts is defined as, contact of an offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND contact between the penis and vagina or the penis and anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus or penetration of the anal or genital opening of another person by the hand, finger, or other object.

In 2018, the number of allegations for Nonconsensual Sex Acts was 259. In 2019, the number of allegations for Inmate on Inmate Nonconsensual Sex Acts was 237, which equates to a decrease of 9 percent.

➤ **Inmate on Inmate Abusive Sexual Contact**

	2014	2015	2016	2017	2018	2019
Substantiated	3	5	5	2	7	5
Unsubstantiated	42	86	94	106	124	115
Unfounded	5	12	27	62	35	39
Ongoing investigation	0	0	8	3	6	9
Total:	50	103	134	179	172	168

Inmate on Inmate Abusive Sexual Contact is defined as contact of offender by another offender without his or her consent, or by coercion, or contact of an offender 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.

In 2018, the number of allegations for Inmate on Inmate Abusive Sexual Contact was 172. In 2019, the number of allegations for Abusive Sexual Contact was 168, which equates to a decrease of 2 percent.

➤ **Inmate on Inmate Sexual Harassment**

	2014	2015	2016	2017	2018	2019
Substantiated	0	3	6	1	9	1
Unsubstantiated	3	32	66	86	79	71
Unfounded	1	4	26	15	30	16
Ongoing investigation	0	0	5	3	1	0
Total:	4	39	103	105	119	88

Inmate on Inmate Sexual Harassment is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another offender. This definition was added to CDCR's policy in response to its inclusion in the PREA Standards.

In 2018, the number of allegations for Inmate on Inmate Sexual Harassment was 119. In 2019, the number of allegations for Inmate on Inmate Sexual Harassment was 88, which equates to a decrease of 30 percent.

➤ **Staff on Inmate Sexual Misconduct**

	2014	2015	2016	2017	2018	2019
Substantiated	3	5	5	11	11	8
Unsubstantiated	57	126	96	156	132	139
Unfounded	40	48	82	143	166	150
Ongoing investigation	1	11	34	26	28	29
Total:	101	190	217	335	337	326

Staff on Inmate Sexual Misconduct is defined as threatened, coerced, attempted, or completed sexual contact, assault or battery of an offender by staff. Staff is inclusive of employees, volunteers, and independent contractors assigned to an institution, community correctional facility, conservation camp, parole, or headquarters. CDCR’s zero tolerance policy holds all staff accountable when it is proven they have violated the policy. Please remember, the legal concept of “consent” does not exist between staff and offenders; any sexual behavior between them constitutes sexual misconduct and subjects the staff member to disciplinary action and/or to prosecution under the law.

In 2018, the number of allegations for Staff Sexual Misconduct was 337. In 2019, the number of allegations for Abusive Sexual Contact was 326, which equates to an increase of 3 percent.

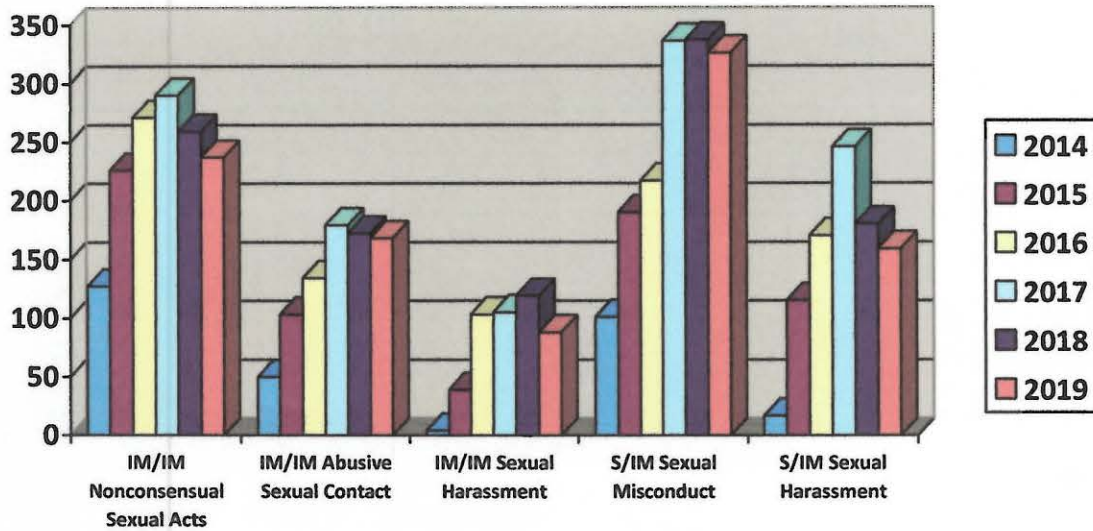
➤ **Staff on Inmate Sexual Harassment**

	2014	2015	2016	2017	2018	2019
Substantiated	0	5	5	3	3	2
Unsubstantiated	15	84	95	127	90	103
Unfounded	2	25	59	105	83	48
Ongoing investigation	0	1	11	11	4	6
Total:	17	115	170	246	180	159

Staff on Inmate Sexual Harassment is defined as, repeated verbal comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive derogatory comments about body or clothing, or obscene language or gestures to an offender by a staff member, contractor, or volunteer.

In 2018, the number of allegations for Staff Sexual Harassment was 180. In 2019, the number of allegations for Abusive Sexual Contact was 159, which equates to a decrease of 12 percent.

Total Number of all PREA Allegations by Year and Type



[IM/IM= Inmate on Inmate; S/IM= Staff on Inmate]

SUMMARY

The total number of combined allegations decreased in 2019 from 1067 in 2018, to 978 in 2019, a total decrease of 9 percent. CDCR’s saw a population reduction of 544 inmates based on population results from December 31, 2018 to December 31, 2019. Inmate on inmate sexual harassment was included in the PREA Federal Standards in 2012 and additional education for both staff and inmates was provided. The additional education included awareness of sexual harassment being a grooming mechanism in the sexual abuse continuum for abusers to identify potential victims. This is believed to have led to the decrease in inmate on inmate nonconsensual sexual acts and inmate on inmate abusive sexual contact. Inmates are reporting earlier in the continuum and are feeling more confident in the investigative process.

Inmate sexual harassment decreased significantly. This is attributed to additional education, awareness, and accountability.

Some of the changes the Department has implemented during the previous calendar year include:

- Continued training of staff who conducts sexual abuse investigations.
- Training for all staff on respectful communication with the transgender inmate population to include the use of their preferred pronouns.
- The following CDCR Institutions installed new or additional video surveillance cameras in 2019:
 - High Desert State Prison (HDSP)
 - California State Prison Sacramento (SAC)
 - Central California Woman’s Facility (CCWF)

- San Quentin State Prison (SQ)
- Valley State Prison(VSP)

Some of the changes each institution has implemented during the previous calendar year also include:

Avenal State Prison (ASP)

- Continuing steps to correct structural deficiencies.
- Installed modesty screens to prevent opposite gender viewing in housing units, exercise yards, education areas and work areas.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California City Correctional Facility (CAC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Correctional Center (CCC)

- Installed privacy screens to prevent cross gender viewing in inmate restrooms.
- Worked with CDCR HQ to generate a policy requiring CalFire captains to complete the livescan process.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Correctional Institution (CCI)

- Modifications were made to multiple restrooms and shower areas to include privacy barriers and window frosting.
- Inmate PEER educators were hired and all inmates received comprehensive PREA education.
- Staff received Screening for Risk of Victimization and Abusiveness and Use of Screening Information training. Investigative Services Unit staff received PAR form and reporting the outcome of PREA investigations training.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Health Care Facility (CHCF)

- Flaps were installed on the bottom of doors in Housing Unit A-4 to limit cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Institution for Men (CIM)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Institution for Women (CIW)

- Window coverings were removed from staff areas allowing for visibility into office spaces.
- Privacy screens were repaired in housing unit showers.
- Privacy screens were installed around the walk alone yard modules.
- Cross gender viewing barriers were installed around the group recreation areas in segregated programs housing unit and psychiatric inpatient program.
- Training was provided to all new volunteers and contractors.
- Convex mirrors were installed throughout the institution and conservation camps.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Men's Colony (CMC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Medical Facility (CMF)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Rehabilitation Center (CRC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Corcoran (COR)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Los Angeles County (LAC)

- Installed additional modesty barriers in all inmate restrooms.
- Additional staff received specialized training in conducting sexual abuse investigations.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Sacramento (SAC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.
- Installed 186 new/additional cameras.

California State Prison, Solano (SOL)

- Installed mirrors in PIA laundry to reduce blind spots.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Calipatria State Prison (CAL)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Centinela State Prison (CEN)

- Installed mirrors in certain areas to prevent blind spots.
- Window tint has been removed from office windows where staff did not have a direct line of sight into the office.
- Improved lighting in some storage rooms in the warehouse.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Central California Women's Facility (CCWF)

- Additional mirrors were installed.
- All staff received training regarding appropriate pronoun usage and working effectively with transgender inmates.
- Additional frosting was added to restroom windows.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.
- Installed 14 new/additional cameras.

Chuckawalla Valley State Prison (CVSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Correctional Training Facility (CTF)

- Installed privacy screens on holding cells throughout the institution.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Deuel Vocational Institution (DVI)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Folsom State Prison (FSP)

- Privacy screens constructed on Administrative Segregation exercise yard.
- Additional privacy screens added to yard shower and restroom areas.
- Additional privacy panels added to shower areas.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

High Desert State Prison (HDSP)

- Modifications made to showers to provide modesty.
- Toilets removed from the exercise yards and policy amended to allow inmates access to their cells.
- Inmate PREA education was completed by all inmates and added to 24 hour loop to play on inmate televisions.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.
- Installed 11 new/additional cameras.

Ironwood State Prison (ISP)

- Bathroom doors installed in vocational areas.
- Windows painted on inmate restroom doors.
- Handcuff ports covered in all showers on Facility A.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Kern Valley State Prison (KVSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Mule Creek State Prison (MCSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond

to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

North Kern State Prison (NKSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Pelican Bay State Prison (PBSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Pleasant Valley State Prison (PVSP)

- Privacy screens installed in housing unit dayroom urinal and shower areas, also on the exercise yard toilets.
- Investigators participated in a Rape Crisis Services 40 hour training.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Richard J. Donovan Correctional Facility (RJD)

- Installed partitions in vocational bathrooms.
- Fabricated mesh modesty screens for Administrative Segregation Unit, Small Management Yards.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Salinas Valley State Prison (SVSP)

- Replaced modesty barriers in housing unit showers.
- Modesty barriers placed around the outside of TC1/TC2 yard areas.
- Access cards were issued upon request to transgender inmates to aid in obtaining clothing, canteen items and packages consistent with their gender identity.
- Transgender inmates received access to curling irons and clothing specific to their identified gender.

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

San Quentin State Prison (SQ)

- Privacy screens were added to showers, stairwells, yards and restrooms.
- Tri-fold screens were provided to all units to utilize on holding cells.
- Education was provided to staff regarding appropriate pronoun usage with transgender inmates.
- Mirrors installed in blind spots.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.
- Installed 71 new/additional cameras.

Sierra Conservation Center (SCC)

- PREA education updated in Inmate Orientation manual.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Substance Abuse Treatment Facility and State Prison (SATF)

- Implemented clothing exchange policy for Transgender inmates to exchange their state issued clothing for clothing appropriate to their gender identity.
- Modesty screens installed in shower areas.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Valley State Prison (VSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.
- Installed 14 new/additional cameras.

Wasco State Prison (WSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

CDCR continues to progress in addressing sexual abuse by continually monitoring all allegations of sexual abuse, staff sexual misconduct, and sexual harassment. Each allegation is investigated by trained investigators and reviewed by the institution's hiring authority. If any issues or trends are identified, they are addressed immediately. This may include modifications to existing policy, procedures, education, or training. Additionally, this could take into consideration physical plant limitations and the need for video monitoring equipment.

Approved for posting

(br) *R. Allison*
Ralph Diaz, Secretary

6/24/20
Date