

Pima County Adult Detention Complex (PCADC)

Prison Rape Elimination Act (PREA)

What is PREA?

The **Prison Rape Elimination Act (PREA)** establishes a zero-tolerance standard against sexual assaults and sexual misconduct of incarcerated persons. It is Public Law 108-79, signed in September 2003 by President Bush. In 2012, the PREA standards expanded to include allegation of sexual harassment.

PREA sets a standard that protects the Eighth Amendment rights of Federal, State and local prisoners -- making the prevention of sexual assault a top priority. These standards focus on 3 key areas: prevention, investigation, and reporting.

The Pima County Sheriff's Department (PCSD) supports this initiative and over the years has developed uniform guidelines and procedures to reduce the risk of in-custody sexual assault and sexual activity. The Sheriff's Department is committed to a **zero-tolerance** standard for sexual misconduct and sexual assault in all of our facilities.

As a **preventative** measure the PCADC provides annual training to all PCADC staff, internal contractors and volunteers and provides written prevention and reporting procedures to the inmate population.

To aid in the **investigative** process, the PCADC, relies on witness statements, 480+ surveillance cameras inside the facility and criminal investigation efforts by PCSD Criminal Investigations Division, the PCSD Office of Special Investigations and other local law enforcement agencies.

The PCADC has also expanded **reporting** mechanisms for inmates to report violations. Allegations may be reported to any staff member verbally, in writing, or through a toll-free reporting telephone hotline. Reports will also be accepted by third party and in the form of anonymous complaints. All allegations, regardless of the reporting method, are recorded statistically and investigated.

PREA Statistics for PCADC

For the reporting period of May 2012 through May 2013, the PCADC received and investigated 49 allegations meeting the PREA reporting criteria. One of the 49 reported cases involved a sexual assault or rape; 48 cases alleged sexual harassment or other misconduct.

Outcome of the Investigation

Sixteen allegations were made against a staff member. None involved allegations of criminal behavior. All 16 were investigated. One allegation of a staff member making an inappropriate comment was sustained. One allegation of a staff member and inmate exchanging explicit notes was sustained; the other 14 complaints were either unfounded or unsubstantiated.

The remaining 33 complaints were against other inmates. Complaints ranged from unwanted touching to inappropriate sexual propositions being made. Of the 33 complaints, 20 involved allegations of criminal behavior which led to criminal investigative follow-up. In 21 cases, internal investigations concluded the allegations were unfounded or unsubstantiated, and 12 other cases were substantiated, some of which are still pending criminal adjudication.