

Policy 2900 – PREA/LGBTI Inmates

2900.1 - General/Definitions

The Prison Rape Elimination Act (PREA) of 2003 is a federal law that provides guidelines to detect, prevent, identify and deter incidents of sexual abuse and sexual assault in detention facilities. The law was enacted to establish a zero tolerance standard for incidents of sexual assault/rape in correctional facilities and establishes national standards for the detection, prevention, reduction, and punishment of sexual assault/rape in a custodial setting.

The Orange County Sheriff's Department has zero tolerance for all forms of sexual abuse, conduct and assault. This includes sexual harassment between staff, volunteers, contractors, visitors, and inmates. All allegations of sexual conduct will be investigated. The department will impose appropriate disciplinary sanctions and initiate criminal charges against individuals committing sexual assault/rape.

Definitions:

Gender: a socially constructed concept classifying behavior as either "masculine" or "feminine," unrelated to one's external genitalia.

Gender Expression: a person's expression of their gender identity, including appearance, dress, mannerisms, speech and social interaction.

Gender Identity: distinct from sexual orientation and refers to a person's internal, deeply felt sense of being male or female.

Gender Non-Conforming: gender characteristics and /or behaviors that do not conform to those typically associated with a person's biological sex.

Gender "Norms": the expectations associated with "masculine" or "feminine" conduct, based on how society commonly believes males and females should behave.

Intersex: a condition in which a person is born with external genitalia, internal reproductive organs, chromosome patterns, and/or an endocrine system that does not fit typical definitions of male or female.

LGBTI: acronym for a group of sexual minorities including lesbian, gay, bisexual, transgender, and intersex individuals.

Medical Practitioner/Mental Health Practitioner: a medical practitioner or mental health practitioner is a professional who, by virtue of education, credentials, and experience is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A qualified medical practitioner or qualified mental health practitioner refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.

Need to Know: a criterion for limiting access of certain sensitive information to individuals who require the information to make decisions or take action with regard to an inmate's safety or treatment or to the investigative process.

Sex: one's anatomical make-up, including external genitalia, chromosomes and reproductive system. The State of California also defines sex as one's gender, gender identity, or gender expression.

Sexual Identity: the sex that a person sees themselves as. This can include refusing to label oneself with a sex.

Sexual Orientation: romantic and/or physical attraction to members of the same or different sex.

Transgender: a person whose gender identity differs from their sex at birth.

Transgender Female: a person whose birth sex was male, but understands herself to and desires to live her life as female.

Transgender Male: a person whose birth sex was female, but understands himself to be and desires to live his life as a male.

Transsexual: a person whose physical anatomy does not match his or her gender identity, and seeks medical treatment (sex reassignment surgery or hormones or combination thereof).

Victim Advocate: an individual, who may or may not be affiliated with the department that provides victims a range of services during the forensic exam and investigatory process. These services may include emotional support, crisis intervention, information and referrals and advocacy to ensure that victim's interests are represented, their wishes respected and their rights upheld.

Volunteer: an individual who donates his or her time and effort on a recurring basis to enhance the activities and programs of the department.

2900.2 - PREA Coordinator/Manager/Watch Commander Duties

- a) The Orange County Sheriff's Department Custody Operations Assistant Sheriff shall designate a PREA Coordinator to oversee department compliance efforts. The person selected for this position shall be trained on PREA, as well as have the knowledge and skills necessary to evaluate and implement PREA compliance policies and protocols.
- b) The duties of the PREA Coordinator shall include:
 - 1. Development and revision of existing policy and training to better prevent, detect, and respond to incidents of sexual abuse.
 - 2. Assembling a team of subject matter experts to ensure all department division entities are represented to maintain overall compliance.
 - 3. Oversee all PREA training, tracking and documentation of all staff.
 - 4. Review all complaints, grievances and reports related to incidents of sexual abuse.
 - 5. Monitor the treatment of any staff member and inmate who has reported an allegation of sexual abuse or sexual harassment or who cooperated with a sexual abuse/harassment investigation for 90 days following the allegation. If the allegation is determined to be unfounded the monitoring shall cease. The monitoring will include interviewing the staff member and inmate to review his/her perception of retaliation for the allegation or cooperation in the investigation. This interview will be documented. The PREA Coordinator will also monitor any inmate disciplinary reports, housing or program changes. If retaliation is detected immediate corrective action will be taken and documented. Corrective action may include (but is not limited to) any of the following: facility transfer, housing unit change, removal of alleged staff or inmate abuser from contact with the victim, and /or emotional support services.
 - 6. Ensure all relevant data is collected, recorded and submitted for the annual DOJ Survey of Sexual Violence and PREA survey.
 - 7. Serve as the chairperson of the PREA Review Team. Ensure review and report of findings and corrective actions are completed following each incident.
 - 8. Ensure all inmates are informed of department policy and are afforded multiple avenues for reporting incidents of sexual harassment and abuse.
 - 9. Work with auditing entity and provide necessary information.
- c) PREA Manager/Liaison
 - 1. Individual facilities shall designate a PREA Manager/Liaison to represent their respective facility. The person selected for each of these positions shall be trained on PREA, and will report directly to the department's PREA Coordinator with regard to PREA audits and compliance protocols and policies.

2900.3 - Prevention Planning

- a) The following pro-active measures and operations have been implemented, with the intent of preventing and establishing methods to prevent sexual abuse:
1. When staff learns that an inmate is subject to a substantial risk of imminent sexual abuse, immediate action will be taken to protect the inmate.
 2. Utilize a staffing plan that provides for adequate staffing and video monitoring to protect inmates against sexual abuse.
 3. Establish separate holding for juveniles from adult inmates.
 4. Shall not conduct any cross-gender search or observation unless in accordance with CCOM 1710.4 and 1720.
 5. Enable inmates to shower, perform bodily functions, and change clothing without non-medical staff of the opposite biological sex viewing their breast, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Except in circumstances where there would be an impact to safety and security, modesty screens shall be placed strategically in areas that prevent incidental viewing. In order to minimize cross gender exposure, staff of the opposite biological sex shall announce their presence when entering the housing unit. This announcement is required at the beginning of each shift and/or when the status quo within the housing unit changes. This will allow the inmate to take into consideration that staff of the opposite gender may be present when performing bodily and bathing functions.
 6. Ensure inmates with physical, intellectual or psychiatric disabilities have an equal opportunity to participate in, or benefit from all aspects of prevention, detection and response to sexual abuse and harassment.
 7. Conduct extensive criminal background and records checks to prevent hiring, promoting and/or enlisting the services of anyone who may have contact with inmates and who has engaged in sexual abuse in an institutional setting; or has been convicted of, or has been civilly or administratively adjudicated to have engaged or attempted to engage in sexual activity in the community facilitated by force or coercion or if the victim did not consent or was unable to consent. A psychological evaluation will also be conducted prior to the hiring of any new employees.
 8. Upon design planning, modification or expansion of a new or existing lockup, consider the effect of the design, modification or expansion upon the Department's ability to protect inmates from sexual abuse. Consideration will be given to staffing levels, placement of video monitoring systems, and assignment of staff in areas where they may be monitoring inmates of the opposite gender.

2900.4 - Responsive Planning

- a) An administrative and/or criminal investigation will be conducted for all allegations of sexual abuse and sexual harassment. The department shall employ multiple protection measures, such as housing changes or facility transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims and emotional support services for staff who fear retaliation for reporting sexual abuse or harassment or for cooperating with investigations.

2900.5 - Training of Employees, Volunteers and Contractors

- a) All employees, volunteers and contractors who may have contact with inmates, will be trained on the Department's zero-tolerance policy regarding sexual abuse and sexual harassment. All sheriff's employees, volunteers and contractors who may have contact with inmates will receive PREA training, upon new hire/contract, and refresher training every two years.
- b) PREA Training will be included in the academy curriculum and employee orientation, as well as through briefing training, and training bulletins. A department PREA website has also been established for use as a reference.
- c) Staff training shall consist of and include the following:
 1. The Department's zero tolerance policy for sexual abuse and sexual harassment;
 2. How to fulfill their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures;
 3. Inmates' right to be free from sexual abuse and sexual harassment;
 4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
 5. The dynamics of sexual abuse and sexual harassment in confinement;
 6. The common reactions of sexual abuse and sexual harassment victims;
 7. How to detect and respond to signs of threatened and actual sexual abuse;
 8. How to avoid inappropriate relationships with inmates;
 9. How to communicate effectively and professionally with inmates, including LGBTI, or gender non-conforming inmates; and
 10. How to comply with relevant laws related to mandatory reporting of sexual abuse.
- d) Special Victims investigators shall receive specialized training in techniques for interviewing sexual abuse victims, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- e) Training shall be documented through employee signature that they understand the training they received.
- f) Volunteers and contractors who have contact with inmates will be trained on their responsibilities under the Department's sexual abuse and sexual harassment prevention, detection, and response

policies and procedures. The level and type of training provided to volunteers and contractors will be based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates will be notified of the Department's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. Training shall be documented through volunteer and contractor signature that they understand the training they have received.

2900.6 - Inmate Education

- a) Inmates shall receive education about PREA which will consist of and include the following:
 - 1. During the intake process, inmates will be informed of the department's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates will also be informed of their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and how the Department responds to such incidents. The information will be provided to the inmates via the inmate orientation video, posted signage, and orientation pamphlets. Information will be provided in English, Spanish, and Vietnamese. Videos are closed captioned for hearing impaired inmates. For visually impaired inmates, contact the ADA Deputy for accommodations. Signage will also be posted in inmate housing, as well as conspicuous areas throughout the facility.
 - 2. The Department will maintain documentation of inmate participation in this PREA education.

2900.7 - Screening for Risk of Sexual Victimization and Abusiveness and Use of Screening Information

- a) All inmates will be screened to assess their risk of being sexually abused by other inmates or sexually abusive towards other inmates. The Department will use information from the screening to inform housing, bed, work, education and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.
 - 1. The screening will be completed within 72 hours of the inmate's arrival utilizing an objective screening instrument.
 - 2. Classification and Correctional Health Services (CHS)/HCA will share information obtained, on a need to know basis, to ensure inmates are assessed and identified appropriately, in order to ensure their safety and initiate any necessary support services. CHS/HCA has developed their own protocol for operational procedures and response.

3. Prior to placing inmates together in a holding cell, staff shall consider whether, based on the information before them, an inmate may be at a high risk of being sexually abused and, when appropriate, take necessary steps to mitigate any such danger to the inmate.
4. The classification screening will consider, at a minimum, the inmate's physical characteristics (build and appearance), age, whether the inmate has a mental, physical or development disability, previous assignment in specialized housing, alleged offense and criminal history, whether the inmate is perceived to be LGBTI or gender non-conforming, whether the inmate has previously experienced sexual victimization, the inmate's own perception of vulnerability, or concerns expressed by the inmate. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration.
5. Inmates may not be disciplined for refusing to answer or failing to provide information in response to screening questions.
6. Within 30 days from the inmate's arrival, classification will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received since intake screening.
7. Lesbian, Gay, Bisexual, Transgender, or Intersex (LGBTI) inmates will have housing and programming assigned by individual assessment on a case by case basis after consideration of whether the placement will ensure the inmate's health and safety and whether the placement would present management or security problems.
8. Inmates at high risk of sexual victimization shall not be placed in involuntary segregated housing unless a review of all available housing alternatives has shown that there are no other means of protecting the inmate. If an involuntary segregated housing assignment is made, the deputy conducting the classification screening shall clearly document the basis for the facility's concern for the inmate's safety and the reason why no alternative means of separation can be arranged. A review will be conducted every 30 days to determine if ongoing involuntary segregated housing is needed.
9. If segregated housing is used, the inmate shall have access to programs, privileges, education and work opportunities for which he/she is otherwise eligible. If the Classification Deputy restricts access to programs, privileges, education, or work opportunities the Classification Deputy shall document the limitations imposed, the duration of the limitations, and the reasons for the limitations.
10. Housing and programming for Transgender and Intersex inmates will be reassessed every 6 months on an individual basis to review any threats to safety experienced by the inmates.
11. Intersex or transgender inmates will not be searched or physically examined for the sole purpose of determining their genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by medical staff reviewing medical

records, or if necessary, by a broader medical examination conducted in private by a medical practitioner.

2900.8 - Inmate Reporting

- a) Inmates can privately report sexual harassment and sexual abuse, retaliation by other inmates or staff for reporting sexual harassment and sexual abuse and staff neglect or violation of responsibilities that may have contributed to such incidents.
- b) Inmates may report sexual abuse or sexual harassment verbally or in writing to any staff member. There is no time limit on when an inmate may report or submit a grievance regarding such incident. Inmates are not required to use the grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. Inmates who allege sexual abuse are not required to submit a grievance to a staff member who is the subject of the complaint and such grievance will not be referred to a staff member who is the subject of the complaint.
- c) Inmates will have at least one way to report harassment or abuse to a public or private entity or office that is not part of the department and is able to receive and immediately forward inmate reports of sexual harassment and sexual abuse to department officials, allowing the detainee to remain anonymous upon request. The Orange County Sexual Assault Network will be designated as a third party for independent reporting. The Orange County Sexual Assault Network number will be posted in the inmate housing locations.
- d) Each Facility will maintain a 24-hour message line for anonymously reporting PREA incidents.
 - 1. Each facility will designate a sergeant to check the message line at least once per shift.
 - 2. Checks of the message line will be documented on the Custody Operations Supervisor's Log noting the time the check was made, the name of the personnel who checked, and the number of messages received.
 - 3. Any information left on the message line will be immediately investigated to the fullest extent possible.
- e) Inmate with disabilities or limited in English proficiency, have equal opportunity to participate in or benefit from all aspects of the Department's efforts to prevent, detect and respond to sexual abuse and sexual harassment. Interpreters will be provided to ensure effective communication. Inmates will receive information verbally, through the inmate orientation video, housing posted signs and upon individual request made to staff.

2900.9 - Staff Reporting and Response to Incidents of Sexual Abuse and Sexual Harassment

- a) All staff is required to immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility or program providing services to inmates under the jurisdiction of the Department; instances of retaliation against

inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

- b) Staff shall report all incidents or allegations to their sergeant or supervisor. If non-sworn, the supervisor shall report the incident to a sworn staff member. Apart from reporting to designated Department members, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified, to make treatment, investigation, and other security and management decisions.
- c) Staff shall accept reports made verbally, in writing, anonymously and/or from third parties, and promptly document any of these verbal reports.
- d) When an incident is reported or suspected, staff shall separate the alleged victim and abuser.
- e) Staff conducting the investigation shall notify the Watch Commander, Department Commander and Investigations if Investigations is needed.
- f) Staff conducting the investigation shall offer victim services, if applicable.
- g) Inmates involved will have their classification reevaluated to determine appropriate housing.
- h) If the alleged sexual assault is reported or discovered prior to 72 hours after the incident, secure and preserve any crime scene until appropriate steps can be taken to collect any evidence. In addition, the victim should be asked if they retained any evidence of the assault (e.g., soiled bedding, clothing, etc.)
- i) Notify facility medical staff to coordinate necessary medical and social services. If the abuse occurred within 120 hours, the alleged victim shall be taken to an appropriate medical facility for a Sexual Assault Response Team (SART) examination.
- j) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate: washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
- k) Upon receiving an allegation that an inmate was sexually abused while confined in a facility or program not under the jurisdiction of the Orange County Sheriff's Department, staff who received the allegation shall notify the Department Commander. The Department Commander will notify in writing 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.
- l) Retaliation against employees or inmates who report incidents of sexual abuse or sexual harassment as well as retaliation against those who cooperate with investigations will not be tolerated and will result in disciplinary action and/or criminal prosecution. Retaliation includes, but is not limited to, coercion, threats of punishment, or any other activity intended to discourage or prevent an employee or inmate from reporting the incident or cooperating with the investigation of an incident.

m) Watch Commanders

1. Upon discovery of an incident which falls under this policy, the facility Watch Commander will notify the PREA Coordinator and the Facility Manager/Liaison of the incident via electronic mail and/or telephone.
 - i. Each incident will be classified by the facility Watch Commander into one of the following categories:
 - A. NON-CONSENSUAL SEXUAL ACTS:
 1. 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.
 - B. ABUSIVE SEXUAL CONTACT:
 1. 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).
 - C. SEXUAL HARASSMENT BY ANOTHER INMATE:
 1. 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.
 - D. STAFF SEXUAL MISCONDUCT:
 1. 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.

E. STAFF SEXUAL HARASSMENT:

1. Repeated verbal 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). Including but not limited to: Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing; OR repeated profane or obscene language or gestures.

2900.10 - Medical and Mental Health Care

- a) Victims of sexual abuse shall receive timely, unimpeded access to emergency medical and mental health treatment. Treatment services shall be provided to the victim regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

2900.11 - Investigations

- a) All allegations of sexual abuse and harassment will be investigated promptly, thoroughly and objectively, including third-party and anonymous reports.
 1. The Special Victims Unit will investigate and conduct criminal investigations conducted within jail facilities.
 2. Any responding investigator will have completed specialized training in conducting sexual abuse investigations.
 3. Internal Affairs will conduct administrative investigations.
- b) If a criminal investigation is warranted, investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.
- c) When the quality of evidence appears to support criminal prosecution, the investigator shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- d) The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as a detainee or staff.
- e) No inmate who alleges sexual abuse will be required to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation.
- f) Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. They shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments and investigative facts and findings. Substantiated allegations of conduct that appears to be

criminal shall be referred for prosecution. The departure of an alleged abuser or victim from the employment or control of the department shall not provide basis for terminating an investigation.

2900.12 - Notification to Inmates

- a) Following an investigation into an inmate's allegation of sexual abuse, the inmate shall be notified as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
- b) If the Department did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.
- c) Following an inmate's allegation that he or she has been sexually abused by another inmate, the Department shall subsequently inform the alleged victim whenever:
 1. The Department learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.
- d) Unless unfounded, following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the Department shall inform the inmate of the following:
 1. Whether or not the staff member is assigned to the inmate's housing area.
 2. Whether or not the staff member is assigned to that facility.
 3. The Department learns that the staff member has been indicted on a charge related to sexual abuse within the facility.
 4. The Department learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- e) All such notifications or attempted notifications under this section shall be documented.
- f) The Department's obligation to notify the inmate shall terminate if the inmate is released from custody.

2900.13 - Discipline

- a) Staff shall be subject to disciplinary sanctions up to and including termination for violating Department sexual abuse or sexual harassment policies. Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse.
- b) Disciplinary sanctions for violations of policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history and the sanctions imposed for comparable offenses by other staff with similar histories.
- c) Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees and be reported, unless the activity was clearly not criminal.

2900.14 - Review

- a) A review will be conducted by the PREA Review Team upon conclusion of every sexual abuse investigation or as directed by the PREA Coordinator. This is to include allegations which have not been sustained, unless the allegation has been determined to be unfounded. Reviews shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials, with input from line supervisors and investigators.
- b) The review shall:
 - 1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse
 - 2. Consider whether the incident or allegation was motivated by race, ethnicity, gender identity, LGBTI status, or perceived status, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility.
 - 3. Examine the area where the incident allegedly occurred to assess whether physical barriers in the area enabled abuse.
 - 4. Assess the adequacy of staffing levels in that area during different shifts.
 - 5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
 - 6. Prepare a report of findings.
 - 7. Provide the report to the Department PREA Coordinator, and the respective Division Commander and PREA Manager where the incident occurred. The recipient Division Commander shall implement recommendations for improvement or shall document reasons for not doing so.

2900.15 - Data Collection

- a) Data will be collected by the PREA Coordinator for every allegation of sexual abuse under the direct control of the department and shall be aggregated at least annually. 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, or any subsequent form developed and designated for jails.
- b) The PREA Coordinator shall maintain, review and collect data as needed from all available incident based documents, including reports, investigation files and sexual abuse incident reviews. The Department shall obtain incident-base and aggregate data from any private agency with which it contracts for confinement of its detainees. Upon request, the Department shall provide all such data from the previous calendar year to the Department of Justice not later than June 30.
- c) Data collected will be reviewed by the PREA Review Team in order to improve the effectiveness of its sexual abuse prevention, detection and response policies, practices and training including:

1. Identifying problem areas.
 2. Taking corrective action on an ongoing basis.
 3. Preparing an annual report of its finding and corrective actions for each facility, relevant operational area, as well as the Department as a whole. 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.
 4. The final report shall be reviewed by the Assistant Sheriff of Custody Operations and approved by the Sheriff, and be made available to the public via the public website. Specific material may be redacted from the report when publication would present a clear and specific threat to the safety and security of a facility but the nature of the material redacted must be indicated. Aggregated sexual abuse data from Department facilities will also be made available to the public at least annually via the public website. All personal identifiers will be removed from any aggregated sexual abuse data made publicly available.
- d) The Department shall ensure all data collected is securely retained.
- e) All sexual abuse data collected shall be maintained at least ten years after the date of the initial collection unless federal, state or local law requires otherwise.

2900.16 - Auditing and Corrective Action

- a) Audits shall be conducted pursuant to PREA Prison and Jail Standards 115.401 – 115.405.
- b) Annual audits shall cover at least one-third of OCSD correctional facilities pursuant to PREA Prison and Jail Standards 115.401 - 115.405.
- c) A complete audit of all OCSD correctional facilities shall be conducted every three years pursuant to PREA Prison and Jail Standards 115.401 - 115.405.

For further information, refer to OCSD Department Manual/Custody and Courts Operations Manual sections:

- a) Policy 328 - Policy Against Unlawful Harassment and Discrimination
- b) Policy 375 - Transgender Policy
- c) Policy 402 - Bias Free Policing
- d) CCOM 1710.4 - Body Searches of Inmates
- e) CCOM 1720 - Cross Gender Supervision