



COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

Columbia County Jail's Annual PREA Report – 2018

What is PREA?

The Prison Rape Elimination Act (PREA) establishes a zero-tolerance standard against sexual assaults and rapes of incarcerated persons. It is Public Law 108-79, signed in September 2003 by President Bush.

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. It also increases available data on sexual misconduct and sexual assaults, and it increases the accountability for administrators who fail to prevent, reduce, and punish sexual misconduct and sexual assaults.

The Columbia County Sheriff's Office supports the prosecution of persons who commit acts of sexual misconduct in its facilities. The Columbia County Jail has developed uniform guidelines and procedures to reduce the risk of in-custody sexual assault and sexual activity. The Sheriff's Office is committed to a **zero-tolerance** standard for sexual misconduct and sexual assault.

General Information

In 2018, there were a total of 1935 bookings into the Columbia County Jail. Of those bookings, 1683 were male and 252 were female. The average daily population of the facility was 155 inmates. The Columbia County Jail has a funded capacity of 180 inmates.

DEFINITIONS

The definition of "rape" as required under PREA is categorized into two categories of inmate-on-inmate sexual violence. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control (NCIPC) and Centers for Disease Control and Prevention (CDC). The categories for inmate-on-inmate sexual violence are:

Nonconsensual Sexual Acts:

Contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND/OR Contact between the mouth and the penis, vagina or anus; OR Penetration of the anal or genital opening of another person by a hand, finger, or other object.

Abusive Sexual Contacts:

Contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND Intentionally touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

Sexual Harassment:

The definition of sexual harassment was also developed by the National Institute of Corrections. Sexual harassment includes repeated verbal statements or comments of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (excluding inmate family, friends, or other visitors). Demeaning references to gender or derogatory comments about body or clothing; OR Repeated profane or obscene language or gestures.

Staff Sexual Misconduct:

Any behavior or act of a sexual, sexually suggestive or romantic nature directed toward any person an employee, a visitor, contractor or inmate. It includes, but is not limited to, acts or attempts to commit such acts as sexual assault, sexual abuse, rape, sexual harassment, sexual or intimate or otherwise inappropriate or unnecessary contact, conduct of a sexual nature or implication, obscenity and unreasonable invasion of privacy. Sexual misconduct also includes conversations, correspondence or other actions suggesting an interest in a romantic or sexual relationship, jokes of a sexual nature, suggestive looks or leering and physical behavior such as pats or squeezes brushing against someone's body. It also includes acts that may not be directed at any particular individual or group, but which create a sexually charged workplace. Sexually explicit talk, actions, e-mails, posted cartoons, jokes or unprofessional dress characterize a sexualized work environment. A sexualized work environment severely erodes the professional boundaries between staff and consequently between staff and inmates.

FINDINGS

Following an investigation into an inmate's allegation that he or she was the victim of any form sexual misconduct, the Columbia County Jail determines the allegation to be substantiated, unsubstantiated, or unfounded. Those findings are defined as:

Substantiated: The allegation is supported by sufficient factual evidence.

Unsubstantiated: There is insufficient factual evidence to either prove or disprove the allegation.

Unfounded: The allegation is false or not factual.

PREA REPORT ACTIVITY

Nonconsensual Sexual Acts (findings):

Substantiated: 2

Unsubstantiated: 2

Unfounded: 2

Abusive Sexual Contact (findings):

Unfounded: 1

Staff Sexual Misconduct (findings):

Unsubstantiated: 2

Unfounded: 3

REFERRALS

Per PREA Standard 115.63 (a): Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate officer of the agency where the alleged abuse occurred.

Total referrals: 3

CLOSING

In 2018, the Columbia County Jail (CCJ) received fifteen (15) total PREA allegations/complaints; twelve of the incidents allegedly occurred in the Columbia County Jail and three allegedly occurred in other facilities. In a review of the twelve complaints alleged to have occurred in CCJ, it was clear that staff have implemented ongoing training, including training on PREA requirements. All allegations were addressed immediately upon their receipt. All investigations were conducted in a complete and timely manner.

It was concluded that there were no changes to policies or practices required. No physical barriers were identified that may enable abuse. Staffing levels were also reviewed and found to be adequate.

Beginning in January of 2019, a Sexual Abuse Incident Review Team was established in compliance with PREA Standard 115.86. The team will conduct a sexual abuse incident review after the conclusion of every sexual abuse investigation, including where the allegation was unsubstantiated, unless the allegation was determined to be unfounded.