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*Kittitas County Jail Annual PREA (Prison Rape Elimination Act) Report*

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2019

This report contains data for 2019 of all inmates booked and/or housed in the Kittitas County Jail (KCJ) located in Ellensburg, WA under the direction of the Kittitas County Sheriff’s Office. The Kittitas County Jail is a 209-bed facility. The jail houses adult male and female inmates. This report includes incidents involving inmates under the authority, custody, or care including those held in separate holding or lockup areas within the facility. Excluded from this report are those inmates held in other jurisdictions.

## **Section 1- GENERAL INFORMATION**

**1. How many persons under the supervision of the Kittitas County Jail were-**

**a. CONFINED in the Kittitas County Jail on December 31, 2019?**

- INCLUDE persons on transfer to treatment facilities but who remain under KCJ jurisdiction
- INCLUDE persons out to court while under KCJ jurisdiction
- INCLUDE persons held for other jurisdictions
- EXCLUDE persons housed in facilities operated by two or more jurisdictions or those held in privately operated jails
- EXCLUDE inmates on AWOL, escape, or long-term transfer to other jurisdictions
- EXCLUDE all persons in non-residential community-based programs run by KCJ (e.g., electronic monitoring, house arrest, community service, day reporting, work programs)

	Male	Female
<b>Inmates on December 31, 2019:</b>	82	15

**b. ADMITTED to KCJ during 2019?**

- INCLUDE new admissions only, i.e., persons officially booked into and housed in KCJ by formal legal document and by the authority of the courts or some other official agency
- INCLUDE repeat offenders booked on new charges
- EXCLUDE returns from escape, work release, medical appointments/treatment facilities, and bail or court appearances

	Male	Female
<b>New admissions during 2019:</b>	2050	496

2. Between January 1, 2019, and December 31, 2019, what was the average daily population of all jail confinement facilities operated by KCJ?

Average daily populations	80	15
	Male	Female

## **Section 2- INMATE-ON-INMATE SEXUAL VICTIMIZATION**

### **DEFINITIONS**

The survey utilizes the definition of “sexual abuse” 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). Attempted nonconsensual sexual acts are included if recorded by the facility. For purposes of SSV, sexual abuse is disaggregated into three categories of inmate-on-inmate sexual victimization. These categories are:

#### **NONCONSENSUAL SEXUAL ACTS**

Sexual conduct 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.
- EXCLUDE incidents in which the contact was incidental to 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

**3. Does KCJ record allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS?** (See definitions on page 2.)

- Yes → **a. Does KCJ record all reported occurrences, or only substantiated ones?**
  - All
  - Substantiated only
- b. Does KCJ record attempted NONCONSENSUAL SEXUAL ACTS or only completed ones?**
  - Both attempted and completed
  - Completed Only

No → Please provide the definition used by KCJ for inmate-on-inmate NONCONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete items 4 and 5

**4. Between January 1, 2019 and December 31, 2019, how many allegations of inmate-on-inmate NONCONSENSUAL SEXUAL ACTS were reported?**

- Number reported**       None
- If an allegation involved multiple victimizations, count only one
  - EXCLUDE any allegations that were reported as consensual

**5. Of the allegations reported in Item 4, how many were-**

- a. Substantiated . . . . .**       None
  - The event was investigated and determined to have occurred, based on a preponderance of the evidence (28 C.F.R § 115.72).
- b. Unsubstantiated . . . . .**       None
  - The investigation concluded that evidence was insufficient to determine whether or not the event occurred
- c. Unfounded . . . . .**       None

- The investigation determined that the event did NOT occur.

d. **Investigation ongoing**  None

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

e. **TOTAL** (sum of the items 5a through 5d) . .  None

- The total should equal the number reported in Item 4

6. **Does KCJ record allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT?** (See definitions of page 2.)

Yes → **Can these be counted separately from allegations of NONCONSENSUAL SEXUAL ACTS**

Yes

No → *Skip to Item 9.*

No → *Please provide an explanation in the space below and then skip to Item 9.*

7. **Between January 1, 2019 and December 31, 2019, how many allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACT were reported?**

**Number reported**  None

- If an allegation involved multiple victimizations, county only once.
- Exclude any allegations that were reported as consensual.

8. **Of the allegations reported in Item 7, how many were –**

a. **Substantiated** . . . . .  None

b. **Unsubstantiated** . . . . .  None

c. **Unfounded** . . . . .  None

d. **Investigation ongoing** . . .  None

e. **TOTAL** (Sum of items 8a through 8d)  None

- The total should equal the number reported in Item 7.

9. **Does KCJ record allegations of inmate-on-inmate SEXUAL HARRASSMENT?** (See definitions on page 3.)

Yes → **Do you record all reported allegations or only substantiated ones?**

All

Substantiated only

No → *Please provide an explanation in the space below and skip to Section III.*

**10. Between January 1, 2019, and December 31, 2019, how many allegations of inmate-on-inmate SEXUAL HARASSMENT were reported?**

Number reported 2  None

- If an allegation involved multiple victims or inmate perpetrators, count only once
- EXCLUDE any allegations that were reported at consensual

**11. Of the allegations reported in Item 10, how many were-**

a. **Substantiated** . . . . .  None

b. **Unsubstantiated** . . . . . 1  None

c. **Unfounded** . . . . . 1  None

d. **Investigation ongoing**  None

e. **TOTAL** (Sum of Items 11a through 11d) 2  None

## Section 3- STAFF-ON-INMATE SEXUAL VICTIMIZATION

### DEFINITIONS

The survey utilizes the definition of “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.) For purposes of SSV, sexual abuse is disaggregated into two categories of staff-on-inmate sexual abuse. These categories are:

#### **STAFF SEXUAL MISCONDUCT**

Any behavior or act of a sexual nature directed towards an inmate by an employee, volunteer, contractor, official visitor or other agency representative (exclude 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 of 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 comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (exclude family, friends, or other visitors.) Include-

- Demeaning references to gender; or sexually suggestive or derogatory comments about body or clothing;

**OR**

- Repeated profane or obscene language or gestures.

**12. Does KCJ record allegations of STAFF SEXUAL MISCONDUCT? (See definitions on page 5.)**

Yes → **Do you record all reported occurrences, or only substantiated ones?**

All

Substantiated only

No → *Please provide an explanation in the space below and then skip to Item 15.*

**13. Between January 1, 2019, and December 31, 2019, how many allegations of STAFF SEXUAL MISCONDUCT were reported?**

**Number reported** 1  None

- If an allegation involved multiple victims or inmate perpetrators, count only once

**14. Of the allegations reported in Item 13, how many were-**

a. **Substantiated** . . . . .  None

b. **Unsubstantiated** . . . . .  None

c. **Unfounded** . . . . . 1  None

d. **Investigation ongoing**  None

e. **TOTAL** (Sum of Items 14a through 14d) 1  None

- The total should equal the number reported in Item 13.

**15. Does KCJ record allegations of STAFF SEXUAL HARRASSMENT? (See definitions on page 6.)**

Yes → **Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?**

Yes

No → *Skip to Item 18.*

No → *Please provide an explanation in the space below and then skip to Item 18*

**16. Between January 1, 2019, and December 31, 2019, how many allegations of STAFF SEXUAL MISCONDUCT were reported?**

Number reported  None

- If an allegation involved multiple victims or inmate perpetrators, count only once

**17. Of the allegations reported in Item 13, how many were-**

a. Substantiated . . . . .  None

b. Unsubstantiated . . . . .  None

c. Unfounded . . . . .  None

d. Investigation ongoing  None

e. TOTAL (Sum of Items 17a through 17d)  None

- The total should equal the number reported in Item 16.

**18. What is the total number of substantiated incidents reported in Items 5a, 8a, 11a, 14a, and 17a?**

Total substantiated incidents  None

**19. What is the total number of investigations forwarded to the appropriate outside entities based on an allegation made by an inmate booked into KCJ between January 1, 2019, and December 31, 2019?**

Number reported 5  None