

*Celebrating 100 Years
1916 to 2016*

The Taft Police Department - MCCF

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Taft MCCF Prison Rape Elimination Act (PREA) Annual Report for 2018

The Prison Rape Elimination Act (PREA) was established in 2003 by the United States Congress to address the problem of sexual abuse, sexual harassment of persons in the custody of U.S. correctional agencies. The Act applies to all public and private institutions, including community-based agencies that house adult or juvenile offenders. It addresses both inmate-on-inmate sexual abuse and staff misconduct.

Major provisions of PREA include:

- Adherence to a zero-tolerance standard for the incidence of inmate sexual abuse, sexual harassment, and staff misconduct.
- Development of standards for detection, prevention, reduction, and punishment of prison sexual abuse.
- Compare the current year's data and corrective actions with those from prior years
- Identify problem areas and corrective actions taken
- Collection and dissemination of information on the incidence of prison sexual abuse.
- Assess the agency's progress in addressing sexual abuse. (Standard 115.88 (a) and (b)).

Taft MCCF provides contractual services for the CDCR to generate revenues to enhance the quality of life of the citizens of the City of Taft. The inmates are citizens of Taft and Taft MCCF is committed to enhancing their custody with safety and responsive measures.

The mission of the Taft MCCF is to provide a safe environment for staff and inmates, to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment in cooperation with our CDCR staff.

Taft MCCF is committed to providing a safe, humane, secure environment, free from sexual misconduct. This will be accomplished by maintaining a program to address education/prevention, detection, response, investigation, and tracking of sexual misconduct and to address successful community re-entry of the victim. Taft MCCF shall maintain a "zero tolerance" for sexual misconduct in its facility. All sexual misconduct is strictly prohibited. Retaliatory measures against employees or offenders who report incidents of sexual abuse or commit sexual abuse shall not be tolerated and shall result in disciplinary action and/or criminal prosecution. Retaliatory measures include, but are not limited to, coercion, threats of punishment, or any other activities intended to discourage or prevent an employee or offender from reporting the sexual abuse.

Taft MCCF is committed to protecting inmates in its facility from all forms of sexual abuse, including assaults or harassment.

Taft MCCF has established a “zero tolerance” policy relating to sexual violence in custody, and recognizes inmates who are sexually harassed or abused as victims of a serious crime. Taft MCCF responds to allegations, fully investigates all reported incidents, pursues disciplinary action, and refers those who perpetrate such conduct for investigation and prosecution. All allegations will be investigated by trained investigators and reviewed by the facility hiring authority to determine if an incident is unfounded, unsubstantiated, or substantiated and if so referred for prosecution.

Taft MCCF continuously seeks to provide a safe and secure environment for all individuals in our custody. Taft MCCF will take into consideration the physical plant limitations of the facility.

Taft MCCF provides education to staff and inmates on the “zero tolerance” policy and provides information on multiple ways that staff and inmates can report allegations. This information includes third-party reporting. Education materials, training materials, and Policy and Procedures are updated annually or sooner as needed. Training is provided annually to staff. Intake screening forms have been updated to identify inmates at risk of sexual abuse or those who would perpetrate sexual abuse.

ALLEGATIONS OF INMATE-INMATE ABUSIVE SEXUAL CONTACT

TAFT MCCF	SUBSTANTIATED INMATE-INMATE	UNSUBSTANTIATED INMATE-INMATE	UNFOUNDED INMATE-INMATE	ON GOING INMATE-INMATE
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	0	0	2	0

ALLEGATIONS OF INMATE-INMATE NONCONSENSUAL ACTS

TAFT MCCF	SUBSTANTIATED INMATE-INMATE	UNSUBSTANTIATED INMATE-INMATE	UNFOUNDED INMATE-INMATE	ON-GOING INMATE-INMATE
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	1	0
2017	0	0	0	0
2018	0	0	0	0

ALLEGATIONS OF INMATE-INMATE SEXUAL HARASSMENT

TAFT MCCF	SUBSTANTIATED INMATE-INMATE	UNSUBSTANTIATED INMATE-INMATE	UNFOUNDED INMATE-INMATE	ON-GOING INMATE-INMATE
2014	0	0	0	0
2015	0	0	0	0
2016	1	0	0	0
2017	0	0	0	0
2018	0	0	0	0

ALLEGATIONS OF STAFF SEXUAL MISCONDUCT

TAFT MCCF	SUBSTANTIATED STAFF-INMATE	UNSUBSTANTIATED STAFF-INMATE	UNFOUNDED STAFF-INMATE	ON-GOING STAFF-INMATE
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	1	0	0	0

ALLEGATIONS OF STAFF SEXUAL HARASSMENT

TAFT MCCF	SUBSTANTIATED STAFF-INMATE	UNSUBSTANTIATED STAFF-INMATE	UNFOUNDED STAFF-INMATE	ON-GOING STAFF-INMATE
2014	0	0	0	0
2015	0	0	0	0
2016	0	0	0	0
2017	0	0	0	0
2018	0	0	0	0

DEFINITIONS

Substantiated Allegations-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

On-Going-Investigation-the investigation was initiated and is on-going

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 Assaults (under the Prison Rape Elimination Act of 2003).For purposes of Survey of Sexual Victimization (SSV), sexual abuse is disaggregated into three categories of inmate-on-inmate sexual victimization. These categories are:

INMATE ON INMATE SEXUAL VICTIMIZATION

ABUSIVE SEXUAL CONTACT

- Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse.
- 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 a physical altercation.

NONCONSENSUAL SEXUAL ACTS

POLICE

CODE ENFORCEMENT

ANIMAL CONTROL

- Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse.
- Contact between the mouth and the penis, vulva, or anus.
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

SEXUAL HARASSMENT

Repeated and unwanted 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.

STAFF ON INMATE SEXUAL ABUSE

STAFF SEXUAL MISCONDUCT

Any behavior or act of a sexual nature directed toward 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 to abuse, arouse, or gratify sexual desire.
- Completed, attempted, threatened, or requested sexual acts.
- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

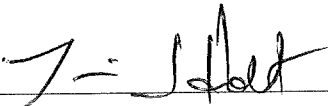
STAFF SEXUAL HARASSMENT

- Repeated verbal statements, 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).
- Demeaning references to gender, or sexually suggestive or derogatory comments about body or clothing.
- Repeated profane or obscene language or gestures.

All reports of sexual abuse will be taken seriously and investigated fully, and those committing a crime will be held accountable whenever possible.

All allegations of Sexual Abuse or Sexual Harassment will be referred for an investigation to a law enforcement agency (Taft Police Department or Kern County Sheriff's Office) with legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. Taft MCCF will conduct administrative investigations. California Department of Corrections Rehabilitation (CDCR) will investigate allegations against CDCR staff both administrative and criminal.

Anyone who suspects a resident at Taft MCCF is being sexually abused or sexually harassed is urged to contact OIG at 1 (800) 700-5952. At OIG, a confidential report can be made to authorities who will ensure an investigation occurs.



3-28-19

DATE

CHIEF T. HOLT
CHIEF OF CORRECTIONS