



# ORANGE COUNTY SHERIFF'S OFFICE

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## MEMORANDUM

**TO:** Sheriff Carl E. DuBois

**FROM:** Captain James M Potter *[Signature]*

**DATE:** December 28, 2019

**RE:** PRISON RAPE ELIMINATION ACT COORDINATOR'S ANNUAL REPORT -- 2019

This report has been prepared in accordance with §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. In subsequent years, the information collected for this report shall be used to identify problem areas and to take corrective action on an ongoing basis.

The Prison Rape Elimination Act (PREA) is a federal law that prohibits sexual misconduct in correctional settings such as prisons, jails, lockups, juvenile facilities, and Immigration Services / ICE detention facilities. Sexual Misconduct under this law includes:

- Inmate/Detainee-on-Inmate/Detainee Sexual Assault and Abuse
- Inmate/Detainee-on-Inmate/Detainee Sexual Harassment
- Staff member-on-Inmate/Detainee Sexual Misconduct/Inappropriate Relationships
- Staff Member-on-Inmate/Detainee Sexual Harassment

The Orange County Sheriff's Office is committed to providing a safe and healthy environment for staff and offenders. This Agency has zero tolerance for sexual misconduct of any kind and shall impose discipline for such misconduct, up to and including dismissal for staff and serious infractions for Inmates/Detainees who victimize other Inmate/Detainees. Incidents of sexual misconduct shall be investigated and offenders shall be prosecuted when applicable. The Orange County Sheriff's Office policies regarding sexual misconduct apply to all Inmates, Detainees, Employees, Contractors and Civilian Volunteers.

This report summarizes the extensive effort by this Agency to achieve compliance with the Prison Rape Elimination Act.

~ A C C R E D I T A T I O N S ~



## **Policy Development**

This Agency has not had to enact any new policies specifically related to PREA.

## **Training**

All sworn members of this Agency have received extensive training specific to PREA. In addition to NYS mandated Sexual Harassment/Sexual Misconduct course for new hires, training as follows:

- PREA standards and zero tolerance for sexual abuse and harassment, staff member's responsibilities, reporting procedures and Inmate/Detainee rights
- Appropriate Staff / Inmate/Detainee relationships
- The Dynamics of Sexual Abuse and Harassment in Confinement
- Personal Awareness Sensitivity
- Cross Gender

Furthermore; all civilian staff members, volunteers and contractors have also received PREA training specific to their responsibilities based on their level of contact with Inmates/Detainees. Specialized Training  
Specialized training specific to investigations of sexual abuse in confinement has been completed by:

- Capt. James M Potter
- Investigator Tim Riordan

Mental Health personnel, in addition to employee training, have completed an additional 8 hours of specialized training required for health care providers.

## **Inmate Education**

Inmate education is conducted daily through video presentation. All inmates in the facility have had the opportunity to participate in this training. During the classification process, all inmates receive a PREA information pamphlet that explains the federal law and provides phone numbers and addresses of federal, state and local agencies they can contact for information and assistance.

## **Inmate Screening**

A screening instrument has been developed to assist booking/classification officers in collecting information needed to make appropriate housing decisions. The instrument helps us identify Inmates/Detainees who have the propensity to engage in potential predatory behavior as well as Inmates/Detainees who may be at substantial risk for victimization.

## **Cooperative Agreements**

The Orange County Office of Mental Health in cooperation with the Orange County District Attorney's Office, The Orange Regional Medical Center and Saint Lukes Cornwall Hospital has formed a Rape Crisis

Organization. This Organization provides 24 hour 7 day per week access to a Rape Crisis hotline, SANE/SAFE nurse examiners and victim advocate services for alleged victims.

Detainee Statistics

**Detainee Statistics Detainee PREA Incident Action and Follow-Up**

Total Number Of Claims.	14
Total Claims Founded.	3
Total Claims Unfounded	5
Total Claims Substantiated	6

Due to the aforementioned founded PREA Incidents. The following action was taken. All involved parties were examined and evaluated by appropriate Medical and Mental Health Staff. There were no injuries of any involved individuals. The Inmate disciplinary system was utilized where applicable. A no contact order was put in place between the involved parties and security was enhanced in the areas where applicable to prevent any further actions of a like nature.