



# **2020 PREA Annual Report**

**Broward County Sheriff's Office**

**Department of Detention**

# BROWARD SHERIFF'S OFFICE

## Agency Overview

The Broward County Sheriff's Office (BSO) is the chief law enforcement agency in Broward County. As one of the largest, most progressive, professional, and respected organizations in the State of Florida, BSO serves our community with law enforcement, detention, and fire rescue services in the unincorporated areas of Broward County, as well as in 12 local municipalities through contract services. All the vast resources of the agency are available to any municipality within Broward County.

Founded in 1915, Broward County has grown from 4,700 residents to become the second most populous county in Florida (over 1.8 million residents) and is the seventh largest in area size at 1,209 square miles. With Fort Lauderdale serving as the county seat, Broward County is an international tourist destination and hub. Home to Port Everglades, one of the top three cruise ports in the world, and to Everglades National Park, a federally protected subtropical natural wetland shared with four other counties.

The Broward Sheriff's Office operates the 13th largest local jail system in the United States, and is the second largest to have earned national accreditation from the Commission on Accreditation for Corrections. The Department of Detention oversees all jail facility operations and community-based offender programs within Broward County. Annually, approximately 44,117 inmates crossing every ethnic, age, and socioeconomic group are booked into BSO's jail for crimes ranging from civil infractions to capital crimes. Many inmates arrive with drug or alcohol addictions, mental health problems, or both, requiring BSO to administer a range of medical and rehabilitative programs.

The Department of Detention operates and administers four jail facilities in the county:

- Main Jail Bureau also home to Central Intake Bureau (Booking)
- Joseph V. Conte Facility
- North Broward Bureau
- Paul Rein Detention Facility

Special units include the Emergency Response Team, Investigation Projection Unit, and Security Threat Group, assist detention facility staff in maintaining a secure and productive environment for inmates and facility personnel. BSO puts non-violent criminals to work in designated inmate work programs, which saves Broward County taxpayers more than \$1.2 million annually in labor costs related to neighborhood and community-wide improvement projects.

## **HISTORY OF PREA**

The Prison Rape Elimination Act (PREA) was established in 2003 by President George W. Bush with unanimous support from both parties in Congress. The purpose of the act was to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions. The information gathered provides, resources, recommendations, and funding to protect individuals from prison rape.” (Prison Rape Elimination Act, 2003). In addition to creating a mandate for significant research from the Bureau of Justice Statistics and through the National Institute of Justice. Funding through the Bureau of Justice Assistance and the National Institute of Corrections supports major efforts in many state correctional, juvenile detention, community corrections, and jail systems.

The act also created the National Prison Rape Elimination Commission and charged it with developing draft standards for the elimination of prison rape. These standards were published on June 2009, and were turned over to the Department of Justice for review and passage as a final rule. That final rule became effective August 20, 2012.

In 2010, the Bureau of Justice Assistance funded the National PREA Resource Center to continue to provide federally funded training and technical assistance to states and localities, as well as to serve as a single-stop resource for leading research and tools for all those in the field working to come into compliance with the federal standards.

**National PREA Resource Center**

## BROWARD SHERIFF'S OFFICE AND PREA

The Broward Sheriff's Office Department of Detention has a "**ZERO TOLERANCE**" policy for incidents involving inmate sexual harassment, assault, and rape.

In order to adhere to the Federal PREA compliance standards BSO has made the following provisions:

- A detailed policy outlining, procedures, documentation, investigations, evidence collection, risk assessment, appropriate housing guidelines, medical care, and follow-up care for all alleged incidents.
- Detention staff are provided continual PREA training annually by virtue of training classes, roll call training, published training bulletins, and distribution of PREA informational pocket cards to all facility staff.
- Through inmate orientation and issued Handbooks, inmates are educated on warning signs of PREA to include, prevention, detection, and guidelines for reporting a PREA complaint. PREA reporting directive posters are displayed throughout all detention facilities providing information and phone numbers for help.
- BSO has partnered with a local crisis center to provide Sexual Assault Nurse Examiners (SANE) and victim advocacy services for inmates requesting services.
- The Detention Facilities were fitted with additional cameras to decrease vulnerable areas and modifications were made to restroom facilities and showers to enhance privacy.

## SEXUAL ABUSE/HARASSMENT

### **Sexual abuse is defined and includes—**

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

**Sexual abuse of an inmate, detainee, or resident by another *inmate, detainee, or resident* includes any of the following acts, if the victim does not consent, if the victim is coerced into such act by overt or implied threats of violence, or the victim is unable to consent or refuse:**

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

**Sexual abuse of an inmate, detainee, or resident by a *staff member, contractor, or volunteer* includes any of the following acts, with or without consent of the inmate, detainee, or resident:**

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

**Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.**

**Sexual harassment is defined and includes—**

- (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, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

## AGENCY PREA INCIDENT ANALYSIS

In 2020, one hundred eight (108) PREA complaints were received by the Department of Detention's, Investigations and Projects Unit, for investigation.

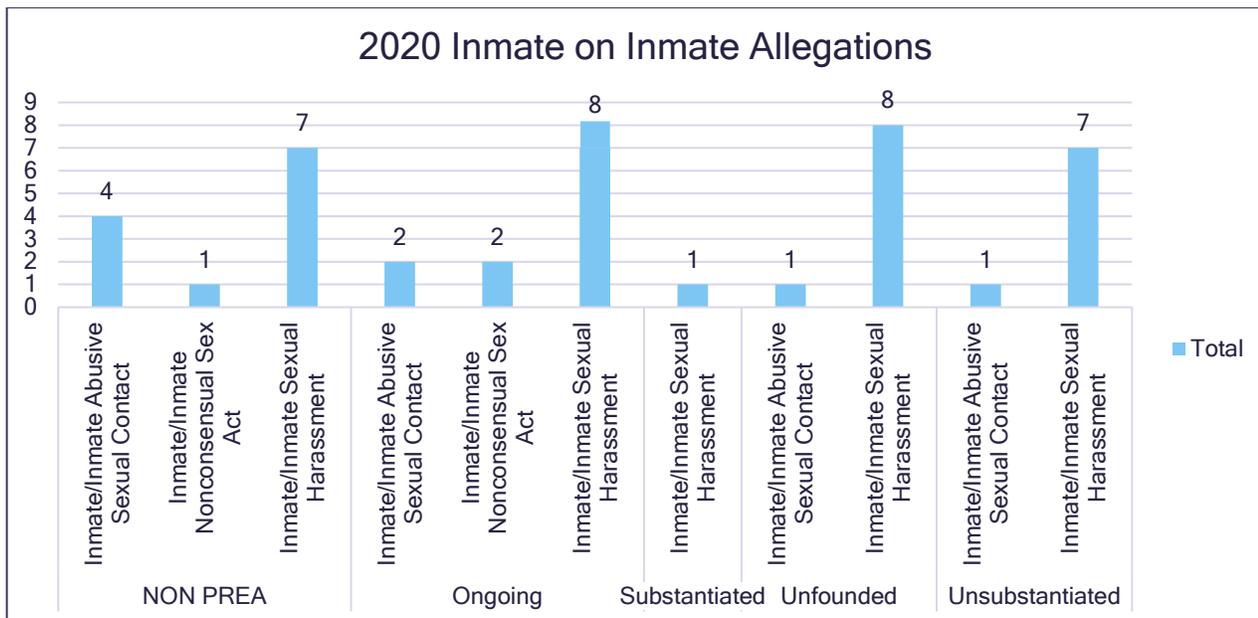
The breakdown of each complaint classification in 2020 are as follows:

- Forty-two (42) complaints, classified as an inmate victimized by another inmate.
- Forty-nine (49) complaints, classified as an inmate victimized by staff.
- Seventeen (17) complaints, classified as not meeting the standards of a PREA complaint or undetermined.

Each PREA complaint is designated a final disposition when a case is closed.

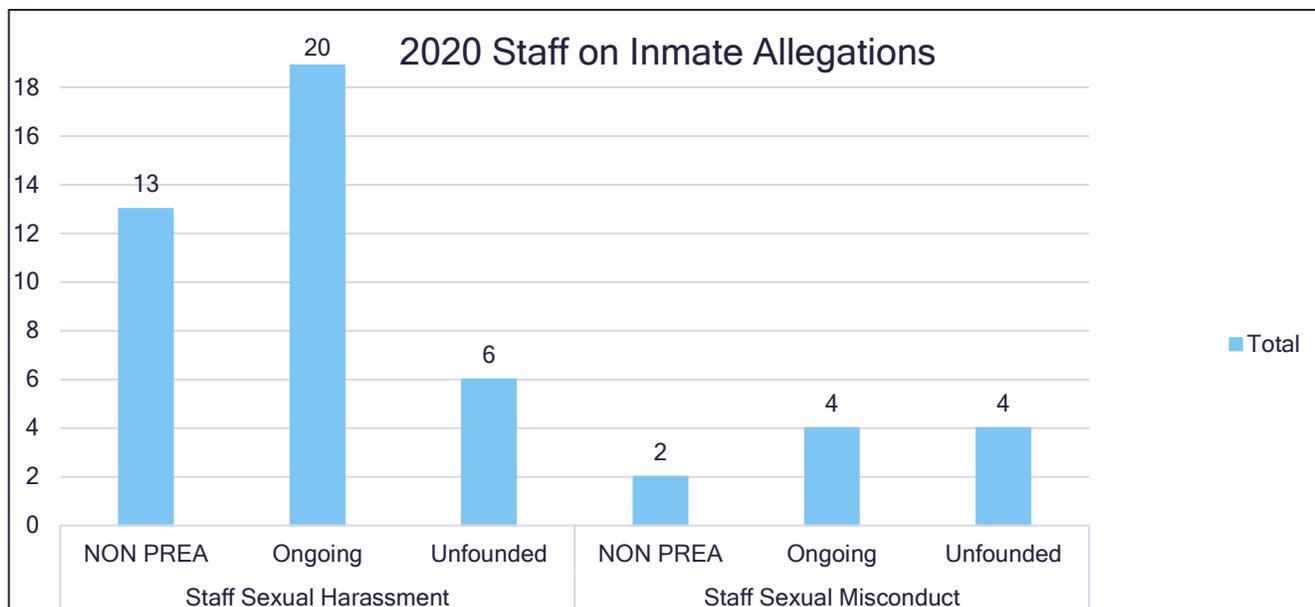
The disposition of current and closed cases for 2020 are as follows:

- Forty-two (42) cases, Non-PREA, the incidents acts or behavior are not covered under the tenets of the National PREA Standards, therefore these did not meet the criteria of PREA.
- Nineteen (19) cases, Unfounded, the incidents were investigated and determined not to have occurred.
- Eight (8) cases, Unsubstantiated, incidents were investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- One (1) case, Substantiated, incident investigated and was determined to have occurred.
- Thirty-eight (38) complaints are currently under investigation.



\*\*All incidents are captured by date of occurrence, totals are subject to change.

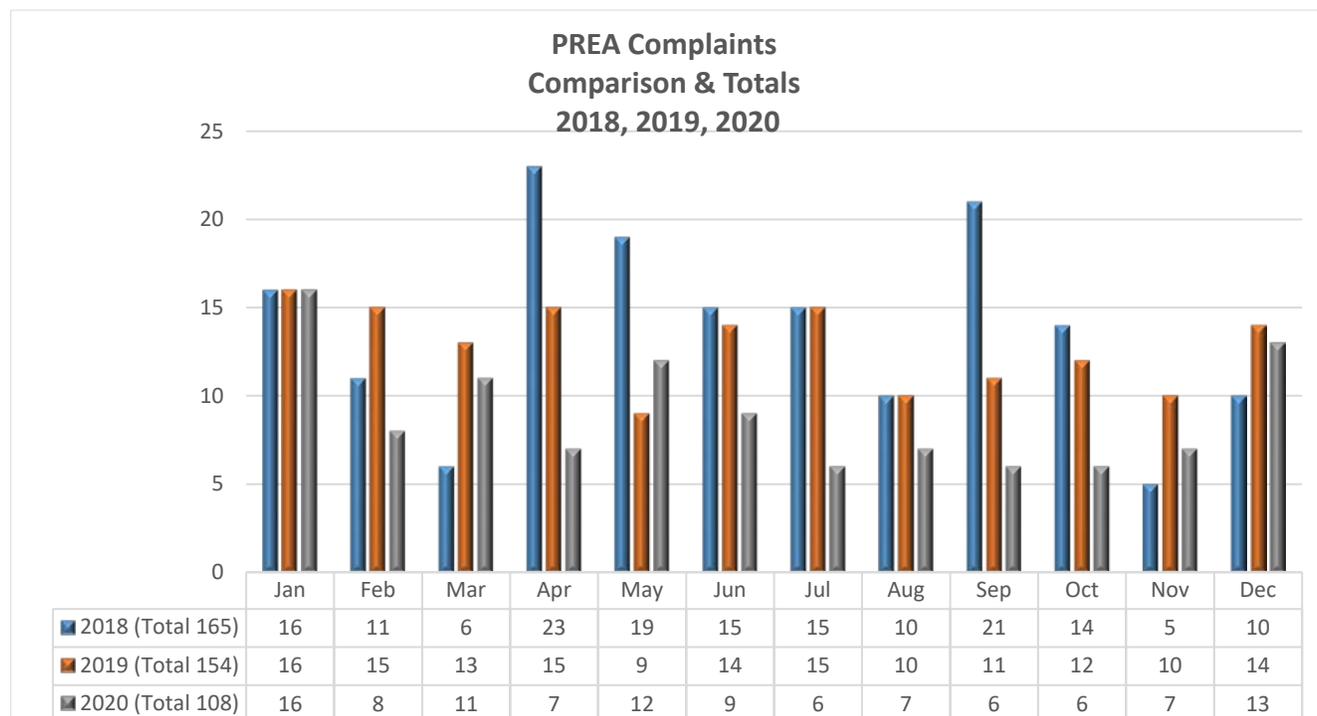
The above graph indicates (42) accounts of Inmate on Inmate allegations reported in 2020. Sexual harassment allegations totaled (31) which makes up 73% of the total Inmate on Inmate complaints and 40% of the total PREA related complaints filed for this year. For 2020 only one allegation was proved as substantiated for inmate on inmate sexual harassment as of this publication.



\*\*All incidents are captured by date of occurrence, totals are subject to change.

The above graph indicates (49) accounts of Staff on Inmate allegations reported in 2020. Of those, (39) incidents reported were sexual harassment allegations making up 80% of the total Staff on Inmate complaints and 35% of the total PREA related complaints filed for this year.

The chart below reflects a decrease in the number of PREA allegations filed from 2018 to 2020. This decrease is due to the emphasis placed on facility enhancements and staff prevention training achieved in 2020. Our dedication to, constant improvements and continued monitoring, will allow the agency to reach its goal of protecting all individual inmates from sexual harassment and abuse. These measures will also safeguard individuals who witness and report illegal activity.



\*\*All incidents are captured by date of occurrence, totals are subject to change.

**Definition of outcome designations:**

***Substantiated allegation:*** an allegation that was investigated and determined to have occurred.

***Unfounded allegation:*** an allegation that was investigated and determined not to have occurred.

***Unsubstantiated allegation:*** an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

***Non PREA:*** any acts or behavior not covered under the tenets of the National PREA Standards

## ONGOING EFFORTS

The Broward Sheriff's Office Department of Detention is committed to ensuring inmates are not victimized by other inmates or staff during their incarceration. Our Agency is dedicated to eliminating sexual abuse and harassment in all our correctional facilities.

The Broward County Sheriff's Office has **ZERO TOLERANCE** for sexual abuse and sexual harassment.

## HOW TO REPORT

Broward Sheriff's Office offers multiple ways to report sexual abuse and sexual harassment. Reports can be made anonymously.

- Call Broward Sheriff's Office PREA hotline at (954) 831-3775.
- Report to any staff, volunteer, contractor, or medical or mental health staff.
- Submit a grievance, inmate request, or a sick call slip.
- Report a complaint to the PREA coordinator or PREA compliance manager.
- Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling (954) 831-3775.
- You also can submit a report on someone's behalf, or someone at the facility can report for you using the ways listed here.

