

# PREA AND POLICE LOCKUPS

A BLUEPRINT FOR  
IMPLEMENTATION

MAY 2015



**J**UST DETENTION INTERNATIONAL (JDI) is a health and human rights organization that seeks to end sexual abuse in all forms of detention. JDI has three core goals: to hold government officials accountable for prisoner rape; to promote public attitudes that value the health and safety of people behind bars; and to ensure that survivors of this type of violence get the help they need.

JDI was instrumental in securing passage of the U.S. Prison Rape Elimination Act (PREA) of 2003, the nation's first federal civil law addressing sexual violence behind bars. One of PREA's core requirements was the development of national standards to prevent and respond to prisoner rape, which were released by the Department of Justice in May 2012. Thanks to JDI's efforts, the final PREA standards contain many lifesaving provisions long championed by advocates.

Today, JDI works with policymakers, prisoner rape survivors, corrections officials, law enforcement, and allied organizations to ensure that the PREA standards live up to their potential to protect every person's right to be free from sexual abuse and to change the culture of U.S. detention facilities.

No matter what crime someone may have committed, rape is not part of the penalty.

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# Introduction

**T**HE PURPOSE OF *PREA and Police Lockups* is to help law enforcement agencies nationwide implement the national PREA standards. The content of this guide was shaped by a groundbreaking collaboration between JDI and LAPD. In October 2013, LAPD and JDI embarked on a joint project — funded by the BJA — to prevent and respond to sexual abuse in the department’s lockups, using the PREA standards as a tool.

The project focused on four key goals. First, LAPD and JDI worked to ensure that the department’s policies aligned with the requirements of the PREA standards. The project’s second goal was to train LAPD detention staff on sexual abuse prevention and response in lockups and to establish an Academy-based training program for future recruits. The third goal of the project was to teach arrestees about their right to be safe from this abuse and how to get help following an assault, while strengthening LAPD’s relationships with local rape crisis centers that provide such support. The final aim of the project was to publish this blueprint for law enforcement agencies, offering strategies for PREA compliance. To that end, JDI and LAPD tracked the department’s efforts to implement key standards. *PREA and Police Lockups* draws directly from these lessons learned and from the wisdom and experience of LAPD staff.

Many police departments already have strong measures in place to prevent and respond to sexual abuse. Yet few agencies are in compliance with the PREA standards; indeed, many are unaware that the standards apply to police lockups, or that they exist at all. This blueprint seeks to address the gap in knowledge

by providing an overview of the problem of sexual abuse in detention, explaining the dynamics of abuse in police lockups, and offering guidance on how to use the PREA standards as a tool to address it.

## How to Use This Blueprint

*PREA and Police Lockups* was crafted as a tool for PREA compliance. The blueprint contains individual sections covering the following areas of the standards:

- **Policy review** (section 3.1)
- **Reporting sexual abuse** (3.2)
- **Arrestee education** (3.3)
- **Staff training** (3.4)
- **Partnerships with victim services providers** (3.5)

The sections give an overview of these core standards, highlighting best practice tips for gaining compliance. In addition, the appendices to *PREA and Police Lockups* include materials — many of which were developed by LAPD with JDI’s support — that can help law enforcement agencies ensure the safety of arrestees.

JDI prepared this guide fully aware that police lockups vary widely in terms of their physical layout, their arrestee population, and their policies and practices. Fortunately, the PREA standards were not crafted as a one-size-fits-all solution to the problem of sexual abuse in detention. The flexibility of the standards allowed JDI and LAPD to develop best practices that are applicable to a range of facilities.

Serving one of the country’s largest cities, LAPD is not emblematic of most police departments. However,

LAPD's array of lockups makes it a suitable model for agencies of all types. Its large downtown jail resembles many city lockups, while its station-based holding cells — one of which holds only two people — are comparable in scale to a small-town lockup.

This guide does not offer guidance on every PREA standard. Rather, it highlights pivotal standards that some agencies may find challenging and shares compliance strategies used by LAPD. In some cases, this guide offers best practice tips that go beyond what is required under PREA.

Every arrestee deserves to be safe from sexual abuse — no matter why that person was arrested. Police de-

partments have a responsibility to ensure the safety of the people in their custody. The best practices outlined in *PREA and Police Lockups* will help departments uphold this core duty.

Sexual abuse in police lockups does not affect survivors only. It has an impact on entire communities. Arrestees who are sexually assaulted while detained bring the emotional and physical scars of their trauma back to their families and neighborhoods. As such, creating safe lockups aligns perfectly with law enforcement's core mission to ensure public safety.

# Sexual Abuse in Police Lockups

**S**EXUAL ABUSE IS a widespread problem in U.S. detention facilities. Although lockups typically hold people for no longer than three days, arrestees are extremely vulnerable to abuse, either by staff or other arrestees. Scant data exist on the prevalence of sexual abuse in lockups. However, research into sexual abuse inside other types of detention facilities sheds light on the risks facing arrestees. In 2010, the Bureau of Justice Statistics (BJS) released a report showing that, in jails nationwide, men who were victimized by staff were more likely to be abused in their first 24 hours at the facility than at any other point of their incarceration.<sup>1</sup>

While anyone can be sexually assaulted in a detention facility, some people are at a greater risk for abuse than others. BJS' series of inmate surveys<sup>2</sup> have clearly shown that, in prisons and jails, people who have a mental illness, suffered prior sexual victimization, or are lesbian, gay, bisexual, or transgender (LGBT) face especially high rates of sexual abuse. There are limited data on sexual abuse in other types of confinement settings, including police lockups. However, it is well-documented that people who are marginalized — whether due to mental health problems, a history of victimization, or sexual orientation — are vulnerable to abuse in any setting.

There are risk factors for sexual abuse that are unique to police lockups. A significant number of arrestees are intoxicated (or detoxing) or are injured, which can make them targets. People with a mental illness are also disproportionately picked up by the police, often for reasons related directly to their illness, such as disorderly conduct.<sup>3</sup> BJS research has shown that,

once behind bars, people with mental illnesses are sexually abused with alarming frequency. In a 2013 report, the BJS found that jail inmates who exhibited severe psychological distress were five times more likely than those with no such symptoms to be abused.<sup>4</sup>

Survivors of sexual violence in detention experience the same devastating repercussions as survivors in the community. The short-term effects of this abuse can include physical injuries, shock, disorientation, fear, and anger. Without proper care and support, survivors face the risk of developing severe long-term problems, like post-traumatic stress disorder (PTSD), suicidal feelings, and drug addiction.

Crisis services are notoriously poor in detention facilities. The rapid turnover in lockups means that arrestees who are sexually assaulted may be able to access services that are available in the community — and to see their families and loved ones — within a few days, if not hours. Yet few lockups have the resources, or the expertise, to provide the urgent care that is needed in the immediate aftermath of an attack. In any event, many arrestees are transferred directly to a jail or pre-trial facility where services typically are limited.

Now the good news: in 2012 the Department of Justice issued national standards aimed at ending sexual abuse in U.S. detention facilities.<sup>5</sup> Mandated by PREA, the standards apply to prisons, jails, youth facilities, community confinement facilities, and police lockups. The PREA standards require facilities to take basic, commonsense steps to address sexual abuse. They include protections for vulnerable detainees,

like LGBT people; mechanisms for reporting abuse; and access to rape crisis services following an assault. They also mandate that facilities educate arrestees on their right to be safe from abuse, and on how to get help if they do experience sexual abuse or sexual harassment.

If implemented fully, the PREA standards have the potential to end sexual violence behind bars. Recognizing the standards as a human rights tool, advocates, corrections officials, and law enforcement professionals are committed to working together on their swift implementation. This ongoing cooperation will go a long way toward ensuring the safety of all people in detention.

## **ERICA'S STORY**

**In 2003, Erica Hejnar was arrested by a group of Philadelphia police officers. The officers were conducting a drug raid, and they stopped Erica and her friend, who were walking nearby, in order to search them. The police found no drugs on either woman, but decided to take them into custody anyway. At the station, Erica and her friend were subjected to an invasive strip search by a female officer. Erica, who had repeatedly told officers that she had done nothing illegal, later recalled thinking it was odd that no one at the station had booked them.**

**After a second search, the women were placed in an empty cell. A male officer then entered the cell. He was wearing a white shirt instead of the usual police uniform — which Erica viewed as a warning sign. The officer started asking questions that were clearly unrelated to an investigation, adding to Erica's anxiety. Then, the officer demanded that Erica and her friend perform sex acts on each other. When the women refused, the officer responded by saying he would keep them locked up. As Erica explained, "When he said that he would find something to charge me with, I believed him." With no other choice, the women yielded to his demands. At one point, another officer opened the cell door. When he saw what was happening, he simply smiled and gave his colleague a thumbs up.**

**Erica and her friend were eventually allowed to leave the station. Neither was charged with a crime. The ordeal left Erica shattered emotionally. Her fear and anxiety grew so bad that she was briefly hospitalized. Yet Erica was determined to hold the Philadelphia Police Department accountable for what happened. She won a civil suit against the department in 2006; her abuser was never criminally charged, but an Internal Affairs report found him and four officers guilty of misconduct.**

**Erica became dedicated to ensuring that no arrestee ever go through what she did. In 2007, she gave testimony to the National Prison Rape Elimination Commission, a bipartisan body created under PREA. Her testimony played a key role in the Commission's creation of strong draft PREA standards for police lockups — a precursor to the Justice Department's final PREA standards, released in 2012.**

**To read Erica's testimony, visit: [www.justdetention.org/en/NPREC/ericahejnar.aspx](http://www.justdetention.org/en/NPREC/ericahejnar.aspx)**

# Implementing the PREA Standards in Police Lockups

**T**HIS PORTION OF the blueprint offers best practice tips on implementing core provisions in the PREA standards. It includes sections on the PREA standards that pertain to policy review, reporting sexual abuse, arrestee education, staff training, and partnerships with victim services providers.

## 3.1 Policy Review

By adopting strong policies and practices, police lockups can keep the people in their custody safe from sexual abuse. Good policies do more than simply guide staff on how to do their jobs — they create a culture that values safety, accountability, and mutual respect between arrestees and officers.

Some of PREA's policy requirements can be covered in staff training (see section 3.4), like arrestee classification, cross-gender searches, and data collection. But the standards also explicitly call for certain measures to be codified in policy and distributed to staff.

Before making new policies, police departments should conduct a review of their current ones. A key step in this process is to conduct a side-by-side comparison of the PREA standards and the agency's operations manual covering its lockups, jails, and holding cells. At LAPD, senior staff identified measures from the standards that, though widely practiced by staff, were not part of department policy. LAPD and JDI decided to embed PREA-related policy changes in the Jail Operations Manual (JOM), which outlines jail division practices. (LAPD also has a department-wide manual that applies to patrol division practices.)

After making revisions to the JOM, LAPD issued a department-wide memo alerting staff. (See Appendix 4 for a sample memo.)

The next subsection gives best practice tips for incorporating core PREA provisions into department policy. The text below does not include every written policy required under the standards; rather, it covers key provisions that could be challenging to implement.

### *Policy on Preventing Sexual Abuse in Lockups*

One of the core requirements of the PREA standards is that law enforcement agencies create a written policy mandating **zero tolerance of sexual abuse and sexual harassment** (§151.111) — whether the abuse is committed by a staff member or by another arrestee.

Most agencies already have explicit rules that prohibit employee-on-employee sexual harassment. Additionally, virtually all agencies have a ban on sexual contact among arrestees, even if it is consensual. However, it is far less common for an agency to have written policies that spell out a zero-tolerance approach to sexual abuse.

Creating a zero-tolerance culture is a fundamental principle of sexual abuse prevention. In confinement facilities that uphold this core value, arrestees and staff alike are aware that arrestees have the right to be free from sexual violence. In such lockups, it is widely understood that reports of sexual abuse or sexual harassment will be taken seriously and that perpetrators will be held accountable.

To formalize a zero-tolerance approach to sexual abuse, agencies should review the operations manual for their lockups. If the manual does not clearly state its commitment to zero tolerance, the agency should consider adding a policy amendment. The agency must also appoint as a PREA Coordinator a person who has sufficient time and authority to oversee its efforts to implement the PREA standards.

The PREA standards for police lockups extend to confinement facilities that are **under contract with law enforcement agencies** (§115.112). Some agencies, for example, run court holding facilities or contract

with other police agencies to detain arrestees temporarily. Per this standard, any new contracts or contract renewals must include a provision requiring the contracted agency to adopt and comply with the PREA standards. Further, the contracting agency is obligated to assess the PREA compliance of any other agency with which it, in turn, may contract for the detention of its arrestees.

**SAMPLE POLICY LANGUAGE:  
ZERO TOLERANCE**

**[X agency] has a ZERO-TOLERANCE policy regarding sexual abuse and sexual harassment in all of its facilities. This policy includes sexual abuse and harassment by an arrestee, contractor, volunteer, or employee. All complaints of sexual abuse and harassment will be thoroughly investigated.**

**All department employees, should they become aware of any sexual abuse and/or sexual harassment against any arrestee by another department employee, arrestee, contractor, vendor, volunteer, or any other person, shall immediately notify a department supervisor to ensure that a proper investigation is completed of the allegation (PREA Standard §115.111 (a)).**

**[X person] is appointed as the agency PREA Coordinator. The PREA Coordinator is responsible for developing, implementing, and overseeing agency efforts to comply with the PREA standards in all of its lockups. The department has also appointed [Y person] to support all activities related to PREA compliance (PREA Standard §115.111 (b)).**

**SAMPLE POLICY LANGUAGE:  
CONTRACTORS**

**The department shall ensure that all Memoranda of Agreements contracted with either private or government agencies, for the purpose of the confinement of department arrestees, contain language mandating the agency to comply with the PREA standards (PREA Standard §115.112 (a) and (b)).**

The PREA standards spell out requirements for **supervision and monitoring** (§115.113), calling on law enforcement agencies to document their plan for achieving an adequate level of supervision. Per the standards, a staffing plan should take into account the layout of the lockup, the arrestee population, and the facility’s track record on preventing sexual abuse, among other relevant factors. Agencies that run multiple lockups should create a plan for each facility that addresses specific circumstances as needed. (For an example of a plan, see Appendix 5.)

The standards mandate **that juvenile and youthful detainees** be held separately from adults (§115.114). Lockups should be prepared to hold arrestees under the age of 18 with complete sight and sound separation from adults, even if they never hold youth overnight. LAPD, for example, requires the arresting officer to remain with the juvenile in a separate area of the police station until he or she is released or placed in a juvenile setting. If a young person must be housed for several hours or overnight, the agency should use a cell or holding area that is separate from where adults are detained.

### SAMPLE POLICY LANGUAGE: SUPERVISION AND MONITORING

[X agency] has developed and documented a minimum staffing plan for each of its facilities that provides for adequate levels of staffing and where applicable, video monitoring, to protect arrestees against sexual abuse and sexual harassment.

[X agency] shall assess, determine and document whether adjustments are needed to the minimum staffing plans no less than once a year.

In calculating adequate staffing levels and determining the need for video monitoring, the following were taken into consideration and shall be reviewed yearly:

- a. The physical layout of each facility;
- b. The composition of the arrestee population;
- c. The prevalence of substantiated and unsubstantiated incidents of sexual abuse;
- d. Prevailing staffing patterns;
- e. The deployment of video monitoring systems or other monitoring technologies;
- f. The resources the jail has available to commit to ensure adequate staffing levels; and
- g. Any other relevant factors (PREA Standard §115.113 (a) and (b)).

Sexual assault and sexual harassment in detention often occur during cross-gender strip searches, or while a detainee is showering or using the bathroom. Accordingly, the standards prohibit **cross-gender strip searches or cross-gender visual body cavity searches** (§115.115(a)) except in exigent circumstances or when performed by medical practitioners. It is best practice for law enforcement staff to announce their presence prior to entering a housing unit of the opposite sex. For example, a female staff member should call out “female on the unit” before conducting a check on a housing area for men. This standard also requires that

### SAMPLE POLICY LANGUAGE: CROSS- GENDER SEARCHES AND VIEWING

Personnel deployed in facilities housing arrestees of the opposite gender shall announce themselves prior to entering the housing area. Staff shall not place themselves in a position where they can view the breast, buttocks, or genitalia of an arrestee of the opposite gender.

agencies train staff on how to conduct professional and respectful searches of detainees, including transgender and intersex detainees.

The PREA standard on arrestee searches also prohibits the strip searching of transgender and intersex people solely to determine that person’s genital status. This restriction should be incorporated into agency policy. In addition, staff should be aware of other methods for determining the safest housing options for transgender arrestees, such as by reviewing medical records, using information from medically necessary evaluations, and simply by having a conversation with the arrestee.

The PREA standards require that lockups develop a policy on **hiring and promoting decisions** (§115.117). This standard prohibits agencies from hiring and promoting staff members who have committed sexual abuse and ensures that agencies have robust procedures for checking the criminal backgrounds of staff, including any contractors who may have contact with arrestees. Compliance with this provision may pose a challenge for lockups that rely on contractors or whose human resources policies are set by a larger government entity, usually a municipality. In these cases, agency leadership should review the PREA standards with anyone responsible for making personnel decisions for the jail, such as a human resources director.

It may not be possible for a municipality to overhaul its policies for all employees, including those who will

never set foot in a jail. If the PREA standards' employment requirements are more strident than necessary for non-jail staff, the best approach may be to limit their application only to staff, including contractors, who work inside detention facilities. The law enforcement agency should work closely with the department in charge of hiring and promotions of any jail staff, and should document its efforts to ensure that such decisions are made in accordance with the standards.

Lockups must conduct a **screening for risk of victimization and abusiveness** (§115.141) before housing each arrestee. Lockup staff should take into account whether the arrestee has a mental, physical, or developmental disability; the arrestee's age; his/her physical build and appearance; whether he/she has previously been incarcerated; and the nature of the arrestee's alleged offense and criminal history.

Lockup staff can gather crucial information from the arresting officer. At LAPD, patrol officers are trained

on conveying key details to detention staff when they transport an arrestee to a lockup. Equipped with this knowledge, detention staff can make safer housing decisions. Staff can learn important safety information during the booking process and through conversations with arrestees. It is a common practice at LAPD for jail division staff to ask arrestees about their own perception of their vulnerability in the lockup. (See screening form at Appendix 7.)

#### *Policy on Reporting Sexual Abuse*

For some law enforcement agencies, complying with the standards around **detainee reporting** (§115.151) of sexual abuse will mean major policy modifications. The PREA standards state that agencies must give inmates three channels for reporting, one of which must be external. In addition, the standards spell out how staff should receive, process, and document reports of sexual abuse, and affirm both staff and inmates' right to be protected against retaliation.

### IMPLEMENTATION TIPS: POLICY REVIEW

- **The PREA standards require that the agency have a policy mandating zero tolerance for all forms of sexual abuse and sexual harassment, and outlining the agency approach to preventing, detecting, and responding to such abuse. The zero-tolerance policy, including the designation of a PREA Coordinator, can be written as a stand-alone policy. Other relevant policies, such as medical care or evidence preservation, can be incorporated into existing departmental policies, further reinforcing the agency's commitment to eliminating sexual abuse and sexual harassment.**
- **Try not to create policy from scratch. There are helpful policy manuals for jails that can serve as a template (visit <http://bit.ly/1xbCLkP>). Large lockups in particular may find it useful to borrow policies from jails that are PREA-compliant.**
- **All policy modifications should be distributed to staff in a timely fashion. If possible, agencies should print hard copies of all new policies for staff. Some large agencies may find it more practical to send a department-wide email with the information. It is also advisable to ask staff to acknowledge receipt of the policy modifications.**
- **Crafting policy should be a collaborative effort that includes staff across many levels. Further, it can be beneficial to bring outside advocates to the table during policy discussions. Medical and mental health staff, investigators, and community advocates all have a valuable role to play.**

### SAMPLE POLICY LANGUAGE: DETAINEE REPORTING

[X agency] provides multiple ways for arrestees to report privately any incident of sexual abuse or sexual harassment; retaliation for reporting such an incident, either by other arrestees or staff; and staff neglect or violation of responsibilities that may have contributed to the abuse. Arrestees may make a report of sexual abuse or sexual harassment by informing any staff member verbally or in writing; requesting a medical consultation through sick-call; having a friend or family member report on their behalf verbally or through the departmental PREA webpage; contacting the [X city] police (PREA Standard §115.151 (a)(b)).

Employees must accept reports made verbally, in writing, anonymously, or from third parties. All reports must be documented promptly on a Critical Incident reporting form (§115.151 (c)).

[X agency] personnel shall immediately report to their direct supervisor any knowledge, suspicion, or information regarding an incident of: sexual abuse or sexual harassment by an arrestee, [x agency] staff member, contractor, or any other person inside the facility; or retaliation against arrestees or staff who reported such abuse. Staff are also required to report any neglect of duties or deviation from agency policy that may have contributed to an incident of sexual abuse or sexual harassment. If a staff member is unable to report to their direct supervisor for any reason, the report may be made directly to the agency PREA Coordinator (§115.161 (a) and §115.151 (d)).

Staff shall not reveal any information regarding a report of sexual abuse or sexual harassment to anyone other than their direct supervisor or the agency PREA Coordinator (§115.161 (b)).

Arrestees and staff who report sexual abuse and sexual harassment, or cooperate with an investigation, will be protected from retaliation (§115.67 (a)). The Coordinated Response Team will make recommendations regarding housing changes, transfers, and the provision of emotional support services for arrestees (§115.67 (b)). Refer to the Agency Coordinated Response Protocol for information about the Coordinated Response Team and investigations.

The PREA Coordinator will meet directly with arrestees and staff who report to monitor them for retaliation on the day after the report is made and weekly thereafter; the PREA Coordinator will also make recommendations to the agency on how to protect that person, if deemed necessary.

Section 3.2 of this blueprint is dedicated entirely to best practices for reporting mechanisms, but agencies should also codify new rules to ensure that arrestees can come forward safely.

### 3.2 Reporting Sexual Abuse

Ensuring an arrestee's right to report sexual abuse, confidentially and without suffering retaliation, is essential to creating safe lockups. Historically, reporting mechanisms in detention facilities have been inadequate, offering few protections to survivors. In a 2010 survey of former state inmates nationwide, the BJS found rampant levels of staff retaliation against inmates who report abuse. Per the BJS, when a prisoner reports staff sexual misconduct, nearly half the time the facility's response included writing up the prisoner for an infraction.<sup>6</sup>

Understandably, many survivors choose to keep quiet. According to the BJS, more than 40 percent of survivors who did not report cited the fear of being punished as a reason for staying silent. Other barriers to

reporting cited by survivors include shame, fear of the perpetrator, and the belief that nothing would come of it. Indeed, when survivors do report, few get to see their abuser brought to justice. A 2014 BJS report found that only one percent of known staff perpetrators of sexual abuse were convicted.<sup>7</sup>

The PREA standards directly address the obstacles to **detainee reporting** (§115.151) of sexual abuse. Under the standards, police departments must provide multiple ways for arrestees to report sexual abuse and sexual harassment privately, including through an entity that is not part of the agency. To comply with this provision, law enforcement agencies should enter into an agreement with an unaffiliated agency that has the capacity to accept reports — such as an inspector general, a local sheriff’s office, police department, or another detention facility. The outside entity can be public or private, as long as it is completely independent from the lockup and is able to receive and forward reports to the lockup immediately (see Appendix 10).

The standards also require that law enforcement staff accept **third-party reporting** (§115.151(d)) — i.e., reports that come from a person who is neither the victim nor perpetrator. In a lockup setting, the most likely third-party reporters are the loved ones of a survivor or the survivor’s advocate. The standards state that agencies must accept third-party reports through multiple channels, as with reports made by survivors themselves.

Law enforcement agencies should train their staff on how to accept sexual abuse reports, including those made by a third party. Per the standards, “Staff shall accept reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.”

As the first point of contact in the community, patrol staff have a vital role to play in receiving third-party reports. When a loved one or advocate tries to file a report on behalf of an arrestee, she or he is as likely to reach a sworn officer as a detention of-

### LAPD’S PRISONER’S RECEIPT

As in many lockups, arrestees in LAPD jails are prohibited from having paper and pencils. This rule posed a problem: in order to comply fully with the PREA standards, all LAPD arrestees would need to be able to report non-verbally.

JDI and LAPD came up with an innovative solution. The project team modified the prisoner’s receipt — a piece of paper that all arrestees carry with them while they are in the jails — by adding the word “PREA,” in bold, in the lower right corner. If an arrestee has been sexually assaulted or feels at risk of being assaulted, he or she can simply make a fold in the prisoner’s receipt. This change to the prisoner’s receipt qualifies as reporting “in writing,” without violating department rules (see Appendix 1).

ficer. As such, it is imperative that information on new reporting procedures reach all department personnel.

The PREA standards’ protections around reporting abuse apply not only to arrestees, but also to law enforcement officials themselves. Historically, police departments have been cloaked in a so-called blue wall of silence; in this climate, reporting a fellow colleague has been discouraged, even if that person has committed a crime. The standards cover **staff and agency reporting duties** (§115.161), stating that staff members, like survivors or third-party reporters, must be able to report sexual abuse and participate in an investigation without retaliation.

Agencies should reinforce the point that staff must report any incident of sexual abuse, as well as any suspicion of an assault. Staff should also have the option to report privately — such as through a website or to an ombudsperson — in cases where they fear that their job, or their safety, is at risk. At LAPD, staff can report directly to the PREA Liaison or through a “PREA portal” on the department’s website.

### IMPLEMENTATION TIPS: REPORTING SEXUAL ABUSE IN POLICE LOCKUPS

- Law enforcement agencies are encouraged to come up with creative solutions to challenging problems. For example, LAPD’s ban on pens seemed like an intractable obstacle (see page 10), until its leaders applied a bit of outside-the-box thinking.
- Like all policy changes, new reporting mechanisms should be conveyed in a clear and timely manner to staff. In addition, all department forms — such as incident reports and checklists, written protocols, and training bulletins — should be updated to reflect these changes.
- Agencies should evaluate reporting mechanisms by talking with staff and arrestees — specifically around which channels are the most effective and feel the safest. This information can be used to revise staff trainings, arrestee education, and the mechanisms themselves. For example, during inmate focus groups at the LAPD, it was found that arrestees recalled and understood the third-party reporting mechanism most clearly. As a result, arrestee education materials were revised to provide more and clearer information about the other reporting mechanisms.

### 3.3 Arrestee Education

Educating arrestees on sexual abuse prevention is vital to creating safe police lockups. A strong education program can empower arrestees to feel comfortable reporting, without the fear of retaliation. In recognition of the pivotal role of education, the PREA standards include a provision on **detainee notification of the agency’s zero-tolerance policy** (§115.121).

Educational information should be provided to arrestees upon arrival, when they are at their most vulnerable. Although the BJS has not studied sexual abuse in lockups, it has found that sexual abuse in jails occurs with alarming frequency during a detainee’s first 24 hours of incarceration.<sup>8</sup> A number of factors can make arrestees especially vulnerable to abuse upon their arrival at a lockup. Many are intoxicated, injured, or ill; they may be scared or confused, especially if it is their first arrest.

The PREA standards require that lockups give information on sexual abuse prevention to arrestees during

the intake process. This information serves the dual purpose of teaching arrestees how to stay safe and sending a clear message that the facility is committed to preventing sexual abuse.

There are a number of proven methods for teaching arrestees about their rights. In lockups, where arrestees are constantly being processed, released, or transferred, it can be challenging to find time to deliver information. In some larger facilities, it might not be practical for a staff member to speak with each new arrival. A solution to these constraints is to run an educational slideshow on a television in the booking area. Running on a loop, the slideshow can outline key policies, relevant definitions, and ways to get help while an arrestee is waiting to be moved to the next step in processing. (See Appendix 3 for a sample slideshow.)

Agencies should also make sure that arrestees get key safety information in writing. In LAPD facilities, arrestees are given what is known as a “prisoner’s receipt,” a single sheet with basic information that arrestees are expected to carry everywhere (see text box on page 10). Facilities that use prisoner’s receipts

### IMPLEMENTATION TIPS: ARRESTEE EDUCATION

- **Educational information can be delivered in many different formats and through an array of media.** Law enforcement agencies should work with the technology they have, and then tailor their education program accordingly. PowerPoint can be a wonderful tool, but it is impractical for lockups without a projector or TV, or the technical know-how. Miami-Dade County Corrections and Rehabilitation Department solved this problem by playing a message to arrestees over its phone system.
- **Agency leaders should seek input from line staff, and from arrestees themselves, on educational materials.** Doing so will give staff a sense of ownership of these programs, and send a signal to arrestees that leadership cares about their safety.
- **Determining what is accessible often boils down to common sense.** During education sessions, facilitators should check to see that arrestees with physical or cognitive impairments are able to follow videos, handouts, and other materials. If an inmate appears to be struggling, the facilitator should offer appropriate support.
- **Being concise is key.** Core content on PREA and sexual abuse should fit on the back of the prisoner's receipt or a small brochure; if the text runs over, consider simplifying your language.

should ensure that they contain explanations of the agency's zero-tolerance policy, arrestees' absolute right to be safe from sexual abuse, and the various ways that staff can help. Lockups can reinforce these messages by displaying posters across the facility. (For sample posters, placards, and receipts, see Appendices 1-3.)

Given that arrestees are often impaired — due to being intoxicated, hurt, or scared — law enforcement officials should ensure that materials are accessible. The language should be simple and direct, and should avoid words that aren't used in everyday speech. For example, the term "retaliation" might not be as widely understood as "punishment" or "payback."

The PREA standards account for the fact that lockups will include people who speak different languages or have unique learning needs. Per the standards, agencies must take measures to ensure that written materials are accessible to "detainees with disabilities, including detainees who have intellectual disabilities, limited reading skills, or who are blind or have low

vision." The standards also require that agencies help detainees with limited English proficiency understand "all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment" — including by offering interpretation services.

There are a number of steps that agencies can take to ensure that their materials reach a wide audience, specifically **detainees with disabilities and detainees who are limited English proficient** (§115.116).

In lockups with arrestees who have limited English proficiency, educational posters and prisoner's receipts should be translated into commonly used languages. If the facility plays a narrated slide show during booking, it should have closed captioning. The facility should also ensure that its staff members are aware of any available interpretation services.

Closed captioning and interpretation services are vital teaching tools for deaf or hard-of-hearing arrestees. For arrestees with a visual impairment, agencies can

create materials in Braille or large print, or develop a recording of the key points. To support arrestees who are developmentally disabled, a lockup can provide simpler versions of the handouts, with the basic concepts covered in a few bullet points. All posters should be written at a 5th-grade level.

### 3.4 Staff Training

The responsibility for carrying out policies to prevent the sexual abuse of arrestees rests with lockup staff. As such, agencies are required by the PREA standards to

provide **employee and volunteer training** (§115.131) on a range of topics, including: the agency's zero-tolerance policy; arrestees' right to be free from sexual abuse and sexual harassment; the dynamics of sexual abuse and harassment in confinement settings; vulnerable arrestees; arrestees' right to report safely; and best practices for detecting and responding to abuse. Comprehensive staff training is necessary in any detention setting, and it is particularly critical in lockups, where many staff have limited knowledge of the PREA standards. According to a survey by the International Association of Chiefs of Police, nearly

#### IMPLEMENTATION TIPS: STAFF TRAINING

- **The best advice on sexual abuse prevention and response usually comes from survivors themselves. Their stories and wisdom provide more insight than any PowerPoint or lecture ever could. JDI's website has an archive of survivor stories, including audio and video testimony, that can be incorporated into training sessions ([www.justdetention.org/en/survivor\\_testimony.aspx](http://www.justdetention.org/en/survivor_testimony.aspx)).**
- **There are many sample PREA training curricula from which law enforcement agencies can draw. Some of those can be accessed at <http://www.prearesourcecenter.org/node/1912>.**
- **Trainings created for jails can be useful in crafting programming for lockups — especially large city lockups. Agencies will need to tailor these curricula to match their facilities' needs, but the core principles of ensuring detainee safety are the same in any confinement setting.**
- **Agency management should identify a core group of trainers to plan and lead the sessions. Larger agencies may have a dedicated training staff for their academy; at smaller departments, it may be more practical for the senior staff themselves to run the trainings.**

#### General training tips:

- **The trainings should be interactive. There will be plenty of new information for staff to review, but it will seem far less daunting if they can engage with the material, and with each other.**
- **Before the session starts, the presenter should emphasize the importance of being respectful toward others. If a person acts out or is disruptive during the session, trainers should ask him or her to leave.**
- **Appeal to staff members' sense of professionalism. The PREA standards are a useful tool to help them do an important job — they have a role in maintaining both the safety of the community and the integrity of the department.**
- **It is best practice to conduct post-training surveys. Leadership should take the results seriously: if the staff were confused by something in the training, it's probably a good idea to revise it.**

half of law enforcement officials said they were aware of PREA, and only 30 percent said that they were actively working toward compliance with the standards.<sup>9</sup> Through PREA trainings, agencies can provide staff with the skills to ensure that their arrestees are kept safe, and foster a culture of professionalism and respect.

Although the field as a whole may lack knowledge of PREA, law enforcement agencies are uniquely well-prepared to implement the reforms PREA mandates. Police departments already train their staff on responding to sexual violence in the community, and this institutional wisdom can serve as a foundation for PREA implementation. Most personnel will be familiar with the terms, definitions, and protocols in the standards, and some will have experience as first responders. But knowing how to deal with sexual violence in the community does not necessarily prepare a person to deal with it in a cell. The dynamics of sexual abuse behind bars differ from the dynamics of such abuse in the community.

A PREA training program has three overarching aims: to review the nature and prevalence of sexual abuse in detention; to explain staff’s role in its prevention; and to provide staff with the skills to respond effectively when such abuse happens. Depending on the size of each class, a thorough training session will typically take anywhere from four to eight hours.

Staff training on sexual abuse prevention can be incorporated into the course curriculum for new recruits. Some larger municipalities even have education programming specifically designed for detention staff. Such agencies may employ trainers whose primary job is to provide officer education. In agencies without specialized trainers, a senior officer can fulfill the role of PREA trainer.

The prevention, detection of, and response to sexual abuse and sexual harassment should be incorporated into the initial training that all detention staff receive — whether while at the academy or during employee orientation. Whenever possible, refresher training

sessions should become part of annual in-service training rotations.

In developing a training curriculum, LAPD decided to split its training courses into two half-day sessions. The first provided an overview of the basics of sexual abuse and PREA. The second, held a few months later, reviewed practices, such as screening and classification. This training format suited LAPD’s training schedule, but other agencies may find that it works better to spread the content over several days. (Visit <http://bit.ly/1xbCLkP> for a sample curriculum.)

The standards require agencies to train any person “who may have contact” with arrestees. This provision means that agencies need to take appropriate steps to ensure that any staff who work inside the lockups, from patrol officers to the people who clean the cells, receive training. All detention staff at LAPD receive the full eight hours of training. LAPD also developed a shorter training for volunteers who have less responsibility than officers, but have contact with arrestees.

In addition, LAPD created a one-hour training for all patrol officers, whose role in booking arrestees is crucial. That training is split into four 15-minute interactive videos, making it easy for officers to view them on the job. The modules focus on patrol officers’ responsibilities for ensuring arrestee safety and assisting detention staff in gathering screening information.

### *Specialized Training — Investigations*

Any well-run law enforcement agency will already have robust protocols in place for investigating sexual assault in the community. However, recognizing that sexual assault behind bars might pose a distinct challenge, the PREA standards call for **specialized training for investigators** (§115.134). This training is intended to prepare investigators for conducting investigations in a confinement facility versus doing so in the community. The course should include working with detention staff on evidence collection and any administrative investigation. Police investigators will be familiar with Miranda

warnings, but may be less familiar with Garrity warnings and when they apply.<sup>10</sup>

### 3.5 Partnerships with Victim Services Providers

Sexual abuse is a devastating crime, but with the proper care, survivors can heal. Advocates have long promoted a trauma-informed approach to delivering victim services behind bars. Under this model, survivors who are locked up get access to the same level of services that are available in the community.

Historically, arrestees have had limited opportunities to seek counseling and medical services in the aftermath of a rape. While many lockups have medical staff on-site and offer hospital transportation for emergencies, few agencies offer specialized care for rape survivors at the facility. In addition, many survivors of sexual abuse in a lockup will be transferred to another corrections facility like a jail, where opportunities for getting treatment may be limited even further.

Thanks largely to pressure from advocates, the PREA standards include strong provisions to ensure that survivors can get **quality emergency medical services** (§115.182). Per the standards, all lockups must offer forensic medical exams, without financial cost, when evidentiarily or medically appropriate. The exams have to be performed by a qualified professional, like a Sexual Assault Nurse Examiner (SANE) or Sexual Assault Forensic Examiner (SAFE).

Unlike the standards for prisons and jails, the PREA standards for lockups do not explicitly call for law

enforcement agencies to enter into a memorandum of understanding (MOU) with community service providers. However, best practice dictates that law enforcement agencies develop agreements with local rape crisis centers to ensure the provision of care for arrestees following a sexual assault. (See Appendix 8 for a model MOU.)

In their capacity as first responders in the community, many law enforcement agencies have existing relationships with rape crisis centers. Nationwide, police departments have embraced the sexual assault response team (SART) model — an interdisciplinary approach with the twin aims of giving top-notch care to survivors and increasing prosecution rates. The SART model — which, thanks to PREA, is increasingly being applied in prisons and jails — recognizes the roles of law enforcement officers and rape crisis advocates as complementary.

In some agencies, it may already be the norm to offer victimized arrestees medical and mental health counseling, including at an off-site SART center. However, few agencies have codified these practices in a written agreement. Fortunately, law enforcement agencies are well-positioned to create strong protocols for treating survivors who are arrestees. Staff are likely to be familiar with SART protocols from their work in the community and to have relationships with key players, such as the SANE or SAFE, rape crisis advocates, and sexual assault investigators within their department. The challenge is to make certain that the same level of community services is available to arrestees, including those who may be scheduled to be transferred to a longer-term corrections facility.

### **IMPLEMENTATION TIPS: PARTNERSHIPS WITH VICTIM SERVICES PROVIDERS**

- Advocates can play an essential role in developing the sexual abuse response protocol, and it is best practice to identify community partners and bring them to the table early in the process.
- If creating MOUs with community partners is a lengthy administrative process for a law enforcement agency, a stop-gap measure can be to work together with community-based partners on developing a coordinated response protocol while the MOU is going through an approval process; then, once the protocol is complete, both the agency and the community partner can endorse it.
- Law enforcement agencies that operate lockups are likely to be members of the community SART or similar body. Detention staff can approach the sex crimes division to find out about relevant contact people and meetings.

## Conclusion

**L**AW ENFORCEMENT AGENCIES have a duty to protect everyone in their community from sexual abuse — including the people in their custody. Despite the rapid turnover in police lockups, arrestees are extremely vulnerable to abuse. In any setting, the impact of sexual violence is devastating for survivors, often leading to long-term physical and emotional problems. Making matters worse, the community at large suffers when its lockups are unsafe. On average, arrestees are released within a few hours, bringing the scars of their experiences home with them.

The good news is that sexual abuse in police lockups is preventable. Thanks to the passage of the PREA standards by the Department of Justice, in 2012, law enforcement leaders have a valuable human rights tool to help them ensure the safety of all arrestees. Binding on lockups and other detention facilities, the standards call for agencies to adopt basic measures that have the potential to end this violence, once and for all.

*PREA and Police Lockups* aims to help law enforcement agencies implement the PREA standards. It focuses on several crucial lockup standards, including those pertaining to policy review, methods for reporting sexual abuse, arrestee education, staff training, and partnerships with local victim services providers. This blueprint anticipates some of the challenges to implementing the standards, and offers tips on how to overcome them.

The guidance in the blueprint is based on a joint project of LAPD and JDI to adopt the PREA standards in the department's lockups. In any law enforcement agency, full PREA implementation depends on staff commitment to arrestee safety. At LAPD, both department leadership and rank-and-file staff embraced the PREA standards as essential to their mission, and worked diligently to put the rules in place. As these efforts demonstrate, any agency with a dedicated and professional staff can work toward meaningful PREA compliance.

## Notes

1. Allen J. Beck and Paige M. Harrison et al, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2008–09* (Bureau of Justice Statistics, August 2010), p. 23.
2. The Bureau of Justice Statistics was tasked under PREA with collecting and analyzing data on the prevalence of sexual abuse in detention. As part of this effort, the BJS has conducted three nationwide, anonymous inmate surveys that together have been administered to hundreds of thousands of inmates. See the BJS website for more details: <http://www.bjs.gov/index.cfm?ty=dcdetail&iid=278>
3. “Deinstitutionalization: A Public ‘Titanic,’” from Public Broadcasting Service (PBS) website, [www.pbs.org/wgbh/pages/frontline/shows/asylums/special/excerpt.html](http://www.pbs.org/wgbh/pages/frontline/shows/asylums/special/excerpt.html).
4. Allen J. Beck et al, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011–12* (Bureau of Justice Statistics, May 2013), p. 27.
5. Standards To Prevent, Detect, and Respond to Prison Rape, 28 CFR 115 (Department of Justice, 2012), available at [www.federalregister.gov/a/2012-12427](http://www.federalregister.gov/a/2012-12427).
6. Allen J. Beck and Candace Johnson, *Sexual Victimization Reported by Former Prisoners, 2008* (Bureau of Justice Statistics, May 2012), p. 31.
7. Allen J. Beck, Ramona R. Rantala et al, *Sexual Victimization Reported by Adult Correctional Authorities, 2009–11*, (BJS, January 2014), p. 16.
8. Beck and Johnson, *Sexual Victimization in Prisons and Jails*, (Bureau of Justice Statistics, August 2010), p. 23.
9. International Association of Chiefs of Police, *Prison Rape Elimination Act (PREA) Needs Assessment of Lockups* (IACP, September 2012), p. 9.
10. *Garrity v. New Jersey* (1967) established that public employees cannot be compelled to incriminate themselves criminally during investigatory interviews conducted by their employers. A “Garrity Warning” advises the employee of this right and clarifies the purpose of questioning in an administrative investigation.

## Appendix 1: LAPD's Prisoner's Receipt

If you wish to speak to a staff member privately about sexual abuse or sexual harassment, mention PREA (which stands for the Prison Rape Elimination Act) to any staff member, or you can hand them this pink slip folded with the word "PREA" facing up.

If you believe you are in danger or if you are sexually abused or sexually harassed, you can report it by:

1. **Telling any LAPD employee or volunteer**, including medical staff.
2. **Folding over the corner of your Prisoner's Receipt** (pink slip) so the word "PREA" is facing up and hand it to a staff member.
3. **Writing to Jail Division**, when possible, at [ADDRESS].
4. **Tell a family member or friend** and have them report for you by contacting any LAPD Police Station or Jail Division at [PHONE NUMBER].
5. **Call LAPD's Office of the Inspector General (OIG) at [PHONE NUMBER]**. The OIG works to assist the community and LAPD staff with complaints of police misconduct. All reports to the OIG will be forwarded to LAPD for investigation.
6. **Call the Los Angeles Airport Police at [PHONE NUMBER]**. All reports made to the Airport Police will be forwarded to LAPD for investigation.

## Appendix 2: PREA Sign

The Los Angeles Police Department has ZERO TOLERANCE for sexual abuse and sexual harassment in all of its facilities, in accordance with the Prison Rape Elimination Act (PREA). That means that this behavior is never okay. Abusers can be an arrestee, an LAPD staff member, a volunteer, or anyone else who works at LAPD.

While you are in LAPD's custody, you have the right to:

- Be free from sexual abuse and sexual harassment
- Safely and privately report sexual abuse and sexual harassment
- Be protected from punishment for reporting sexual abuse or sexual harassment
- Get medical care if you are sexually abused

If you believe you are in danger or if you are sexually abused or sexually harassed, you can report it by:

1. **Telling any LAPD employee or volunteer**, including medical staff
2. **Folding over the corner of your Prisoner's Receipt (pink slip)** so the word "PREA" is facing up and hand it to a staff member
3. **Writing to Jail Division**, when possible, at [ADDRESS]

If you are not comfortable making a report to LAPD directly, you can:

1. **Tell a family member or friend** and have them report for you by contacting any LAPD Police Station or Jail Division at [PHONE NUMBER]
2. **Call LAPD's Office of the Inspector General (OIG) at [PHONE NUMBER]**. The OIG works to assist the community and LAPD staff with complaints of police misconduct. All reports to the OIG will be forwarded to LAPD for investigation
3. **Call the Los Angeles Airport Police at [PHONE NUMBER]**. All reports made to the Airport Police will be forwarded to LAPD for investigation

All reports will be fully investigated. LAPD is responsible for keeping you safe and free from sexual abuse and sexual harassment while in our custody.

## Appendix 3: Arrestee Slideshows

**LAPD HAS ZERO TOLERANCE  
FOR ANY SEXUAL ABUSE AND  
SEXUAL HARASSMENT.**

**THAT MEANS THAT THIS  
BEHAVIOR IS NEVER OKAY.**

1

**ABUSERS CAN BE ARRESTEES,  
STAFF, VOLUNTEERS, OR  
ANYONE ELSE WHO WORKS  
AT LAPD.**

2

**IF YOU ARE SEXUALLY ABUSED OR  
HARASSED WHILE AT LAPD, YOU  
HAVE THE RIGHT TO:**

- 1. REPORT IT PRIVATELY AND SAFELY**
- 2. BE PROTECTED FROM  
PUNISHMENT FOR REPORTING**
- 3. GET MEDICAL CARE**

3

**IF YOU BELIEVE YOU ARE IN  
DANGER, YOU CAN REPORT  
IT RIGHT AWAY TO ANY LAPD  
EMPLOYEE OR VOLUNTEER,  
INCLUDING MEDICAL STAFF.**

4

**YOU CAN ALSO FOLD OVER THE  
CORNER OF YOUR PINK SLIP SO  
THE WORD "PREA" IS FACING  
UP, AND HAND IT TO AN LAPD  
STAFF MEMBER.**

5

**YOUR PINK SLIP INCLUDES  
A LIST OF OTHER WAYS TO  
REPORT SEXUAL ABUSE OR  
SEXUAL HARASSMENT.**

6

**SEXUAL HARASSMENT MEANS UNWANTED SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS, AND CAN INCLUDE COMMENTS OR ACTIONS THAT ARE DISRESPECTFUL OR INSULTING.**

7

**AN EXAMPLE OF SEXUAL HARASSMENT:**

**IF ANOTHER ARRESTEE MAKES A SEXUALLY OFFENSIVE OR DEGRADING COMMENT TO YOU.**

8

**SEXUAL ABUSE IS ANY SEXUAL ACTIVITY THAT YOU DO NOT FREELY AGREE TO.**

9

**AN EXAMPLE OF SEXUAL ABUSE:**

**IF ANOTHER ARRESTEE TOUCHES YOU IN A SEXUAL WAY WITHOUT YOUR CONSENT.**

10

**IT IS ILLEGAL FOR ANYONE WHO WORKS AT LAPD TO HAVE ANY SEXUAL CONTACT WITH AN ARRESTEE.**

**THIS CONDUCT CAN NEVER BE CONSENSUAL. IT IS ALWAYS SEXUAL ABUSE.**

11

**AN EXAMPLE OF STAFF SEXUAL ABUSE:**

**IF AN OFFICER ASKS YOU FOR SEX OR FOR SEXUAL FAVORS.**

12

**ALL REPORTS OF SEXUAL ABUSE AND HARASSMENT WILL BE FULLY INVESTIGATED.**

**YOUR REPORT WILL ONLY BE SHARED WITH PEOPLE WHO NEED TO KNOW IN ORDER TO PROTECT YOU, TO INVESTIGATE, OR TO PROVIDE YOU WITH CARE.**

13

**LAPD IS RESPONSIBLE FOR KEEPING YOU SAFE AND FREE FROM SEXUAL ABUSE AND SEXUAL HARASSMENT WHILE IN OUR CUSTODY.**

14

**YOU CAN HELP US KEEP YOU SAFE BY LETTING US KNOW IF YOU HAVE ANY CONCERNS FOR YOUR SAFETY WHILE YOU ARE HERE.**

15

**IF YOU HAVE ANY QUESTIONS ABOUT THIS INFORMATION, PLEASE ASK AN OFFICER OR CHECK THE BACK OF YOUR PRISONER'S RECEIPT (PINK SLIP).**

16

## Appendix 4: Department-Wide Memo

**JAIL ORDER NO.**

18.2.2

**TO:** All Jail Division Personnel

**FROM:** Commanding Officer, Jail Division

**SUBJECT:** PRISON RAPE ELIMINATION ACT AMENDMENTS FOR THE  
JAIL OPERATIONS MANUAL

The Los Angeles Police Department and Just Detention International entered into an agreement in October, 2013, to implement the Department of Justice's National Standards to Prevent, Detect, and Respond to Prison Rape, as required by the Prison Rape Elimination Act (PREA). The goal of these standards is to eradicate sexual abuse and harassment in all confinement facilities in the United States.

Sexual abuse and harassment includes abuse or harassment of an arrestee by another arrestee, staff member, contractor, or volunteer. These policies also apply to persons who are detained only.

The abuse may involve acts for which the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse. Voyeurism and sexual harassment are also prohibited.

Sexual abuse of arrestees and staff-on-arrestee sexual harassment will be investigated in accordance with existing Department practices. As a result of this order, arrestee-on-arrestee sexual harassment will also be investigated.

The following policies and procedures will be added and/or amended to the Jail Operations Manual:

**0/007 (AMENDMENT) DEFINITIONS OF TERMS USED IN THE JAIL OPERATIONS MANUAL.** The following words and terms will have the meaning herein assigned:

Sexual abuse includes—

(1) Sexual abuse of an arrestee, detainee, or resident by another inmate, detainee, or resident; and

(2) Sexual abuse of an arrestee, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an arrestee, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or 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 arrestee, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the arrestee, 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 arrestee, 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 arrestee, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an arrestee who is using a toilet in his or her cell to perform bodily functions; requiring an arrestee to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an arrestee's naked body or of an arrestee performing bodily functions.

Sexual harassment 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 arrestee, detainee, or resident directed toward another; and

(2) Repeated verbal comments or gestures of a sexual nature to an arrestee, 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.

**1/126 ZERO TOLERANCE POLICY.** The Los Angeles Police Department has a ZERO TOLERANCE policy regarding sexual abuse and sexual harassment in all of its facilities. This includes sexual abuse and harassment by an arrestee, contractor, volunteer, or employee. All complaints of sexual abuse and harassment will be thoroughly investigated.

All Department employees, should they become aware of any sexual abuse and/or sexual harassment against any arrestee by another Department employee, arrestee, contractor, vendor, volunteer, or any other person, shall immediately notify a Department supervisor to ensure that a proper investigation is completed for the allegation [PREA Standard §115.111 (a)].

This policy will be communicated to arrestees and persons having contact with arrestees through intake receipts, posters, and pamphlets as appropriate [PREA Standard §115.132 (a) and (b)].

**1/126.01 PRISON RAPE ELIMINATION ACT COORDINATOR AND SUBORDINATE OFFICERS IN CHARGE.** The Commanding Officer, Jail Division, serves as the Department's PREA Coordinator [PREA Standard §115.111 (b)].

**1/126.02 PRISON RAPE ELIMINATION ACT MEMORANDUM OF AGREEMENT WITH PRIVATE AGENCIES OR GOVERNMENT ENTITIES.** The Department shall ensure that all Memoranda of Agreements contracted with either private or government agencies, for the purpose of the confinement of Department arrestees, contain language ensuring the agency complies with PREA standards [PREA Standard §115.112 (a) and (b)].

**1/111 (AMENDMENT) ANNUAL STAFFING LEVEL EVALUATION AND MINIMUM STAFFING LEVEL.** Jail Division has developed and documented a minimum staffing plan for each of its facilities that provides for adequate levels

of staffing, and where applicable, video monitoring, to protect arrestees against sexual abuse and sexual harassment.

Jail Division shall assess, determine and document whether adjustments are needed to the minimum staffing plans no less than once a year.

In calculating adequate staffing levels and determining the need for video monitoring the following were taken into consideration and shall be reviewed yearly:

- a) The physical layout of each facility;
- b) The composition of the arrestee population;
- c) The prevalence of substantiated and unsubstantiated incidents of sexual abuse;
- d) Prevailing staffing patterns;
- e) The deployment of video monitoring systems or other monitoring technologies;
- f) The resources the jail has available to commit to ensure adequate staffing levels; and
- g) Any other relevant factors [PREA Standard §115.113 (a) and (b)].

**1/110.03 (AMENDMENT) DUTIES PERFORMED BY OPPOSITE GENDER STAFF.** Personnel deployed in facilities housing arrestees of the opposite gender shall announce themselves prior to entering the housing area. Staff shall not be in a position to view the breast, buttocks, or genitalia of an arrestee of the opposite gender.

**1/126.03 DESIGN AND MODIFICATION OF FACILITIES TO PREVENT SEXUAL ABUSE.** When designing or acquiring any new facilities and in planning any substantial expansion or modification of an existing facility, Jail Division shall consider the effect of the design, acquisition, expansion, or modification and the Department's ability to protect detainees from sexual abuse. Facilities Management Division shall be contacted regarding any acquisitions or modifications of a building. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Jail Division shall consider how such technology may enhance its ability to protect detainees from sexual abuse [PREA Standard §115.118 (a) and (b)].

**1/115 (AMENDMENT) TRAINING.** All Jail Division personnel, contractors and volunteers who may have contact with arrestees shall be trained on how to fulfill their responsibilities. Jail Division shall provide annual refresher information to all Jail Division personnel, contractors and volunteers to ensure that they know Jail Division's current sexual abuse and sexual harassment policies and procedures [PREA Standard §115.131 (b)].

**1/142 (AMENDMENT) INMATE COMPLAINTS.** Jail Division shall provide multiple ways for arrestees to privately report sexual abuse, sexual harassment, and retaliation by other arrestees or staff for reporting sexual abuse or sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such an incident [PREA Standard §115.151 (a)].

Employees shall accept reports made verbally, in writing, anonymously and from third parties and promptly document any third-party verbal reports [PREA Standard §115.151 (c)].

**1/140.01 (AMENDMENT) JAIL INCIDENT AND ADMINISTRATIVE REPORTS.** Jail Division personnel shall immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment by another arrestee, Jail Division staff, contractor or any other person within the facility to any Department supervisor. As well, Jail Division personnel can report retaliation or violation of responsibilities that may have contributed to such an incident to any Department supervisor and will be protected from retaliation [PREA Standards §115.161 (a) and §115.151 (d)].

**2/105.04 (AMENDMENT) LOS ANGELES COUNTY SHERIFF'S DEPARTMENT INMATE SPECIAL HANDLING REQUEST CARD.** If an arrestee who has been sexually assaulted is transferred from a LAPD facility to a jail, prison, or medical facility, Jail Division personnel shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical and/or social services unless the victim requests otherwise [PREA Standard §115.165 (b)].

**1/130.01 (AMENDMENT) INMATE RELATIONS.** Jail Division supervisors shall monitor the conduct and treatment of arrestees or Jail Division personnel who have reported sexual abuse or sexual harassment. They will also monitor the treatment of arrestees who were reported to have suffered sexual abuse or sexual harassment, and shall act promptly if retaliation is observed. If any person who cooperates with an investigation expresses a fear of retaliation, Jail Division supervisors shall take appropriate measures to protect that individual against retaliation [PREA Standard §115.167 (d)].

The obligation to monitor accused Jail Division employees who have committed sexual abuse or sexual harassment shall terminate if the allegation is investigated and determined to be unfounded [PREA Standard §115.167 (e)].

**1/143.01 PERSONNEL COMPLAINT TO DETERMINE CAUSAL FACTORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.** The PREA Coordinator, during the incident review, shall determine whether staff actions or omissions had an impact on the incident [PREA Standard §115.171 (f) (1)].

**1/140.02 VOLUNTEERS AND CONTRACTORS.** Any contractor or volunteer who engages in sexual abuse and sexual harassment shall be prohibited from contact with arrestees and shall be reported to the appropriate law enforcement agency. Additionally, relevant licensing bodies will be notified as appropriate.

Jail Division shall take appropriate remedial measure, and shall consider whether to prohibit further contact with arrestees, in the case of any other violation of agency abuse or sexual harassment policies by a contractor or volunteer [PREA Standards §115.177 (a) and (b)].

**1/126.04 SEXUAL ABUSE INCIDENT REVIEWS.** Jail Division shall conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation unless the allegation has been determined to be unfounded. This review shall ordinarily occur within 30 calendar days of the conclusion of the investigation.

The review team shall include upper-level management officials, with input from line supervisors and investigators.

The review team shall:

- a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the lockup;
- c) Examine the area in the lockup where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
- d) Assess the adequacy of staffing levels in that area during different shifts;
- e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff;
- f) Prepare a report of its findings, including, but not necessarily limited to, determinations made pursuant to the incident review, any recommendations for improvement and submit such report to the LAPD PREA Coordinator; and

Jail Division shall implement the recommendations for improvement, or shall document its reasons for not doing so [PREA Standard §115.186].

**1/126.05 DATA COLLECTION FOR THE PRISON RAPE ELIMINATION ACT; AND DATA REVIEW FOR CORRECTIVE ACTION.** Jail Division shall collect accurate, uniform data for every allegation of sexual abuse at locations under its direct control using a standardized instrument and set of definitions.

Jail Division shall aggregate the incident-based sexual abuse data at least annually. The data collected shall include the data necessary to answer all questions from the Local Jail Jurisdictions Survey of Sexual Violence conducted by the Department of Justice, or any subsequent form developed by the Department of Justice and designated for lockups.

Jail Division shall maintain, review, and collect data as needed from all available documents and sexual abuse incident reviews.

Upon request, Jail Division shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

**DATA REVIEW FOR CORRECTIVE ACTION.** Jail Division shall review data collected and aggregated pursuant to PREA Standard §115.187 in order to

assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, by:

- a) Identifying problem areas;
- b) Taking corrective action on an ongoing basis; and
- c) Preparing an annual report of its findings and corrective actions for each lockup, as well as the LAPD as a whole.

The report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of Jail Division's progress in addressing sexual abuse.

Jail Division's report shall be approved by the Chief of Police or his designee and made readily available to the public through its website.

Jail Division may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a jail, but must indicate the nature of the material redacted.

Jail Division shall ensure that all PREA data collected are securely retained and shall maintain sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local laws require otherwise [PREA Standards §115.187-115.189].

- 1/126.07 AUDITS OF STANDARDS FOR THE PRISON RAPE ELIMINATION ACT.** Jail Division facilities shall be audited pursuant to PREA Sections 115.401-405. Audits need not be conducted of individual lockups that are not utilized to house detainees overnight [PREA Standard §115.193].
- 1/126.08 FREQUENCY AND SCOPE OF AUDITS FOR PRISON RAPE ELIMINATION ACT.** Beginning August 20, 2013 all Jail Division facilities that house arrestees overnight shall be audited at least once every three years. One-third of Jail Division's facilities will be audited each year [PREA Standard §115.401].
- 1/126.09 AUDITOR QUALIFICATIONS FOR PRISON RAPE ELIMINATION ACT.** Jail Division will ensure that the auditor selected complies with PREA auditor qualifications and conducts the audit compliant with PREA standards [PREA Standard §115.402].
- 1/126.10 AUDIT CONTENTS AND FINDINGS FOR PRISON RAPE ELIMINATION ACT.** Jail Division will ensure that the auditor's reports are compliant with the PREA standards. Jail Division shall ensure that the auditor's final report is published on the LAPD's website, or is otherwise made readily available to the public [PREA Standard §115.403].
- 1/126.11 AUDIT CORRECTIVE ACTION PLAN FOR THE PRISON RAPE ELIMINATION ACT.** A finding of "Does Not Meet Standard" with one or more standards shall trigger a 180-day corrective action period. The auditor and

Jail Division shall jointly develop a corrective action plan to achieve compliance. The auditor shall take necessary and appropriate steps to verify implementation of the corrective action plan, such as reviewing updated policies and procedures or re-inspecting portions of a facility.

After the 180-day corrective action period ends, the auditor shall issue a final determination as to whether the facility has achieved compliance with those standards requiring corrective action. If Jail Division does not achieve compliance with each standard, it may (at its discretion and cost) request a subsequent audit once it believes that it has achieved compliance [PREA Standard §115.404].

**1/126.12**     **AUDIT APPEALS FOR PRISON RAPE ELIMINATION ACT.** Jail Division may lodge an appeal with the Department of Justice regarding any specific audit finding that it believes to be incorrect. Such an appeal must be lodged within 90 days of the auditor's final determination.

If the Department of Justice determines that Jail Division has stated good cause for a re-evaluation, Jail Division may commission a re-audit by an auditor mutually agreed upon by the Department of Justice and Jail Division. Jail Division shall bear the costs of this re-audit. The findings of the re-audit shall be considered final [PREA Standard §115.405].

All Jail Division personnel shall review the policies and procedures and become familiar with them. Adherence to these policies and procedures is mandatory. This Order will be incorporated into the Jail Operations Manual.

Should further information be required, please contact Sergeant II Neckole Sterling, PREA Liaison, Jail Division, at [PHONE NUMBER]

DAVID A. LINDSAY, Captain  
Commanding Officer  
Jail Division

**ACKNOWLEDGMENT RECEIPT**

**I hereby acknowledge that I have received and reviewed the attached**

**JAIL DIVISION ORDER NO. , titled “PRISON RAPE ELIMINATION ACT  
AMENDMENTS FOR THE JAIL OPERATIONS MANUAL” dated January 15, 2014.**

\_\_\_\_\_ Serial No. \_\_\_\_\_ Date \_\_\_\_\_  
**Name of Employee  
(Print and Sign)**

\_\_\_\_\_ Serial No. \_\_\_\_\_ Date \_\_\_\_\_  
**Name of Supervisor  
(Print and Sign)**

# Appendix 5: Staffing Plan

## LAPD–JAIL DIVISION 2014 MINIMUM FLOOR OPERATIONS STAFFING PLAN

The minimum staffing levels for floor personnel SDOs and DOs represent minimum staffing levels for deployment purposes. Should a person or two call in sick it would have an adverse impact on service delivery. If more than two people call in sick, it begins to severely erode booking times and begins to impact officer safety. It is Jail Division's procedure for the watch commander/watch supervisor to call the other sections to elicit help or attempt to hire on an overtime basis when three or more personnel call in sick or are expectantly absent. Jail Division tries to limit the backfilling between the regional jails on a preplanned basis. However, it is the expectation that each region backfills the other regional jails when staffing levels fall below the minimum safety threshold. If the minimum requirements are not met, the Watch Commander's/Supervisor's log will reflect what action was taken, the reason for the shortage and what, if any, operations were affected.

77 <sup>th</sup> Regional Jail	
A Watch	Position
Female Security	2
Male Security	3
Booking	3
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
<b>TOTAL</b>	<b>15</b>
Plus PDO Watch Supervisor	<b>2</b>

77 <sup>th</sup> Regional Jail	
B Watch	Position
Female Security	2
Male Security	3
Booking	4
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
Medical Tracking Officer	1
<b>TOTAL</b>	<b>17</b>
Plus PDO Watch Supervisor	<b>2</b>

1 bonus position is filled on A Watch, Saturday, Sunday, Monday and B Watch Friday, Saturday, Sunday to open one additional male pod. The Minimum Staffing Plan does not include Court Load, or Supply positions. The watch supervisor position is calculated separately since the position must be filled by a supervisor. Each watch has a minimum of 2 PDOs. Each watch has as a minimum need of 3 SDOs per watch. The rest are comprised of DOs and POs. The total floor needs are 71 officers, 16 SDOs, and 11 PDOs, using an average relief factor of 2.65. The relief factor covers absences such as sick, IOD, training and vacation.

77<sup>th</sup> Regional Jail has a minimum safety threshold staffing level of 13. One PDO as a watch supervisor, 2 Male security, 2 Female Security, 2 bookers, 2 processors, 1 DNA/Cook/Kitroom, 1 SDO ID Control, and 2 Release Desk (1 must be a SDO). During times of maximum capacity, the minimum safety threshold staffing level is increased by 1

Daily positions A Watch (AW)	15
Total weekly AW pos. w/ bonus	108
Avg. daily positions w/ bonus	15.43
Total positions w/Relief	<b>41</b>
Plus PDO Watch Supervisor	<b>5</b>

Daily positions B Watch (BW)	17
Total weekly BW pos. w/ bonus	122
Avg. daily positions w/ bonus	17.43
Total positions w/Relief	<b>46</b>
Plus PDO Watch Supervisor	<b>6</b>

**LAPD–JAIL DIVISION  
2014 MINIMUM FLOOR OPERATIONS STAFFING PLAN**

<b>Metropolitan Detention Center</b>	
<b>A Watch</b>	<b>Position</b>
North Pod	
South Pod	3
East Pod	3
West Pod	3
Greeter	1
Booking	3
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
Property	1
Utility	2
Master Control	2
Front Desk Security	2
<b>TOTAL</b>	<b>27</b>
Plus 2 Sergeant Watch Commanders	<b>2</b>

<b>Metropolitan Detention Center</b>	
<b>B Watch</b>	<b>Position</b>
North Pod	
South Pod	3
East Pod	3
West Pod	3
Greeter / MTO	1
Booking	4
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
Property	1
Utility	2
Master Control	2
Front Desk Security	2
<b>TOTAL</b>	<b>28</b>
Plus 2 Sergeant Watch Commanders	<b>2</b>

6 bonus positions (3 each day) are filled on A Watch, Sunday, Monday and B Watch Saturday, Sunday to open a fourth pod. The Minimum Floor Operations Staffing Plan does not include Court Load, Supply or Narcotics Registration positions. Each watch needs 2 sergeants each day to fill the watch commander position. Each watch has as a minimum need of 5 SDOs per watch. The rest are comprised of DOs and POs. The total floor needs are 125 officers, 26 SDOs, and 10 sergeants using an average relief factor of 2.65.

The MDC has a minimum safety threshold staffing level of 19. One sergeant as a watch commander, 6 Male security, 3 Female Security, 2 bookers, 2 processors, 1 SDO ID Control, and 2 Release Desk (1 must be a SDO), 1 Front Desk and 1 Master Control. When all four POD are open, the minimum safety threshold staffing level increases by 3 to staff the fourth POD.

Daily positions A Watch (AW)	27
Total weekly AW pos. w/ bonus	195
Avg. daily positions w/ bonus	27.85
Total positions w/Relief	<b>74</b>
Plus Sergeant Watch Commanders	<b>5</b>

Daily positions B Watch (BW)	28
Total weekly BW pos. w/ bonus	204
Avg. daily positions w/ bonus	29.14
Total positions w/Relief	<b>77</b>
Plus Sergeant Watch Commanders	<b>5</b>

**LAPD–JAIL DIVISION  
2014 MINIMUM FLOOR OPERATIONS STAFFING PLAN**

Valley Jail	
A Watch	Position
100 Female Block Security	3
300 Female Block Security	
200 Male Block Security	3
400 Male Block Security	
Booking	3
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
<b>TOTAL</b>	<b>16</b>
Plus PDO Watch Supervisor	<b>2</b>

Valley Jail	
B Watch	Position
100 Female Block Security	3
300 Female Block Security	
200 Male Block Security	3
400 Male Block Security	
Booking	4
Processing	2
ID Control	1
DNA Collection	1
Release Desk	3
Medical Treatment Officer	1
<b>TOTAL</b>	<b>18</b>
Plus PDO Watch Supervisor	<b>2</b>

2 bonus positions are filled on A Watch, Saturday, Sunday, Monday and B Watch Friday, Saturday, Sunday to open a fourth block. The Minimum Staffing Plan does not include Court Load, or Supply positions. The watch supervisor position is calculated separately since the position must be filled by a supervisor. Each watch has a minimum of 1 PDO. Each watch has as a minimum need of 3 SDOs per watch. The rest are comprised of Dos and POs. The total floor needs are 78 officers, 16 SDOs, and 11 PDOs, using an average relief factor of 2.65.

Van Nuys Regional Jail has a minimum safety threshold staffing level of 13. One PDO as a watch supervisor, 2 Male security, 2 Female Security, 2 bookers, 2 processors, 1 DNA/Cook/Kitroom, 1 SDO ID Control, and 2 Release Desk (1 must be a SDO). During times when all four housing blocks are open, the minimum safety threshold staffing level is increased by 4.

Daily positions A Watch (AW)	16
Total weekly AW pos. w/ bonus	116
Avg. daily positions w/ bonus	16.57
Total positions w/Relief	<b>44</b>
<b>Plus PDO Watch Supervisor</b>	<b>5</b>

Daily positions B Watch (BW)	18
Total weekly BW pos. w/ bonus	132
Avg. daily positions w/ bonus	18.85
Total positions w/Relief	<b>50</b>
<b>Plus PDO Watch Supervisor</b>	<b>6</b>

**LAPD–JAIL DIVISION  
2014 MINIMUM FLOOR OPERATIONS STAFFING PLAN**

The above staffing tables do not include the personnel assigned to the Area jails. Each Area jail would have as a minimum staffing level, 5 personnel for each watch, for a total of 10, for each Area. Additionally, each Area jail would need to have 1 SDO working every day, both A and B Watches, for appropriate supervision. Total staffing for each Area jail would be 2 SDOs and 3 DOs per watch, for a total of 10 personnel. One SDO and one DO work each day as the ideal staffing. There are many days when there are 2 DOs working. When that occurs, a supervisor from the regional jail will come by the Area jail to inspect the Area jail.

Not included in the above sectional totals are the following personnel that are out on long term Sick/IOD, Military, Relieved From Duty or Bonding Leave, or loaned out: 4 PDOs, 1 sergeant, 4 detention officers, and 2 senior detention officers. The above figures do not include personnel assigned to administrative positions, court load, or supply.

The Minimum Safety Threshold (MST) is the number of personnel at which the jail can **NOT** safely operate under. It is imperative that when the number of personnel working at a jail on a given shift falls below the MST, the jail Watch Commander/Supervisor takes immediate corrective action to obtain additional personnel to at least meet the MST staffing level. If the Watch Commander/Supervisor is unable to obtain additional personnel on their own, then he/she is to contact the Jail Division Watch Commander for assistance in obtaining additional personnel. If the Jail Division Watch Commander is unable to obtain adequate personnel to meet the MST, then he/she is to contact the Jail Division Commanding Officer for assistance. Officer safety is of paramount importance.

Each of the Area jails with the exception of Harbor Area Jail has a MST of two for each jail. Harbor Area Jail has a MST of three.

# Appendix 6: Contract with Los Angeles International Airport Police

## LOS ANGELES POLICE DEPARTMENT

**CHARLIE BECK**  
Chief of Police



**ERIC GARCETTI**  
Mayor

P. O. Box 30158  
Los Angeles, Calif. 90030  
Telephone: (213) 486-0150  
TDD: (877) 275-5273  
Ref #: 18.2.2

October 27, 2014

Pat Gannon, Chief of Police  
Los Angeles Airport Police  
6320 West 96<sup>th</sup> Street  
Los Angeles, California 90045

Sir:

On behalf of the Los Angeles Police Department I would like to say thank you for accepting our request to act as our outside reporting agency for the Prison Rape Elimination Act (PREA) incident reports. The PREA Standards require an agency with lockup facilities, which include holding cells, to have an alternative method or agency for citizens to report allegations of sexual abuse and sexual harassment by either fellow inmates, staff, volunteers or contractors that occur within its lockup facilities.

We have designed an Incident Report that will act as a basic preliminary tool to capture pertinent information in a timely manner. This information will allow us to begin the investigation without delay or lose of potential evidence. We have also developed instructions on how the Incident Report should be completed and how the completed form is to be distributed. We anticipate the posting of this avenue of alternative reporting on December 31, 2014.

The telephone number we will be posting for citizens to contact your agency is [PHONE NUMBER]

Should further information be required, please contact [NAME], PREA Liaison, Jail Division, at [PHONE NUMBER]

Very truly yours,  
CHARLIE BECK

DAVID A. LINDSAY, Captain  
Commanding Officer  
Jail Division

# Appendix 7: Screening Forms

## INMATE CLASSIFICATION QUESTIONNAIRE

*This form shall be completed **only** when the arrestee is not seen by dispensary personnel.*

ARRESTEE'S NAME (PRINT) \_\_\_\_\_ DOB \_\_\_\_\_  
 BOOKING NUMBER \_\_\_\_\_ CHARGE \_\_\_\_\_

### SEGREGATION ASSESSMENT (CHECK EACH CORRESPONDING BOX)

HAVE YOU EVER ESCAPED OR ATTEMPTED TO ESCAPE FROM CUSTODY? ¿HA ESCAPADO DE CUSTODIA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
HAVE YOU EVER BEEN A POLICE INFORMANT OR WITNESS FOR THE STATE? ¿HA SIDO ESPIA DE LA POLICIA O TESTIGO DEL ESTADO?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
HAVE YOU EVER BEEN AFFILIATED WITH A PRISON OR STREET GANG? ¿HA SIDO AFILLADO CON ALGUNA PANDILLA? GANG IDENTITY _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
HAVE YOU EVER ASSAULTED A POLICE OR CUSTODIAN OFFICER? ¿HA AGREDIDO A UN POLICIA O CARCELERO?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
DO YOU FEAR FOR YOUR SAFETY WHILE IN THIS FACILITY? WHY? ¿TEME POR SU SEGURIDAD ADENTRO DE ESTA CARCEL? ¿PORQUÉ? _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
WHAT IS YOUR SEXUAL ORIENTATION? ¿CUAL ES SU PREFERENCIA SEXUAL?	HETEROSEXUAL <input type="checkbox"/>	GAY <input type="checkbox"/>	BISEXUAL <input type="checkbox"/>
IF YOU IDENTIFY AS TRANSGENDER, WHAT GENDER DO YOU IDENTIFY WITH? ¿SI SE IDENTIFICA COMO TRANSGENERO, CON QUE IDENTIDAD GENERA SE IDENTIFICA?	TRANSMAN F TO M <input type="checkbox"/>	TRANSWOMAN M TO F <input type="checkbox"/>	
ARE YOU IN POSSESSION OF RELIGIOUS ARTICLES YOU WOULD LIKE TO RETAIN? ¿ESTA EN POSESION DE ARTICULO RELIGIOSOS QUE DESEA RETENER? ITEM RETAINED BY ARRESTEE? YES <input type="checkbox"/> NO <input type="checkbox"/> DESCRIPTION OF ITEM AND REASON: _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
DO YOU HAVE BOILS/DRAINING SKIN LESIONS? ¿TIENE VEJIGAS/INFECCIONES DE LA PIEL?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
<b>I ACKNOWLEDGE THAT THE ABOVE INFORMATION IS CORRECT.</b>			
ARRESTEE'S SIGNATURE: X _____			
DOES ARRESTEE SHOW ANY BEHAVIOR OR CONDITION SUGGESTING NECESSITY TO SEGREGATE? EXPLAIN: _____	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
BOOKING RECOMMENDATION REVIEWED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
MEDICAL SCREENING OR MEDICAL TREATMENT FORMS REVIEWED FOR ANY PHYSICAL OR MENTAL CONDITIONS REQUIRING SEGREGATION.	YES <input type="checkbox"/>	NO <input type="checkbox"/>	

### HOUSING CLASSIFICATION

GENERAL <input type="checkbox"/>	SEGREGATION <input type="checkbox"/>	DETOXIFICATION <input type="checkbox"/>
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INMATE CLASSIFICATION FORM COMPLETED BY:

DETENTION OFFICER \_\_\_\_\_ SERIAL NO. \_\_\_\_\_ DATE \_\_\_\_\_  
 SEGREGATED FORM APPROVED BY \_\_\_\_\_ SERIAL NO. \_\_\_\_\_



LOS ANGELES POLICE DEPARTMENT

**INMATE CLASSIFICATION QUESTIONNAIRE AND RECORD OF MEDICAL SCREENING**

*This form shall be completed only when the arrestee is seen by dispensary personnel.*

ARRESTEE'S NAME (PRINT) \_\_\_\_\_ DOB \_\_\_\_\_  
 BOOKING NUMBER \_\_\_\_\_ CHARGE \_\_\_\_\_ DATE \_\_\_\_\_

**SEGREGATION ASSESSMENT (CHECK EACH CORRESPONDING BOX)**

HAVE YOU EVER ESCAPED OR ATTEMPTED TO ESCAPE FROM CUSTODY? ¿HA ESCAPADO DE CUSTODIA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HAVE YOU EVER BEEN A POLICE INFORMANT OR WITNESS FOR THE STATE? ¿HA SIDO ESPIA DE LA POLICIA O TESTIGO DEL ESTADO?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
HAVE YOU EVER BEEN AFFILIATED WITH A PRISON OR STREET GANG? ¿HA SIDO AFILLADO CON ALGUNA PANDILLA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
GANG IDENTITY _____		
HAVE YOU EVER ASSAULTED A POLICE OR CUSTODIAN OFFICER? ¿HA AGREDIDO A UN POLICIA O CARCELERO?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DO YOU FEAR FOR YOUR SAFETY WHILE IN THIS FACILITY? WHY? ¿TEME POR SU SEGURIDAD ADENTRO DE ESTA CARCEL? ¿PORQUE?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
WHAT IS YOUR SEXUAL ORIENTATION? ¿CUAL ES SU PREFERENCIA SEXUAL?	HETEROSEXUAL <input type="checkbox"/>	GAY <input type="checkbox"/>
	BISEXUAL <input type="checkbox"/>	
IF YOU IDENTIFY AS TRANSGENDER, WHAT GENDER DO YOU IDENTIFY WITH? ¿SI SE IDENTIFICA COMO TRANSGENERO, CON QUE IDENTIDAD GENERA SE IDENTIFICA?	TRANSMAN F TO M <input type="checkbox"/>	TRANSWOMAN M TO F <input type="checkbox"/>
ARE YOU IN POSSESSION OF RELIGIOUS ARTICLES YOU WOULD LIKE TO RETAIN? ¿ESTA EN POSESION DE ARTICULO RELIGIOSOS QUE DESEA RETENER?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
ITEM RETAINED BY ARRESTEE? YES <input type="checkbox"/> NO <input type="checkbox"/> DESCRIPTION OF ITEM AND REASON: _____		
I ACKNOWLEDGE THAT THE ABOVE INFORMATION IS CORRECT. ARRESTEE'S SIGNATURE: X _____		
DOES ARRESTEE SHOW ANY BEHAVIOR OR CONDITION SUGGESTING NECESSITY TO SEGREGATE?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
BOOKING RECOMMENDATION REVIEWED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
MEDICAL SCREENING OR MEDICAL TREATMENT FORMS REVIEWED FOR ANY PHYSICAL OR MENTAL CONDITIONS REQUIRING SEGREGATION.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

**HOUSING CLASSIFICATION**

GENERAL	<input type="checkbox"/>	SEGREGATION	<input type="checkbox"/>	DETOXIFICATION	<input type="checkbox"/>
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INMATE CLASSIFICATION FORM COMPLETED BY:

DETENTION OFFICER SIGNATURE \_\_\_\_\_ SERIAL NO. \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 WATCH COMMANDER SIGNATURE \_\_\_\_\_ SERIAL NO. \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

**MEDICAL INSTRUCTIONS FOR PERSONS IN CUSTODY**

- UNDER THE INFLUENCE OF DRUGS/ALCOHOL: NO  IF YES  OR UNABLE TO DETERMINE   
 Perform a complete medical evaluation and document your assessment on the medical record form.
  - SAFETY CRITERIA:  SAFETY CELL  SOBERING CELL  LOW BUNK  DISPENSARY RECHECK DUE AT \_\_\_\_\_
  - VISUAL AND VERBAL CHECKS (COMPLETE CUSTODY OBSERVATION FORM.)  
 IF NOT ALERT OR EASILY WOKEN UP BY \_\_\_\_\_ TRANSPORT TO DISPENSARY IMMEDIATELY.
  - SUICIDE PRECAUTIONS. TRANSFER TO TWIN TOWERS/CRDF.
  - SPECIAL DIET:  PREGNANT/LACTATING (double portions of milk with meals)  DIABETIC  LACTOSE INTOLERANT  SOFT
  - DEVELOPMENTALLY DISABLED/MENTALLY CHALLENGED - PLACE IN SEGREGATION CELL.
  - OTHER \_\_\_\_\_
  - NO MEDICAL TREATMENT NEEDED.
- DISPOSITION: O.K. TO BOOK  TRANSFER TO:  CONTRACT HOSPITAL  TWIN TOWERS  
 WOMEN'S HOSPITAL  LAC, USCMC  CRDF

RN/MD SIGNATURE \_\_\_\_\_ PRINT NAME/TITLE \_\_\_\_\_ DATE & TIME \_\_\_\_\_



# Appendix 8: Memorandum of Understanding

## MEMORANDUM OF UNDERSTANDING [INSERT DATE]

This Memorandum of Understanding (MOU) is entered into between [POLICE AGENCY] and [RAPE CRISIS CENTER], and outlines an agreement between the parties for sexual assault services for detainees in [POLICE AGENCY]'s custody.

### **I. UNDERSTANDING, AGREEMENTS, AND SUPPORT:**

#### **A. [POLICE AGENCY]:**

- 1) Contact [RAPE CRISIS CENTER] to request advocacy every time a detainee reports any form of sexual assault or sexual abuse that requires transportation to a forensic examination site and/or an interview with a detective or patrol officer prior to transporting the detainee or beginning the interview.
- 2) If a detainee is transported to the forensic examination site, [POLICE AGENCY] will: ensure safety and security at the site; work with the forensic examiner and rape crisis advocate to provide for the safety, privacy, and well-being of the survivor; and facilitate a private, confidential meeting with the rape crisis advocate and detainee, as security allows.
- 3) Arrange for a translator should the detainee not speak English, or an interpreter for detainees with a hearing impairment.
- 4) Provide all detainees with [RAPE CRISIS CENTER]'s crisis hotline number and ensure that detainees are able to use hotline services at no cost and in as confidential a manner as possible.
- 5) Communicate any questions or concerns to [TITLE] at [RAPE CRISIS CENTER].

#### **B. [RAPE CRISIS CENTER] agrees to:**

- 1) Respond to requests from [POLICE AGENCY] to provide advocacy when detainees are transported for sexual assault forensic exams.
- 2) Provide crisis intervention and information about follow-up services and appropriate referrals to detainees who request services, as resources allow.
- 3) Maintain confidentiality of communications with all clients in accordance with agency policy [and/or state law], and as security allows.
- 4) Communicate any questions or concerns to the [TITLE] at [POLICE AGENCY].

**II. TERM OF MOU:**

This MOU shall begin on [DATE] and continue until it is terminated by either party.

**III. MOU TERMINATION AND MODIFICATION:**

This MOU may be terminated, without cause, by either of the parties with no less than thirty calendar days' written notice. This MOU may be terminated by either party, with cause, with two days written notice.

Any modification must be agreed to and signed by both parties and attached to this MOU as a modification.

\_\_\_\_\_  
[Chief of POLICE AGENCY]

\_\_\_\_\_  
Date

\_\_\_\_\_  
[PREA Coordinator of POLICE AGENCY]

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Executive Director of RAPE CRISIS CENTER]

\_\_\_\_\_  
Date