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**San Diego County**

**SHERIFF**

## LINE-UP TRAINING

### Prison Rape Elimination Part 1

Topic # 100

(What is PREA)

*After discussing/reviewing the below training material in line-up (briefing), sworn staff shall sign off as completed in LMS. In the event a staff member is not present when this topic is discussed in line-up, they shall independently read, review, and complete the training.*

*Completion of this line-up training topic includes reviewing the associated standardized presentation available on the DTU SharePoint site ([#100 Standard Presentation](#)).*

*By clicking "Yes" to "Have you completed this activity?" in LMS, you are attesting that you have viewed, read, and completed the training activity.*

#### I. PURPOSE

The purpose of this line-up training is to familiarize staff with various aspects of the Federal Prison Rape Elimination Act (PREA) of 2003.

#### II. POLICY

This training is conducted in adherence to [PREA](#), SDSO P&P Sections [3.47 - Discrimination and Sexual Harassment](#), [6.127 - Prison Rape Elimination Act](#), and [DSB P&P Section F.16 - Sexual Misconduct Case Assignments & Investigations](#).

#### III. DISCUSSION

##### What is PREA?

The Federal Prison Rape Elimination Act (PREA) of 2003 was signed into law by President George W. Bush. The law provides guidelines to detect, prevent, identify, and deter incidents of sexual misconduct of persons in custody. The goal of PREA is to eradicate sexual assaults in all correctional facilities in the United States.

PREA is a federal law enacted to establish a zero-tolerance standard for incidence of sexual assault/rape in correctional facilities and establishes national standards for the detection, prevention, reduction and punishment of sexual assault/rape in a correctional setting.

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This Line-Up Training Topic was prepared by the Division of Inspectional Services PREA coordinator and the Detention In-Service Training Unit.



In May of 2012, the Department of Justice (DOJ) issued a final rule adopting national standards pursuant to PREA. There are (44) standards that are applicable to adult jails which affect the Sheriff's Office. (Refer to San Diego Sheriff's Office [SDSO] P&P Section [6.127 - Prison Rape Elimination Act](#), and DSB P&P Section [F.16 - Sexual Assault Case Assignments & Investigations](#) for further details).

**The following includes a sampling of categories and standard topics:**

***PREVENTION PLANNING:*** Zero tolerance of sexual abuse, contracting with other entities for confinement of incarcerated persons, incarcerated person supervision, limits to cross gender viewing and searches, accommodation of incarcerated persons with special needs, hiring and promotion decisions, assessment and use of monitoring technology, training and education (employee training, volunteer and contractor training), incarcerated person education, detainee handbook, specialized training for investigations, specialized training for medical and mental health care.

***SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS:*** Use of screening information, need to know basis, use of objective screening instrument, individual assessment of each individual for special needs, review of incarcerated persons housed in involuntary separated housing.

***RESPONSIVE PLANNING:*** Evidence protocol and forensic medical exams, agreements with outside entities and community service providers, access to outside confidential support services, access to programming, agreements with outside law enforcement agencies, agreements with prosecuting authority.

***DETECTION AND RESPONSE:*** Reporting, incarcerated person reporting, exhausting of administrative remedies, incarcerated person access to outside confidential support services, third-party reporting, staff and facility head reporting duties, reporting to other confinement agencies, staff first responder duties, coordinated response, protection against retaliation, duty to investigate, criminal and administrative investigations, evidence standards for investigations, disciplinary sanctions for incarcerated persons and staff, medical and mental health screening, history of sexual abuse, access to emergency medical and mental health services, ongoing medical and mental health care for sexual abuse victims and abusers.

***MONITORING:*** Data collection and review, sexual abuse incident reviews, review for corrective action, data storage, publication and destruction, audits of the standards.

**HOW DOES THIS EFFECT THE SHERIFF'S OFFICE?**

The San Diego Sheriff's Office has zero tolerance for all forms of sexual abuse, misconduct and assault (Refer to SDSO P&P Section [3.47 - Discrimination and Sexual Harassment](#) for further details). This includes sexual harassment between clients, staff, volunteers, contractors, visitors, and incarcerated persons. The zero tolerance on sexual misconduct applies to all facilities and programs providing services to clients under the jurisdiction of the San Diego Sheriff's Office. All allegations of sexual misconduct will be investigated. Staff must be aware of relevant laws



regarding reporting, the laws regarding sexual misconduct, and the consequences thereof. This policy establishes the procedural actions required by custody operations to be in compliance with PREA. The definition of sexual misconduct as outlined in the 2003 Prison Rape Elimination Act: *Any behavior or act of a sexual nature, directed toward a person under the care, custody, or supervision of the "SDSO" and/or collateral contact by the person in authority including but not limited to: family members, employers, friends, and other close associates.*

### **HOW DOES THIS AFFECT ME?**

As always, you will be required to: display professionalism in the performance of your duties, be knowledgeable and resourceful, be diligent in your observations, and take actions to prevent and detect instances of sexual assaults and harassment, respond appropriately by reporting incidents and taking the actions necessary to protect the safety of staff and incarcerated persons. Knowing what to do and following through on required actions is imperative. Knowing what to do before an incident happens will assist in maintaining the credibility of not only yourself, but that of your colleagues and the SDSO. Knowledge and inaction are as damaging to the reputation of the organization as any negligent action.