

AMENDMENT TO AGENDA ITEM NO. 48-B

MOTION BY SUPERVISORS JANICE HAHN AND SHEILA KUEHL November 14, 2017

The Prison Rape Elimination Act (PREA), signed into law by President George W. Bush on September 4, 2003, was created to eliminate sexual abuse of both juveniles and adults who are confined in prisons, jails, station lockups, and other detention facilities. Every year, about 200,000 people are abused in U.S. detention facilities.

Like thousands of correctional facilities in the U.S., ~~Los Angeles County's (County),~~ the county's jails and juvenile detention facilities are bound by PREA. In 2012 the United States Department of Justice issued PREA standards for the prevention, detection, and response to sexual abuse in confinement settings. The federal standards include barring cross-gender strip searches, and mandate that prisons, jails, and youth facilities provide a way for inmates to report sexual abuse to an outside, independent entity, ~~and~~ Further, the federal standards require these facilities to pass an audit every three years in order to be compliant with the law. The PREA standards also require that agencies designate upper-level agency-wide PREA

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Coordinators with sufficient time and authority to oversee PREA implementation for all facilities. Each facility should designate a PREA Compliance Manager, also with sufficient time and authority, to coordinate efforts toward PREA compliance.

To date, no facility within the Los Angeles County jail system or within the Probation Department—the nation's largest — has undergone an audit. And neither the Sheriff's Department nor the Probation Department currently has sufficient single-assignment staff positions dedicated to PREA compliance, a shortcoming that was reported to the Board by the Office of the Inspector General.

Given recent articles in the news about suspected abuses at Century Regional Detention Facility and ~~Central Juvenile Hall~~ Probation facilities, the quarterly report by the Office of the Inspector General (OIG), and presentations made at the Sheriff's Civilian Oversight Commission, it is clear that the County must act now to comply with federal mandates and protect those people in its custody.

IWE, THEREFORE, MOVE that the Board of Supervisors ~~instruct~~

1. Direct the CEO, in collaboration with the Sheriff and Probation Departments to report back in ~~60~~ 90 days on funding possibilities for two PREA regarding the creation of a Prison Rape Elimination Act (PREA) Compliance Unit for both Units, one to be housed in the Sheriff's Department, and the other at the Probation Department. Consideration for staff model should consider lawyers, paralegals, and non-sworn employees who would report directly to the Sheriff and to the Chief Probation Officer.
2. Direct the Sheriff's Civilian Oversight Commission (COC) and the Office of Inspector General (OIG), in conjunction with the Sheriff to report back to the Board within 90 days on progress made in developing a plan for PREA

compliance, including a grievance/complaint procedure that effectively and safely allows for reporting of incidents and is PREA compliant.

3. Direct the Probation Department to report back to the Board within 90 days on progress made in developing a plan for PREA compliance within its juvenile detention facilities, including a grievance/complaint procedure that effectively and safely allows for reporting of incidents, and will be PREA compliant.

S: NA/Amendment 48-B_PREA