



PRISON RAPE ELIMINATION ACT

2024 ANNUAL REPORT



Brian K. Ford

Chief Probation Officer

ALAMEDA COUNTY PROBATION DEPARTMENT

JUVENILE FACILITIES DIVISION

JUVENILE HALL

**2500 Fairmont Drive
San Leandro, CA 94578**

CAMP WILMONT SWEENEY

**2600 Fairmont Drive
San Leandro, CA 94578**

BACKGROUND

The Prison Rape Elimination Act (PREA) was passed by Congress in 2003. The purpose of the act is to, “provide for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.” (Prison Rape Elimination Act, 2003.)

The act also created the National Prison Rape Elimination Commission and charged it with drafting standards for eliminating prison rape. Those standards were published in June 2009, and turned over to the Department of Justice for review and passage as a final rule. The Department of Justice published the final PREA Standards in the Federal Register on June 20, 2012, and they became effective August 20, 2012.

PREA STANDARDS OVERVIEW

The PREA standards are organized into the following categories under the Standards for Juvenile Facilities:

- Prevention Planning
- Responsive Planning
- Training and Education
- Screening for Risk of Sexual Victimization and Abusiveness
- Reporting
- Official Response following a Resident Report
- Investigations
- Discipline
- Medical and Mental Care
- Data Collection and Review
- Audits
- Auditing and Corrective Action
- State Compliance

Within each of the above-referenced categories are specific standards and provisions. Each provision may contain multiple standards and require extensive documentation. These standards and provisions are used to guide implementation and responses to alleged sexual misconduct.

ZERO TOLERANCE POLICY

The Alameda County Probation Department (ACPD) is committed to creating and maintaining a safe and humane environment free from any act of sexual abuse and sexual harassment, whether involving youth- on-youth or adult-on-youth incidents. To create and sustain such an environment, the ACPD maintains a zero-tolerance policy in accordance with PREA standards.

Zero tolerance means that through policy and practice, ACPD will not tolerate any form of sexual misconduct. This includes any inappropriate behavior between staff, contractors, or volunteers with youth, or any sexual abuse and/or harassment between youth regardless of consent status. This behavior is prohibited and individuals displaying such conduct are subject to administrative and/or criminal sanctions.

EDUCATION AND TRAINING

Use of the youth risk assessment and providing education and training for staff and youth is key in reducing sexual assault and misconduct within the institutions.

Youth

Upon admission to Juvenile Hall, youth are required to complete a PREA risk assessment. This assessment helps identify any history of sexual abuse, the risk for sexual victimization, and/or the potential for perpetrating abuse. The results enable staff to provide targeted medical and behavioral health services and offer appropriate support throughout the youth's stay at the Facilities.

Additionally, youth participate in a PREA orientation and education class. The curriculum covers a range of topics, including victim advocacy, sexual assault awareness, and access to free and ongoing medical and support services for victims. The class also educates youth on ACPD's Zero-Tolerance Policy and explains how to report sexual victimization, whether for themselves or on behalf of another youth in the Facilities.

Staff

All peace officers, non-peace officers, volunteers, contractors, and community-based organizations personnel who may have contact with youth in the Facilities are required to take a PREA education class. This training emphasizes ACPD's Zero-Tolerance policy, mandatory child abuse reporting requirements, and techniques for identifying and responding to sexual abuse. Staff are trained on their role and responsibilities as first responders to sexual incidents. Refresher training is provided every two (2) years to ensure continued compliance and awareness.

JUVENILE HALL AND CAMP WILMONT SWEENEY POPULATION AND SEXUAL MISCONDUCT AGGREGATED DATA

To ensure transparency, PREA mandates the public reporting of specific aggregated data. Accordingly, the chart below reflects year-end population totals and gender breakdowns for both Facilities.

YOUTH POPULATION ON DECEMBER 31, 2024	
JUVENILE HALL	TOTAL
Population - Male	38
Population - Female	6
GRAND TOTAL	44
CAMP WILMONT SWEENEY	TOTAL
Population - Male	12
Population - Female	0
GRAND TOTAL	12

ALAMEDA COUNTY PROBATION INVESTIGATIVE DETERMINATIONS AND DEFINITIONS

All sexual assault incidents reported by youth, staff or third parties are investigated by either:

- Alameda County Probation Department – Professional Standards Unit
- Alameda County Sheriff's Department

DEFINITIONS FOR INVESTIGATIVE FINDINGS

The following definitions are used when reporting the findings:

- **Sustained** - The investigation finds by preponderance of the evidence that the act did occur and constitutes a specific act in violation of law, regulation, or policy of the department or county.
- **Not Sustained** - The investigation cannot prove or disprove the allegations by a preponderance of the evidence.
- **Unfounded** - The investigation clearly established that the allegation is not true.

DATA COMPARISON CATEGORIES - TERMS AND DEFINITIONS

For the purposes of this report, the following definitions provided by the Department of Justice (Form SSV-6) will be used to examine and determine the number of PREA related incidents that occurred within Juvenile Hall and Camp Wilmont Sweeney.

YOUTH-ON-YOUTH SEXUAL ABUSE AND SEXUAL HARASSMENT

Youth-on-Youth Sexual Abuse

Sexual abuse of a youth, detainee, or resident by another youth, 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:

- Contact between the penis and the vulva or the penis and the anus; including penetration, however, slight.
- Contact between the mouth and the penis, vulva, or anus:
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- 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.

Youth-on-Youth Sexual Harassment

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth, detainee, or resident directed toward another.

Charts 1 and 2 reflect the number of allegations of “Youth-on-Youth Sexual Abuse” and the number of allegations of “Youth-on-Youth Sexual Harassment” in 2024.

CHART 1 Reports of Youth-on-Youth Sexual Abuse	
Sustained	0
Not Sustained	0
Unfounded	7
Still Under Investigation	3
Still in Fact-Finding	6

*Data as of December 31, 2024.

CHART 2 Reports of Youth-on-Youth Sexual Harassment	
Sustained	0
Not Sustained	0
Unfounded	1
Still Under Investigation	0
Still in Fact-Finding	1

STAFF-ON-YOUTH SEXUAL ABUSE AND HARASSMENT

The following definitions of “Staff Sexual Abuse” and “Staff Sexual Harassment” are provided by the Department of Justice (Form SSV-6):

Staff Sexual Abuse

Sexual abuse of a youth, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the youth, 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, this 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) through (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 a youth, detainee, or resident, and
- 8) Voyeurism by a staff member, contractor, or volunteer.

Staff Sexual Harassment:

Repeated verbal comments or gestures of a sexual nature to a youth, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body and clothing, or obscene language or gestures.

Charts 3 and 4 reflect the number of allegations of “Staff-on-Youth Sexual Abuse” and the number of allegations of “Staff-on-Youth Sexual Harassment” in 2024.

CHART 3 Reports of Staff-on-Youth Sexual Abuse	
Sustained	0
Not Sustained	0
Unfounded	0
Still Under Investigation	1
Still in Fact-Finding	1

CHART 4 Reports of Staff-on-Youth Sexual Harassment	
Sustained	0
Not Sustained	0
Unfounded	1
Still Under Investigation	0
Still in Fact-Finding	0

*Data as of December 31, 2024.

PREA COMPLIANCE

The Department continues to enforce its zero-tolerance policy in both Facilities to detect and deter sexual misconduct and continues to ensure all allegations of sexual misconduct are thoroughly documented, investigated, and support is provided to any youth alleging sexual misconduct.

If any form of sexual misconduct is substantiated, persons responsible for the misconduct are disciplined accordingly, up to and including termination of employment, or may have their permission to enter the Juvenile Facilities revoked. All allegations involving criminal conduct will be investigated by the Alameda County Sheriff's Office and may result in a referral to the Alameda County District Attorney's Office.