

Montgomery County Jail

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Sexual Violence Annual Report

Data in this report reflects calendar year 2020: January 1st, 2020 to December 31st, 2020

- On December 31st, 2020, the daily population was 91 inmates, including 88 inmates in house and 3 inmates on home electronic monitoring or (HEM).
- The average daily population for MCJ in 2018 was 74.
- There were 2,152 commitments to MCJ in 2020.

The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to support the elimination and prevention of sexual assault and sexual misconduct in correctional systems. PREA addresses both inmate on inmate sexual assault and staff on inmate sexual assault. The Montgomery County Jail fully supports the guidelines set forth in this law and has a Zero-Tolerance for any and all incidents of sexual assault and sexual misconduct in accordance with the Prison Rape Elimination Act of 2003.

Montgomery County Jail has implemented policies and procedures that educate both staff and inmates on sexual abuse and sexual harassment. Inmates that are admitted to the facility and stay at the facility go through an assessment during the classification process. Each inmate is screened to determine their individual risk of being a victim of sexual abuse or a predator of sexual abuse. This tool is used in the housing and classification of each inmate to make them safe and free from any form of sexual abuse or harassment.

After the assessment the inmate is assigned housing and programs that will best suit their stay at MCJ. After classification a video and is shown to each inmate and an information pamphlet is given to each inmate reviewing procedures. The inmate handbook given at classification also has PREA information on page 51 that explains all the facilities PREA standards and contact information if they need to report to staff members.

Throughout the facility, video monitoring is used to enhance the security and surveillance. Numbers and locations of the jail's cameras are reviewed frequently to assess if the level of monitoring is adequate to protect the inmates from sexual abuse and ensure the safety of the inmates and staff.

Here at the Montgomery County Jail, ALL SEXUAL ACTIVITY IS NOT TOLERATED and is PROHIBITED. All forced or coerced sexual behavior is a criminal act. All incidents are reported for investigation to ensure that the perpetrator(S) face the full consequences of the law. The Montgomery County Sheriff's Office will investigate all incidents of sexual assault. Once investigated the investigator will refer all evidence to the Commonwealth Attorney for prosecution.

Standard 115.88 of the Prison Rape Elimination Act requires Montgomery County Jail to:

1. Aggregate incident based sexual abuse data annually from publicly and privately-operated facilities.
2. Use this data to assess and improve the effectiveness of its sexual abuse prevention, detection and response policies, practices, and training by:
 - a. Identifying problem areas
 - b. Tracking corrective action on an on-going basis: and
 - c. Prepare an annual report of its findings
3. Compare the current year data and corrective actions with those from the prior year's and provide an assessment of the agency's progress in addressing sexual abuse.
4. Publish the annual report on the Montgomery County Sheriffs website of its findings and corrective actions for the facility.

1) Aggregated Data:

During the calendar year 2020, the Montgomery County Jail had zero incidents of inmate on inmate or staff on inmate sexual abuse or assault occurrences within the facility.

2) Analysis:

There were no corrective actions taken in 2020.

The Montgomery County Jail has always, in good faith, analyzed its efforts to improve facilities to make safer conditions for Montgomery County inmates. The Montgomery County Jail will continue to improve and maintain a zero-tolerance policy on sexual misconduct.

In dealing with transgender inmates we have put in the place a plan that if available, transgender inmates will be given the option of a male or female officer for pat down searches. This is only if the officer is available. If one gender is not present either the male or female officer can conduct the pat down search using the back of the hand in sensitive areas and will have at least one or more officers present to witness said pat down search. Use of body cameras and building surveillance would and could be used in this event of a pat down search only.

Problem Areas:

There were no known problem areas found during this past year.

Corrective Actions:

Initial training has taken place for all staff, new volunteers and contractors, and inmates. Montgomery County Jail will maintain a zero-tolerance policy regarding sexual harassment and sexual misconduct.

Planned efforts for 2021:

Continued training efforts and continued education of staff and inmates will be conducted on all aspects and areas of the Montgomery County Jail. We are striving for a goal of zero PREA incidents at Montgomery County Jail for 2021. Our staff understands the importance of PREA and have worked hard to keep MCJ free from sexual abuse and sexual harassment.

3) Summary:

The Montgomery County Jail maintains a zero-tolerance policy regarding sexual harassment and sexual assault and/or abuse. Montgomery County Jail will continue to comply with the Prison Rape Elimination Act to prevent in-custody sexual abuse and/or sexual assaults.

In the year 2020, the Montgomery County Jail has focused on the education and training of staff and inmates with its regards to policy and procedure outlined in the jails PREA policy including the federal standards of the PREA act. Montgomery County Jail had committed to jail 2,152 persons in 2020. The staff here at Montgomery County Jail are committed to keeping all inmates and staff safe and free from any abuse, assault or harassment and will continue into 2021.

C.H. Partin Sheriff