

DATE: April 20, 2017 **AGENDA ITEM:** D

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, allison.ganter@bscc.ca.gov

SUBJECT: Working Group on Sexual Assault: **Information Only**

Summary

The Board previously directed staff to convene a workgroup of subject matter experts to review the Prison Rape Elimination Act standards and consider how and to what extent PREA should be incorporated into Titles 15 and 24. The workgroup has met and provided preliminary recommendations. This item provides a status report.

Background

The BSCC is mandated by statute to establish minimum standards for California's local detention facilities and to review those standards biennially. (Pen. Code, § 6030). During the regulation revision process in 2016, workgroups and public members encouraged the Board to incorporate the Prison Rape Elimination Act (PREA) standards into California's Titles 15 and 24 Minimum Standards for Local Detention Facilities. In response to these concerns, at the September 22, 2016 Board meeting, the Board directed staff to convene a working group of subject-matter experts to consider each PREA standard and its relationship to existing regulations for local adult detention facilities.

On January 18 and 19, 2017, an 11-member workgroup convened; it included state and local corrections officials and a representative from the ACLU and its Gender and Reproductive Justice Project. The workgroup examined each PREA jail standard, discussed whether each standard should be incorporated into existing adult standards, and proposed changes to Titles 15 and 24 regulations.

The workgroup has recommended changes to Titles 15 and 24, consisting of both policy and procedural changes of existing regulations. The changes include mandating a zero-tolerance approach against sexual abuse to screening all incoming arrestees for the risk of sexual victimization. The workgroup also recommended that the Board consider new regulations related to statewide data collection in order to measure incidents of sexual assault in local detention facilities. BSCC staff continues to review the workgroup's recommendations.

Recommendation/Action Needed

Information only.

Attachments

D-1: Interim Report, Working Group on Sexual Assault