

Denver Sheriff Department 2017 Annual Report on Sexual Abuse and Sexual Harassment

The Denver Sheriff Department's Response to sexual abuse of Inmates

The DSD has a zero-tolerance policy towards the sexual assault and sexual harassment of inmates under our care. sexual conduct between inmates, staff and inmates, and volunteers or contract personnel and inmates is prohibited and subject to administrative and criminal disciplinary action. All allegations are taken seriously and thoroughly investigated.

It is the policy of the DSD to create, implement and revise as necessary best practices and procedures that support the prevention of sexual abuse and sexual harassment. The DSD incorporates standards from the Prison Rape Elimination Act of 2003 (PREA) into policies governing inmate classification, medical and mental health services, facility security, administrative planning, investigations, and records retention among others.

The following is our report on 2017 cases of sexual abuse and sexual harassment.

Key Terms

Inmate on Inmate sexual abuse:

- (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) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument,
- (4) 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.

Staff on Inmate sexual abuse:

- (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;

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(5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that 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 definition;

(7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and

(8) Voyeurism by a staff member, contractor, or volunteer.

Inmate on Inmate 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 inmate directed towards another.

Staff on Inmate sexual harassment:

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

Allegation Findings Definitions

Substantiated - The allegation was investigated and determined to have occurred, based on a preponderance of the evidence.

Unsubstantiated - The investigation concluded that evidence was insufficient to determine whether the allegation occurred.

Unfounded - The investigation determined that the allegation did not occur.

See 28 C.F.R. 115.6 of the National Standards to Prevent, Detect, and Respond to Prison Rape (under the Prison Rape Elimination Act of 2003), for more information on these definitions.

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DSD General Population Information

Data Set #1: Average Daily Inmate Population for the Denver Sheriff Department

In 2017, the average daily population was 2,187 inmates

The average daily population of the County Jail Facility in 2017 was 759 (527 males and 232 females).

The average daily population of the Van-Cise Simonet Detention Center in 2017 was 1,428 (1,330 males and 98 females).

In 2017, there were 344 total cases reported to the Denver Sheriff Department's PREA Compliance Team as having the potential to be a violation of PREA Standards. Every case was investigated. With the assistance of the Criminal Justice Statistics Branch at the U.S. Census Bureau in the Spring of 2019, the DSD determined the following for 2017:

3 cases of substantiated sexual abuse occurred within the DSD in 2017

13 cases of substantiated sexual harassment occurred within the DSD in 2017

0 cases of substantiated activity involved a DSD staff member, contractor, or volunteer

The remaining 328 cases were either unsubstantiated, unfounded, or determined to be violations of jail rules that while inappropriate, were either consensual sexual activities or activities lacking a sexual intent in accordance with the federal PREA standards.

Demographics and Details for Substantiated Cases

Data Set #2 represents the number of victims and perpetrators categorized by their gender. Data Set #3 represents the number of victims and perpetrators categorized by their race/ethnicity. Data Set #4 represents the number of victims and perpetrators categorized by their age.

Data Set #2: Demographics by Gender (Victim vs. Perpetrator)

All three sexual abuse cases involved a female victim and a female perpetrator.

9 out of 13 sexual harassment cases involved a male victim

3 out of 13 sexual harassment cases involved a female victim

1 out of 13 sexual harassment cases involved a male or female identifying as transgender

10 out of 13 sexual harassment cases involved a male perpetrator

2 out of 13 sexual harassment cases involved a female perpetrator

1 out of 13 sexual harassment cases involved an inmate identifying as male or female transgender

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Data Set #3: Demographics by Race out of Ethnicity by Role of Perpetrator and Victim

- 1 out of 3 sexual abuse cases involved a White victim
- 1 out of 3 sexual abuse cases involved a Black victim
- 1 out of 3 sexual abuse cases involved a victim of another race/ethnicity
- 1 out of 3 sexual abuse cases involved a White perpetrator
- 1 out of 3 sexual abuse cases involved a Black perpetrator
- 1 out of 3 sexual abuse cases involved a perpetrator of another race/ethnicity
- 7 out of 13 sexual harassment cases involved a White victim
- 3 out of 13 sexual harassment cases involved a Black victim
- 1 out of 13 sexual harassment cases involved a Hispanic victim
- 2 out of 13 sexual harassment cases involved a victim of another race/ethnicity
- 3 out of 13 sexual harassment cases involved a White perpetrator
- 6 out of 13 sexual harassment cases involved a Black perpetrator
- 4 out of 13 sexual harassment cases involved a perpetrator of another race/ethnicity

Data Set #4: Demographics by age of victim and perpetrator

- 1 out of 3 sexual abuse cases involved a victim between the ages of 30-34
- 2 out of 3 sexual abuse cases involved a victim between the ages of 35-39
- 2 out of 13 sexual harassment cases involved a victim between the ages of 18-24
- 3 out of 13 sexual harassment cases involved a victim between the ages of 25-29
- 4 out of 13 sexual harassment cases involved a victim between the ages of 30-34
- 1 out of 13 sexual harassment cases involved a victim between the ages of 35-39
- 1 out of 13 sexual harassment cases involved a victim between the ages of 40-44
- 1 out of 13 sexual harassment cases involved a victim between the ages of 45-54
- 1 out of 13 sexual harassment cases involved a victim aged 55 or older
- 3 out of 13 sexual harassment cases involved a perpetrator between the ages of 18-24
- 4 out of 13 sexual harassment cases involved a perpetrator between the ages of 25-29
- 2 out of 13 sexual harassment cases involved a perpetrator between the ages of 30-34

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2 out of 13 sexual harassment cases involved a perpetrator between the ages of 35-39

1 out of 13 sexual harassment cases involved a perpetrator between the ages of 40-44

1 out of 13 sexual harassment cases involved a perpetrator aged 55 or older

1 out of 3 sexual abuse cases involved a perpetrator between the ages of 18-24

1 out of 3 sexual abuse cases involved a perpetrator between the ages of 25-29

1 out of 3 sexual abuse cases involved a perpetrator between the ages of 30-34

*All victims were seen by the medical staff. 0 incidents resulted in a physical injury. All victims and perpetrators were separated permanently as a result of substantiated allegations of abuse or harassment.

incidents occurred in the following locations:

9 out of 16 occurred in a common area (i.e., shower, day room, bathroom)

4 out of 16 occurred in a dorm style housing area

1 out of 16 occurred in the victim's cell

1 out of 16 occurred in the perpetrator's cell

1 out of 16 occurred in a temporary holding area (i.e. intake or holding cell)

Data Set #5 shows the times of day in which incidents of sexual abuse or sexual harassment occurred.

1 out of 16 incidents at the County Jail occurred between the hours of noon to 6 p.m.

1 out of 16 incidents at the County Jail occurred between the hours of 6 p.m. to midnight

1 out of 16 incidents at the County Jail occurred between the hours of midnight to 6 a.m.

1 out of 16 incidents at the County Jail occurred at various times during the day

1 out of 16 incidents at Van-Cise Simonet Detention Center occurred between the hours of 6 a.m. to noon

3 out of 16 incidents at Van-Cise Simonet Detention Center occurred between the hours of noon to 6 p.m.

6 out of 16 incidents at Van-Cise Simonet Detention Center occurred between the hours of 6 p.m. to midnight

1 out of 16 incidents at Van-Cise Simonet Detention Center occurred at an unknown time

1 out of 16 incidents at Van-Cise Simonet Detention Center occurred at various times during the day