

PREA ADMINISTRATIVE CASE MOCK REPORT - SUBSTANTITATED

1. INTIAL RESPONSE:			
PREA CASE NUMBER: 9.2020 - 1	FACILITY: Azkaban Detention Center	REPORTED BY: Jailer Juan Smith	
DATE OF INCIDENT: 19 September 2020	TIME OF INCIDENT: 10:28 pm	SHIFT SUPERVISOR: Sergeant Miguel Bonvoy	
HOW WAS THE INCIDENT REPORTED?	Jail Staff	If other, please explain: Not applicable	
2. INITIAL INFORMATION:			
FIRST RESPONDER: Jailer Juan Smith	ALLEGATION TYPE: Sexual Abuse	WHERE DID THE INCIDENT OCCUR? Holding Cell 13	
ALLEGED VICTIM'S NAME (SO NUMBER): Harry Wales #123456	WAS THE VICTIM IMMEDIATELY PROTECTED?	☒ Yes ☐ No ☐ N/A	
	IS THE VICTIM SUBJECT TO SUBSTANTIAL RISK OF SEXUAL ABUSE?	☐ Yes ☒ No ☐ N/A	
	WERE INTERPRETERS, READERS, OR TYPE OF INMATE ASSISTANTS USED?	☐ Yes ☒ No ☐ N/A	
VICTIM'S COMPLAINTS: Wales #123456 states that he was woken by Jailer Juan Smith and was told that Ulrich Martinez #987654 had his penis out and standing over him.			
WITNESS NAME (SO NUMBER): N/A	WITNESS NAME (SO NUMBER): N/A	WITNESS NAME (SO NUMBER): N/A	WITNESS NAME (SO NUMBER): N/A
ALLEGED PERPETRATOR'S NAME (SO NUMBER): Ulrich Martinez #987654	PERPETRATOR TYPE: Inmate	ORGANIZATION OF CONTRACTOR OR VOLUNTEER: N/A	
WAS THE CRIME SCENE SECURED? ☒ Yes ☐ No ☐ N/A	TIME SECURED: 11:00 pm	CRIME SCENE SECURED BY: Sergeant Miguel Bonvoy	
LIST OF EVIDENCE COLLECTED: 1. Video Downloaded for Holding Cell 13 – 9/18/2020 from 9:00 pm to 12:00 am. 2. Facial photo of Wales #123456			
Did either inmate shower, brush their teeth, drink, eat, defecate, urinate, or change clothes since the incident occurred?			☐ Yes ☒ No ☐ N/A
Does the alleged victim have any visible injuries?			☐ Yes ☒ No ☐ N/A
Does the alleged perpetrator have any visible injuries?			☐ Yes ☒ No ☐ N/A
Was the alleged victim evaluated by medical staff:			☒ Yes ☐ No ☐ N/A
Was the alleged perpetrator evaluated by medical staff:			☒ Yes ☐ No ☐ N/A
Were pictures taken of the injuries?			☐ Yes ☐ No ☒ N/A
Was the incident referred to Disciplinary?			☒ Yes ☐ No ☐ N/A
Was the Classification Department notified of the incident?			☒ Yes ☐ No ☐ N/A
Were separations filed between the alleged victim and the alleged perpetrator?			☒ Yes ☐ No ☐ N/A

3. PREA INVESTIGATION- VICTIM INTERVIEW

DATE AND TIME OF INTERVIEW: 9/20/2020 – 8:00 am	LOCATION OF INTERVIEW: Supervisor's Office	WAS THE INTERVIEW RECORDED? ☒ Yes ☐ No ☐ N/A	WHAT TYPE OF RECORDING WAS USED? Video
VICTIM'S STATEMENTS: During the interview with Harry Wales #123456 the following was said: I began with having the inmate state his name, SO number and date of birth. He responded with "Harry Wales #123456. January 5, 1979." I asked if he had just arrived. He stated that he had been incarcerated yesterday morning. I asked him why he was sent to the hospital this morning. He stated about 12 am he had been woken up by a jailer and was escorted to the infirmary. He stated that he was told that while all the inmates were sleeping, he was there was a gentleman over his body with his genitals out "in or around my mouth". I asked if that was what he was told or if that was his recollection. He stated, "I was asleep, but honest to god, I would, I'm not that deep of a sleeper to not to, you know what I mean". I asked him if the contact was consensual. He replied, "Hell no". I then asked if he wanted to press charges against the other person. He replied that he did. I advised him that we will be contacting CID and handing over all the information and evidence that was gathered during the investigation. I asked him if he had gone to Valley Baptist Medical Center in Hatfield. He stated that he had. I asked him if he had consented to the forensic exam. He stated that he did. I asked him if he needed to see medical staff or mental health providers because of the incident. He stated that he had already seen medical but that he did not want to see mental health at this time. I advised him should he change his mind that all he needed to do was to submit a medical request. ** Interview ended**			

4. PREA INVESTIGATION- ALLEGED PERPETRATOR INTERVIEW

DATE AND TIME OF INTERVIEW: 9/20/2020 –11:00 am	LOCATION OF INTERVIEW: Supervisor's Office	WAS THE INTERVIEW RECORDED? ☒ Yes ☐ No ☐ N/A	WHAT TYPE OF RECORDING WAS USED? Video
Was the alleged perpetrator informed of? N/A		Did the alleged perpetrator request legal representation? No	
PERPETRATOR'S STATEMENTS: During the interview with Ulrich Martinez #987654 the following was said: I began with asking the inmate his name, SO number and date of birth. He responded with "Ulrich Martinez #987654. March 15, 1995." I asked him if he knew why he was being interviewed. He stated that he did not know. I advised him that there was an allegation against him. He stated that he did not do anything. I asked him when he had arrived to the facility. He stated that he had been here for 3 months. I asked him why he was being held in holding. He stated that he did not know. I asked him what happened last night. He stated that he did not know because he was sleeping. I asked him why the jailers were saying that he was standing over an inmate with his penis outside of his uniform. He stated that the voices in his head were telling him to do it.			

5. PREA INVESTIGATION- WITNESS INTERVIEW

DATE AND TIME OF INTERVIEW: N/A	LOCATION OF INTERVIEW: N/A	WAS THE INTERVIEW RECORDED? ☐ Yes ☐ No ☒ N/A	WHAT TYPE OF RECORDING WAS USED? N/A
VICTIM'S STATEMENTS: N/A			

6. PREA INVESTIGATION- NOTIFICATION AND TREATMENT

Was a victim advocate notified? ☐ Yes ☒ No ☐ N/A	Date notified: N/A	Time notified: N/A	Name of person notified: N/A
Was Criminal Investigations Division Notified? ☒ Yes ☐ No ☐ N/A	Dated notified: 9/20/2020	Time notified: 3:00 pm	Name of person notified: James Jonez
Was the alleged victim sent to the hospital? ☒ Yes ☐ No ☐ N/A	Name of hospital: VBMC - Hatfield	Did alleged victim receive a forensic exam by SAFE/SANE: Yes	

7. PREA INVESTIGATION- FINDINGS AND FOLLOW UP

Summary of the investigation and credibility assessment: During the reviewing of the video the following was seen; **2230 - Ulrich Martinez #987654 stands up and goes to the bathroom. **2232 - Martinez #987654 is seen on camera with his penis out of his uniform and walking over to H. Wales #123456 as he his sleeping, no contact made. Martinez #987654 walks back to the bathroom with his penis out. **2233 - Martinez #987654 walks back over to Wales #123456, who is still asleep, and			
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leans over Wales #123456. Then walks back to the bathroom. **2234 - Martinez #987654 walks back over to Wales #123456, who is still sleeping, and leans over while appearing to have his penis in his left hand. He appears to attempt placing it in Wales #123456 mouth. Martinez #987654 continuously looks at Wales #123456 as he is standing over him. **2235 - Martinez #987654 turns away from Wales #123456 and appears to be fondling his penis. Then he turns back and continues to lean over Wales #123456 as he is sleeping. **2236 - Martinez #987654 walks away with his penis in his left hand and appears to be stroking it in the bathroom as he is looking out of the window. **2237 - Martinez #987654 then walks back to Wales #123456, who is still sleeping, and leans over with his penis in his left hand. No movement is seen from Wales #123456 as this occurs. **2238 - Martinez #987654 walks away from Wales #123456 with his penis in his left hand and looks over to the window and begins to motion at the jailers who are standing at the window. **2238 - Jailers open the door and make contact with Martinez #987654 as he is standing in the bathroom. **2239 - Jailers secure the door. **2240 - Martinez #987654 is seen walking over towards Wales #123456 with his uniform buttoned up. He returns to the bathroom. He appears to take his penis back out of his uniform and walks back to Wales #123456, who is sleeping, and leans over him. As he notices the jailers he walks back to the bathroom with his penis out. Jailers open the door and remove him from the cell. Wales #123456 is still lying down on the bench and is still sleeping. **2242 - Jailers open the door and call out Wales #123456 from the cell.

Due to the video clearly showing that Martinez #987654 genitals were outside of his uniform every single time that he leans over Wales #123456 it is reasonable to conclude that there was contact with Martinez #987654 genitals and Wales #123456 body. It is reasonable to conclude that the reason for the interaction was to satisfy sexual desire.

Was the victim referred to the Mental Health Counselor?	☐ Yes ☒ No ☐ N/A
Was the perpetrator referred to the Mental Health Counselor?	☒ Yes ☐ No ☐ N/A
If the perpetrator was an employee volunteer or contractor, were their services/employment terminated?	☐ Yes ☐ No ☒ N/A
Did the staff's actions or failures to act contribute to the alleged abuse?	☐ Yes ☐ No ☒ N/A
Was the incident referred for criminal prosecution?	☒ Yes ☐ No ☐ N/A

8. FINAL DISPOSITION

Disposition imposed on the perpetrator?	Referred for prosecution and housed in a single cell		
Other:	N/A		
Final Disposition:	Substantiated		
PREA INVESTIGATOR: (PRINT) Alicia Castaneda	SIGNATURE: <i>Alicia Castaneda</i>	Date: 20 Sept 2020	