

Department: Adult Correction Center	Policy No. W-20.1	Pages: 4
Section Title: Prison Rape Elimination Act	PREA§ : 115.11. 115.12, 115.18	
Subject: PRISON RAPE ELIMINATION ACT Prevention and Planning	Date Reviewed:	
Date Issued: March 31, 2016	Date Revised:	

DEFINITIONS:

Sexual abuse of an inmate, detainee, or resident by another inmate, 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:

- 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 of another person, however slight, by a hand, finger, object, or other instrument; and
- 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

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

Sexual harassment:

- 1) 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, detainee, or resident directed toward another; and
- 2) 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.

POLICY:

The Wilson County Jail (WCJ) will have written policy and procedures mandating zero-tolerance towards all forms of sexual abuse and sexual harassment. WCJ will describe in detail approaches taken to prevent, detect, and respond to such conduct. Policy and procedure will be in accordance with the DOJ Title 28 Code of Federal Regulations, Part 115, and National Standards, to prevent, detect, and respond to prison rape.

PROCEDURE:

Zero Tolerance for Sexual Abuse and Sexual Harassment

- A. WCJ has zero tolerance toward all forms of sexual abuse and sexual harassment within the facility
- B. The PREA policies drafted for WCJ will implement the agency's zero tolerance approach to preventing, detecting, and responding to sexual abuse and sexual harassment
- C. WCJ identified disciplinary sanctions for those found to have participated in prohibited behaviors (see Policy....)
- D. WCJ has designated an upper-level, agency-wide PREA coordinator who has sufficient time and authority to implement and oversee WCJ efforts and comply with WCJ standards.

E. PREA Coordinators Responsibilities:

- a. Assist with the development and implementation of PREA-related policies.
- b. Develop and coordinate procedures to triage allegations received and identify, monitor, and track incidents of sexual abuse.
- c. Identify and track referrals of allegations to law enforcement and prosecutors.
- d. Develop and implement a comprehensive system to audit compliance with PREA policies and applicable laws.
- e. Oversee monitoring of PREA compliance with private and non-department public entities contracted for offender and inmate confinement
- f. Keep management informed of PREA-related issues
- g. Maintain a memorandum of understanding for external victim advocacy
- h. Maintain PREA content for the department website, including publication of required information and documents.
- i. Conduct training for all staff on PREA compliance and policy.

Contracting With Other Entities for the Confinement of Inmates

- A. WCJ will ensure that all contracts for inmate boarding, will include any new contract or contract renewal the entity's obligation to adopt and comply with PREA standards.
- B. WCJ will ensure that any new contract or contract renewal will provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.
 - a. Monitoring can be achieved by, but not limited to; audit results, inspections, review of incident reports.

Upgrades to Facilities and Technologies

- A. When designing or acquiring any new facility and in planning any substantial expansion or modification of our existing facility, WCJ will consider the effect of the design, acquisitions, expansion, or modification upon the agency's ability to protect inmates from sexual abuse
 - a. The Jail Administrator will consult with the architect or engineer team to discuss PREA considerations and how our ability to protect inmates from sexual abuse may be impacted.
- B. When installing or updating a video monitoring system, electronic surveillance system, or other ability to protect inmates from sexual abuse

Original Signed

Administrator

Date

