

COR-19 PRISON RAPE ELIMINATION ACT (PREA)

19-1 PURPOSE

This directive establishes a zero-tolerance standard for the incidence of sexual abuse within the Ford County Sheriff's Office and Correctional Facility. It also establishes the prevention of sexual abuse and complies with national standards for the detection, reduction, and punishment of prison rape.

19-2 POLICY

It is the policy of the Ford County Sheriff's Office that all employees take an active role in the detection, prevention, reduction, and reporting of any and all forms of sexual harassment and/or sexual abuse. Employees of the Ford County Sheriff's Office will be provided appropriate awareness and training. Employees violating PREA policy will be held accountable with punishment up to and including termination. Inmates found violating PREA policy will be punished through criminal justice proceedings.

19-3 SHERIFF ESTABLISHED AS PREA COORDINATOR

A. Zero Tolerance PREA Standard 115.11

1. The Sheriff requires **zero-tolerance** for sexual abuse and/or sexual harassment of any employee or inmate and will oversee the Ford County Sheriff's Office employee efforts in complying with PREA standards in all areas of his/her charge.
2. The Sheriff or designee that contracts out with other entities for the confinement of inmates will require the accepting agency to provide written compliance with the PREA standards.
3. The Sheriff or designee will promote thorough investigative practices to protect both staff and inmates from sexual abuse and/or sexual harassment.
4. The Sheriff or designee will ensure that all staff is appropriately trained in sexual assault prevention and response to such allegations.

B. Jail Administrator Responsibilities

1. Supervision and monitoring compliance with PREA standards to assure adequate staffing levels are maintained.
2. Provide documentation and times when staff deviate from the normal monitoring or supervision of inmates and periodically meet with other shift supervisors and Sheriff to effect change if necessary.

### 19-3 DEFINITIONS AND TERMS

The following definitions and terms include sexual abuse of an inmate by another inmate. This also includes sexual abuse of an inmate by a staff member, contractor, or volunteer. Any of the following acts, if the victim does not consent, is coerced into such an act by overt and/or implied threats of violence towards him/herself or a family member outside of the facility, and/or is unable to consent or refuse.

#### A. 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 of another person, however slight, by hand, finger, or object, or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, breast, inner thigh, or buttocks of any person, excluding contact incidental to a physical altercation;
5. Any other intentional touching of another person that is unrelated to official duties or where a staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify a 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/her uncovered genitalia, buttocks, or breast in the presence of an inmate.

#### B. Voyeurism

1. Means an invasion of privacy of an inmate by staff, contractors, or volunteers for reasons unrelated to official duties, such as peering at an inmate who is using the toilet and/or performing bodily functions that require an inmate to expose his/her buttocks, genitals, or breasts;
2. The taking of images of all or parts of an inmate's naked body while they are performing bodily functions that are unrelated to official duties.

#### C. Sexual Harassment

1. Repeated or unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory and/or offensive sexual nature to an inmate, staff member, contractor, or volunteer.
2. Repeated verbal comments or gestures of a sexual nature to an inmate by a staff member, contractor, or volunteer, including demeaning references to gender, sexual preference and/or sexual orientation.

- D. Inmate – Means any person incarcerated, in custody or detained, regardless of adjudication status by the Ford County Sheriff's Office.
- E. Staff Member – Means an employee
- F. Contractor – Means a person who provides services on a recurring basis pursuant to a contractual agreement with the Ford County Sheriff's Office.
- G. Volunteer – Means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the Ford County Sheriff's Office.
- H. Exigent Circumstances – Means any set of temporary and unforeseen events that require immediate action in order to combat a threat to the security and/or institutional order of the Ford County Sheriff's Office.
- I. Gender Nonconforming – Means a person whose appearance and/or manner does not conform to traditional societal gender expectations.
- J. Intersex – Means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- K. Transgender – Means a person whose gender identity is different from the person's assigned sex at the time of birth.
- L. Pat-down search – Means running of hands over the clothed body of an inmate by a staff member to determine whether the inmate possesses weapons and/or contraband.
- M. Strip Search – Means a search that requires an inmate to remove or arrange some or all clothing so as to permit a visual inspection of the inmate's breasts, buttocks, and/or genitalia.
- N. Substantiated Allegation – Means an allegation that was investigated and determined to have occurred.
- O. Unfounded Allegation – Means an allegation that was investigated and determined not to have occurred.
- P. Unsubstantiated Allegation – Means an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.