

Pine County Jail

PREA: Prison Rape Elimination Act

Guide on Sexual Abuse Prevention and Response



Program Facilitators: Volunteer and Paid

1. Read and understand the “Guide on Sexual Abuse Prevention and Response”.
2. Read and understand our agency’s “Zero Tolerance Policy”.
3. Complete the 10 review questions.
4. Sign the Training Acknowledgement.
5. Turn in the completed review questions along with the signed acknowledgment to the Jail Programmer

PREA – “Zero Tolerance” Policy

Dear Volunteer,

The Pine County Jail maintains a **zero-tolerance policy** on sexual abuse and harassment promoting a safe and humane environment, free from sexual violence and misconduct for offenders. All jail staff, contractors, and **volunteers must immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse/harassment or staff sexual misconduct** that occurred in the facility or outside the facility if inmate is under the custody and care of the Pine County Jail. If the Pine County Jail learns that an offender is subject to a substantial risk of imminent sexual abuse, it must take immediate action to protect the offender. The agency investigates all matters of sexual abuse/harassment/staff sexual misconduct vigorously through Pine County Sheriff’s Office Investigators, Jail Administration, PREA Coordinators Office, and outside law enforcement, as directed by the incident. (28 C.F.R 115.11)

- A. Offenders, staff, contractors, visitors, **volunteers**, or any other individuals who have business with the Pine County Jail are subject to disciplinary action and/or criminal sanctions, including dismissal or termination of contracted and volunteer services, if determined to have engaged in sexual abuse/harassment/staff sexual misconduct of an offender. A violation of this policy may result in termination from the Pine County Jail.
- B. Offenders, staff, contractors, **volunteers**, and others deemed necessary by administration must receive training on sexual abuse/harassment/staff sexual misconduct prevention, detection, and the Pine County Jails response plan.
- C. The Pine County Jail maintains multiple ways for offenders and staff to report allegations of sexual abuse/harassment/staff sexual misconduct perpetrated by other offenders, staff, contractors or **volunteers**. Offenders who falsely report information are reviewed for a Major Violation as stated in the Inmate Handbook and/or criminal charges.
- D. At intake all inmates will be assessed during intake process and transfers to another facility. Intake staff will complete a Screening for Risk of Sexual Victimization and Abusiveness.
- E. An offender who alleges that he/she has been the victim of sexual abuse perpetrated by another offender, staff, contractor, or **volunteer** is offered access to psychological services, medical services, and a sexual abuse advocate. In cases of substantial sexual harassment or staff sexual misconduct, offenders have access to psychological services and educational material.

Guide on Sexual Abuse Prevention and Response

According to the National Standards to Prevent, Detect, and Respond to Prison Rape (also known as the "Prison Rape Elimination Act (PREA) standards"), all jails must train volunteers and contractors who have contact with inmates on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures (*§115.32 Volunteer and contractor training*). According to the PREA standards, a contractor is defined as a person who provides services on a recurring basis pursuant to a contractual agreement with the agency; a volunteer is someone who donates time and efforts on a recurring basis to enhance the services and programs of the agency.

The level and type of training that volunteers and contractors receive needs to be based on the services they provide and the level of contact they have with inmates. All volunteers and contractors must be informed of the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report these incidents. The agency also needs to maintain documentation that volunteers and contractors received and understand the training.

1. Introduction to Volunteer and Contractor PREA Training

All inmates who are in the custody of the Pine County Jail have the right to be free from sexual abuse and sexual harassment. Our volunteers and contractors are extremely important to our agency and have a role in preventing, detecting, and responding to sexual abuse in this jail.

The following information is about our agency's zero tolerance policy for sexual abuse and sexual harassment, how to report incidents or suspicions of sexual violence in a custodial setting, and additional information on this topic.

The Prison Rape Elimination Act (PREA) of 2003 is a federal law that was created to put an end to sexual abuse against inmates in federal and state prisons, jails, lockups, community corrections facilities, and juvenile detention centers.

The Pine County jail is committed to complying with all of the requirements of PREA in order to protect inmates from sexual abuse and to ensure they get the help they need if they are victimized. PREA requires all volunteers and contractors to receive specialized training in their responsibilities to prevent, detect, and respond to sexual abuse in custody. Every person who works or volunteers in this jail will receive this information.

2. Zero Tolerance

The Pine County Jail has zero tolerance toward all forms of sexual abuse and sexual harassment. (*see policy notification and acknowledgment above*)

"Zero tolerance" means that sexual abuse, sexual harassment, and sexual misconduct will not be tolerated in the Pine County Jail. One incident is too many.

I want to be sure you understand what we mean by these terms, so let's review the definitions. Sexual abuse includes-

1. Sexual abuse of an inmate by another inmate; and
2. Sexual abuse of an inmate by a staff member, contractor, or volunteer.

Definitions

1. "Inmate" means any person incarcerated or detained in the jail.
2. "Staff" means an agency employee, including civilian staff.
3. "Contractor" means a person who provides services on a recurring basis through a contract with our agency.
4. "Volunteer" is a person who provides unpaid services to our agency.

Sexual abuse of an inmate by another inmate includes any sexual contact when the victim does not or cannot consent, including if an inmate is coerced or threatened.

Basically, coercion is any time someone is pressured or manipulated to do something they wouldn't otherwise do. For example, an inmate might take advantage of another inmate who has a mental illness or disability, or may offer protection in return for sexual favors. Any time an inmate is unable to give consent to sexual contact —for any reason — it is considered sexual abuse.

When we refer to "sexual contact", we don't just mean sex. Sexual contact includes any time an inmate's genitals come into contact with another person's mouth, genitals, or buttocks, even if there is no penetration. This also includes when an inmate intentionally touches another inmate on the genitals, breast, groin, inner thigh, or buttocks, without their consent.

There is no consensual sex between inmates and volunteers or contractors. Sexual abuse of an inmate by a staff member, contractor, or volunteer includes all of the abusive sexual contact we just reviewed. Sexual misconduct also includes any display or "flashing" of the genitals, buttocks, or breasts of a staff member, contractor, or volunteer; and "voyeurism", which is viewing an inmate who is not fully clothed.

By law, inmates cannot consent to sexual contact with staff members, volunteers or contractors. All sexual contact between inmates and staff or volunteers is considered sexual abuse. It is against the law for you to have sexual contact with inmates, even if the inmate agrees or seems willing. There is no such thing as consensual sexual activity between inmates and staff, volunteers, or contractors.

Sexual harassment is also prohibited in this jail. Sexual harassment of an inmate by another inmate includes: repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature. Sexual harassment of an inmate by a staff member, contractor, or volunteer is basically the same thing, regardless of whether or not these actions are wanted by an inmate.

Just like employees, potential consequences for volunteers or contractors who sexually abuse or sexually harass inmates include dismissal from the facility, termination of the contract/volunteer duties, reporting to relevant licensing bodies, criminal prosecution, and civil liability. That means that if you sexually abuse or sexually harass an inmate in this facility, your work with our agency may end, you may be charged with a crime, and/or you may be *sued*.

3. How to Report Sexual Abuse or Sexual Harassment

Volunteers and contractors have a duty to report any knowledge, suspicion, or information about sexual abuse or sexual harassment against inmates, retaliation by other inmates or staff, and any staff neglect that may have contributed to this abuse. That means that you are obligated to disclose any information you may have about possible sexual violence against inmates, even if you do not have proof of the abuse or you are unsure. Volunteers and contractors cannot — and should not — keep this information a secret. Failure to report any knowledge, suspicion or information about sexual abuse or sexual harassment in a custodial setting may be grounds for immediate dismissal from this facility.

Reporting a “sexual assault behind bars” basically means telling anyone who works here. The Pine County Jail’s official position is that all reports will be taken seriously and will be investigated. There are several ways to report knowledge, suspicion, or information about sexual abuse or sexual harassment.

- ✓ Notify on-duty staff immediately, or
- ✓ Notify Jail Programmer or Shift Commander immediately, or
- ✓ Notify Pine County Jail – PREA Coordinator, or
 - 27/7 cell (612) 390-3504 e-mail rodney.williamson@co.pine.mn.us
- ✓ Notify our Jail Nursing staff, or
 - (320) 629-8403
- ✓ Pine County Jail Administration, or
 - (320) 629-8400 ask for Jail Administrator or Assistant Jail Administrator
- ✓ Pine County Sheriff’s Office
 - (320) 629-8438

This jail also accepts — and will immediately investigate — a report made on behalf of a third party, such as a loved one or an attorney, as well as reports that are made anonymously. The Pine County Jail will investigate all allegations of sexual abuse and sexual harassment, even if the person making the report chooses to stay anonymous.

4. Detecting Sexual Abuse and Sexual Harassment

It is important for volunteers and contractors to be aware of signs of sexual abuse or sexual harassment so that you can prevent this violence and report any abuse that may be occurring. As a volunteer or contractor, you have a very important role in detecting any possible sexual abuse or sexual harassment against inmates.

Some “Red Flags” or common signs of sexual abuse include changes in personality; withdrawal or avoidance of other inmates or staff; weight loss or weight gain; changes in an inmate's appearance or demeanor; unexplained bruises/scrapes/swelling; complaints about stomach aches, headaches, or other pains; fears about going to a certain location in the jail; requests for a cell/facility change; rumors or jokes about sexual abuse; acting out; as well as signs of trauma, which may include difficulty concentrating; flashbacks; sleep disturbances; panic attacks; being very alert/on-guard/jumpy; increased irritability; suicidal thoughts or attempts; and/or the development of Post Traumatic Stress Disorder (PTSD) or other related conditions.

If you suspect sexual abuse or sexual harassment may be occurring — or if an inmate discloses this abuse to you — stay calm and inform the nearest staff member.

5. Maintaining Professional Relationships with Inmates

As a reminder, there is no such thing as consensual sexual activity between inmates and staff members, volunteers, or contractors. All volunteers and contractors are expected to maintain professional relationships with inmates at all times. It is your responsibility to ensure that you adhere to all agency guidelines regarding professional conduct, and that you treat inmates in a fair and consistent manner.

Some of the most important ways you can maintain appropriate limits with inmates are to avoid discussing personal information about yourself (also known as "overfamiliarity"), respect inmates' limits and privacy, and demonstrate professionalism in all of your interactions.

Some examples of behaviors that volunteers and contractors should refrain from include:

- "Horseplay" or touching an inmate or making them touch you when not officially related to volunteer/contractor duties;
- Borrowing or lending anything to/from an inmate, including contraband or other goods;
- Doing favors for an inmate, outside the scope of your volunteer/contractor position;
- Keeping secrets for an inmate, or their family or friends.
- Making sexual jokes with inmates or in front of inmates.
- Discussing your personal issues with inmates.
- Allowing a favorite inmate to have special privileges.
- Gossiping about other staff or complaining about supervisors.

As a volunteer or contractor, you are a visitor at this jail. Please let any staff member know if you have any questions or concerns about how to maintain professional relationships with inmates.

If you would like more information about sexual abuse prevention or response or if you have any questions after today, you can refer to your Volunteer Handbook, the Pine County Jail website or contact the Pine County Jail Programmer and/or the Pine County Jail PREA Coordinator.

Pine County Sheriff's Office – Corrections
635 Northridge Drive NW – Suite 130
Pine City, MN 55063

Pine County Jail Programmer –
Brent Jahnz
(320) 591-1450 brent.jahnz@co.pine.mn.us

Pine County Jail PREA Coordinator –
Sgt. Rod Williamson
(320) 591-1405 rodney.williamson@co.pine.mn.us

AUDIT INTERVIEW

In efforts to gain PREA compliance, our agency will request to be audited periodically. During each audit, the auditor will review every aspect of our facility, including the training of our volunteers and contractors.

The auditor will review records of training and may select **YOU** for an interview. During this interview the auditor will ask you three questions.

1. Have you been trained in your responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response, per agency policy and procedures?
 - A. *Yes, this application process, including the training and orientation session is your training on the responsibilities as listed in your handbook.*

2. If YES, what does the training consist of?
 - A. *The training consists of the written material in your “Guide on Sexual Abuse Prevention and Response” along with a video and verbal discussion delivered by the Programs Coordinator.*

3. Have you been notified of the agency’s “zero tolerance” policy on sexual abuse and sexual harassment, as well as informed about how to report such incidents?
 - A. *YES, included in your Guide is a copy of our agency’s zero tolerance policy as well as contact information and steps on how to report such incidents.*

Please complete the 10 review questions on the following two pages. Print your full name and sign the acknowledgment. Return the completed review questions and acknowledgement to the Jail Programmer.

Pine County Jail PREA Training Acknowledgement

*Complete the following review questions.
Print your full name and sign the acknowledgement below.*

1. According to PREA, all inmates have the right to be free from sexual abuse and sexual harassment?
 - a. True
 - b. False
2. The Pine County Jail has a zero tolerance towards all forms of sexual abuse and sexual harassment?
 - a. True
 - b. False
3. Zero Tolerance means?
 - a. Only sexual abuse is not tolerated.
 - b. Sexual abuse, sexual harassment, and sexual misconduct will not be tolerated.
 - c. One incident is OK.
 - d. Only sexual harassment is not tolerated
 - e. All of the above
4. The term sexual abuse, while in jail includes:
 - a. Sexual abuse of an inmate by another inmate.
 - b. Sexual abuse of an inmate by a staff member.
 - c. Sexual abuse of an inmate by a contractor.
 - d. Sexual abuse of an inmate by a volunteer.
 - e. All of the above
5. It is against the law for a volunteer or contractor to have sexual contact with inmates, even if the inmate agrees or seems willing.
 - a. True
 - b. False
6. Sexual Harassment of an inmate may include:
 - a. Repeated and unwelcome sexual advances.
 - b. Requests for sexual favors.
 - c. Verbal comments and gestures.
 - d. Actions of a derogatory or offensive nature.
 - e. All of the above

7. Volunteers and contractors have a duty to report _____ relating to sexual abuse or sexual harassment against an inmate.
 - a. Any knowledge, suspicion, or information
 - b. Any retaliation by other inmates or staff
 - c. Staff neglect that may have contributed to this abuse
 - d. All of the above
8. The Pine County Jails official position is that all reports of sexual abuse, sexual harassment and sexual misconduct _____.
 - a. Will be looked into when time is available.
 - b. Will be filed away for no one to see.
 - c. Will be taken seriously and will be investigated thoroughly.
 - d. All of the above
9. According to PREA, common signs of sexual abuse, against an inmate may include _____.
 - a. Changes in personality.
 - b. Withdrawal or avoidance of other inmates or staff.
 - c. Changes in an inmate's appearance or demeanor.
 - d. Difficulty concentrating, flashbacks, very alert or jumpy.
 - e. All of the above
10. Behavior that volunteers and contractors should refrain from may include _____.
 - a. "Horseplay" or touching an inmate when not officially related to your duties.
 - b. Borrowing or lending anything to an inmate
 - c. Doing favors for inmates, outside the scope of your position.
 - d. Making sexual jokes with inmates or in front of inmates.
 - e. All of the above

**Training Acknowledgement for Program Facilitators
PREA "Guide on Sexual Abuse Prevention and Response"**

I, _____ have read and understand the information provided to me in this "Guide on Sexual Abuse Prevention and Response."

- ✓ I understand inmates have the right to be free from sexual abuse and sexual harassment.
- ✓ I understand and will comply with the Pine County Jails "Zero Tolerance Policy" and "Reporting Procedures."
- ✓ I understand "consent" is no excuse for sexual activity between a volunteer/contractor and an inmate.
- ✓ I acknowledge I have completed the 10 review questions above to the best of my ability.

Volunteer/Contractor Signature

Date