

<p>WASHINGTON COUNTY DETENTION CENTER Policy and Procedures</p>	<p>NO: F-527</p> <p>PAGE <u>1</u> OF <u>5</u></p>
<p>SUBJECT: Inmate Sexual Contacts</p>	<p>EFFECTIVE DATE: 04-10-05</p> <p>REVISED DATE: 05-06-05</p>
<p>REFERENCE TO STANDARDS: ACA</p>	

1.0 POLICY

- 1.0.1** Sexual contact, or attempted sexual contact, between inmates or inmates and employees is prohibited.
- 1.0.2** Sexual contact can be verbal, visual, or physical contact of a sexual nature resulting from consent, coercion, physical force, the threat of physical force, or other means of exerting control over an inmate.
- 1.0.3** Sexual contact, or an attempt to engage in sexual contact, is a Prohibited Act as defined in Policy K-1000, “Inmate Disciplinary Procedures”, for which an inmate may be disciplined or prosecuted, and, a violation of Policy A-013, “Standards of Conduct”, for which an employee may be disciplined or prosecuted.
- 1.0.4** Inmates will receive awareness orientation through initial classification procedures concerning steps they may take to reduce the likelihood of being victimized by sexual predators and how to report a sexual contact or attempted sexual contact by another inmate or employee.
- 1.0.5** Employees and Volunteers will receive awareness training concerning: the prohibition on sexual contact with inmates; inmate on inmate sexual contact awareness; and, procedures for identifying, responding to, resolving, and reporting inmate sexual contact.
- 1.0.6** Sexual contact will be discouraged and prevented through inmate supervision and the practice of professional ethics by employees.
- 1.0.7** Statistical information on inmate sexual contacts will be maintained.

1.1 PROCEDURE

1.1.1 ORIENTATION AND TRAINING

- 1.1.1.1** Inmates will receive information concerning the prohibition of sexual contact and steps to take to prevent the likelihood of being victimized by a sexual predator during Orientation at Initial Classification.
- 1.1.1.2** Employees will receive information about the prohibition of sexual contact with inmates and methods of prevention, resolution, and reporting during Pre-Service Training and periodically through In-Service Training.
- 1.1.1.3** Programs Volunteers will receive information about the prohibition of sexual contact and procedures for preventing and reporting same during their particular orientation session.

1.1.2 IDENTIFICATION AND PREVENTION

- 1.1.2.1** Inmates identified through the Intake Process as being at greater than average risk of victimization by a sexual predator will be classified to Protective Custody and placed in a segregation-capable housing unit, or, classified to General Population and assigned to a housing unit which affords direct supervision.
- 1.1.2.2** Inmates who are suspected or confirmed to have been victimized by a sexual predator within the facility will be separated from the suspected or confirmed predator by reassignment of housing. The victim will be classified to Protective Custody and segregated from the General Population when deemed appropriate.
- 1.1.2.3** Inmates identified as sexual predators will be placed on an appropriate segregation status through disciplinary action, classification, or reclassification as may be appropriate.
- 1.1.2.4** Male and female inmates will not be housed together, placed into holding cells together, nor will they be permitted to participate in co-educational programs without direct supervision by staff. They will be separated by sight and sound whenever practical.
- 1.1.2.5** Deputies will not search inmates of the opposite sex except under emergency circumstances as stated in Policy E-408, "Searches".
- 1.1.2.6** Male deputies will not enter the living quarters of female inmates without first being announced. A female staff member will be present when this occurs. (Emergencies excepted).
- 1.1.2.7** Male deputies will not conduct routine Security Rounds in the Female

Housing Unit, although they may respond to emergencies.

- 1.1.2.8** Whenever practical, a female deputy will be assigned to conduct Security Rounds and Feeding in the Intake/Medical Area when female inmates are housed there. Cells housing female inmates will only be unlocked and entered by female deputies, or, by male deputies with a female staff member or second male staff member in attendance (emergencies excepted). Male deputies may conduct routine duties otherwise within other areas of the post.
- 1.1.2.9** Female Classification Counselor will classify female inmates when they are on duty. In the absence of female Classification Counselors, a male Classification Counselor will classify female inmates in the Booking Office with another deputy present.
- 1.1.2.10** Whenever practical, female inmates will be Booked by female Booking Deputies. In the event a female Booking Deputy is not on duty, a male Booking Deputy may Book the inmate with a second male present. If a female inmate is Booked by a male Booking Deputy, that deputy will enter this information in the Keystone System under the “Narrative” section: the name of the deputy that Booked the inmate; the name of the second deputy present; the reason a female deputy was not present to Book the female inmate.
- 1.1.2.11** When female inmates are moving to and from programs, they will be escorted by a female deputy whenever practical. In the event a female deputy is not available, female inmates may be escorted by a male deputy with a second male deputy in attendance. When moving female inmates to the Programs Unit above E-Pod, the elevator will not be used. Female inmates attending programs in the Programs Unit will be moved to the Programs Unit via the staircase accessible from the E-Pod Sallyport. Female inmates will not be permitted to enter the E-Pod Sallyport if male inmates are present there. Exception: Male and female inmates participating in the same co-educational program may be moved together through the sallyport. Female inmates will be moved as a group whenever practical.
- 1.1.2.12** Female inmates moving to and from the Medical Services Area for Sick Call, etc., will be escorted by a female deputy whenever practical. In cases where a female deputy is not available, the female inmates may be escorted by (2) male deputies. The female inmates will be moved to and from the area as a group whenever practical.
- 1.1.2.13** Male and female inmates will not attend Sick Calls or medical screenings

together. A physician examining, treating, interviewing, or conducting therapy on an inmate of the opposite sex will have a nurse or other staff member of the same sex as the inmate in attendance. In cases where privacy and confidentiality must be considered, a staff member who is the same sex as the inmate will be posted in the immediate vicinity.

1.1.2.14 Mental Health Case Workers will interview/counsel female inmates in the Library of the Female Housing Unit. The deputy posted to the control center will visually monitor interactions between the Mental Health Case Worker and female inmate being interviewed/counseled.

1.1.2.15 When conducting business which normally requires some degree of privacy and confidentiality, staff, Volunteers, and Professional Visitors will use facility accommodations such as Interview Rooms, libraries (not Law Library), and other areas where there is a substantial view of the parties inside and accessibility by other staff members.

1.1.2.15.1 Female inmates and female civilian staff, female Volunteers, and female Professional Visitors will not be permitted to be secluded from the sight when in the company of male inmates.

1.1.2.15.2 Female deputies who are required to perform duties where they may be out of sight in the presence of male inmates will notify the deputy or supervisor at the nearest post of their location and type of duty being performed. Periodic radio Contact will be maintained until the female duty leaves the post area.

1.1.2.16 Male and female inmates will be physically separated during transports. Whenever females are transported outside the facility, the transporting deputy will transmit the vehicle's starting mileage and mileage upon arrival at the particular destination.

1.1.2.17 Employees and Volunteers will neither initiate nor engage in conversation with inmates where the speech is sexual in nature.

1.1.2.18 Employees and Volunteers will not correspond with inmates except to discharge their duties. No correspondence of a sexual nature will be promoted or conveyed between employees, Volunteers, and inmates.

1.1.3 RESPONSE AND INTERVENTION

- 1.1.3.1** Inmate complaints of sexual contact will be investigated immediately as such become known. Complaints of contact such as sexual assault and rape will be turned over to the Patrol Division for investigation and criminal prosecution. The scene of the assault/rape will be secured and evidence preserved pending the arrival of an investigator.
- 1.1.3.2** An inmate claiming to be the victim of sexual contact by another inmate will be separated from the alleged perpetrator by housing assignment and placed on Protective Custody if the need to do so is determined. The names of the victim and perpetrator will be entered on the “Seg. Alert Form” as “enemies” and they will be prevented from having further contact. The alleged perpetrator may also be placed on an appropriate Special Confinement Status to include a disciplinary status if there is some evidence to substantiate the inmate committed the Prohibited Act.
- 1.1.3.3** Inmates who claim to have been sexually assaulted or raped will be referred to the Medical Services contractor and afforded prompt medical attention to include an examination by a physician and appropriate follow-up treatment and counseling as deemed necessary.
- 1.1.3.4** Complete and detailed reports will be prepared by those employees having knowledge of the incident.
- 1.1.3.5** Allegations of employee or Volunteer sexual contact with an inmate will be investigated immediately as such become known. Inmate complaints alleging sexual contact by an employee or Volunteer will be forwarded to the Chief of Security who will arrange for the incident to be investigated. Employees may be immediately relieved of duty by the Shift Commander or an Administrator if such is deemed necessary. An employee may be suspended pending the outcome on an investigation into an allegation of sexual contact and subjected to internal disciplinary procedures and criminal prosecution.

1.1.4 STATISTICS

The facility will maintain statistical information concerning incidents of sexual contact in the case of a sexual assault or rape. Statistics on both inmate on inmate and employee on inmate contact will be kept and maintained in the facility’s computerized Detention Management System.