
Inmate Sexual Abuse Prevention and Intervention

Chapter:	Safety and Security	Effective Date: 11/1/2012
Revised:	09/04/14	Reviewed: 09/14
Reference:	Prison Rape Elimination Act	
R	Penal Code Section 289.6	

Purpose: To prevent the sexual abuse of inmates incarcerated at the Yuba County Jail and to effectively respond to, and document, reports of sexual abuse within the facility.

Zero Tolerance Policy: The Yuba County Sheriff’s Department is intolerant to any abuse of prisoners, especially the sexual abuse of prisoners. It is the policy of the Yuba County Jail to provide a safe and secure environment for all inmates, sworn staff and civilians. Training in accordance with a Sexual Abuse and Assault Prevention and Intervention Program will focus on preventing and responding to sexual assaults, to include; first responder duties, proper investigation and documentation, and the focus on prosecuting violators and thoroughly assisting victims.

- I. **Program Coordinator:** A Jail Sergeant will be recognized as the sexual abuse prevention coordinator and will be responsible for the oversight of the facility’s efforts to comply with this policy. The name of the Program Coordinator will be posted in all housing areas of the facility. The Program Coordinator’s duties will include:
 - 1. Keeping these policies and procedures up to date;
 - 2. Assisting with initial and ongoing training protocol;
 - 3. Serving as a liaison with other agencies
 - 4. Reviewing the results of sexual abuse investigations.

Additionally, the Jail Lieutenant will assist the Program Coordinator with the keeping and gathering of statistics relative to sexual assaults in the facility, and the consistent reviewing of facility practices.

- II. **Prevention:** All staff, including volunteers and contractors who have access to any inmates, is responsible for being alert to signs of potential sexual abuse or assault. To assist in identifying potential issues, the jail shall:
 - 1. Identify issues in the screening or classification process.
 - a. Detainees with a history of sexual assault shall be identified, monitored and counseled.
 - b. Detainees identified as “high risk” for committing sexual assault shall be assessed by a mental health professional.

- c. Detainees at risk for sexual victimization shall be identified, monitored and counseled.
 - d. Detainees identified as “high risk” for sexual victimization shall be assessed by a mental health professional.
 - e. Any detainee who is considered “at risk” shall be placed in the least restrictive housing that is available and appropriate.
2. Provide foundational and refresher training to staff, volunteers and contractors, as practical.
 - a. Ensure that all statements from detainees claiming to be victims of sexual assault are taken seriously.
 - b. Ensure that there is coordinated response to claims of sexual abuse, including: Criminal investigators, medical staff, mental health staff and victim assistance personnel
 3. Ensure that jail medical staff has training in detecting and assessing the signs of sexual abuse and assault, as well as preserving evidence and responding effectively to victims of sexual assault.
 4. The Program Coordinator shall ensure education of inmates in the Zero-tolerance policy through the inmate handbook and other informational programs. Encourage them to promptly report any signs of sexual harassment or assault.
 - a. Reports can be made directly to facility staff or to:
 - = The ICE Community and Detainee Hotline- 1-888-351-4024
 - = ICE/OPR Joint Intake Center- 1-877-246-8253
 - = ICE/OIG 1-800-323-8603
 5. Ensure that the information on the Sexual Abuse and Assault Prevention and Intervention Program is effectively communicated to the inmates. Including interpretation for inmates with Limited English Proficiency (LEP).

III. Reporting: Whenever an inmate reports to any staff member that he/she was a victim of sexual abuse of any nature, the supervisor shall be notified. The supervisor then shall ensure the following:

1. That the victim is immediately given medical assistance if necessary.
2. That any potential crime scene is preserved, and the alleged victim is separated from the suspect. A detainee who is subjected to sexual abuse or assault shall not be returned to general population until proper re-classification, taking into account any increased vulnerability of the detainee as a result of the sexual abuse or assault, is completed.
3. If there is a need for specialty investigators, medical assistance or crime scene investigators, then those requests are made promptly.
4. That a crime report, and internal incident report are both generated.

5. That the jail Lieutenant and/or Captain is notified of the incident.
6. The disclosure of information is limited on a “need-to-know” basis to protect the welfare of the victim and the integrity of the investigation.
7. That ICE authorities are immediately notified about an incident involving an ICE detainee. Specifically, notification should be made to:
 - a. The facility’s DSCO
 - b. The facility’s SDDO of detention
 - c. The Assistant Field Office Director (AFOD)

It is the duties of one of the above to make contact with the Field Office Director (FOD).

IV. **Criminal Prosecution**: Whenever an investigation reveals there is probable cause that a crime has been committed the investigation shall be forwarded to the district attorney for prosecution.

V. **Consensual Sexual Relations**: Consensual sexual relations between inmates are forbidden. The participating inmates should be housed in different housing units and disciplined. Consensual sexual relations between staff and inmates are illegal and shall be thoroughly investigated and reported to the Sheriff. The concluded investigation should be forwarded to the District Attorney for consideration of prosecution and:

1. Staff suspected of perpetrating sexual abuse or assault shall be removed from all duties requiring contact with inmates pending the outcome of the investigation.

VI. **Victim Services**: Inmates who are victims of sexual assault are entitled to receive reasonable services including medical treatment, counseling, mental health services and a forensic rape examination if warranted.

1. Any non - evidentiary documentation of medical and mental health evaluations and treatment, crisis intervention counseling and recommendations for post-release follow-up shall be retained in the victim inmate’s medical file in accordance with policy.

VII. **Training**: In accordance with this policy, jail staff will receive foundational and refresher training relative to the Sexual Abuse and Assault Prevention and Intervention Program. Such training includes, but is not limited to the following:

1. Classification Officers shall be trained in identifying and working with vulnerable populations.
2. First responders shall be trained in crime scene preservation.

VIII. **Cross-Gender Viewing and Searches**: In accordance with dress-in procedures

covered in Section B-203 and the Supervised Clothing Exchange defined in Appendix B of this manual, staff shall not visually observe inmates who are changing clothing or taking a shower, but may be present immediately beyond the screened off privacy area. The exception to this procedure is when staff has probable cause, or other factors present that would warrant a strip-search of the inmate. All strip searches must receive pre-authorization from a supervisor, and conform to the guidelines for strip-searches denoted in Appendix B of this policy manual.

Male personnel needing to enter the living area of the female inmates will announce their presence before entering and only if accompanied by a female staff member. During an emergency situation when a female staff member is not immediately available, a male deputy will notify one of the control rooms and/or the shift supervisor to monitor their movement on the Jail's camera system. Only when a supervisor or deputy acknowledges they are monitoring his movement will the deputy enter the female area without escort.

Female deputies and non-sworn female personnel may enter the housing area of the male inmates after they have announced their presence. They will not enter the sleeping area of the male inmate unless escorted by a male deputy.

Jail Commander: _____