

PREA Staff Training Template For Small Jails



Acknowledgements

This project was supported by Grant No. 2012-RP-BX-0001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Some of this content has been adapted from the curriculum of the PREA Resource Center's *Victim Services and PREA: A Trauma-Informed Approach* by Just Detention International.

Just Detention International wishes to thank Lincoln County Jail Administrator Capt. Clint Tweden and Pitkin County Jail Administrator Deputy Don Bird for their invaluable contributions to this document.

For More Information

Colorado Jail Association (CJA) members can obtain additional project resources — including a PREA policy template, inmate education materials, and sample staffing plans — on the CJA website. Non-members can access materials on the Colorado Division of Criminal Justice website at: <https://sites.google.com/a/state.co.us/dcj-oajj/publications-reports/prea-for-local-law-enforcement>.

Just Detention International is a health and human rights organization that works to end sexual abuse in all forms of detention. For more information on this project or on creating staff training that complies with the Department of Justice's national PREA standards, contact Just Detention International at info@justdetention.org or (213) 384-1400.

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Guide to Using the Training Template

According to the National Standards to Prevent, Detect, and Respond to Prison Rape (PREA standards), jails must train all employees who have contact with inmates in the following ten subject areas: (1) the agency's zero tolerance policy for sexual abuse and sexual harassment; (2) how staff can fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; (3) inmates' right to be free from sexual abuse and sexual harassment; (4) the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (5) the dynamics of sexual abuse and sexual harassment in confinement; (6) the common reactions of sexual abuse and sexual harassment victims; (7) how to detect and respond to signs of threatened or actual sexual abuse; (8) how to avoid inappropriate relationships with inmates; (9) how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and (10) how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. The agency also needs to document, through employee signature or electronic verification, that all staff understand the training they receive (§115.31 *Employee Training*).

The *PREA Staff Training Template for Small Jails* includes a curriculum, instructor's guide, PowerPoint® slides, and suggested group activities.

The curriculum and materials in the template are written for small jails in general and should be tailored to the agency or facility receiving the training.

Text in brackets or all capital letters (such as "[AGENCY]") should be replaced with facility-specific information. Italicized text (such as "*Discuss as a group*") provides suggestions or guidance for the instructor.

Training Overview

The purpose of this training is to help employees in small, rural jails to prevent, detect, and respond to sexual abuse in detention in accordance with the Prison Rape Elimination Act (PREA) standards.

- This six-hour training is broken into six modules and includes video, facilitated discussion, and interactive group activities. Trainers are encouraged to incorporate breaks as needed.
- PowerPoint® slides are included for each of the modules.




Training Objectives

As a result of this training, staff will be able to:

- Adhere to agency policies and procedures related to sexual abuse prevention, detection, and response;
- Demonstrate knowledge of the dynamics and impact of sexual abuse and sexual harassment in custody;
- Detect and respond to signs of sexual abuse in a professional, sensitive, coordinated manner;
- Comply with the Prison Rape Elimination Act (PREA) and mandatory reporting laws related to sexual abuse;
- Maintain appropriate relationships and communicate respectfully with inmates, including lesbian, gay, bisexual, and transgender inmates.

How to Use the Instructor’s Guide

This Instructor’s Guide provides guidance for trainers using this curriculum. The lesson plans are written in a step-by-step, table format.

<p>The far left column provides the trainer with the approximate time it will take to teach the corresponding segment.</p>	<p>The middle column provides the talking points for the trainer.</p> <p>Each topic heading is written in bold print with the speaking points indented below it.</p>	<p>The right column provides teaching tips and guidance to the trainer(s).</p> <p>Where “discuss” appears, instructors should facilitate a conversation in the larger group.</p> <p>“Activity” connotes individual or small group work.</p> <p>Icons indicate the handouts referred to for that section and places where audio-visual tools are used, as below:</p> <p> for handouts;</p> <p> for video or DVD;</p> <p> for PowerPoint® slide</p>
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For trainings that will be done in a jail that does not have the equipment to show PowerPoint® slides on a screen or computer, consider printing the slides in advance for participants so they can follow along and take notes. The slides should be printed in “handout” format with three slides to a page and space for note-taking.

Group activities and participant involvement are an important to the training. The curriculum is designed to be interactive, with discussion questions, and large and small group activities.

The ideal instructor: is an experienced trainer with a background in corrections, law enforcement and/or victim advocacy; is knowledgeable about sexual abuse prevention, detection, and response in detention, the Prison Rape Elimination Act, and the agency's policies and procedures; and has a desire to present this training and a willingness to learn the content.

In small jails that do not have a training department, the PREA Coordinator may be the best person to deliver this training. If the PREA Coordinator, who may often be the jail administrator or other supervisory staff, is the primary instructor for this training, consider partnering with outside experts and/or instructors, such as rape crisis advocates, law enforcement investigators, prosecutors, Sexual Assault Nurse Examiners, and advocates for the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community to assist with the training. The Instructor's Guide includes recommended instructors for each module.

PREA Staff Training Instructor's Guide

Total time: 8 hours

Materials Needed: Computer, projector, and screen to show PowerPoint® slides and DVD or digital video files; participant packets with handouts, such as the training agenda and copies of relevant policies or laws; evaluation materials, such as pre- and post-tests and training evaluation forms.

Sample Training Schedule

Module 1

- 9:00–9:15: Welcome
- 9:15–9:45: Prison Rape Elimination Act (PREA)

Module 2

- 9:45–10:15: Legal Considerations

Module 3

- 10:15–10:30: Zero Tolerance
- 10:30–10:45: BREAK

Module 4

- 10:45–11:05: Prevalence of Sexual Abuse in Detention
- 11:05–11:25: Dynamics of Sexual Abuse in Detention
- 11:25–12:00: Impact of Sexual Abuse in Detention
- 12:00–1:00: Lunch

Module 5

- 1:00–1:30: Identifying Risks and Signs for Sexual Abuse
- 1:30–2:15: Reporting Policies and Procedures
- 2:15–2:30: BREAK
- 2:30–3:00: Response Policies and Procedures

Module 6

- 3:00–3:45: Respectful Communication with LGBTI Inmates
- 3:45–4:00: BREAK
- 4:00–4:45: Maintaining a Professional Environment
- 4:45–5:00: Conclusion and Wrap-up





Module 1: Welcome and the Prison Rape Elimination Act









45 minutes





Recommended Instructor:




- PREA Coordinator

Time	Speaking Notes	Training Tips
1 min	<p>Welcome and Introduction</p> <p>Welcome to the PREA staff training.</p> <p>The purpose of this training is to prepare you to prevent, detect, and respond to sexual abuse and sexual harassment.</p> <p>You should each have a packet with all of today's training materials, including the training agenda, relevant agency policies, and evaluation materials.</p> <p><i>If applicable:</i> You also should have been given a pre-test prior to today's training. The purpose of the pre-training survey is to measure your existing knowledge about sexual abuse prevention and response. At the end of this training, you will be given a post-test so that we can see how much you've learned today and measure the effectiveness of our training.</p>	<p> Slide 1</p> <p>Insert the agency name and training date.</p> <p> Collect pre-tests (if using) and distribute packets to participants.</p>
2 mins	<p>Acknowledgements</p> <p>This training was developed by Just Detention International (JDI), in collaboration with the Lincoln County Jail and the Pitkin County Jail. JDI is a health and human rights organization that works to end sexual abuse in all forms of detention.</p> <p>We want to thank JDI and both jails for sharing their work and expertise in this area.</p> <p>This training was produced through support from the U.S. Department of Justice, Bureau of Justice Assistance.</p>	<p> Slide 2</p>
5 mins	<p>Introductions</p> <p>Your instructors today are:</p> <p>We want to give the rest of you a chance to introduce yourselves. Please share:</p>	<p> Slide 3</p> <p>Insert the instructor names. Introduce</p>

	<ul style="list-style-type: none"> Your name Number of years working in the jail One word you associate with the Prison Rape Elimination Act (PREA) What do you hope to get out of this training? 	<p>yourself and the other trainers.</p> <p>Encourage trainees to introduce themselves by answering the questions on the slide.</p>
2 mins	<p>Training Goal</p> <p>The goal of this training is to help all [AGENCY] staff to fulfill their responsibilities under the agency's sexual abuse prevention, detection, and response policies and procedures, in accordance with the Prison Rape Elimination Act (PREA) standards.</p> <p>Some of this information might be new to you and some will be familiar. One of the goals today is to make sure that everyone is on the same page, and that we all understand what is expected of us as jail staff when it comes to addressing sexual abuse and sexual harassment.</p> <p>You are the key to operating a safe jail that is free from sexual abuse and sexual harassment. Ensuring inmate safety is a core part of what we do, and the goal of this training is to help you to do that even better.</p>	 Slide 4 Insert the agency's name.
2 mins	<p>Training Agenda</p> <p>Module 1: Prison Rape Elimination Act (PREA) Module 2: Legal Considerations Module 3: Policies and Procedures Related to Sexual Abuse Module 4: Prevalence, Dynamics, and Impact of Sexual Abuse in Detention Module 5: Sexual Abuse Detection, Reporting, and Response Module 6: Maintaining a Professional Environment</p>	 Slide 5  Refer trainees to the agenda handout. Update this slide, as needed. If the training is split into two days, only the first day's modules should be listed.
3 mins	<p>Training Logistics</p> <p>Professional courtesies</p> <ul style="list-style-type: none"> Please turn off cell phone ringers and refrain 	 Slide 6 If the training is

	<p>from texting or using your phones during the training.</p> <ul style="list-style-type: none"> We have a lot of material to cover today and your participation in discussions and by asking questions will enrich the day for everyone. <p>Self-care</p> <ul style="list-style-type: none"> We have included multiple breaks throughout today's training. If you need to step out of stand to stretch when a break is not scheduled, please do so. Sexual abuse can be difficult to hear about and may bring up uncomfortable feelings for many people. Feel free to step out of the room for a bit if you need to, or approach any of the instructors if you would like to discuss these issues further. <p>Questions</p> <ul style="list-style-type: none"> You are free to ask questions at any time during the presentation. If a question comes up that I don't have the answer to or that will be addressed later in the training, I'll write it down and be sure to come back to it. If you feel uncomfortable asking a question, you can write it down during a break and hand it to an instructor to address later in the training. 	<p>held off-site at a different facility, you should also indicate the location of the nearest restrooms, water fountains, and vending machines.</p>
<p>3 mins</p>	<p>Module 1: Prison Rape Elimination Act (PREA) Let's get the conversation started by reviewing the key aspects of the Prison Rape Elimination Act or PREA.</p> <p>Discussion Questions: Has anyone here heard of PREA before today? If so, what do you know about it?</p>	 Slide 7 Guide participants in a brief discussion about what they've heard of PREA.
<p>3 mins</p>	<p>PREA Basics The Prison Rape Elimination Act is a federal law that is binding on all corrections facilities nationwide.</p> <p>Here are some basic facts about PREA:</p> <ul style="list-style-type: none"> It was passed unanimously by Congress in 2003. PREA is the first federal civil law to address sexual abuse in detention. PREA establishes zero tolerance for sexual 	 Slide 8

	<p>abuse and sexual harassment in detention facilities.</p> <ul style="list-style-type: none"> • The legislation provides funding for agencies through the Bureau of Justice Assistance and the National PREA Resource Center. • PREA mandates continued research by the Bureau of Justice Statistics (BJS) to determine the prevalence of sexual abuse behind bars. • PREA called for binding national standards. 	
3 mins	<p>PREA Standards</p> <p>The PREA standards were released by the Department of Justice in May, 2012. They provide detailed guidelines on sexual abuse prevention, detection, and response.</p> <p>The PREA standards are the result of an eight-year collaborative process involving corrections leaders, government officials, JDI and other advocates, and prisoner rape survivors.</p> <p>There are four separate sets of standards for:</p> <ul style="list-style-type: none"> • Prisons and jails • Juvenile detention facilities • Community confinement facilities • Police lockups 	 Slide 9  Have a copy of the PREA standards for prisons and jails handy to provide to participants, if requested. The standards can be downloaded on the PREA Resource Center website at: http://www.prearesourcecenter.org/sites/default/files/library/prisonsandjailsfinalstandards.pdf .
3 mins	<p>What topics do you think are included in the PREA standards?</p> <p><i>Guide participants in a discussion about the various topics that are included in the PREA standards.</i></p>	 Slide 10 Note responses on a white board or easel, if one is available.
2 mins	<p>The PREA Standards</p> <p>The PREA standards cover a number of different areas, including:</p> <ul style="list-style-type: none"> • Prevention Planning • Response Planning 	 Slide 11 Do not read all of these topics aloud. Rather,

	<ul style="list-style-type: none"> • Training and Education • Screening for Risk of Sexual Victimization and Abusiveness • Reporting • Official Response Following an Inmate Report • Investigations • Discipline • Medical and Mental Care • Data Collection and Review • Audits • Auditing and Corrective Action • State Compliance 	highlight a few of the topic areas that the class may have failed to mention and note those standards that will be covered in greater depth in this training.
3 mins	<p>PREA Standards and [AGENCY]</p> <p>The PREA standards and our agency share many of the same goals, including to:</p> <ul style="list-style-type: none"> • Assure safety and security in the jail • Promote public safety • Ensure professionalism, dignity, and respect for inmates <p>The intent of PREA is nothing new to this agency. Our mission is to ensure the care, custody, and control of inmates. PREA aligns squarely with that mission. Complying with PREA is also about doing our jobs with professionalism and integrity. Inmates are part of our community, and it's important that we are trusted to abide by these standards.</p>	 Slide 12 Insert the agency name.
3 mins	<p>Possible Penalties for Non-Compliance</p> <p>PREA is binding on all corrections facilities nationwide. Compliance is mandatory. Some potential penalties for not complying with the PREA standards could include:</p> <ul style="list-style-type: none"> • Loss of up to 5% federal funding to the state • Inability to apply for federal funds • Loss of accreditation from bodies like ACA or NCCHC • Inability to renew or enter into contracts with other agencies • Summons to testify before the Prison Rape Review Panel • Liability or lawsuits for being out of compliance with accepted professional standards 	 Slide 13
10 mins	<p>Voices for Justice Video</p> <p>This six-minute video by Just Detention International features three survivors of sexual abuse in detention.</p> <p>The video highlights the violence they suffered, as well</p>	 Slide 14

as their reactions to the passage of the PREA standards. All of them are members of JDI's Survivor Council and advocated for the passage of the PREA standards.

We'll have a brief discussion about this afterward.

Discussion Questions:

- What were your thoughts as you watched the video?
- What difference do you think it would have made to Jan if the PREA standards had been in place at the time she was abused? To Frank? To Troy?
- What were some of the common themes among each of the three stories?



Show "Voices for Justice", available at:

www.youtube.com/watch?v=ZV0bb4l-5yw.

If you are unable to use the video, share two or three survivor testimonies from JDI's website :

http://www.justdetention.org/en/survivor_testimony.aspx.



Module 2: Legal Considerations





30 minutes


Recommended Instructors:


- PREA Coordinator
- Prosecutor or attorney with experience in civil litigation



Time	Speaking Notes	Training Tips
1 min	<p>Module 2: Legal Considerations We will now review some of the key legal terms and definitions that are related to sexual abuse in detention.</p>	 Slide 1 If necessary, add presenter information for additional instructors and provide introductions.
2 mins	<p>Sexual Abuse</p> <ul style="list-style-type: none"> • Sexual abuse includes all unwilling or non-consensual sexual contact. • All sex-crimes laws apply in [Insert jail name]. <p>Colorado’s sexual assault laws apply regardless of whether the perpetrator is another inmate or a staff member. These crimes include Sexual Assault and Unlawful Sexual Contact.</p> <ul style="list-style-type: none"> • Inmates can never consent to sexual activity with a staff member, volunteer, or contractor. <p>Discussion Question: Why do you think that is?</p> <p>Answers:</p> <ul style="list-style-type: none"> • It is against the law in all 50 states. • Jail staff hold considerable power and authority over inmates — you literally hold the keys to inmates’ freedom. • Sexual contact with inmates is against professional codes of conduct. <p>Sexual assault — COLO. REV. STAT. §18-3-402</p> <ul style="list-style-type: none"> • Is an act of sexual penetration or intrusion without a person’s consent; 	 Slide 2 Add the jail name to the slide. Solicit responses before moving on to the next slide.



	<ul style="list-style-type: none"> • Includes vaginal, oral, or anal penetration or intrusion by any body part or object; • Occurs when the victim is in custody and the perpetrator uses their authority to coerce the victim to submit; • May be considered a class 2, 3, or 4 felony; • Carries penalties ranging from 2 years of imprisonment to an indeterminate sentence. <p><i>(5) "Sexual intrusion" means any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue, or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification, or abuse.</i></p> <p><i>(6) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, analingus, or anal intercourse. Emission need not be proved as an element of any sexual penetration. Any penetration, however slight, is sufficient to complete the crime.</i></p> <p>Unlawful sexual contact: COLO. REV. STAT. §18-3-404</p> <ul style="list-style-type: none"> • Is an act of fondling or touching the genitals, buttocks, anus, or breasts without consent; • Can involve touching directly or over clothing; • Includes when the victim is in custody and the perpetrator uses their supervisory authority to coerce the victim to submit; • May be considered a class 1 misdemeanor or class 4 felony, punishable by six months to six years of imprisonment. <p><i>(1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:</i></p> <p><i>(a) The actor knows that the victim does not consent; or</i></p> <p><i>(b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or</i></p> <p><i>(d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing</i></p>	<p>The relevant portions of the Colorado Revised Statutes are provided at left as a reference.</p> <p>You should not read these aloud, unless there are questions about them.</p>
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	<p><i>submission; or</i> <i>(e) Repealed.</i> <i>(f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit.</i></p> <p><i>(4) "Sexual contact" means the knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.</i></p>	
<p>3 mins</p>	<p>Legal Definitions of Consent Let's first talk about what consent means.</p> <p>Discussion Question: What is consent? Answers:</p> <ul style="list-style-type: none"> • According to Colorado law, consent means "cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act." • In order for someone to consent to a sex act, they must be able to give permission freely and willingly, and must fully understand the nature of the act. • Consent is a clear, enthusiastic "yes." <p>Discussion Question: Are there any groups of people who cannot consent to sexual activity? Answer: A person cannot consent if he or she is:</p> <ol style="list-style-type: none"> 1. Physically helpless and did not agree to the activity; 2. Drunk, unconscious, asleep, or otherwise unable to indicate willingness to participate. 3. Unable to understand the consequences of his or her behavior. <p>Consent is also not possible if the perpetrator has substantially impaired the victim's power to understand or control the situation for the purpose of causing submission.</p>	<p> Slide 3 Solicit responses from participants before moving on.</p> <p>This information is adapted from the Colorado Coalition Against Sexual Assault's "Toward Healing and Justice: A Handbook for Survivors of Sexual Assault" which is available at: http://www.ccasa.org/?attachment_id=3457.</p>
<p>2 mins</p>	<p>Inmate-on-Inmate Sexual Abuse (§115.6) Now that we have discussed consent, let's go into</p>	<p> Slide 4</p>


	<p>definitions of sexually abusive acts in the PREA standards. “Sexual abuse” is the broad term used in the PREA standards.</p> <p>Sexual abuse of an inmate by another inmate includes any of the following acts, if the victim does not consent, is coerced into such act, or is unable to consent or refuse:</p> <ol style="list-style-type: none"> 1. Contact between the penis and vulva or penis and anus; 2. Contact between mouth and 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; 4. Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks. <p>While any sexual contact is against the rules in most jails, remember that PREA covers non-consensual acts between inmates — in other words, acts that would also be illegal in the community. We will go into why this distinction is so important later on in the training.</p>	<p>It is important for all staff to be comfortable with these terms. You may want to ask a participant to read these definitions aloud to the class.</p>
<p>2 mins</p>	<p>Quiz: Inmate-on-Inmate Sexual Abuse</p> <p>Let’s take a brief quiz to review some of the things you have just learned. Based on the PREA standards, are these acts sexually abusive?</p> <p>A. An inmate penetrates another inmate with his finger.</p> <ul style="list-style-type: none"> ● Answer: It depends. Coercion might be involved, but it is unclear based on the information provided. If this contact was consensual, it would not be considered sexual abuse. <p>B. An inmate gropes another inmate’s breasts while she is heavily medicated.</p> <ul style="list-style-type: none"> ● Answer: Yes. If an inmate gropes another inmate’s breasts while she is heavily medicated, then that is sexual abuse. <p>C. During an altercation, one inmate punches another and accidentally hits him in the groin.</p> <ul style="list-style-type: none"> ● Answer: Probably not. If you remember from subsection 4 of this definition, accidental contact or contact that is incidental to a physical 	<p> Slide 5</p> <p>Facilitate discussion with trainees about each of these scenarios and provide clarification, as necessary.</p>


	<p>altercation is not sexual abuse. The PREA standards require that the touching be intentional to be considered sexual abuse.</p>	
<p>3 mins</p>	<p>Staff-on-Inmate Sexual Abuse (§115.6) Let's talk about the definitions of staff-on-inmate sexual abuse. Keep in mind that sexual contact between staff and inmates is always considered sexually abusive.</p> <p>Because of the authority that staff hold over inmates, inmates can never consent to sexual acts with staff members. "Staff" here refers to any employee working in the jail, including deputies and civilian contractors.</p> <p>The PREA standards recognize that your role is to have direct contact with inmates and that you will be touching inmates in a professional context. This doesn't prohibit you from helping an inmate out of the shower if they have a heart attack, for example, or conducting a pat-down search where contraband is suspected.</p> <p>Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of the following acts, with or without consent:</p> <ol style="list-style-type: none"> 1. Contact between the penis and vulva or penis and anus; 2. Contact between the mouth and any body part; 3. Penetration of the anus or genitals; 4. Intentional touching, either directly or through clothing, of or with the genitalia, anus, groin, breast, inner thigh. <p>Discussion Question: What might be some instances when staff would need to have contact with inmate's mouth?</p> <ul style="list-style-type: none"> • Answer: For example, to remove an inmate's tongue ring. <p>Discussion Question: How about penetration of the anal or genital opening — is that ever related to official duties?</p> <ul style="list-style-type: none"> • Answer: No, if your facility does not perform cavity searches of inmates. If your facility does perform cavity searches, they should only be conducted by medical staff, and never custody staff. 	<p> Slide 6</p> <p>It is important for all staff to be comfortable with these terms. You may want to ask a participant to read these definitions aloud to the class.</p> <p>Guide trainees in the discussion and provide specific examples of appropriate conduct.</p>

<p>3 mins</p>	<p>Staff-on-Inmate Sexual Abuse (§115.6) PREA defines some acts as staff sexual abuse that wouldn't necessarily constitute sexual assault or rape in the community. These are the acts that are specific to staff sexual abuse.</p> <p>Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of the following acts, with or without consent:</p> <ol style="list-style-type: none"> 5. Any attempt, threat, or request to engage in the previously described activities; 6. Display of genitals, buttocks, or breasts in the presence of an inmate; 7. Voyeurism: invasion of the privacy of an inmate for reasons unrelated to official duties. <p>Remember that voyeurism does not include viewing inmates when related to official duties, such as a routine cell check or taking photographs of an inmate's body parts as part of an investigation.</p>	<p> Slide 7</p> <p>It is important for all staff to be comfortable with these terms. You may want to ask a participant to read these definitions aloud to the class.</p>
<p>2 mins</p>	<p>Quiz: Staff-on-Inmate Sexual Abuse Let's take a brief quiz to review some of the things you have just learned. Based on the PREA standards, are these acts sexually abusive?</p> <p>A. An officer takes photos of inmates with his personal phone while they are using the restroom.</p> <ul style="list-style-type: none"> ● Answer: Yes. This is not related to official duties. <p>B. An officer touches an inmate's buttocks while helping her to get up from the toilet.</p> <ul style="list-style-type: none"> ● Answer: It depends on whether the touching was intentional. Most likely, a staff member would NOT need to touch someone's buttocks in order to help them up. If the touching was intentional and gratuitous, this would be considered sexual abuse. The only way this could be considered part of the officer's official duties was if contact with the inmate's buttocks was unavoidable in the course of helping her up. <p>C. A nurse exposes her breasts to an inmate during an examination.</p> <ul style="list-style-type: none"> ● Answer: Yes. This falls under the PREA definition of sexual abuse as "any display...of 	<p> Slide 8</p> <p>Facilitate discussion with trainees about each of these scenarios and provide clarification, as necessary.</p>

	uncovered genitalia...in the presence of a detainee.”	
3 mins	<p>Sexual Harassment (§115.6) Sexual harassment includes inmate-on-inmate sexual harassment and staff-on-inmate sexual harassment.</p> <p>Remember, from the previous slides on the definitions of sexual abuse, that any staff request for sexual favors is considered sexual abuse and not sexual harassment.</p> <p>Here are the definitions from the PREA standards:</p> <ol style="list-style-type: none"> 1. <u>Repeated and unwelcome</u> sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another. 2. <u>Repeated</u> verbal comments or gestures of a sexual nature to an inmate 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. <p>While this conduct might seem less serious than sexual abuse, it’s critical to address sexual harassment behind bars.</p> <p>PREA makes clear that sexual harassment is part of the continuum of sexual abuse. Not only is it abuse in and of itself, but an environment where sexual harassment is allowed to continue is one that will seem permissive of other forms of abuse.</p> <p>Whenever sexual harassment is tolerated, it sends the message that it’s okay to dehumanize certain people, which is contrary to the department’s mission. Sexual harassment is also a primary way that perpetrators test out victims, which can lead to more serious abuse. We’ll explore this more a little later in the training.</p>	 Slide 9
2 mins	<p>Colorado Criminal Law COLO. REV. STAT. §18-7-701 Colorado’s statute regarding sexual conduct in a penal institution is another that covers sexual conduct between staff and inmates, and carries additional</p>	 Slide 10

	<p>penalties for the involved staff member.</p> <p>Sexual conduct in a correctional institution:</p> <ul style="list-style-type: none"> • Occurs when an employee, contract employee or volunteer of a correctional institution engages in sexual conduct with a person who is in custody; • Includes sexual contact, sexual intrusion, or sexual penetration between a staff/volunteer and an inmate; • May be considered a class 5 or 6 felony or a class 1 misdemeanor. 	
<p>3 mins</p>	<p>Colorado Victim Rights Act (VRA)</p> <ul style="list-style-type: none"> • Passed in 1993 <p>In 1993, Colorado passed a constitutional amendment that provides crime victims with certain and specific rights — the Victim Rights Amendment.</p> <p>The principal goal of the VRA is to ensure that the justice system provides victims with rights that are pursued and enforced with the same diligence as those rights guaranteed to criminal defendants with the understanding that victims of crime, through no fault of their own, suffer physical, emotional and financial loss. Most provisions apply to incarcerated victims, as well.</p> <p>VRA covers victims of sexual assault, indecent exposure, and invasion of privacy for sexual gratification.</p> <ul style="list-style-type: none"> • VRA provides crime victims with certain and specific rights <p>Discussion Question: What do you think are victims' rights under the VRA?</p> <p>Examples of victims' rights under the VRA:</p> <ul style="list-style-type: none"> • Treatment with fairness, respect and dignity. • Information on all charges filed. • Input into decisions regarding plea bargains and to be present and have input at sentencing and parole hearings. • Information about what steps can be taken if he or she is subjected to intimidation or harassment. • Notification of all case dispositions, including 	<p> Slide 11</p> <p>Share one or two of these examples with the class, including anything they missed.</p>

	<p>appeals.</p> <ul style="list-style-type: none"> • Timely notification of all court dates. • Information that will assist recovery, including community resources. <p>VRA spells out procedures for State and local law enforcement, probation, corrections, prosecutors, and advocates within the criminal justice system.</p> <p>Law enforcement agencies have the responsibility to provide victims of crime with written information about:</p> <ul style="list-style-type: none"> • Their rights according to the Victim Rights Act; • The availability of victim compensation and how to apply; • The availability of protective court orders; • The availability of a free copy of the initial incident report. Law enforcement maintains discretion to determine when the initial incident report can be released to the victim. <p>Recent legislative changes: Courts now need to accommodate victims who may be unable to attend court physically, including inmates. The court must arrange for and provide a means for a victim to address the court by phone.</p>	<p>Like earlier, choose a few examples. Do not read all of these.</p>
<p>3 mins</p>	<p>Recent Case Law — 10th Circuit <i>Gonzales v. Martinez</i>, 403 F.3d 1179 (10th Cir. 2005): This case was brought by a female inmate against the administrator of the Huerfano County Jail in Walsenburg, CO.</p> <p>Teresa Gonzalez was sexually assaulted by Robert Martinez, the jail administrator, at knife point. On the same day, another inmate was assaulted by a senior detention officer. Both assaults were reported in writing on the same night to detention officers, who notified the county sheriff. The sheriff failed to take immediate action. The next day, the jail administrator sexually assaulted Gonzalez again.</p> <p>The court found that, under the Eighth Amendment, the sheriff could be held liable in his official capacity for deliberate indifference to the actions of abusive corrections officers. Both perpetrators were charged criminally. Evidence of prior physical assaults, lapses in jail security, and sexual harassment were enough to</p>	<p> Slide 12</p>

	<p>support a reasonable inference that the sheriff was aware of the risk of sexual assault to female inmates. There have since been additional cases alleging abuse at the Huerfano County Jail.</p> <p>Hall v. Terrell , 648 F. Supp. 2d 1229 (D. Colo. 2009): This is a case brought by a female inmate (a section 1983 action) against officials at Denver Women’s Correctional Facility. A male corrections officer routinely sexually assaulted and raped a female inmate.</p> <p>The inmate was awarded \$354,070.41 in compensatory damages and \$1,000,000 in punitive damages. The individual officer was held liable in his <u>personal</u> capacity.</p> <p>Hostetler v. Green, 323 F.App’x. 653 (10th Cir. 2009): Another section 1983 action, brought by a female inmate against a jailer at the Choctaw County Jail in Hugo, OK. A female pre-trial detainee held in a county jail was raped by a male inmate, who had been allowed to enter her cell by a county jailer.</p> <p>The court found the female detainee had a Fourteenth Amendment claim against the jailer for deliberate indifference, as his violation of the policy prohibiting male inmates from entering female inmates’ cells permitted the inference that the jailer had knowledge of the risk presented by his actions. The jail deputy was liable in a case of inmate-on-inmate abuse, even though the deputy was not the perpetrator.</p> <p>Discussion Question: How are these cases relevant to our jail?</p>	<p>Guide staff in a brief discussion.</p>
<p>1 min</p>	<p>Staff Legal Liability</p> <p>Potential legal consequences for staff members who engage in sexual abuse of inmates include:</p> <ul style="list-style-type: none"> • Civil liability • Criminal prosecution and incarceration • Fines and other monetary penalties • Sex offender registration and community notification 	<p> Slide 13</p>






Module 3: Zero Tolerance




15 minutes

Recommended Instructors:

- PREA Coordinator

Time	Speaking Notes	Training Tips
3 mins	<p>Module 3: Zero Tolerance Discussion Question: What does zero tolerance mean to you?</p> <p>Answer: It means that one incident is too many, and that sexual abuse and sexual harassment are never tolerated. This conduct is illegal, unethical, and contrary to running a safe and secure jail.</p>	 Slide 1 Solicit responses from participants about what zero tolerance means.
2 mins	<p>[POLICY NUMBER]: Zero-Tolerance Policy [AGENCY NAME] mandates zero tolerance toward all forms of sexual abuse and sexual harassment.</p> <ul style="list-style-type: none"> • This includes sexual abuse and sexual harassment by an inmate, contractor, volunteer, or employee. • All complaints of sexual abuse and harassment will be thoroughly investigated. 	 Slide 2 Update slide with agency-specific information prior to the training.
3 mins	<p>[POLICY NUMBER]: Zero-Tolerance Policy [Insert any other relevant portions of the zero-tolerance policy. Include information about the PREA Coordinator]</p>	 Slide 3 Insert the relevant policy number and portions of your agency's zero tolerance policy.
7 mins	<p>Zero Tolerance Group Activity TRAINER INSTRUCTIONS: <i>Break participants into six different groups. Assign each group a number from 1-6.</i></p> <p><i>Ask each group to think about how to respond to the person who corresponds with their number if that person asked about the agency's zero-tolerance policy. Encourage them to discuss in their small groups how they would communicate this information effectively, and to note their responses on the paper.</i></p>	 Slide 4  Provide each group with the activity handout. Refer to Appendix 1 for the Zero Tolerance Group Activity.

	<p>How would you respond to this person if he or she asked you about our agency's zero-tolerance policy?</p> <ol style="list-style-type: none"> 1) A female inmate who is "coming down" from methamphetamine use. 2) A transgender woman who is visibly shaken and seems afraid. 3) An elderly man arrested for a sex crime who speaks little English. 4) An inmate who appears to have a developmental disability. 5) An inmate's 80-year-old grandmother who calls the facility. 6) A new jail deputy who is assigned to work with you. <p><i>Ask participants to share their responses with the class.</i></p>	<p>Allow them 1-2 minutes to discuss and document their responses before moving on to the large group discussion.</p> <p>If time is short, ask only one or two groups to report back their message.</p>
<p>15 mins</p>	<p>Break</p>	<p> Slide 5</p>




Module 4: Prevalence, Dynamics, and Impact of Sexual Abuse in Detention







1 hour, 15 minutes



Recommended Instructors:




- PREA Coordinator
- Rape crisis counselor or advocate

Time	Speaking Notes	Training Tips
1 min	<p>Module 4: Prevalence, Dynamics, and Impact of Sexual Abuse in Detention Welcome back!</p> <p>This next module will cover the prevalence, dynamics, and impact of sexual abuse in detention. We'll talk about how often this violence happens and who it happens to, what it looks like, and what the effects are on survivors.</p>	 Slide 1 If necessary, add presenter information for additional instructors and provide introductions.
2 mins	<p>Prevalence in Adult Facilities In a 2012 study, the U.S. Department of Justice's Bureau of Justice Statistics (BJS) looked at sexual abuse against for state inmates during their most recent period of incarceration — including in a jail, state prison, or post-release community confinement facility.</p> <p>The BJS found that nearly 1 in 10 former inmates report some form of sexual victimization during their most recent incarceration. This data is based on anonymous self-reporting, not official reports, which we will discuss later. This number refers to only the number of people who were victimized — not the number of incidents.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization Reported by Former State Prisoners, 2008 (May, 2012).</i></p>	 Slide 2
3 mins	<p>Prevalence of Sexual Abuse in Prisons and Jails The BJS also interviewed a random selection of current inmates in at least 10% of the nation's prison and jails.</p> <p>According to the most recent survey, 4% of prison inmates and 3.2% of jail inmates reported sexual abuse in a 12-month period. Overall, the BJS estimates that more than 200,000 people were sexually abused in</p>	 Slide 3

	<p>U.S. prisons and jails during that 12 month period.</p> <p>This comes out to more than 500 people a day, and more than 20 people an hour who are sexually abused in U.S. prisons and jails in a single year alone.</p> <p>Or</p> <p><i>Quantify this number for trainees by using a comparison — such as “That is twice the population of Boulder.”</i></p> <p>Keep in mind that this data does not include sexual abuse in juvenile detention centers, community corrections settings, or immigration detention. If we had prevalence rates for all of those facilities, we would expect the rates of abuse in custody to be much higher.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May 2013).</i></p>	<p>Update slide with relevant comparison group.</p>
<p>2 mins</p>	<p>Perpetrators in Prisons and Jails</p> <p>The most recent BJS study showed nearly equivalent rates of sexual abuse perpetrated by staff members as by inmates (2.4% compared to 2.0%).</p> <p>“Staff members” here refers to custody staff, civilian employees, medical and mental health staff, and anyone else who works in the facility. We’re not just talking about officers.</p> <p>In fact, jail inmates are more likely to report sexual victimization by a staff member (1.8%) than by another inmate (1.6%).</p> <p>This suggests that jail inmates are slightly more likely to be targeted by staff than by other inmates. These rates have been consistent across other BJS surveys.</p> <p>Discussion Question: Does that surprise you?</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By</i></p>	<p> Slide 4</p> <p>Facilitate a brief discussion with staff about the significance of</p>

	Inmates, 2011-12 (<i>May 2013</i>).	the data for their work.
2 mins	<p>Frequency of Sexual Abuse 31% of inmates reporting abuse were victimized three or more times.</p> <p>Victims of sexual abuse in prisons and jails are more likely to be abused repeatedly if the perpetrator is a staff member.</p> <p>We also know from these same studies of prisons and jails that male jail detainees are particularly vulnerable to sexual abuse by other inmates early in their confinement. About half of male victims who reported sexual abuse by another inmate were assaulted within the first 30 days of incarceration.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May 2013).</i></p>	 Slide 5
3 mins	<p>Prevalence of Sexual Abuse in Colorado Facilities Rates of sexual abuse in the Colorado facilities that were surveyed by the BJS vary widely.</p> <p>Most Colorado corrections facilities that were surveyed have rates of sexual abuse at, or slightly below, national levels.</p> <p>In two jails, no inmates reported sexual victimization during the period studied: Jefferson County Jail in Golden and Park County Jail in Fairplay.</p> <p>However, Denver Women’s Correctional Facility had one of the highest rates of sexual abuse of any prison, with nearly 20% of inmates reporting sexual victimization during the previous 12 months. More than half of this abuse (10.7%) was reported to be at the hands of staff.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May 2013).</i></p>	 Slide 6
3 mins	<p>Agency Rates [Insert a summary of agency rates of staff sexual misconduct, inmate-on-inmate sexual abuse, and sexual harassment, if available.]</p>	 Slide 7 Update slide with agency-specific

	<p>[Include data on your jail from the BJS National Inmate Surveys, if applicable. To review the most recent BJS studies on sexual violence, visit: http://www.bjs.gov/index.cfm?ty=tp&tid=20]</p> <p>[Include data from your facility for the past five years. Be sure to redact personal, identifying information. Only summaries of case dispositions (such as founded or unfounded) should be included.]</p>	<p>data.</p>
<p>2 mins</p>	<p>What groups of people do you think are most likely to be targeted for sexual abuse in jail?</p>	<p> Slide 8 Guide participants in a group brainstorm.</p>
<p>3 mins</p>	<p>Vulnerable Inmates According to the Bureau of Justice Statistics, the following groups of inmates are most likely to be targeted by perpetrators:</p> <ul style="list-style-type: none"> • Women Although there are fewer women in custody, they are four times more likely than male inmates to be sexually abused while they are incarcerated. • People with mental illness A quarter of jail inmates (25%) have symptoms of serious psychological distress. Jail inmates with symptoms of serious mental illness are five times more likely than those with no symptoms to report sexual abuse. • Survivors of sexual abuse Adult inmates who had been sexually abused earlier in life were victimized by other inmates at a rate 20 times greater than those who had not experienced prior sexual abuse (12% compared to .6%). • Lesbian, gay, bisexual, and transgender inmates Prisoners who identify as lesbian, gay, bisexual, or transgender are more than 10 times more likely to be sexually abused by another inmate than heterosexual prisoners (11.9% compared to 1%). • Sex offenders 	<p> Slide 9</p>

	<p>People held for violent sex offenses reported higher rates of inmate-on-inmate victimization than inmates held for other offenses (3.9% compared to 2.3%).</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May 2013).</i></p>	
<p>2 mins</p>	<p>Sexual Abuse Rape is an act of violence. Sexual abuse isn't about sex. It does not express love, lust, or attraction; it expresses dominance.</p> <p>Sexual abuse is used to establish and maintain power and control. Sexual abuse is a very effective way for perpetrators to dehumanize another person.</p> <p>This violence is profoundly degrading and violates the victim's body, mind, and spirit.</p> <p>Sexual abuse exists on a continuum of varying degrees of severity. The spectrum of sexual abuse includes sexual harassment, sexual battery, sexual exploitation, and rape.</p> <p>Perpetrators tend to escalate behavior, so they may start with harassment and then increase the intensity of abuse over time if it is not stopped.</p>	<p> Slide 10</p>
<p>10 mins</p>	<p>Survivor Story: Joe (Part 1) Let's continue the discussion about the dynamics of sexual abuse behind bars by viewing an excerpt from a survivor's testimony.</p> <p>Joe Booth is a member of Just Detention International's Survivor Council. He was sexually assaulted by his cellmate in a California state prison in 2008.</p> <p>The clip we're about to watch is approximately 5 minutes long. While you're watching the video, think about what factors contributed to the abuse Joe suffered, and the dynamics surrounding the abuse.</p> <p>Discussion Questions:</p> <ul style="list-style-type: none"> • What stood out to you during the video? • What factors contributed to the abuse that Joe suffered in prison? 	<p> Slide 11</p> <p></p> <p>Joe's testimony begins at 9:00 and ends at 15:30. You should set up the video clip prior to the training so that it's ready to be viewed: http://www.youtube.com/watch?v=xbNMRGccvIQ#t=20</p>

Answers:

- Poor classification system by which Joe was housed with a known sex offender with a history of assaulting gay cellmates.
- Lack of adequate supervision.
- Staff's attitudes about Joe, particularly their prejudice about his sexual orientation.

If the video does not work or there is no internet access, the trainer can read the following excerpt from Joe's testimony:



"I am one of over 200,000 people who are sexually abused each year behind bars. In the fall of 2008, I went to prison in California for attempted robbery. I had been in prison before so I thought I knew what to expect and how to handle myself. I was wrong. I never expected to be housed with a convicted rapist who would torture me repeatedly for days.


I was sentenced to three and a half years for my crime. I served my time, but I'm still living a life sentence as a survivor.


The rapes I suffered — like most cases of rape behind bars — were preventable. California prisons are required to separate likely victims from perpetrators. Sam, my cellmate, was a known sex offender. He is a convicted rapist who had a documented history of assaulting gay cellmates. I'm gay and at the time I was small statured. I should never have been housed with this vicious perpetrator.

I was scared from the first day I was moved into the cell with Sam. Before I went to bed that night, he tortured a mouse right in front of me. I told my psychologist the next day and she said she would talk to custody staff about having me moved. But it never happened and I was forced to remain in the cell.



The second night, Sam raped me for the first time. He pulled me off my bunk, held me down, and threatened me with a knife when I resisted. When it was over, he told me that he would kill me if I told anyone. He made it clear that he was serving a life sentence and had nothing to lose.


	<p><i>The following days were hell. Each night, he found new ways to humiliate and abuse me — each assault worse than the one before. During the day, he would brag to other prisoners about what he was doing to me and offer to trade or sell me to them. They talked about me like I was a piece of property. It’s difficult to put into words the amount of degradation I felt as they were standing in that doorway talking about what it would cost to have me moved to another cell.”</i></p>	
<p>1 min</p>	<p>Consent in a Custody Setting Let’s return to the concept of consent and think about what this means for an inmate.</p> <p>According to Colorado law, consent is voluntary cooperation in act or attitude pursuant to an exercise of free will.</p> <p>Even though inmates do not truly have free will, they retain the capacity to consent to sexual activity with other consenting adults — except for staff members.</p> <p>Inmates have many limits on their choices and freedom, which complicates the idea of consent. So in the jail context, it’s sometimes more helpful to look for coercion, rather than consent. Just remember that consent is never a defense for staff sexual misconduct.</p> <p>Coercion can include any number of factors, including violence and threats, as well as more subtle attempts at persuasion.</p>	<p> Slide 12</p> <p>Refer to the graphic.</p>
<p>3 mins</p>	<p>Consensual Sex Among Inmates vs. Sexual Assault While all sexual contact between inmates is against the rules at this jail, it is important to understand the difference between consensual sexual activity among inmates and sexual abuse.</p> <p>This difference is important because the presence or absence of meaningful consent will change how the facility must respond, the need for medical and mental health services, the potential for criminal prosecution, and what needs to be reported to the federal government.</p> <p>According to Colorado law, inmates can consent to sexual contact with one another. However, in jail, all</p>	<p> Slide 13</p>

	<p>sexual contact is a rule violation.</p> <p>Let's take a look at the differences between these two kinds of cases. When there is a suspected case of unlawful, non-consensual sexual contact between inmates:</p> <ul style="list-style-type: none"> • There is a suspect and a victim. A criminal investigator will be contacted to interview the victim and interrogate the suspect. • The victim is entitled to emergency and ongoing medical and mental health care. They should have access to a confidential victim advocate, as well as a sexual assault forensic exam, if necessary. The victim's safety and housing issues will need to be addressed, and the victim or perpetrator may be moved. • In most of these cases, a felony has been committed. There may be criminal charges brought against the perpetrator. If convicted, the perpetrator may have to register as a sex offender. <p>In contrast, two inmates who are caught having consensual sex have broken a rule. These are generally administrative — not criminal — matters. In these cases:</p> <ul style="list-style-type: none"> • A rule has been broken, but a sex crime has not been committed. • There is no victim and no perpetrator — there are two inmates who have both broken the rules. • There are likely no injuries and no need for medical treatment or follow-up counseling for either inmate, since neither is the victim of a sexual assault. <p>We realize this distinction can be confusing, but it important for you all to understand the difference.</p>	<p>Refer to the top section of the graphic when explaining this concept.</p> <p>Refer to the bottom section of the graphic when explaining this concept.</p>
<p>1 min</p>	<p>Incidence of Inmate-on-Inmate Sexual Abuse Let's take a moment to look at some of the research on inmate-on-inmate abuse.</p> <p>Although most people think that female inmates are more likely to be abused by staff than by another inmate, research consistently shows the opposite: female inmates are more than four times as likely as males to be sexually abused by another inmate.</p>	 Slide 14


	<p>What this means for your work is that you need to be vigilant about the possibility of female inmates abusing one another. It's not just male inmates who perpetrate this abuse.</p> <p>Remember as well that once someone has been sexually assaulted, they are in greater danger. In nearly half of cases of inmate-on-inmate sexual abuse among women, and in more than half of these cases among men, the victim is targeted repeatedly.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May 2013).</i></p>	
<p>5 mins</p>	<p>Dynamics of Inmate-on-Inmate Sexual Abuse</p> <p>Sexual violence in jail may include any of the following forms of abuse:</p> <ul style="list-style-type: none"> • Sexual harassment • Protective pairing • Exchanges/favors • Ritual/gang abuse • Sexual abuse in romantic relationships <p>Let's explore each of these in more detail.</p> <p><u>Sexual harassment</u> Sexual harassment is widespread in corrections facilities. As we discussed earlier, this kind of abuse can be committed by staff and inmates.</p> <p>Sexual harassment can also include degrading or disrespectful comments about someone because of their gender identity or sexual orientation. Gay, lesbian, bisexual, and transgender inmates are frequent targets for sexual harassment.</p> <p>Sexual harassment may also be used by perpetrators to "groom" or test a victim before escalating to other forms of abuse. A perpetrator may see how much they can get away with by sexually harassing a victim before attempting a sexual assault.</p> <p><u>Protective pairing</u> Group Discussion Questions:</p>	<p> Slide 15</p> <p>Solicit responses</p>



<ul style="list-style-type: none"> • How many of you have heard of the term “protective pairing” before? • What do you think it means? <p>Answer: Protective pairing refers to an arrangement where one inmate demands sex from another inmate in exchange for providing protection.</p> <p>Often referred to as “hooking up” or “getting married,” these pairings are sexually abusive, although it may seem like the victimized inmate is consenting. The reason protective pairing isn’t consensual is because the victim believes they have no choice — their very survival may depend on the protection the perpetrator provides.</p> <p><u>Ritual or gang abuse</u> Ritual or gang abuse refers to a dynamic where a group of inmates — for example, a gang — sexually abuses a victim (or a group of inmate victims) for an extended period of time, often in ritualized ways.</p> <p>Based on letters Just Detention International has received from these victims, we know that some survivors of this kind of abuse have been gang-raped every day, after being forced to submit to public humiliation, as well as repeated brainwashing and indoctrination. This violence almost always occurs with the tacit consent — or unspoken agreement — of staff members who do not intervene to stop the abuse.</p> <p><u>Sexual abuse in romantic relationships</u> Sexual abuse in jails can also occur within domestic violence or battering relationships. Although inmates may not spend enough time in jail to create romantic relationships, some inmates spend years in jail and may have the opportunity to enter into a relationship with another inmate. Even though sexual contact between inmates is against the rules, we know it does occur and these relationships have the potential to be abusive.</p> <p>Research has shown that sexual abuse between female inmates is most likely to occur in relationships where one person is pressuring or forcing their partner to have sex when they don’t want to.</p>	<p>before sharing the answer.</p>
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<p>2 mins</p>	<p>Targets for Staff Sexual Abuse Group Discussion: Who is the average victim of staff sexual abuse in prisons and jails?</p> <p>Answer (click slide to reveal): Male, black, Latino, or multiracial inmates who are 24 years old or younger.</p> <p>According to BJS research, male inmates are more likely than female inmates to be sexually abused by a staff member. Staff perpetrators are more likely to sexually abuse black, Latino, and multiracial inmates than white inmates. They are also more likely to target younger inmates.</p> <p>Discussion Questions: Does this surprise you? Why or why not?</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization in Prisons and Jails Reported by Inmates, 2008-2009 (August, 2010).</i></p>	 Slide 16 Lead staff in a brief brainstorm. Click on the slide to reveal the answer.
<p>2 mins</p>	<p>Staff-on-Inmate Sexual Abuse</p> <ul style="list-style-type: none"> • Sexual harassment • Voyeurism/flashing • Exchanges/favors • Abuse during searches • Perceived romantic relationships <p>Staff members perpetrate the majority of sexual abuse in custody. This is not surprising, given the power that custodial staff members hold over inmates.</p> <p>As we said before, all sexual contact between inmates and staff, volunteers, or contractors is illegal and sexually abusive.</p> <p>Discussion Question: Most cases of staff sexual abuse do not involve physical force. Why do you think that is?</p> <p>Answer: Staff perpetrators take advantage of the power they have and often do not need to use force in order to sexually abuse an inmate. Staff perpetrators — who literally hold the keys to inmates’ freedom — may offer victims contraband or other scarce goods; threaten victims with a transfer or longer sentences; or withhold privileges, such as family visits.</p>	 Slide 17 Lead staff in a brief brainstorm session.

	<p><u>Sexual harassment and voyeurism/flashing</u> Staff sexual misconduct also includes sexual harassment, “flashing” or displaying a staff member’s genitals to inmates, and voyeurism. Voyeurism is any time a staff member deliberately views an inmate while they are undressed, unless related to official duties.</p> <p><u>Sexual abuse during searches</u> Some staff perpetrators will sexually abuse inmates during pat down or strip searches. This abuse can include a staff member groping and fondling inmates’ genitals; rubbing their genitals or breasts against an inmate; penetrating inmates with their fingers or objects; or making degrading comments about an inmate during a search.</p> <p>Most inmates, even those who have been in jail for only a short time, know the difference between a professional pat down — which is meant to detect contraband — and sexual abuse, which is meant to degrade and humiliate someone.</p> <p><u>Perceived romantic relationships</u> Even so-called “romantic relationships” between inmates and staff members are sexually abusive. Given the power imbalance between staff and inmates, these relationships cannot be consensual, even if no physical force is involved.</p>	
<p>3 mins</p>	<p>Common Methods Used by Perpetrators Just as there is a spectrum for sexual violence, there is also a range of methods that staff and inmate perpetrators will use.</p> <p>Discussion Question: In general, most perpetrators will use the least amount of force necessary to carry out sexual abuse. Why do you think that is?</p> <p>Answer: One reason why a perpetrator will use a method other than force — like threatening someone or exploiting their authority — is that it may leave less physical evidence than using overt force or violence. Generally, rapists want to get away with abuse. The less evidence they leave, the lower the chances of them getting caught.</p>	<p> Slide 18</p> <p>Facilitate responses before providing the answer.</p>

	<p>Perpetrators may use any of the following methods:</p> <p><u>Offers of protection</u> Inmates and staff may offer to protect someone in exchange for “sexual favors.” Remember that someone cannot truly consent to sex if they are doing it out of fear for their life or safety.</p> <p><u>Threats</u> It is very common for perpetrators to threaten inmates to force them into sexual encounters. Threats can be a very powerful way to force someone to do something out of fear, especially if an inmate is inexperienced in jail or if they fear for their safety or their family’s safety if the perpetrator carries out the treat.</p> <p><u>Abuse of Authority</u> Abuse of authority is a form of sexual exploitation. Any time someone abuses another’s person’s vulnerability or trust for sexual purposes, it is considered sexual exploitation.</p> <p>Both staff and inmates can use their authority to influence or pressure someone into sexual contact. In these situations, coercion is often more implied than direct, meaning that the person may not actually say “if you don’t do this, I will hurt you,” but the victim knows they are in no position to refuse the perpetrator.</p> <p>Some inmates even think this type of sexual contact is a fair exchange or consensual. However, keep in mind that an act is not consensual if the person felt like they really couldn’t say no for any reason.</p> <p>Discussion Question: Can you think of an example of how a perpetrator might exploit someone in a vulnerable position?</p> <p>Answer: A few examples of this are when someone takes advantage of an inmate with a disability — such as someone with a mental illness — or if a perpetrator propositions someone to perform sex acts in exchange for certain goods or privileges.</p> <p><u>Medication/drugs</u> Staff and inmate perpetrators may drug an inmate in</p>	<p>Facilitate responses before providing the answer.</p>
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	<p>order to take advantage of them. However, it seems to be more common that perpetrators will sexually abuse a victim who is drowsy or passed out while under the influence of prescribed psychiatric medication. Rather than administering a drug to the victim, these perpetrators will wait until someone is impaired by their medication before abusing them.</p> <p>JDI has received many letters from survivors of this kind of abuse who describe waking up and having no recollection of what happened to them, even though there are signs of sexual trauma, such as bleeding from the anus.</p> <p><u>Force</u> Staff and inmates may use physical force to carry out sexual abuse, as well. Examples of this include the use of a weapon or other forms of violence against a victim.</p>	
<p>3 mins</p>	<p>Sexual Trauma Sexual assault is a traumatizing, life-changing event.</p> <p>The term “trauma” refers to an event in which a person is threatened with — or perceives the threat of — death or great physical or emotional harm.</p> <p>A traumatic event overwhelms a person’s ability to cope. When we talk about trauma, we are talking about the response to these overwhelming experiences.</p> <p>Discussion Question: What are some examples of traumatic experiences?</p> <p>Answers may include:</p> <ul style="list-style-type: none"> • Combat • Car crashes • Natural disasters • Suffering or witnessing abuse or any form of violence <p>Sexual abuse is one of the most traumatic forms of criminal victimization. During sexual abuse, victims often experience intense fear, horror, and a sense of helplessness. In that moment, the victim is out of control of what is happening to their body.</p> <p>The other reason that sexual abuse can be so</p>	<p> Slide 19</p> <p>Solicit responses before sharing examples.</p>

	<p>traumatizing is because victims are often abused by people they know — in this case, other inmates, or staff members whose job it is to keep them safe.</p> <p>Be aware that many people in jail are already trauma survivors. 70–95% of women in custody have histories of abuse, according to many research studies.* Many male inmates also have histories of trauma and abuse.</p> <p><i>See, e.g., a 2008 survey of three women’s prisons in Ohio, which showed that 70% of inmates reported being sexually abused prior to their incarceration. Cathy McDaniels-Wilson and Joanne Belknap, “Extensive Sexual Violation and Sexual Abuse Histories of Incarcerated Women.” Violence Against Women, Vol. 14, No. 10 (October, 2008), 1118.</i></p>	
<p>10 mins</p>	<p>Survivor Story: Joe (Part 2)</p> <p>Let’s return to Joe’s testimony to see what happened after he came forward. While you’re watching the video, think about the reactions Joe received when he reported, and the impact of the rape on his life.</p> <p>Discussion Question:</p> <ul style="list-style-type: none"> • What responses did Joe receive that were helpful? • What responses did he receive that were NOT helpful? <p>Possible Answers:</p> <ul style="list-style-type: none"> • Helpful responses include the advocate who treated Joe like a person and asked his name, and getting taken to an outside hospital for the forensic exam. • Unhelpful responses include the staff member who ignored Joe’s requests for help, being left in the day room while he was named, placing Joe back in the cell right next to the perpetrator, and retaliating against him for reporting. <p><i>If the video does not work or there is no internet access, the trainer can read the following excerpt from Joe’s testimony:</i></p> <p><i>“When I thought it was safe, I tried multiple times to get help from staff. They just made me feel like I was the problem. The officers ridiculed me and shrugged off my</i></p>	 Slide 20  <p>The excerpt of Joe’s testimony begins at 15:30 and ends at 20:40. You should set up the video clip prior to the training so that it’s ready to be viewed: http://www.youtube.com/watch?v=xbNMRGccvIQ#t=20</p>

pleas for help. They acted like it was just a lover's spat. After several days of this, the rapist was taken to the medical ward because of chest pains. I begged the first officer I saw to help me, but he told me he "didn't have time for my gay stuff." Luckily, a second officer who happened to know me took me seriously and got me out of the cell.

They took me to the day room where everyone could see what was going on. They made me sit on a 4x4, which is a cotton evidence collection material. And then, the investigative services unit (ISU) — which we called the squad — came in with a video camera. They talked to the sergeant. And then they turned around the left. They never spoke to me or took any kind of a video statement, which is protocol.


As soon as they didn't take the statement from me, I knew that the only reason I was getting any attention was because the officer I disclosed to had requested an investigation. And it was clear to me that the investigation was not being taken seriously by the ISU.


I sat in the day room with no clothes on for about an hour. Then, they dressed me and sent me to the infirmary. A nurse asked me questions, but did not perform any kind of exam. There was a corrections officer between me and the nurse. I was handcuffed. The attitude toward me was very negative, like I was the one who had done something wrong.


After the nurse asked me a few unrelated questions, I told her that I had been sexually assaulted for 4 days by my cellmate. They decided to send me to the hospital for a "rape kit" and put me into a suicide watch cell to wait for transportation.

The process really started when they took me to the outside hospital. I did a full medical forensic exam with the nurse — the whole nine yards. I had a rape crisis advocate there with me. She was so wonderful and understanding and told me that it wasn't my fault. She was one of the only people who treated me like I was a human being during this whole process.

After the exam, they returned me to the prison and put

	<p><i>me in a cell right next to Sam. I complained and was moved to another cell with no running water, where I was forced to stay for two weeks.</i></p> <p><i>Once I was out of immediate danger, I began to sense the devastation of the assaults. It was very difficult for me to deal with the overwhelming feelings. The emotional and spiritual defeat that I experienced led to a complete mental breakdown.”</i></p>	
<p>3 mins</p>	<p>Initial Reactions to Sexual Abuse</p> <p>Let’s talk about the immediate effects of sexual abuse. Because sexual assault is experienced as a near death event, most survivors have strong reactions immediately.</p> <p>The physical and mental reactions to sexual trauma are dramatic and affect every aspect of a survivor’s functioning, including their perceptions and their ability to speak and move.</p> <p>A traumatic event is so overwhelming that it triggers an instinctual survival response and the sympathetic nervous system takes over. It’s like going from driving a car in manual transmission to automatic. This is a physiological response that is based in our neurobiology. In other words, it’s a natural process caused by unnatural events. This response bypasses the higher level brain functions and is wired to go directly to the amygdala, or the brain’s fear center — simply put, there is no time to think. There is only reaction.</p> <p>During a traumatic event, a person will typically have one of three reactions: fight, flight, or freeze.</p> <p>Discussion Question: What are some examples of fight, flight, or freeze in people or in animals?</p> <p>Answers:</p> <ul style="list-style-type: none"> • Fight: A bear trying to fight off a predator or a human being who fights off an attacker • Flight: An antelope who runs away from a predator or a human being attempting to flee from an attack • Freeze: A possum rolls up into a ball and freezes during an attack or a person becomes 	<p> Slide 21</p> <p>Guide staff in a brief brainstorm for each type of response — fight, flight, and freeze.</p>

	<p>immobile during a car crash</p> <p>As a result of sexual trauma, a survivor may experience:</p> <ul style="list-style-type: none"> • Numbness • Shock • Confusion • Disbelief • Helplessness • Fear • Anger • Guilt • Grief • Frustration • Disorientation • Racing heart beat and other signs of physical arousal or agitation 	
<p>3 mins</p>	<p>Impact of Trauma</p> <p>Survivors of sexual abuse continue to experience the effects of this trauma long after the violence has stopped. Let's review some of the primary ways that trauma impacts survivors.</p> <p><u>Basic functioning</u></p> <p>As we just discussed, trauma can impair a survivor's basic functioning. Right after a sexual assault, a victim may feel overwhelmed and disoriented, hyper-aware or extremely sensitive to noises, sights, and sounds around them.</p> <p>Frequently in the days following a sexual assault, victims experience disruptions in their sleeping and eating habits, and may struggle with basic self-care, such as bathing or getting dressed. In more severe cases, survivors may experience panic attacks or disassociate.</p> <p><u>Cognition</u></p> <p>The immediate impact of trauma often impairs victims' concentration and decision-making abilities, which can make it difficult, if not impossible, to follow verbal commands or participate in investigative interviews.</p> <p>Many survivors have racing or intrusive thoughts following sexual abuse, which can make them feel like they're "going crazy," even though this is a very</p>	<p> Slide 22</p>

	<p>common trauma reaction.</p> <p><u>Memory</u> Research has also shown that trauma can impair memory. The effects of hormones following a sexual trauma can disrupt memory formation and recall, which can make it difficult for survivors to remember what happened.</p> <p>It is not uncommon for trauma survivors to have gaps or “holes” in their memory of traumatic events. Sexual assault survivors often have an easier time recalling sensory details of an event — such as sights, sounds, and other sensations — than chronological events. Again, this is due to the way that trauma memories are stored compared to non-trauma memories.</p> <p><u>Health</u> Trauma also has a significant effect on survivors’ mental health. Research has shown that survivors of sexual abuse are at much higher risk of developing depression, Post-Traumatic Stress Disorder, and other anxiety disorders.</p> <p>Trauma can lead to mental health problems and co-occurring disorders such as chronic health conditions like asthma, arthritis, and digestive ailments.</p> <p><u>Relationships</u> Of course, sexual trauma can also change a survivor’s relationships. Survivors often have a difficult time trusting others and having intimate relationships. Conversely, sexual abuse can lead some survivors to be much more sexual than they were before.</p>	
<p>3 mins</p>	<p>Long-term Impact of Sexual Trauma Now let’s talk about what happens to survivors in the days, weeks, and months following a sexual assault.</p> <p>Once the initial trauma has subsided, panic is often replaced with feelings of despair. During this period, the survivor is attempting to get back to normal. However, even after the initial intensity of the crisis begins to fade, survivors continue to have trauma reactions. Survivors may feel irritable or depressed and have flashbacks and suicidal thoughts or attempts.</p>	 Slide 23

Prisoners are more likely than general population to commit suicide. Victims of sexual assault are also more likely to try to kill themselves. Given those risk factors and the devastation of sexual abuse behind bars, people who have been victimized in custody are at an increased risk for suicide.

Prisoner rape survivors are at especially high risk for Post Traumatic Stress Disorder or PTSD because of the strong likelihood that they may be abused again in custody.

PTSD can develop following any kind of traumatic event, but rape and sexual assault are two of the three strongest known predictors (along with serving in combat zones).



Symptoms of PTSD include “arousal,” which basically means that someone is irritable or jumpy; having flashbacks or a feeling of “re-living” the trauma, and attempts to numb or block out thoughts or feelings related to the trauma.




In addition, sexual assault can cause extensive, long-term physical injuries. It can also result in sexually transmitted infections, like HIV.

Rates of HIV in detention facilities are already higher than in the general population. A 2010 BJS study found that inmates who have been sexually abused in custody have significantly higher rates of HIV infection than inmates who were not victimized. The rates of HIV were higher both among inmates abused by another inmate (6.5%) and those abused by staff (4.6%) compared to inmates who were not sexually assaulted in custody (2.6%).

Typically, sexual trauma will make symptoms of mental illness worse, which can complicate a survivor’s already difficult path to healing. This is especially relevant to jails, where nearly a quarter of inmates have symptoms of serious psychiatric distress, and they are at much greater risk of sexual abuse.

In fact, some reactions to sexual assault and symptoms

	<p>of mental illness can appear quite similar. Even trained professionals may have difficulty determining what issues are related to sexual victimization and what symptoms are related to mental illness.</p> <p>Discussion Question: Given all of this information, why do you think it might be difficult to be incarcerated following a sexual assault?</p>	<p>Solicit responses before moving to the next slide.</p>
1 min	<p>Impact of incarceration on Survivors Being incarcerated compounds the effects of sexual trauma, including feelings of fear, hopelessness, and isolation.</p>	<p> Slide 24 Ask a participant to read the quote on the graphic.</p>
3 mins	<p>Retraumatization During a sexual assault, a survivor loses all sense of control. In order to heal, survivors need to regain their power and control, which can be very challenging in a corrections facility.</p> <p>Incarcerated survivors have little control over their bodies and environment, including things like noises, lights, and the presence of other people. To further add to survivors' feelings of powerlessness, most inmates have little say over when to wake up, go to work, shower, or speak to family.</p> <p>The intense stimulation and lack of control in a corrections facility can be very stressful for a survivor of sexual abuse.</p> <p>Prisoners have to undergo pat downs and strip searches, which can be traumatizing for survivors, particularly those who were abused by staff. Inmates have almost no privacy when showering, toileting, dressing, or in their phone calls or letters.</p> <p>We also know that prisoner rape survivors have historically had little or no access to services to assist them in their healing. This is changing now because of PREA. But in the past, any assistance an inmate could receive would have to be obtained in the same environment where the abuse occurred.</p> <p>Inmates may have no choice in their service providers, and or be forced to receive medical and mental health care from practitioners with no specialized knowledge</p>	<p> Slide 25</p>

	<p>or training in sexual assault, another thing that is changing because of PREA. It can be very difficult for survivors to trust medical and mental health practitioners to provide for their needs when staff members failed to protect them from the abuse in the first place.</p> <p>Finally, services provided by jail medical and mental health staff are generally not confidential. Confidential services are very important to most sexual abuse victims, another reason it is important to work with outside rape crisis counselors who can provide confidential services.</p>	
2 mins	<p>Isolation and Punishment</p> <p>Prisoners who report sexual abuse may also perceive that they are punished for coming forward. Even inmates who are not formally disciplined for reporting sexual abuse may perceive that they are being punished if they are placed in isolation for their protection.</p> <p>Placement in segregation may be a relief for some survivors, but most will find prolonged isolation to be stressful. For those inmates who were abused by staff, being in isolation is not likely to feel safer, as the perpetrator and his or her coworkers are the only people the survivor will see.</p>	 Slide 26
2 mins	<p>Revictimization</p> <p>As we discussed earlier, many survivors of sexual abuse behind bars will have ongoing contact with the perpetrator and his or her friends or colleagues.</p> <p>Once an inmate has been labeled a victim or a “snitch,” they have reason to fear that they will be abused again.</p>	 Slide 27
	<p>Lunch Break</p>	 Slide 28






Module 5: Sexual Abuse Detection, Reporting, and Response






1 hour, 45 minutes






Recommended Instructors:

- PREA Coordinator
- Law enforcement investigator

Time	Speaking Notes	Training Tips
	<p>Module 5: Sexual Abuse Detection, Reporting, and Response Welcome back!</p> <p>The focus of this module is on sexual abuse detection, reporting, and response. It is very important that you all are proactive in detecting any possible signs of sexual abuse. You must be knowledgeable about reporting policies and procedures and follow all agency first-responder protocols.</p>	 Slide 1 If necessary, add presenter information for additional instructors and provide introductions.
1 min	<p>Risk Screening We already have a screening procedure in place. What the PREA standards do is enhance our methods to screen for risk of sexual victimization and risk for abusiveness within the incoming inmate population.</p> <p>Screening is an objective tool. It helps prevent sexual abuse by identifying likely victims and perpetrators. Once we have identified someone who is likely to be victimized, it can also help us to create a plan for safety, for continuous sight and sound monitoring, and paying closer attention to that person.</p>	 Slide 2
2 mins	<p>Screening for Risk of Victimization or Abusiveness [Insert agency policy and procedure for screening of inmates for risk of victimization or abusiveness, including the screening process and agency staff involved in the process.]</p>	 Slide 3 Update slide with agency policy.
15 mins	<p>How to Detect Sexual Abuse: Red Flags Activity We are now going to do a group activity to identify some of the more common warning signs — or “red flags” — that sexual abuse or staff sexual misconduct may be occurring in our jail.</p> <p>TRAINER INSTRUCTIONS:</p>	 Slide 4  Refer to Appendix 2 for the <i>Red Flags Group Activity</i> .

	<p><i>Break participants off into groups of 3–4 people.</i></p> <p><i>Assign each group to <u>one</u> of the following scenarios:</i></p> <ul style="list-style-type: none"> • <i>Inmate-on-inmate sexual abuse</i> • <i>Staff-on-inmate sexual abuse</i> <p><i>Provide each group with the corresponding Red Flags Group Activity handout for inmate-on-inmate or staff-on-inmate sexual abuse.</i></p> <p><i>Ask each group to brainstorm warning signs that could indicate sexual abuse is occurring based on the survivor’s or perpetrator’s behavior or in the environment. Review examples as a class. Remind groups to focus on their scenario — inmate-on-inmate abuse OR staff-on-inmate abuse.</i></p> <p><i>Instruct participants to write possible warning signs on their handouts. Give participants about 5 minutes for the brainstorm.</i></p> <p><i>Once the brainstorm session is complete, ask the groups to share their responses. Refer to the corresponding slides on possible signs of sexual abuse (slides 5-8) to supplement what may have been missed in the brainstorm session.</i></p>	
	<p>Possible Signs of Inmate-on-Inmate Victimization</p> <p>The inmate being abused may:</p> <ul style="list-style-type: none"> • Show visible injuries • Change routine, mood or appearance — survivors may be suffering from the acute symptoms of trauma we just discussed. • Have more or less commissary than usual • Avoid or stay close to staff — survivor might want for staff to pay attention to them or keep staff close to them so they can report confidentially or far away from the perpetrator. • Act out or refuse to cooperate with staff — survivors might “act out” purposely to get staff’s attention or to get moved out of their cell if they are housed with the perpetrator. • Refuse to shower, or take “sink baths” • Request medical care — sometimes contraction of STIs or HIV is the first thing that survivors are afraid of, so they may request immediate medical attention to receive medication to 	 Slide 5 Review this slide as participants are reporting back on the Red Flags Group Activity for signs that an inmate may be being abused by another inmate. Highlight any warning signs that participants may have missed.

	<p>prevent STIs or HIV.</p> <ul style="list-style-type: none"> • Fear leaving cell • Avoid other inmates • Isolate or withdraw • Request a cell change or protective custody • Attempt suicide or engage in self-harm — suicidal ideation, cutting, and other self-harming activities are common among many sexual trauma survivors. • Try to get staff's attention 	
	<p>Possible Signs of Staff-on-Inmate Abuse The inmate being abused may:</p> <ul style="list-style-type: none"> • Show visible injuries • Change routine, mood or appearance • Possess contraband — many times when inmates have cell phones, cigarettes, or drugs, a staff member has smuggled the contraband into the facility. JDI has heard countless stories of staff members bribing inmates for sexual favors with contraband items. • Request to be separated from a staff member • Be in prohibited areas/"out of bounds" • Avoid or spend extra time with staff • Act out against staff • Have special knowledge about staff — if an inmate knows the staff member's nickname, their middle name, or pet's name, it's a possible sign there is some kind of boundary-crossing or sexual abuse occurring. • Show fear or anxiety around certain staff • Request protective custody • Attempt suicide or engage in self-harm • Develop STIs or become pregnant. 	 Slide 6 Review this slide as participants are reporting back on the Red Flags Group Activity for signs that an inmate may be being abused by a staff member. Highlight any warning signs that participants may have missed.
	<p>Possible Signs of an Inmate Abuser An inmate perpetrator may:</p> <ul style="list-style-type: none"> • Stalk or groom another inmate — it's common for inmate perpetrators to stalk or groom the most vulnerable inmates coming into jails. "Grooming" is the process by which a perpetrator draws a victim into an abusive sexual relationship. • Give extra attention to a more vulnerable inmate • Engage in voyeuristic or exhibitionist behavior — this may be an inmate who openly masturbates in front of staff members or other inmates or a "peeping Tom" type of perpetrator who 	 Slide 7 Review this slide as participants are reporting back on the Red Flags Group Activity for signs that an inmate is sexually abusing another inmate. Highlight any warning signs

	<p>constantly crosses boundaries with other inmates.</p> <ul style="list-style-type: none"> • Have a history of violence or sex crimes — this could be sexual violence, intimate partner violence, or stalking. • Frequently test boundaries • Be a “shot caller” or higher status inmate • Prefer double cells • Speak or behave aggressively • Brag about exploits • Frequently change cellmates • Demand to be housed with a certain inmate 	that participants may have missed.
	<p>Possible Signs of a Staff Abuser A staff perpetrator may:</p> <ul style="list-style-type: none"> • Be in an unusual location with an inmate • Socialize or be overly familiar with inmates • Call out an inmate at odd times • Prefer to be alone with inmates • Know too much about an inmate • Favor particular inmates • Be flirtatious with inmates • Change behavior, mood, or appearance • Distance him/herself from coworkers • Refer to inmates in derogatory or possessive ways — staff perpetrators may initiate sexual abuse by humiliating the inmate in front of others by calling them derogatory names like “bitch” or “fag.” Frequently, the abuse will escalate from there. • Have other boundary problems 	 Slide 8 Review this slide as participants are reporting back on the Red Flags Group Activity for signs that a staff member is sexually abusing an inmate. Highlight any warning signs that participants may have missed.
2 mins	<p>Protection of Inmates Facing Substantial Risk [Insert agency policy and procedure for protecting inmates who are facing substantial risk of imminent sexual abuse, including what steps staff should take if they become aware of these threats.]</p>	 Slide 9 Update slide with agency policy information.
2 mins	<p>Emergency Grievances [Insert agency policy and procedure for accepting and responding to emergency grievances to report imminent sexual abuse, including how inmates can make an emergency grievance.]</p>	 Slide 10 Update slide with agency policy information.
30 sec	<p>Reporting Policies and Procedures We will now review our agency’s reporting policies and procedures.</p>	 Slide 11
10 mins	<p>Group Activity: When a Survivor Reports The responses from the first few people a survivor tells</p>	 Slide 12

about sexual abuse have the biggest effect — positive or negative — on their healing process. These initial reactions may also determine whether or not a survivor is willing and able to continue with the investigation and, eventually, to participate in the prosecution.

We'd like to take a moment to illustrate this point by looking at some of the responses that survivors of sexual abuse often hear if they reach out for help. We are going to ask you to do a role-play activity, but don't panic. This is the easiest role-play you will ever do.

INSTRUCTIONS TO TRAINER:

Supplies needed:

- *Role-play lines (Refer to Appendix 3)*
 - *16 pieces of string (at least 2 feet long)*
1. *Select 16 volunteers from the group. Tell them that you will give each of them a slip of paper that identifies their role and the line they are to read when it is their turn. Instruct them not to show it to anyone else.*
 2. *Before you hand out the slips of paper, ask for two volunteers — one to play the rapist and one to play the survivor.*
 3. *Distribute the remaining slips of paper randomly.*
 4. *Ask the "survivor" to stand in the middle of the room, or other open space where all participants can stand comfortably.*
 5. *Ask the other volunteers make a circle or semi-circle around him or her.*
 6. *Give the "survivor" 16 pieces of string, each long enough to reach the other members of the group.*
 7. *Take the other end of each strand and give one to each of the 16 volunteers standing in the circle. You will end up with the "survivor" being connected to each member of their circle by a piece of string.*
 8. *Instruct the "survivor" to begin the exercise by looking at one person in the circle and reading the "survivor's" line: "I was sexually assaulted two days ago. Can you help me?"*
 9. *The volunteer will then respond by reading their title and line. For example, the volunteer would say: "Father" and then read the Father's line.*





Refer to Appendix 3 for the role-play lines.

You may need to escort the class to a larger area for this activity. There should be ample room for them to form a circle.



If there is no additional space available, the activity can be done without string. In that case, have all participants stand before they say their lines. Then, instruct them to sit as they recite their lines. The last two people standing should be the "survivor" and the "abuser."




To make it easier, cut the string ahead of time and tie one end in a knot for the "survivor" the to hold.




	<p>10. After the volunteer reads his/her line, have him/her drop their end of the string and remain standing in the circle.</p> <p>11. The "survivor" will move on to the next volunteer and repeat his/her line: "I was sexually assaulted two days ago. Can you help me?"</p> <p>12. The next volunteer responds as the first did by first reading his/her title and then his/her line and dropping the their end of the string.</p> <p>13. The survivor will continue around the circle to each member, repeating his/her line and having the other volunteers respond and drop their strings. Leave the "rapist" for last.</p> <p>14. With the string still connecting them, the "rapist" reads his or her line.</p> <p>15. Point out that the last remaining connection is between the "survivor" and the "rapist."</p> <p>16. Thank the volunteers and invite them to return to their seats.</p> <p>Lead the group in discussion to process the activity by asking some or all of the following questions:</p> <ul style="list-style-type: none"> • To the survivor: What did it feel like to receive those responses from other people? • To the class: What did all of the responses have in common? <p>Answer: Most of the responses the survivor got were very dismissive and victim-blaming. No one wanted to take responsibility for assisting the survivor, even when it was their job to take a report or to provide the survivor with services. Many of the responders blamed the victim and made it out to be his/her fault that the abuse happened.</p> <ul style="list-style-type: none"> • To the class: Do you think it is realistic for a survivor of sexual abuse in custody to ask for help that many times? Why or why not? <p>Answer: Most prisoner rape survivors would get discouraged after getting such hostile responses when reaching out for help.</p> <p>As I said earlier, it is well known that the first few responses a survivor gets after disclosing abuse have</p>	<p>Solicit responses before providing additional information.</p> <p>Solicit responses before providing additional information.</p>
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	<p>a very powerful impact on their healing process. If survivors are blamed for the abuse or others do not believe them, they may stop talking about it.</p> <p>However, if survivors are believed and provided with compassion and support, they are much more likely to heal from the abuse and to keep reaching out for the help they need.</p> <ul style="list-style-type: none"> • To the class: How many of you think these responses are completely made up? <p>Answer: All of these quotes have come directly from letters or other communications that JDI has had with survivors.</p> <ul style="list-style-type: none"> • To the class: What are some examples of a trauma-informed response to this survivor? Can you tell me one or two sentences that you would say? <p>Answer: Some examples would be “I’m so sorry that happened to you.” Or “What can I do to help?”</p> <p>As you can see, it is not difficult to give a supportive response to a survivor of sexual abuse behind bars, and it can make a world of difference to that person.</p>	<p>Solicit responses before providing additional information.</p> <p>Solicit responses before providing additional information.</p>
<p>1 min</p>	<p>Reporting Rates Bearing in mind our group activity and the challenges some survivors face when they come forward, let’s talk about national reporting rates.</p> <p>As we discussed earlier today, we know that roughly 200,000 people were sexually abused in U.S. detention facilities in 2011.</p> <p>Another BJS report that was released in January 2014, which summarizes data submitted by corrections officials, shows that only 8,763 official reports of sexual abuse were filed during the same time period. Of those reports, only about 10% were substantiated. The vast majority of allegations were unsubstantiated, meaning that there was not enough evidence to determine whether or not the incident occurred.</p>	<p> Slide 13</p>
<p>4 mins</p>	<p>Reporting in Colorado Official reports of sexual abuse in Colorado state</p>	<p> Slide 14</p>







<p>prisons increased dramatically from 2009 to 2010, but decreased again in 2011.</p> <p>In 2009, there were 30 allegations of inmate-on-inmate sexual victimization, 10 reports of staff sexual misconduct, and 14 reports of staff sexual harassment.</p> <p>In 2010, official reporting rates increased dramatically. There were 48 allegations of inmate-on-inmate sexual victimization, and 44 reports of staff sexual misconduct. Sexual harassment reports dropped to only seven. In 2011, reports in all categories dropped or stayed the same.</p> <p>During all three years, the majority of these allegations were unsubstantiated. While we can't know the particular details of each of these cases, it's possible that low levels of case substantiation can make victims more hesitant to come forward.</p> <p>Just like in the prisons, official reports of sexual abuse in jails increased over time. However, the overall number of reports that were received by county jail is much lower than in the prison system.</p> <p>In 2009, only five jails submitted data to the BJS. Of those, there were only 10 reports of inmate-on-inmate sexual abuse, three reports of staff sexual misconduct, and no reports of sexual harassment. Only one of those cases was substantiated.</p> <p>In 2010, seven jails participated in the survey. Official reports increased dramatically from 2009 to 2010. There were 25 reports of inmate-on-inmate sexual victimization, one report of staff sexual misconduct, and again no reports of sexual harassment. The vast majority of these reports were not substantiated.</p> <p>In 2011, nine jails participated in the BJS' data collection efforts — the most of any year. Reports of inmate-on-inmate abuse were almost identical to 2010, but reports of staff sexual misconduct increased to eight reports. Once again, there were no reports of sexual harassment. As in previous years, most reports were not substantiated.</p>	<p>You should be familiar with this information, but do not read it to the class.</p>
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	<p>Anonymous inmate self-reports of sexual abuse in jails decreased slightly between 2008 and 2012. This may mean that while there was less sexual victimization of inmates in jails, they were more likely to report this violence.</p> <p>Group Discussion: Why do you think so many incidents of sexual abuse go unreported?</p> <p><i>Source: Bureau of Justice Statistics, Survey of Sexual Violence in Adult Correctional Facilities, 2009–11 (January, 2014); Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-2012 (May, 2013); and Sexual Victimization in Prisons and Jails Reported by Inmates, 2008-2009 (August, 2010).</i></p>	<p>Lead class in a brief discussion.</p>
<p>1 min</p>	<p>Reasons Survivors Did Not Report</p> <p>Other BJS research has given us some insight into why many inmates who experience sexual abuse do not report it.</p> <p>As you can see from this graphic, some of the biggest reasons why detainees didn't report were:</p> <ul style="list-style-type: none"> • The victim felt embarrassed or ashamed • They didn't want anyone to know • They were afraid of the perpetrator • They were afraid of being punished by staff • They thought staff would not investigate <p>Perpetrators rely on these fears. If potential abusers believe they can get away with the crime, they are more likely to abuse someone. They take advantage of potential victims' fears about reporting and target those who they think are least likely to tell, and least likely to be believed if they do report.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization Reported By Former State Prisoners, 2008 (May, 2012).</i></p>	<p> Slide 15</p> <p>Refer to graphic on the slide.</p>
<p>2 mins</p>	<p>Outcomes of Reports for Survivors</p> <p>This diagram should give you a good sense of some of the challenges victims face after reporting abuse, and a major reason why we see such low reporting rates.</p> <p>According to BJS research, in close to half of reported cases of staff sexual misconduct, the victim was either written up or segregated.</p>	<p> Slide 16</p> <p>Refer to graphic.</p>

	<p>For victims of staff sexual abuse, their perpetrator could have even more access to them (with no witnesses) while in segregation.</p> <p>You'll also see that facilities failed to respond to more than a third of all reports of inmate sexual abuse, which is more than double the rate for staff sexual abuse allegations.</p> <p>What do you think is the response that survivors fear most when they report sexual abuse? Nothing being done.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization Reported By Former State Prisoners, 2008 (May, 2012).</i></p>	
<p>2 mins</p>	<p>Outcomes of Reports for Perpetrators</p> <p>Here's something else to consider when thinking about why inmates might not want to report sexual abuse. According to the latest BJS data, of the substantiated cases of staff sexual misconduct that we discussed earlier, less than half were referred for prosecution. Of those, only a third of staff perpetrators were arrested, and only 1% were eventually convicted.</p> <p><i>Click to reveal blue box.</i></p> <p>That means that almost half of staff perpetrators faced no legal action. If you're a victim, why should you feel safe to report if 99% of staff perpetrators get away with it?</p> <p><i>Source: Bureau of Justice Statistics, Survey of Sexual Violence in Adult Correctional Facilities, 2009–11 (January, 2014).</i></p>	<p> Slide 17</p>
<p>1 min</p>	<p>What are some ways that inmates might report sexual abuse or sexual harassment that occurs in the jail?</p>	<p> Slide 18</p> <p>Lead a brief group brainstorm.</p>
<p>2 mins</p>	<p>Inmate Reporting</p> <p>[Insert agency policy on inmate reporting of sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse or sexual harassment, and staff neglect that may have</p>	<p> Slide 19</p> <p>Update slide with agency policy information.</p>





	contributed to such incidents.]	
2 mins	<p>Possible Reporting Methods</p> <p>[Insert methods available to inmates to report sexual abuse or sexual harassment, including written grievances, verbal or written reports to staff, reports to outside agencies, and third-party reports.]</p>	 Slide 20 Update slide with agency policy information.
2 mins	<p>Staff Reporting Duties</p> <p>[Insert agency policy that any staff member who has knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment, retaliation against inmates or staff who reported sexual abuse or sexual harassment, and any staff neglect or violation of duties that may have contributed to sexual abuse, sexual harassment, or retaliation shall immediately report it to a supervisor. Include a method for staff to privately report abuse and harassment.]</p>	 Slide 21 Update slide with agency policy information.
2 mins	<p>Mandatory Reporting for Children and At-Risk Elders</p> <p>Corrections officers, police officers, and sheriffs' deputies must report:</p> <ul style="list-style-type: none"> • Any belief or reasonable suspicion of child abuse or neglect (C.R.S. § 19-3-304); • Any observation or reasonable belief that an at-risk elder (over the age of 75) has been abused or exploited, or is at imminent risk of abuse or exploitation (C.R.S. § 18.-6.5-108). <p>Colorado Revised Statutes:</p> <p>§ 19-3-304. <i>Persons Required to report child abuse or neglect:</i></p> <ul style="list-style-type: none"> • (1) (a) <i>Except as otherwise provided by section 19-3-307, sections 25-1-122 (4) (d) and 25-4-1404 (1) (d), C.R.S., and paragraph (b) of this subsection (1), any person specified in subsection (2) of this section who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions that would reasonably result in abuse or neglect shall immediately upon receiving such information report or cause a report to be made of such fact to the county department, the local law enforcement agency, or through the child abuse reporting hotline system as set forth in section 26-5-111, C.R.S.</i> • [...] (2) <i>Persons required to report such abuse or neglect or circumstances or conditions include any:</i> • [...] (s) <i>Peace officer as described in section 16-2.5-101, C.R.S.;</i> • [...] (dd) <i>Juvenile parole and probation officers;</i> • § 18-6.5-108 <i>Mandatory reports of abuse and exploitation of at-risk elders - list of reporters – penalties (2013)</i> 	 Slide 22 This information is provided as a reference. You should familiarize yourself with the statutes prior to the training. Do not read this information to the class.






	<ul style="list-style-type: none"> • (1) (a) On and after July 1, 2014, a person specified in paragraph (b) of this subsection (1) who observes the abuse or exploitation of an at-risk elder, or who has reasonable cause to believe that an at-risk elder has been abused or has been exploited or is at imminent risk of abuse or exploitation, shall report such fact to a law enforcement agency not more than twenty-four hours after making the observation or discovery. 	
<p>2 mins</p>	<p>Mandatory Reporting for Children and At-Risk Elders</p> <p>Suspected or observed child abuse or neglect must be reported immediately “to the county department, the local law enforcement agency, or through the child abuse reporting hotline system as set forth in section 26-5-111, C.R.S.”</p> <p>Suspected abuse or exploitation of at-risk elders must be reported to “a law enforcement agency not more than twenty-four hours after making the observation or discovery” (§ 18-6.5-108).</p> <p>Colorado Revised Statutes: C.R.S. § 26-3.1-102. Reporting requirements (for at-risk adults) (1) (a) A person specified in paragraph (b) of this subsection (1) who observes the mistreatment, self-neglect, or exploitation of an at-risk adult or who has reasonable cause to believe that an at-risk adult has been mistreated, is self-neglected, or has been exploited and is at imminent risk of mistreatment, self-neglect, or exploitation is urged to report such fact to a county department not more than twenty-four hours after making the observation or discovery.</p>	 Slide 23 <p>You should be familiar with this information, but do not read it to the class.</p>
<p>2 mins</p>	<p>Mandatory Reporting for At-Risk Adults</p> <p>Corrections officers, police officers, and sheriffs’ deputies are urged to report:</p> <ul style="list-style-type: none"> • The mistreatment, self-neglect, or exploitation of an at-risk adult (C.R. S. § 26-3.1-102). • At-risk adults include people with physical impairments that impact basic functioning and developmental disabilities that manifest before the age of 22 and are substantial enough to impair functioning, such as mental retardation, cerebral palsy, and autism. <p>Colorado Revised Statutes: § 26-3.1-102 – adults Wrongs against at-risk adults (not elders) “<i>At-Risk Adults</i>” include elders (over 75 years old) and adults over 18 with certain mental or physical impairments. Corrections officers, police officers, and sheriffs’ are included among those who are urged to report the mistreatment, self-</p>	 Slide 24 <p>You should be familiar with this information, but do not read it to the class.</p>


	<p><i>neglect, or exploitation of an at-risk adult. There is no penalty for the failure to report.</i></p> <p><i>Physical impairments that may qualify an individual as an At-Risk Adult include the inability to walk, see, hear, or speak; impairment because of the loss of use of a hand or foot; and the inability to breathe without mechanical assistance.</i></p> <p><i>Developmental disabilities that qualify At-Risk Adults are neurological conditions that are manifested before the person reaches 22 years of age and are substantial enough to “result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.” Includes conditions such as cerebral palsy, epilepsy, and autism.</i></p>	
2 mins	<p>Mandatory Reporting for At-Risk Adults Officials who observe or suspect an at-risk adult has been mistreated, is self-neglected, or has been exploited or is at imminent risk, are urged to report to a county department not more than 24 hours after making the observation or discovery (§ 26-3.1-102).</p> <p>Colorado Revised Statutes: § 26-3.1-102. Reporting requirements (for at-risk adults) (1) (a) A person specified in paragraph (b) of this subsection (1) who observes the mistreatment, self-neglect, or exploitation of an at-risk adult or who has reasonable cause to believe that an at-risk adult has been mistreated, is self-neglected, or has been exploited and is at imminent risk of mistreatment, self-neglect, or exploitation is urged to report such fact to a county department not more than twenty-four hours after making the observation or discovery.</p>	 Slide 25 You should be familiar with this information, but do not read it to the class.
1 min	<p>Do any inmates in our custody fall under these protected categories?</p>	 Slide 26 Lead a brief group discussion.
2 mins	<p>Mandated Reporting Procedures [Insert summary of agency procedures for mandated reporting, including how, and to whom, staff should report these concerns. Include examples of previous reported incidents, if applicable.]</p>	 Slide 27 Update slide with agency information.
15 mins	<p>Break Time</p>	 Slide 28
	<p>Response Policies and Procedures Let’s review our agency’s response policies and procedures when there is an incident of sexual abuse or sexual assault.</p>	 Slide 29
1 min	<p>Discussion Question: How can staff demonstrate respect to an inmate who discloses sexual abuse</p>	 Slide 30

	or sexual harassment?	Lead a brief group brainstorm.
3 mins	<p>Handling Disclosures Professionally</p> <p>Allow inmates to disclose abuse, even if they do not name the assailant(s) or provide detailed information. Per the PREA standards, victims have the right to disclose or not disclose information related to an incident, such as the identity of the perpetrator.</p> <p>Staff are expected to respond to all reports, regardless of the amount of information disclosed. For example, even if an inmate victim does not tell you who committed the abuse, the first responder should still proceed with the investigation.</p> <p>Take all reports seriously. As a first-responder, it is not your job to investigate or to determine the validity of an allegation.</p> <p>You all already know the way to respond to a crime in the jail. This is no exception. Taking a report seriously means that you don't walk away, tell the victim "I'll be right back," make jokes, or demean the victim in any way.</p> <p>Taking a report seriously — even if you don't know whether or not the crime occurred — reinforces our zero-tolerance message.</p> <p>Respond to reports in a timely manner. This is also required by the PREA standards. Follow first-responder protocols — we will cover these in greater detail in a moment. Remember the impact of first responders on victims' healing.</p> <p>Treat all survivors with dignity, concern, respect, and empathy. Ensure the survivor's safety and privacy as much as possible. Avoid victim-blaming questions or statements, such as "Why did you wait so long to report?"</p>	 Slide 31
4 mins	<p>Protecting Survivor Privacy</p> <p>Sharing information about a sexual abuse report should be limited to those who need to know for treatment, investigation, or other security or management decisions.</p>	 Slide 32

	<p>Those who “need to know” are your supervisor, the Jail Administrator, and any outside agencies involved in responding to the incident, such as the investigator, the Sexual Assault Nurse Examiner (SANE), and the confidential victim advocate. Refrain from talking openly about reports of sexual abuse, other than reporting to a supervisor. According to the PREA standards, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions.</p> <p>Maintain confidentiality and only disclose to authorized personnel. Any and all information received from the victim must be confidential, and provided ONLY to properly authorized persons as specified in agency policy.</p> <p>Sources of information should be protected from any harm or retaliation for having provided information or assistance in an investigation. As a staff first responder, you will be privy to information that is of a confidential and sensitive nature.</p> <p>Confidentiality during an investigation is important for a couple of reasons:</p> <ul style="list-style-type: none"> • to protect the victim and any witnesses, both emotionally and from retaliation; • to preserve the integrity of the investigation — gossip, rumors, and open discussions can taint the investigation. <p>Discussion Question: What does confidentiality mean in the context of a sexual abuse allegation?</p> <p>Answer: Staff members are required to report information related to sexual abuse, so it is not confidential in the strictest sense of the term. Your role is different from a confidential victim advocate who is required to maintain confidentiality.</p> <p>What is meant here is more that only those who “need to know” to do the investigation and keep the facility safe will know information related to the incident.</p>	<p>Solicit responses before moving on.</p> <p>Lead a brief group discussion,</p>
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	<p>Discussion Questions: What does this mean in practice? For example, if an inmate discloses to you that they were groped by a cellmate in the shower, who would you inform? Is there anyone you wouldn't tell about this?</p>	emphasizing the "need to know" basis and survivor privacy.
2 mins	<p>First Responder Duties [List security staff first responder duties, including: (1) Separate and isolate the victim and suspect(s) involved; (2) Preserve and protect the crime scene until evidence can be collected; (3) Immediately notify a supervisor; and (4) Request that the victim — and ensure that the suspect — not take any actions to destroy evidence, as appropriate, such as washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.]</p>	 Slide 33 Update slide with agency policy information.
2 mins	<p>Immediate Steps after Receiving Report of Incident [Include information on a supervisor's duties following a staff report.]</p>	 Slide 34 Update slide with agency policy information.
2 mins	<p>Evidence Preservation Duties Again, as a first responder, your job is to preserve the crime scene, NOT to collect evidence. We have investigators for that. Once the victim and suspect are safe, you would:</p> <ul style="list-style-type: none"> • Secure the crime scene(s) and evidence (including blanket, clothes, etc.) • Isolate and contain the area • Minimize loss of evidence as much as possible (don't flush the toilet, don't turn the water on in the sink, etc.) <p>Group Discussion: How many of you have been through this before? Anyone want to share their experiences with evidence preservation?</p>	 Slide 35 Lead a brief group discussion.
3 mins	<p>Evidence Preservation: Destruction Factors Critical evidence can be destroyed, even in the jail, if the crime scene isn't preserved properly. These are a few things to avoid:</p> <ul style="list-style-type: none"> • Stepping through blood • Touching weapons • Moving or touching evidence • Failing to keep a log • Allowing non-critical response staff to enter the crime scene 	 Slide 36

	<ul style="list-style-type: none"> Removing linen, towels, or excess clothing <p>Discussion Question: What are some instances where we may have to handle evidence?</p> <p>For example, if an inmate hands you an article of clothing, or something with blood or other bodily fluids, maintain custody of it until an investigator arrives.</p> <p>Even though first responders are generally not expected to handle evidence, your role is critical in preserving the crime scene as much as possible.</p>	
2 mins	<p>Evidence Preservation Protocol [Insert a summary of evidence preservation procedures, including securing the crime scene, minimizing loss of evidence, appropriate collection of evidence (if applicable to staff first responders), and evidence handling.]</p>	 Slide 37 Update slide with agency policy information.
1 min	<p>Ongoing Duties: Investigations</p> <ul style="list-style-type: none"> All staff are expected to assist with investigations, as needed. Staff may be asked to provide written statements or other information, if requested by investigators. 	 Slide 38
3 mins	<p>Services for Survivors Inmates who are sexually abused in jail have the right to receive:</p> <ul style="list-style-type: none"> Free medical and mental health care A medical forensic exam, when appropriate Confidential victim advocacy services Prophylactic medication to prevent pregnancy and sexually transmitted infections Ongoing medical care and mental health treatment. 	 Slide 39 Reference your agency policy here, as appropriate.
3 mins	<p>Victim Service Providers [Insert information on victim services available to inmates, including rape crisis hotlines, state sexual assault coalitions, and Just Detention International (JDI). Include how inmates can access these services.]</p>	 Slide 40 Update slide with relevant information.
2 mins	<p>Rights, Roles, and Responsibilities Inmates' rights under PREA correspond with staff's roles and responsibilities to uphold these rights. All inmates have the right to be free from:</p> <ul style="list-style-type: none"> Sexual abuse and sexual harassment Retaliation for reporting sexual abuse or sexual harassment or for cooperating with an 	 Slide 41

	<p>investigation</p> <p>To ensure these rights, staff members:</p> <ul style="list-style-type: none"> • Have a duty to protect inmates from sexual abuse, sexual harassment and retaliation • Must monitor staff and inmates for possible abuse, harassment, and retaliation 	
2 mins	<p>Protection from Retaliation</p> <p>[Insert policy that requires staff members to monitor any type of behavior that appears to be retaliation. Include reporting procedures.]</p>	 Slide 42 Update slide with agency policy information.

Module 6: Maintaining a Professional Environment



1 hour, 45 minutes

Recommended Instructors:

- PREA Coordinator
- Trainer with expertise in working with lesbian, gay, bisexual, transgender and intersex (LGBTI) people. You are encouraged to contact the Colorado Anti-Violence Program for LGBTI trainer referrals: 303-839-5204 or info@coavp.org.



NOTE: You may want to assign your staff pre-training materials if they have never received training on working with LGBTI inmates or if they have little to no familiarity with this population.





The National Institute of Corrections' *LGBTI Populations: Their Safety, Your Responsibility* satellite/internet broadcast may be particularly helpful for staff to view prior to the PREA training. The broadcast can be downloaded here:



<http://nicic.gov/library/026763>. The Participant Guide can be downloaded here:



http://static.nicic.gov/UserShared/2012-12-31_pdf_part._guide-lgbti_d11.pdf.





Refer to the NIC's library for additional resources on working with LGBTI inmates: <http://nicic.gov/LGBTI>.


Time	Speaking Notes	Training Tips
1 min	<p>Module 6: Maintaining a Professional Environment We're going to wrap up our PREA training by talking about how to maintain a professional environment and appropriate relationships with inmates.</p>	 Slide 1 If necessary, add presenter information for additional instructors and provide introductions.
2 mins	<p>Respectful Communication with LGBTI Inmates We will begin the module by talking about respectful communication with lesbian, gay, bisexual, transgender, and intersex (LGBTI) inmates.</p> <p>We will talk more in a moment about what all of those terms mean. Before we do, I want to take a quick poll.</p> <p>Discussion Question: How many of you have worked with gay, lesbian, bisexual, transgender, or intersex inmates?</p> <p>Answer: The correct answer is all of you! Whether you</p>	 Slide 2 Solicit responses or view by a show of hands.



	<p>know it or not, it's possible that any inmate who comes into this jail could be LGBTI. It's important that we know how to respectfully and professionally work with this population of inmates.</p>	
3 mins	<p>Employee Training</p> <p>According to the PREA standards, jail staff must receive training in:</p> <ul style="list-style-type: none"> • How to conduct cross-gender pat-down searches and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs; • How to communicate effectively and professionally with inmates, including those who are lesbian, gay, bisexual, transgender, intersex, and gender nonconforming. <p>Some of the material in this section may be familiar to you, and some of it may be new and even challenging. The purpose of this module is to deliver knowledge and skills that are necessary to communicate effectively with inmates, particularly those who are most vulnerable to sexual abuse. We are not trying to change your political or religious beliefs.</p>	 Slide 3
2 mins	<p>Quiz</p> <p>The terms “gay, lesbian, and bisexual” refer to:</p> <p>A. Sexual behavior B. Sexual orientation C. Gender identity D. Dating compatibility</p> <p>For those of you who answered “sexual orientation” you are correct.</p>	 Slide 4 Poll the class and have them vote on the response they think is correct.
1 min	<p>Definitions</p> <p>Sexual orientation refers to a person's physical and romantic attractions to other people.</p> <p>Common terms to refer to sexual orientation include: heterosexual, lesbian, gay, and bisexual.</p>	 Slide 5
2 mins	<p>Quiz</p> <p>The term “transgender” refers to:</p> <p>A. Sexual orientation B. Feminine demeanor C. Gender identity D. Self expression</p>	 Slide 6 Poll the class and have them vote on the response they think is correct.


	The correct answer is C — Gender identity.	
2 mins	<p>Definitions Gender Identity refers to a person’s inner sense of being male, female, or in-between.</p> <p>Everyone has a gender identity.</p> <p>Think about the pronouns you use to refer to yourself — “he,” “she,” or neither. Or think about which bathroom you feel most comfortable using when you’re out in public. That will give you some indication of your gender identity.</p>	 Slide 7
4 mins	<p>Definitions Gender expression refers to the way a person expresses gender identity (i.e. mannerisms, hair, and dress).</p> <p>Gender nonconforming refers to a person whose appearance or manner does not conform to traditional societal gender expectations.</p> <p>A transgender person is someone whose gender identity or expression is different from that which is typically associated with assigned sex at birth.</p> <p>Transgender women are people who were assigned the sex of male at birth but identify as women. Transgender men are people who were assigned the sex of female but identify as men. Transgender people can be of any sexual orientation: gay, straight, or bisexual.</p> <p>Some transgender people transition from one gender to another while they are in jail or prison.</p> <p>Intersex refers to a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.</p> <p>Intersex traits include variations of the reproductive organs such as the testicles, penis, vulva, clitoris, ovaries, chromosomes, and hormone levels, all of which can result in additional variations in secondary sexual characteristics such as muscle mass, hair distribution, breast development, hip to waist ratio and stature.</p>	 Slide 8





	<p>Intersex is not a single category — there are many forms and substantial variations among intersex people.</p> <p>Intersex is not about gender identity; intersex people experience the same range of gender identities as non-intersex people.</p> <p>Intersex status is also not about sexual orientation: an intersex person may be gay, straight, or bisexual.</p>	
<p>2 mins</p>	<p>Sexual Harassment of LGBT Inmates Sexual harassment and discrimination against LGBTI inmates are pervasive in corrections facilities.</p> <p>Sexual harassment can include derogatory or demeaning comments about someone's actual or perceived sexual orientation, gender identity, or gender expression.</p> <p>Sexual harassment may be a precursor to more violent forms of sexual violence.</p>	 Slide 9
<p>2 mins</p>	<p>Sexual Abuse of LGBT Inmates Prisoners who identify as lesbian, gay, bisexual, or transgender are more than 10 times more likely to be sexually abused by another inmate than heterosexual prisoners.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May, 2013).</i></p> <p>Bryson was an openly gay prisoner who was repeatedly sexually assaulted in an Arkansas state prison. He spoke before the National Prison Rape Elimination Commission about the abuse he suffered. Here is a brief excerpt from his testimony: <i>“Because I was raped, I got labeled as a ‘faggot.’ Everywhere I walked, everyone looked at me like I was a target. It opened the door for a lot of other predators. Even the administrators thought it was okay for a ‘faggot’ to be raped. They said, ‘Oh, you must like it.’ I’m here to tell you that no one wants to be raped. No one likes being violently attacked.”</i></p> <p>Bryson contracted HIV from his abusers. He died from</p>	 Slide 10






	complications related to AIDS in 2010.	
1 min	<p>BJS Research: Sexual Abuse of LGBT Inmates 1 in 8 prison inmates, and 1 in 12 jail inmates who identify as lesbian, gay, bisexual, or “other” were sexually abused by another inmate.</p> <p>And rates of abuse are much higher for transgender inmates. One study of California men’s prisons found that 59% of transgender inmates were sexually abused, compared to 4% of non-transgender, heterosexual male inmates.</p> <p><i>Source: Bureau of Justice Statistics, Sexual Victimization In Prisons And Jails Reported By Inmates, 2011-12 (May, 2013).</i></p>	 Slide 11
10 mins	<p>Cecilia’s Story Now, I’d like to share with you Cecilia’s story. Cecilia Chung is a transgender woman who was sexually abused by another inmate at the San Francisco County Jail. She was released a few days after her arrest, and was never charged with a crime.</p> <p>Cecilia is a member of Just Detention International’s Survivor Council and Board of Directors. This is an excerpt of the testimony that she gave before the National Prison Rape Elimination Commission in 2005.</p> <p><i>Read Cecilia’s testimony to the class.</i></p> <p>Discussion Question: Why do you think Cecilia was vulnerable to sexual abuse while she was in jail?</p> <p>Possible responses include:</p> <ul style="list-style-type: none"> • Cecilia is a transgender woman • She is an immigrant and English is her second language • She was a first-time arrestee • She was arrested for prostitution. 	 Slide 12  Refer to Appendix 4 for Cecilia’s testimony. Guide participants in a brief discussion.
3 mins	<p>PREA Standard §115.42 Now let’s take a look at some specific PREA standards that relate to the treatment of LGBTI and gender non-conforming inmates.</p> <p>The PREA standards require that agencies:</p> <ul style="list-style-type: none"> • Make individualized determinations about how to ensure the safety of each inmate; 	 Slide 13


	<ul style="list-style-type: none"> • Consider a transgender or intersex inmate’s housing and programming needs on a case-by-case basis; • Review placement and programming assignments for transgender and intersex inmates at least twice a year. <p>Excerpt from PREA standard §115.42 use of screening information: <i>(b) The agency shall make individualized determinations about how to ensure the safety of each inmate.</i> <i>(c) In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.</i> <i>(d) Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experienced by the inmate.</i></p>	<p>The PREA standard is provided for your reference; it should not be read verbatim to the class.</p>
<p>3 mins</p>	<p>PREA Standard §115.42 The PREA standards also require that agencies:</p> <ul style="list-style-type: none"> • Take into account a transgender or intersex inmate’s views regarding his or her own safety during the screening and classification process; • Allow transgender and intersex inmates to shower separately; • Refrain from placing LGBTI inmates in dedicated facilities, units, or wings solely on the basis of their gender identity or sexual orientation, unless otherwise required by law for the purpose of their own protection. <p>Excerpt from PREA standard §115.42 use of screening information: <i>(e) A transgender or intersex inmate’s own views with respect to his or her own safety shall be given serious consideration.</i> <i>(f) Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</i> <i>(g) The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a designated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.</i></p>	<p> Slide 14</p> <p>The PREA standard is provided for your reference; it should not be read verbatim to the class.</p>



<p>3 mins</p>	<p>Relevant Policies [Insert relevant agency policies regarding the treatment of LGBTI prisoners.]</p> <p>Group Discussion: Can you think of some professional and unprofessional terms to refer to LGBTI inmates?</p>	 Slide 15 Insert agency policies regarding treatment of LGBTI prisoners.
<p>4 mins</p>	<p>Professional Language</p> <p>Professional</p> <ul style="list-style-type: none"> • Sexual orientation • Gender identity • Lesbian • Gay • Bisexual • Transgender • Intersex • Them/they/he/she <p>Unprofessional</p> <ul style="list-style-type: none"> • Sexual preference • Alternative lifestyle • Homo • Dyke • Queer • Tranny • Hermaphrodite • He/she, shemale, it <p>The term “sexual orientation” is preferred to “sexual preference.” The word “preference” suggests that being lesbian, gay, or bisexual is a choice. “Sexual orientation” is the appropriate term for a person’s enduring physical, romantic or emotional attraction to people of the same or opposite sex.</p> <p>“Lesbian” and “gay” are preferred to the word “homosexual” when used as an adjective referring to specific persons or groups. Note that lesbians may also identify as gay.</p> <p>The phrase “alternative lifestyle” is outdated and offensive because it implies that identifying as LGBTI is simply a choice to live outside of the cultural norm, like choosing to identify as “goth” or as a “hippie.”</p> <p>Some of these terms, such as “queer,” have pejorative</p>	 Slide 16




	<p>origins, but you may still hear people use them to describe themselves or members of their own community. We ask that you respect the way that LGBTI inmates identify themselves or their communities, but stick with the professional terms we list here in the language that you use.</p> <p>The problem with using “he/she,” “shemale,” and “it” is that it doesn’t respect the person’s gender identity and using “it” to refer to a person completely dehumanizes them. “It” is for things, not people.</p> <p>The appropriate pronouns to use correspond with that person’s gender identity. “He” and “she” and “him” and “her” are the most common.</p>	
<p>5 mins</p>	<p>Working With LGBTI Inmates</p> <p>Any inmates you work with might be lesbian, gay, bisexual, transgender, or intersex. You may not know if an inmate is LGBTI, so don’t assume unless an inmate discloses this to our staff.</p> <p>LGBTI inmates may not consider their sexual orientation or gender identity to be an important part of their identity. Even if they do, they may not feel comfortable disclosing that to us.</p> <p>Many LGBTI people will attempt to “pass” or blend in while they are incarcerated out of fear for their safety, so do not be surprised if an inmate who appears heterosexual “comes out” at a later point if they feel comfortable enough doing so.</p> <p>An easy way to demonstrate sensitivity toward LGBTI inmates is to show respect and professionalism toward all inmates. It is important to use professional language with LGBTI people, just as you would with any other inmate.</p> <p>For transgender and intersex inmates, use the inmate’s preferred language for pronouns, relationships, anatomy, and names. Ask an inmate what name they prefer you use with them, and what pronouns are most comfortable.</p> <p>You are not expected to know everything about working with LGBTI inmates, which is why it is</p>	<p> Slide 17</p>

	<p>important that our staff can reach out to anti-violence and LGBTI support organizations, as needed.</p> <p>Anti-violence organizations are focused on addressing violence against LGBTI people, specifically sexual assault, domestic violence, and hate crimes. These advocates are a helpful resource for issues related to LGBTI survivors of sexual abuse.</p> <p>The Colorado Anti-Violence Program (COAVP) is dedicated to eliminating violence within and against the lesbian, gay, bisexual, transgender and queer (LGBTQ) communities in Colorado, and providing the highest quality services to survivors.</p> <p>If you become aware of sexual abuse or sexual harassment against an LGBTI inmate, notify a supervisor so that we can contact the Colorado Anti-Violence Program, if needed.</p>	
15 mins	Break	 Slide 18
1 min	<p>Maintaining a Professional Environment</p> <p>Welcome back! Our last session of the day will cover how to maintain a professional environment in the jail.</p> <p>I hope that it goes without saying that professionalism is the key to preventing staff sexual abuse of inmates.</p>	 Slide 19
3 mins	<p>Professional Boundaries</p> <p>By “professional boundaries,” we mean the limits of appropriate behaviors or interactions between a staff member and an inmate.</p> <p>Boundaries are defined by laws, policies, and codes of ethics, and they protect the professional relationship.</p> <p>While professional boundaries may shift for a variety of reasons, the staff member's obligation to recognize and use their power responsibly does not.</p> <p>Discussion Question: What are some examples of professional boundaries?</p>	 Slide 20 Guide participants in a brief brainstorm.
3 mins	What do you consider your “Code of Ethics” at work?	 Slide 21

4 mins	<p>Codes of Conduct [Reference relevant professional codes of conduct and summarize agency policies on professionalism and appropriate staff boundaries. Examples include the AJA Code of Ethics for Jail Officers, fraternization policies, and other professional conduct policies.]</p>	 Slide 22 Insert relevant professional codes of conduct.
3 mins	<p>What staff behaviors would be considered unprofessional or inappropriate? This is especially important to consider in a small, rural jail where you may know many of the people in our custody.</p>	 Slide 23 Guide participants in a brief discussion.
2 mins	<p>Examples of Unprofessional Conduct</p> <ul style="list-style-type: none"> • Using drugs or alcohol • Bringing prohibited items to work • Deviating from agency policies • Picking fights with coworkers or inmates • Gossiping about coworkers or inmates • Flirting with inmates • Falling asleep at work • Calling coworkers or inmates derogatory names or terms • Talking to inmates about personal issues • Imposing arbitrary consequences or discipline 	 Slide 24 Cover examples that were not already mentioned during the previous discussion.
3 mins	<p>Why is maintaining professional boundaries so important in a jail?</p>	 Slide 25 Guide participants in a brief discussion.
3 mins	<p>Impact of Unprofessional Conduct Unprofessional conduct creates an environment that permits sexual harassment and sexual abuse. This behavior and language sends the message that inmates are not deserving of basic professional courtesy. A lack of respect for inmates can send the message that they are deserving of abuse or that staff will not do their job to uphold a safe, professional jail environment</p> <p>Lack of professionalism weakens respect for jail staff among colleagues and inmates. When jail staff are unprofessional, it lowers the status of the entire field and may cause coworkers and other inmates to regard the unprofessional staff member with disdain or resentment.</p> <p>Unprofessional conduct also poses a threat to inmate,</p>	 Slide 26

	<p>staff, and community safety. When inmates do not respect staff or do not see them as professional, it can lead to other safety and security issues.</p> <p>Also, if staff are engaged in unprofessional conduct, they put community, inmate, and staff safety at risk because it indicates greater tolerance for violence, contraband, and other rule violations.</p> <p>Lack of professionalism also leads to population management problems, such as conflict among staff and inmates. Lack of professionalism often contributes to greater conflict because certain inmates may be favored or singled out, or because of perceived inconsistencies among professional and unprofessional staff. This can especially be an issue between groups of staff on different shifts or assigned to different areas in the jail. If some staff are engaged in unprofessional conduct, inmates may feel like they are in different jails depending on who is working.</p> <p>Lack of professionalism also exposes staff to potential legal liabilities, as we saw in the case law examples. Finally, unprofessional conduct contributes to lack of morale among staff and inmates. Despite how tempting it may sound, few people want to work or live in a “free for all.” Structure and limits are important and help both staff and inmates to feel safe and to know what’s expected of them.</p>	
<p>2 mins</p>	<p>Boundary Maintenance</p> <p>The responsibility for setting and maintaining boundaries always belongs to you, not inmates. Staff are expected to uphold appropriate boundaries at all times. Staff should expect that inmates may attempt to push these boundaries — that should not be a surprise to anyone. Managing boundaries with inmates is a core part of the job of a jail deputy, and one of the most challenging.</p> <p>You and your coworkers must set and maintain clear limits. This is key. Inmates must know what they can expect from staff, both as a group, and with each individual staff person.</p> <p>Review your performance with colleagues and supervisors regularly. It is important to have honest</p>	<p> Slide 27</p>

	<p>conversations with your coworkers and with your supervisor about your conduct and professionalism. It may not always be comfortable to talk about, but it's better to be aware and prevent any possible boundary violations than to deal with them after the fact.</p>	
<p>4 mins</p>	<p>Group Response Activity <i>Trainer Instructions:</i> <i>Call on a participant and ask how they would respond if an inmate made one of the following statements to them. Pick a different participant for each statement.</i></p> <p>Group Discussion: How would you respond to the following statements made by an inmate?</p> <ol style="list-style-type: none"> 1. "Nice hair cut." 2. "You do a better job than most of the staff." 3. "I had a dream about you last night." 4. "Do you have children?" 5. "Can I tell you something just between us?" 6. "Can you do me a favor?" <p><i>The idea is to guide staff in discussing professional responses. There are no right or wrong answers to this activity.</i></p>	 Slide 28
<p>2 mins</p>	<p>Impact of Professional Conduct Professional conduct encourages safety and zero tolerance for sexual abuse and sexual harassment. Inmates feel more respected and more comfortable coming to staff if they have concerns.</p> <p>Professionalism also increases respect for staff among colleagues, the public, and inmates. A professional environment will help to ensure jail staff are held in high esteem with their colleagues and others. It will also help to increase the overall professionalism in the field and show pride in our work and in the jail.</p> <p>Professional conduct promotes inmate, staff, and community safety. When staff take allegations or suspicions of sexual abuse seriously and treat all inmates with respect, it goes a long way toward preventing sexual violence and ensuring a prompt, professional response if there is any suspected abuse or misconduct.</p> <p>Professionalism also leads to greater harmony and</p>	 Slide 29

	<p>strong jail management. It is easier to get along with your co-workers if you treat everyone with respect and professional courtesy.</p> <p>Professional conduct also protects staff from potential legal liabilities. Just as an unprofessional work environment can expose staff to potential liabilities, the opposite is true for a professional, well-run jail. This kind of environment would demonstrate to potential jurors that staff take their jobs — and inmate safety — seriously.</p> <p>Professionalism also contributes to morale among staff and inmates. It is about respect and consistency. This is usually better for everyone and can make coming to work more enjoyable and fulfilling for staff, and make incarceration in our jail feel more humane to inmates.</p>	
<p>10 mins</p>	<p>Wrap-up and Discussion</p> <p>Does anyone have any questions about what we've covered in the training?</p> <p>Remember, it is your job to protect every inmate who is in our care and custody. Any sexual violence in this jail is unacceptable and undermines everyone's safety. If you aren't there for inmates, who will be?</p> <p>[List other items to be completed, such as a post-training survey or evaluations.]</p>	<p> Slide 30 Update slide with relevant information regarding post-training surveys or evaluations.</p> <p> Collect post-tests (if applicable) and distribute evaluations.</p> <p>Make sure all staff sign out or otherwise indicate that they attended the training.</p>
	<p>Instructor Information</p> <p>[List instructor contact information and where staff can get additional information related to the training.]</p>	<p> Slide 31 Update slide with instructor information.</p>

Appendix 1

Zero Tolerance Group Activity

How would you respond to this person if he or she asked you about our agency's zero-tolerance policy? Note your responses below.

1. A female inmate who is "coming down" from methamphetamine use.
2. A transgender woman who is visibly shaken and seems afraid.
3. An elderly man arrested for a sex crime who speaks little English.
4. An inmate who appears to have a developmental disability.
5. An inmate's 80-year-old grandmother who calls the facility.
6. A new jail deputy who is assigned to work with you.

Appendix 2

Red Flags Group Activity Inmate-on-Inmate Sexual Abuse

List warning signs for inmate-on-inmate sexual abuse.

The inmate being abused:	The inmate perpetrator:	In the environment:
<i>Example: Mood swings</i>	<i>Example: Stalking another inmate</i>	<i>Example: Rumors</i>

Appendix 2

Red Flags Group Activity Staff-on-Inmate Sexual Abuse

List warning signs for staff-on-inmate sexual abuse.

The inmate being abused:	The staff perpetrator:	In the environment:
<i>Example: Spending extra time with a particular staff member</i>	<i>Example: Spending extra time with a particular inmate</i>	<i>Example: Increased tension in the unit</i>

Appendix 3 — Role Play Lines

<p>SURVIVOR</p>	<p>"I was sexually assaulted two days ago Can you help me?"</p>
<p>RAPIST</p>	<p>"I told you to keep your mouth shut. You're gonna pay for snitching, punk."</p>
<p>FATHER</p>	<p>"How could you let yourself get raped? What kind of man are you?"</p>
<p>SISTER</p>	<p>"Well, you shouldn't have gotten yourself arrested in the first place. What did you think would happen in there?"</p>
<p>CRIMINAL DEFENSE LAWYER</p>	<p>"I don't know what you expect me to do about that. Just leave it for now. It will get in the way of your appeal."</p>
<p>FRIEND - ANOTHER INMATE</p>	<p>"You gotta handle your business. That's messed up, but don't talk to me about it again. I get out in two weeks, and I got enough on my mind."</p>
<p>JAIL DEPUTY FIRST RESPONDER</p>	<p>"Why did you wait so long to tell? What do you expect me to do about it now?"</p>

<p style="text-align: center;">MENTAL HEALTH CLINICIAN</p>	<p style="text-align: center;">“You seem very anxious today. I’m going to give you something to calm you down.”</p>
<p style="text-align: center;">JAIL NURSE</p>	<p style="text-align: center;">“You don’t seem like you’re hurt. Are you sure you want to go the hospital? You know there’s a co-pay for that.”</p>
<p style="text-align: center;">JAIL SUPERVISOR</p>	<p style="text-align: center;">“I knew as soon as I heard about this PREA stuff that more and more offenders would cry rape. What are you angling for - a field trip to the hospital?”</p>
<p style="text-align: center;">CHAPLAIN</p>	<p style="text-align: center;">“The Bible tells us that homosexuality is against God's plan for your life. I can help you find peace if you renounce your sin and ask for forgiveness.”</p>
<p style="text-align: center;">SHERIFF’S OFFICE INVESTIGATOR</p>	<p style="text-align: center;">“These cases are really hard to prove. You know, if we can’t find enough evidence, you will get written up for making false reports.”</p>
<p style="text-align: center;">POLICE DETECTIVE</p>	<p style="text-align: center;">“Didn’t I investigative a case you caught years ago? And now you’re saying you’re a victim?”</p>
<p style="text-align: center;">SEXUAL ASSAULT NURSE EXAMINER</p>	<p style="text-align: center;">“The officers told me about your disciplinary history. So, I have asked them to remain in the room and to keep you in handcuffs during the exam. It’s for my safety.”</p>

<p>RAPE CRISIS ADVOCATE</p>	<p>“Our agency doesn’t serve sex offenders. Let me see if there’s someone else who might be able to assist you.”</p>
<p>PROSECUTOR</p>	<p>“I have child abuse cases stacked up on my desk. Where am I going to find a jury that’ll believe you? You’re not exactly a sympathetic victim.”</p>

Appendix 4

Cecilia Chung's Testimony before the National Prison Rape Elimination Commission

San Francisco, August 19, 2005

Hello, my name is Cecilia Chung, and I had unprotected sex against my will at San Francisco County Jail. I was taken to jail on the charges of soliciting prostitution in 1993. An undercover police officer in the Tenderloin asked me to have sex for money. I refused, but he persisted and kept upping the price. At the time, I was 28 years old. I was at a very early stage of my gender transition. There was a time when I was rejected by my own family, I was homeless, and I was suffering from drug addiction. I was so economically marginalized that when he offered me \$200, I finally agreed to his solicitation, and I was arrested.

When I was taken to jail, I was placed in the so-called gay pod. San Francisco had no protocols in place at that time for housing transgender inmates. We were being housed with other gay men or perceived-to-be gay men in the same jail cell. Unfortunately, the gay pod contained all kinds of inmates, and that includes sexual predators.

The jail environment was very frightening and unfamiliar to me. One of the inmates sexually propositioned me, and it caught me off guard. I was too intimidated to deny him. I did not know what would happen to me if I said no. I was afraid that he would try to force me against my will. I was afraid I would get hurt. I had sex out of fear.

The inmate draped towels from an upper bunk to block the view of the other prisoners and guards. He had sex with me without a condom or lubrications. It was physically painful, but the emotional pain was even worse. The degrading experience caused damage to my self-esteem for many years to come. I definitely felt that I did not own my own body. It was enough to convince me that my life did not belong to me and I was robbed of every single drop of dignity of a human being.

Afterward, the inmate gave me a Snickers bar as payment for the sex. It made a cheap encounter even cheaper.

If you are asking yourself why I didn't just refuse the inmate's sexual advances or fight him off, I know from my experience that refusing sex can be dangerous and even deadly.

A few years after this encounter I did say no to someone, and I was stabbed as a result. Later that year I got some devastating news. I learned I was HIV positive. Although I'm not sure I contracted the virus during that encounter in the jail, having unprotected sex put me at high risk for contracting not only HIV, but also Hepatitis B and C.

Although I have been told that the San Francisco Jail has since adopted policies and

protocols to protect transgender inmates, my experience as deputy director of the Transgender Law Center shows me that we must make more changes and we need an enforcement of these protocols.

Transgender inmates still experience sexual harassment from staff and inmates. They are still being housed with the vulnerable populations which also contains men who are perceived to be effeminate or gay.

Transgender inmates are among the most vulnerable individuals in our jails and prisons, but there are ways to make their incarceration safer. Transgender inmates need to be housed in a way where they can be safe from sexual harassment and intimidation. At the same time, they need to have access to the same services offered to inmates of the gender with which they identify. Each facility must train its corrections officers and staff to understand the needs of transgender inmates and the unique dangers they face in custody.

Although you may think that I'm not like you, we are not so different. I want to have control over my own body and my life, just as you do. I want to choose the people with whom I get intimate with, just as you do.

I absolutely did not want to have sex with that man in the San Francisco Jail, but I felt powerless to refuse him. As a transgender woman, I've experienced the worst kind of treatment our society has to offer. I've experienced unbelievable discriminations. The incident in the jail cell wasn't the only time I've been subjected to degrading sexual abuse, but it was one of the worst because the authorities have an obligation to protect us when we are incarcerated, but they failed to do so.