



ROBERT BENTLEY  
GOVERNOR

State of Alabama  
Alabama Department of Corrections

Alabama Criminal Justice Center  
301 S. Ripley Street  
P. O. Box 301501  
Montgomery, AL 36130-1501  
(334) 353-3883



Kim T. Thomas  
COMMISSIONER

**ADMINISTRATIVE REGULATION**

**NUMBER 454**

**OPR: OPERATIONS &  
INVESTIGATIONS/INTELLIGENCE**

**INMATE SEXUAL ASSAULT AND HARRASSMENT AWARENESS  
(Prison Rape Elimination Act (PREA))**

**I. GENERAL**

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes the responsibilities, policies, and procedures to implement a zero-tolerance policy by prohibiting, preventing, detecting, and responding to inmate sexual offenses, sexual harassment, and custodial sexual misconduct.

**II. POLICY**

It is the policy of the ADOC to maintain a zero-tolerance policy on inmate sexual offenses, sexual harassment, and custodial sexual misconduct.

**III. DEFINITION(S) AND ACRONYM(S)**

**For purposes of this Regulation, the following words shall have the following meanings:**

**A. Allegation:**

1. **Substantiated Allegation:** An allegation that was investigated and determined to have occurred.
2. **Unfounded Allegation:** An allegation that was investigated and determined not to have occurred.
3. **Unsubstantiated Allegation:** An allegation that was investigated and the investigation produced insufficient evidence

to make a final determination as to whether or not the event occurred.

B. **Carnal Knowledge**: The contact between the penis and the vulva or the penis and the anus, including penetration of any sort, however slight.

C. **Custodial Sexual Misconduct**: As defined in Alabama Code Section 14-11-31:

(a) It shall be unlawful for any employee to engage in sexual conduct with a person who is in the custody of the Department of Corrections, the Department of Youth Services, a sheriff, a county, or a municipality.

(b) It shall be unlawful for any probation or parole officer to engage in sexual conduct with a person who is under the supervisory, disciplinary, or custodial authority of the officer engaging in the sexual conduct with the person.

(c) Any person violating subsection (a) or (b) shall, upon conviction, be guilty of custodial sexual misconduct.

(d) Custodial sexual misconduct is a Class C felony.

(e) For purposes of this article, the consent of the person in custody of the Department of Corrections, the Department of Youth Services, a sheriff, a county, or a municipality, or a person who is on probation or on parole, shall not be a defense to a prosecution under this article.

D. **DOJ**: The term “DOJ” means the Department of Justice.

E. **DOJ Certified Auditor**: A person that is certified as completing the DOJ requirements to conduct institutional audits for compliance with Federal PREA Standards.

F. **Employee/Staff**: Any person employed by the ADOC as a full-time, part-time, conditional or temporary employee, and all other persons such as contractors, authorized service providers, vendors, and volunteers in the classified and unclassified service.

G. **Exigent Circumstances**: Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility.

H. **Gender**: In addition to the biological factors, gender includes culturally and socially-ascribed roles and expectations placed on a person because of their sex.

I. **Gender Nonconforming**: A person whose appearance or manner does not

conform to traditional societal gender expectations.

- J. **Intersex:** A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- K. **LGBTI:** The term “LGBTI” means Lesbian, Gay, Bisexual, Transgender or Intersex.
- L. **Nonconsensual Sexual Acts:** Unwanted contact with another inmate or any physical contact with staff that involves oral, anal, vaginal penetration, manual stimulation of sexual organs and other sexual acts.
- M. **PREA Departmental Coordinator:** An individual designated by the Commissioner with the authority to: coordinate and develop procedures to identify, monitor, and track sexual assault / rape and sexual misconduct in the ADOC; maintain statistics; and, conduct audits to ensure compliance with Department policy and the Prison Rape Elimination Act of 2003 and Prison Rape Elimination Act National Standards (Code of Federal Regulations, Title 28, Part 115).
- N. **PREA Institutional Compliance Manager:** The Warden shall designate a Correctional Lieutenant or above with significant time and authority to coordinate the institutions efforts to comply with the PREA Standards.
- O. **PREA Regional Coordinator:** A Correctional Sergeant designated by the PREA Departmental Coordinator: to conduct training of staff and the education of inmates as it relates to PREA; to identify, monitor, and track sexual assault / rape and sexual misconduct in the ADOC; and, to ensure compliance with Department policy and the Prison Rape Elimination Act of 2003 and Prison Rape Elimination Act National Standards (Code of Federal Regulations, Title 28, Part 115).
- P. **Prison Rape Elimination Act (PREA) of 2003:** A federal statute enacted in September of 2003 to provide for the analysis of the incidents and effects of prison rape in federal, state, and local institutions and provide information, resources, recommendations and funding to protect individuals from prison rape.
- Q. **Rape:** As extracted from the Prison Rape Elimination Act of 2003:
  - a. The carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person, forcibly or against that person’s will.

- b. The carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person not forcibly or against the person's will, where the victim is incapable of giving consent because of his or her youth or his or her temporary or permanent mental or physical incapacity
  - c. The carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person achieved through the exploitation of the fear or threat of physical violence or bodily injury.
- R. **Sexual Abuse:** Unlawful sexual relations with a person of the same or opposite sex, done forcibly and/or against the person's will or done with a person incapable of consenting as a result of being drugged, drunk, unconscious, mentally abnormal, physically helpless, or legally incapable of giving consent. See Alabama Code Sections 13A-6-66 and 13A-6-67.
- S. **Sexual Aggressor:** A person who threatens, attempts, or commits a sexual assault.
- T. **Sexual Assault:** Any willful attempt or threat to inflict injury with the intent to commit the crime of rape or other sexual offense upon an inmate, officer, employee, or any other person, giving the victim reason to fear or expect immediate bodily harm.
- U. **Sexual Assault Kit.** A sexual assault evidence collection kit or sexual assault forensic evidence (SAFE) kit is a set of items used by medical personnel for gathering and preserving physical evidence following an allegation of sexual assault which can be used in a rape investigation.
- V. **Sexual Assault with an Object:** The use of any hand, finger, object, or other instrument to penetrate, however slightly, the body cavity (genital, anal, mouth, nose, or ear) of the body of another person, except for medical personnel in the course of investigating prison rape or providing appropriate medical treatment.
- W. **Sexual Fondling:** The touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, or buttocks) for the purpose of sexual gratification.
- X. **Sexual Harassment:** (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; or (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident 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.

Y. **Sexual Misconduct:** As defined in Alabama Code Section 13A-6-65:

(a) A person commits the crime of sexual misconduct if:

(1) Being a male, he engages in sexual intercourse with a female without her consent, under circumstances other than those covered by Sections 13A-6-61 and 13A-6-62; or with her consent where consent was obtained by the use of any fraud or artifice; or

(2) Being a female, she engages in sexual intercourse with a male without his consent; or

(3) He or she engages in deviate sexual intercourse with another person under circumstances other than those covered by Sections 13A-6-63 and 13A-6-64. Consent is no defense to a prosecution under this subdivision.

(b) Sexual misconduct is a Class A misdemeanor.

Z. **Sexual Offense (Non-Forcible)/Soliciting:** The commission of any sexual act during which both participants act willingly, to include touching, hugging, fondling, kissing, etc.

AA. **Sexual Torture:** As defined in Alabama Code Section 13A-6-65.1:

(a) A person commits the crime of sexual torture:

(1) By penetrating the vagina or anus or mouth of another person with an inanimate object by forcible compulsion with the intent to sexually torture or to sexually abuse.

(2) By penetrating the vagina or anus or mouth of a person who is incapable of consent by reason of physical helplessness or mental incapacity with an inanimate object, with the intent to sexually torture or to sexually abuse.

(3) By penetrating the vagina or anus or mouth of a person who is less than 12 years old with an inanimate object, by a person who is 16 years old or older with the intent to sexually torture or to sexually abuse.

(b) The crime of sexual torture is a Class A felony.

BB. **Sexual Victimization:** All types of unwanted sexual activity, e.g., oral, anal, or vaginal penetration; manual stimulation of sexual organs, touching of the inmate's buttocks, inner thighs, penis, breast, or vagina in a sexual way; abusive sexual contacts; and both willing and unwilling sexual activity with staff.

CC. **Sodomy**: As defined in Alabama Code Sections 13A-6-63 and 13A-6-64:

**Sodomy in the first degree.**

(a) A person commits the crime of sodomy in the first degree if:

(1) He engages in deviate sexual intercourse with another person by forcible compulsion; or

(2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being physically helpless or mentally incapacitated; or

(3) He, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old.

(b) Sodomy in the first degree is a Class A felony.

**Sodomy in the second degree.**

(a) A person commits the crime of sodomy in the second degree if:

(1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.

(2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being mentally defective.

(b) Sodomy in the second degree is a Class B felony.

DD. **Transgender**: A person whose gender identity (i.e. internal sense of feeling male or female) is different from the person's assigned sex at birth.

EE. **Unwilling Activity**: Incidents of unwanted sexual contact with another inmate or staff.

FF. **Victim**: A person who has been subjected to any sexual offense, sexual harassment, and/or sexual misconduct.

GG. **Voyeurism**: An invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

HH. **Youthful Inmate**: Any inmate housed in an adult facility whose age is under eighteen (18).

#### IV. RESPONSIBILITIES

- A. The Commissioner shall be responsible for ADOC's compliance with federal and state laws relating to PREA.
- B. The Associate Commissioner of Operations shall be responsible for the oversight of the facilities staffing plans.
- C. The I&I Director shall be responsible for:
  - 1. Supervising the PREA Departmental Coordinator.
  - 2. Ensuring that all allegations of sexual offenses and misconduct are thoroughly investigated.
  - 3. Referring violations of law to the district attorney for prosecution.
  - 4. Reporting statistical data for PREA related incidents.
  - 5. Conducting a criminal background records check on anyone considered for promotion.
- D. The PREA Departmental Coordinator shall be responsible for:
  - 1. Administering, managing, and monitoring ADOC's compliance with current PREA standards.
  - 2. Designating the PREA Regional Coordinators and the responsibilities for assigned institutions.
  - 3. Placing and/or transferring of inmate(s) involved in all PREA related incidents.
  - 4. Consulting with the Associate Commissioner of Operations to provide input on the institutional staffing plans and surveillance monitoring equipment as it relates to PREA.
  - 5. Assisting the Warden/Director in developing and updating each institutional Standard Operating Procedure(s) (SOPs), as necessary, for the implementation of AR 454, *Inmate Sexual Assault and Harassment Awareness*.
  - 6. Briefing the Warden/Director of allegations, investigations, findings, and the identity of potential victims and potential aggressors without violating confidentiality requirements of Federal PREA Standards.

7. Assisting the DOJ Certified Auditor in conducting PREA audits.
  8. Maintaining and monitoring a database of all sexual aggressors, potential sexual aggressors, victims of sexual abuse, and potential victims of sexual abuse.
  9. Conducting annual internal audits of ADOC institutions scheduled for PREA Audits, to ensure compliance with AR 454 and Federal PREA Standards.
  10. Ensuring policy is in place such that inmates and staff who report sexual abuse, sexual harassment, or cooperate with a sexual investigation are protected from retaliation by other inmates or staff and monitoring for ninety (90) days after an incident.
  11. Reporting statistical data for PREA related incidents.
- E. The Legal Division shall be responsible for ensuring that contracts for confinement of inmates include a provision reminding the contracting entity of its obligation to comply with PREA standards and the ADOC's monitoring of such.
- F. The Information Systems Director is responsible for developing the PREA database and Ad Hoc reports.
- G. The Director of Training shall be responsible for:
1. Educating and training of employees in accordance with current Federal PREA Standards.
  2. Reporting education and training statistical data to the Department of Justice (DOJ).
  3. Retaining records of employees that have completed training.
- H. The Warden/ Director is responsible for:
1. Developing their institutional Standard Operating Procedure(s) (SOPs), as necessary, for the implementation of AR 454, *Inmate Sexual Assault and Harassment Awareness*.
  2. Ensuring that Intermediate or higher-level supervisors (defined as Correctional Sergeants through Wardens) shall conduct and document unannounced rounds, on each shift, to identify and deter staff sexual abuse and sexual harassment. Staff shall document rounds on duty/post log. Staff shall not be alerted when



the rounds will occur.

3. Ensuring compliance with AR 302, *Incident Reporting*, as it applies to PREA.
  4. Designating a PREA Institutional Compliance Manager.
  5. Ensuring a transgender/intersex inmate's health and safety are considered, on a case-by-case basis, in making housing and program assignments in regards to management and security.
  6. Ensuring that inmates at high-risk for sexual victimization shall not be placed in involuntary segregation (e.g. Administrative Segregation, Protective Custody) unless an assessment of all available alternative means has been made and there are no other available alternatives.
  7. Ensuring that key information is continuously and readily available or visible to inmates through posters, handbooks, or other written formats.
  8. Ensuring that the inmate telephone system is checked daily to ensure PREA "hot-line" is operational and status is recorded in the shift log; and, take appropriate action if maintenance is required.
  9. Ensuring that an allegation received from an inmate that he/she was sexually abused while at the facility he/she transferred from is reported to the Warden/Director of that facility.
- I. The Director of Classification shall be responsible for ensuring inmate classification procedures address Federal PREA Standards.
- J. The Director of Mental Health Treatment shall be responsible for:
1. Designing and implementing a diagnostic instrument (screening tool) to be utilized for assessing inmate sexual vulnerability or aggression.
  2. Ensuring inmate counseling and mental health treatment is provided to victims and aggressors by mental health professionals.
  3. Ensuring proper usage of the diagnostic instrument by ADOC Psychology Staff and Mental Health contractors.

- K. The PREA Regional Coordinator shall be responsible for:
  - 1. Monitoring inmates identified as being sexual aggressors, potential sexual aggressors, victims of sexual abuse, and potential victims of sexual abuse.
  - 2. Reviewing, monitoring, and maintaining records of all PREA related incidents and conducting orientations at their assigned institutions. Records to include, but not be limited to: incident reports, PREA hot-line reports, reporting envelopes, and verbal reports.
  - 3. Recommending placement and/or transfer of inmates involved in all PREA related incidents with the approval of the PREA Departmental Coordinator.
  - 4. Assisting the Warden/Director in developing and updating the institutional SOPs and action plan related to PREA.
  - 5. Conducting unannounced, after-hours institutional visits.
  - 6. Interviewing inmates and employees in PREA related incidents and submitting appropriate reports.
- L. The Director of ADOC Personnel shall ensure adherence to all ADOC policies and procedures relating to Federal PREA compliance, specifically as they relate to employment.
- M. Employees are responsible for adherence to ADOC policies and procedures relating to inmate sexual offenses, sexual harassment, and custodial sexual misconduct. This includes a continuing affirmative duty to disclose any such misconduct.
- N. Inmates are responsible for adherence to ADOC policies and procedures related to inmate sexual offenses, sexual harassment, and sexual misconduct.

**V. PROCEDURES**

- A. Employee Education and Training:
  - 1. Employees shall receive training to include, but not be limited to, the prevention, detection, response, and reporting of allegations of inmate sexual offenses, sexual harassment, and custodial sexual misconduct. Employee instruction shall be accomplished during initial training, annual in-service training, specialized

training, and additional training, as needed. Training shall be documented and verified through employee signature.

2. Security Supervisors shall receive additional training to include but not be limited to, their role in the prevention, response, and investigation of allegations of inmate sexual offenses, sexual harassment, and custodial sexual misconduct. Training shall be documented and verified through employee signature.
3. Specialized Training - Investigations. Investigators and assigned PREA employees shall receive additional training related to their roles to include, but not be limited to: interviewing sexual abuse victims, conducting sexual abuse investigations in a confined setting, investigation and evidence collection for inmate sexual offenses, sexual harassment, and custodial sexual misconduct. Training shall be documented and verified through employee signature and forwarded to the Director of Training for retention.
4. Specialized Training – Medical and Mental Health Care. Contracted medical and mental health practitioners shall receive additional training to include, but not be limited to, their roles in detecting and assessing signs of sexual abuse; preserving physical evidence; responding effectively and professionally to incidents; and reporting allegations or suspicions. Training shall be documented and verified through employee signature and forwarded to the Director of Training for retention.
5. Additional training shall be provided to employees as needed. Training shall be documented and verified through employee signature and forwarded to the Director of Training for retention.

B. Inmate Education and Training:

1. All inmates shall:
  - a. Be given written information (such as, but not limited to, Attachment A, *Sexual Assault Awareness, English*) explaining the ADOC PREA policy upon their initial intake into the ADOC.
  - b. Receive a comprehensive educational orientation by a PREA Regional Coordinator on the ADOC PREA policy within 30 days of their arrival into an intake institution.
  - c. On a case by case basis, be provided by the PREA

Regional Coordinator accessible education formats if they have special needs (language barriers, visually impaired, deaf, limited reading skills, or otherwise disabled), not relying on inmates for this service.

- d. Be given verbal, visual, and written information regarding PREA during orientation upon their transfer to any ADOC institution.

2. Inmate PREA educational information shall include:

- a. Prevention.
- b. Self-Protection.
- c. Reporting.
- d. Treatment and Counseling.

3. Upon completion of an inmate's PREA orientation, the inmate shall sign ADOC Form 454-A, *Inmate Awareness Acknowledgement*.

- a. The signed ADOC Form 454-A shall be scanned into the inmate's database.
- b. The original ADOC Form 454-A shall be forwarded to the Central Records Division.
- c. A copy of the ADOC Form 454-A shall be forwarded to the PREA Regional Coordinator.
- d. If the inmate refuses to sign, the witness shall indicate by writing "Refused to Sign" and affix his / her signature.

C. Intake/Screening.

- 1. All inmates, at initial intake, shall be screened within 72 hours for potential risk of sexual vulnerability and potential risk of sexual aggression.
- 2. All inmates shall be screened upon transfer to another facility for potential risk of sexual vulnerability and potential risk of sexual aggression.
- 3. A Classification Specialist shall complete the ADOC PREA Risk

Factors Checklist:

- a. To include an interview with the inmate to determine the inmate's potential risk of sexual vulnerability and/or sexually aggressive behavior.
  - b. If the Checklist reflects that the inmate is a high-risk to be victimized or as an aggressor, the Specialist would recommend further review by a Mental Health Professional.
  - c. Upon completion of the review, a Mental Health Professional shall assign the appropriate sexual risk factor.
  - d. Within thirty (30) days of additional information becoming available, an additional screening will be conducted.
4. Mental Health Assessment.
- a. Inmates that have been identified as being at risk for potential sexual vulnerability or sexually aggressive behavior shall be referred to mental health staff utilizing ADOC Form MH-008, *Referral to Mental Health*.
  - b. The mental health professional shall perform the mental health assessment utilizing the designated Office of Health Services Risk Assessment. The assessment shall include, but not be limited to, a review of the inmate's history of sexual victimization or sexually aggressive behavior.
  - c. An employee may make a mental health referral, utilizing ADOC Form MH-008, based on his/her observation of the inmate's behavior or at the inmate's request. This referral may be based on the concerns that the inmate has been a victim or is at risk of being a victim or sexual aggressor.
5. Inmate Placement.
- a. All information obtained during the screening process shall be used to assist in the initial classification and institutional assignment of the inmate as well as determine work, education, and programs, in accordance with the ADOC Classification Manual, AR

433, *Administrative Segregation and Housing for Close or Maximum Custody*, and AR 435, *Protective Custody*, with the goal of keeping separate those inmates at high-risk of being sexually victimized from those at high-risk of being sexually abusive.

- b. Youthful inmates shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters. In areas outside the housing unit, if sight and sound separation cannot be maintained, direct staff supervision shall be provided.
  - c. ADOC shall not place lesbian, gay, bisexual, transgender, or intersex inmates in a dedicated facility, unit, or dorm solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or dorm established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.
  - 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.
  - e. A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration.
  - f. 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, ADOC shall consider on a case-by-case basis whether the placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.
  - g. Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.
6. Medical and Mental Health Care. Access to emergency medical and mental health services.
- a. Victims of sexual abuse shall receive timely,

unimpeded access to emergency medical treatment and crisis intervention services. The PREA Regional Coordinator shall refer an inmate victim immediately to an ADOC mental health professional for further treatment and counseling. A referral shall be made utilizing ADOC Form MH-008, *Referral to Mental Health*.

- b. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners.
- c. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with an investigation arising out of the incident.

7. Ongoing medical and mental health care.

- a. The institution shall offer medical and mental health evaluation and treatment to all inmates who have been victimized by sexual abuse.
- b. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and when necessary referrals for continued care following their transfer to, or placement in, other facilities, or upon their release from custody.
- c. Ongoing treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- d. The institution shall conduct a mental health evaluation of known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment.

D. Reporting and Investigating Sexual Offenses and Custodial Sexual Misconduct

1. Employee/Staff Reporting Procedures

- a. ADOC employees /staff who receive any information

concerning inmate sexual offenses, sexual harassment, and custodial sexual misconduct; retaliation against inmates or staff who report such an incident; any staff neglect or violation of responsibilities that may have contributed to an incident or violation, shall immediately report the incident through their chain of command.

- b. Any knowledge, suspicion, or information regarding sexual offenses, sexual harassment, and custodial sexual misconduct shall be reported to the PREA Institutional Compliance Manager, PREA Department / Regional Coordinator, and the I&I Investigator immediately, in accordance with AR 302, *Incident Reporting*.
- c. An employee/staff shall not reveal any information related to the incident to anyone other than to the extent necessary to make treatment, investigation, and management decisions. Initial interviews of potential sexual abuse victims should be limited to only that information necessary to protect the victim from immediate harm until a PREA Coordinator or Investigator arrives for a more detailed interview.
- d. The Warden, upon receiving an allegation that an inmate was sexually abused while confined to another facility, shall notify the head of the losing facility of the alleged abuse as soon as possible, but no later than 72 hours from receiving the allegation.

## 2. Inmate Reporting Procedures

- a. An inmate that has knowledge of, suspicion of, is involved in, or observes a sexual assault, inappropriate behavior, abuse, or harassment shall immediately notify any of the following:
  - (1). An ADOC employee.
  - (2). Place a call on the inmate telephone system (PREA hot-line #77).
  - (3). The PREA Institutional Compliance Manager.
  - (4). The PREA Regional Coordinator.



- (5). An I&I Division Investigator, using the pre-addressed I&I envelope.
  - (6). A third party, including fellow inmates, family members, friends, attorneys, contracted agency employees, or outside advocates.
- b. ADOC will investigate third party (e.g. family, friends, attorneys, or outside agency) allegations of PREA related incidents.
  - c. Any sexual conduct, whether inmate-on-inmate or inmate-on-employee or employee-on-inmate, is strictly prohibited.
  - d. Disciplinary action may be taken when an investigation by the PREA Regional Coordinator and/or I & I Investigator determines that an inmate made a false report of sexual offense, sexual harassment, or sexual misconduct.
  - e. An inmate reporting a sexual offense, sexual harassment, or sexual misconduct shall not be issued a disciplinary report for lying based solely on the fact that their allegations could not be substantiated or that the inmate later decides to withdraw his / her allegation.
  - f. Each case shall be carefully evaluated on its merit, considering all evidence and circumstances and whether there is any possibility that the alleged incident could have occurred.
  - g. The I&I Division shall refer all PREA related cases to the local county prosecutor's office and will be available, as requested, to work with the authorities for appropriate criminal prosecution of cases referred.
  - h. Following the I&I/PREA investigation into an inmate's allegation that he or she suffered sexual abuse, the I&I Division shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

### 3. PREA Incident Procedures

- a. Upon learning of an allegation of a PREA related

incident, the shift supervisor shall ensure that the victim(s), aggressor(s), and witnesses are physically separated.

1. Offenders who make PREA complaints shall not be placed in administrative segregation unless there is a substantiated basis for concern for the inmate's safety.
2. In cases where segregated housing is the only means to protect an inmate who is alleged to have suffered sexual abuse, it shall only be until an alternative means of separation from likely abusers can be arranged, a time not ordinarily to exceed thirty (30) days.

The facility shall clearly document:

- a. The basis for the facility's concern for the inmate's safety; and
  - b. The reason why no alternative means of separation can be arranged.
- b. The investigative process will be streamlined to limit repetitive interviews of the potential sexual abuse victim. Initial interviews of potential sexual abuse victims should be limited to only that information necessary to protect the victim from immediate harm, until a PREA Coordinator or Investigator arrives for a more detailed interview.
  - c. The alleged victim should be asked if there was any form of sexual contact, to include any form of penetration or sexual contact.
  - d. The alleged victim should be asked if there was a fight and/or assault as a result of an attempted sexual assault.
  - e. The alleged victim should be asked if there was any threat or coercion of a sexual nature.
  - f. If the alleged victim answers **NO** to any of the above questions, complete the required documentation in accordance with AR 302, *Incident Reporting*, and contact the appropriate PREA Regional Coordinator by

emailing a copy of ADOC Form 302-C, *Duty Officer Report*, as required by ADOC policy, and ADOC Form 302-A, *Incident Report*, upon completion.

**NOTE: If the alleged victim indicates NO and the correctional officer and/or employee believes a PREA related incident occurred, then handle the incident as a YES.**

- g. If the alleged victim answers **YES**, immediately call the appropriate PREA Regional Coordinator and the appropriate I&I Investigator.
- h. The Shift Commander should do the following:
  - (1). If it is not an incident that requires immediate attention and/or action, the victim shall be housed in an environment that will, to the extent possible, permit the victim the same level of privileges that the victim was permitted immediately prior to the sexual assault.
  - (2). Secure the crime scene.
  - (3). Secure evidence. Ensure that the collection of evidence shall be accomplished in accordance with AR 306, *Contraband and Evidence Management*.
  - (4). Do not allow alleged victim(s) or aggressor(s) to shower, wash hands, brush teeth, eat, drink, smoke, or change clothing until released to do so by the Regional PREA Coordinator or Investigator.
  - (5). Discourage alleged victim(s) from defecating or urinating.
  - (6). Take alleged victim to the medical unit for a medical evaluation (ONLY the I&I Investigator can authorize having a Sexual Assault Kit conducted and it can only be conducted by an outside medical facility).
  - (7). Do not show the alleged victim(s), aggressor(s), or witnesses any evidence, such

as, but not limited to, pictures or video footage of the incident.

- (8). Ensure that the medical treatment sheet has been completed by medical staff and attached to the ADOC Form 302-A.
- (9). Follow the instructions of the PREA Coordinator and I&I Investigator. Once the incident has been turned over to the I&I Investigator, **do not conduct** any further questioning of the alleged victim(s), aggressor(s), or witnesses regarding the incident.
- (10). Ensure that any and all photographs of alleged victim(s), aggressor(s), and witnesses are only taken when advised by PREA Regional Coordinator and/or the I&I investigator or when required by AR 302, *Incident Reporting*, and AR 327, *Use of Force*.  
**NOTE: Do not take pictures of the genital area.**
- (11). The I&I Investigator shall, if warranted, advise the shift supervisor or Warden to transport an employee victim(s) to a local medical facility for necessary medical care and the collection of evidence. The PREA Regional Coordinator or I&I Investigator shall accompany the employee victim(s) at the outside medical facility. The Shift Supervisor shall comply with all appropriate Division of Risk Management procedures.
- (12). The I&I Investigator shall, if warranted, advise the shift supervisor or Warden to transport the inmate victim(s) to an outside medical facility to have a Sexual Assault Kit completed. Only the I&I Investigator shall authorize the Sexual Assault Kit. The PREA Regional Coordinator shall accompany the inmate(s) at the outside medical facility.
- (13). Once the I&I Investigator completes the investigation, the outcome is submitted to the

Assistant I&I Director. The Assistant I&I Director will submit the case to the appropriate District Attorney's office.

- i. Within thirty (30) days of the conclusion of the I&I investigation, the Warden/ Director shall convene a sexual abuse incident committee to review all substantiated and unsubstantiated PREA allegations.
  - (1). This committee shall be composed of the Warden/designee, medical or mental health representative, supervisor present at time of the allegation, PREA Institutional Compliance Manager, and PREA Regional Coordinator.
  - (2). The committee shall:
    - (a). Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse.
    - (b). Consider whether the incident or allegation was motivated by race, ethnicity, gender identity; LGBTI identification, status, or perceived status or gang affiliation; or was motivated or otherwise caused by other group dynamics.
    - (c). Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
    - (d). Assess the adequacy of the staffing levels in that area during different shifts.
    - (e). Assess whether monitoring technology would be deployed or augmented to supplement supervision by staff.

(f). Prepare a report of its findings including, but not necessarily limited to, determinations made pursuant to the preceding paragraphs and any recommendations for improvement. Such report shall be submitted to the Institutional Coordinator/Director and PREA Departmental Coordinator in a timely manner.

(3). The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.

(4). The Warden/Director, upon completion of the recommended improvement or upon providing the reason the improvement was not completed, shall submit a report to the Institutional Coordinator and PREA Departmental Coordinator in a timely manner.

E. Inmate and Staff Sexual Offenses and Sexual Harassment.

1. Inmate-on-Inmate.

- a. An I&I Investigator shall be notified of all alleged incidents involving sexual assault, rape, or other sexual offenses against an inmate by an inmate. The I&I Investigator shall be notified of incidents in accordance with AR 302, *Incident Reporting*.
- b. Upon the discovery of the possibility of any sexual offense or assault, the PREA Regional Coordinator and the I&I Investigator shall be notified.
- c. The PREA Departmental Coordinator has the authority to transfer or place an inmate(s) involved in a PREA related incident.
- d. Retaliation against any inmate(s) or staff who cooperates with the investigation of a PREA incident is prohibited.
- e. The I&I Division Director/designee, where appropriate,

shall refer such violations of law to the district attorney for prosecution.

- f. Following an investigation into an inmate's allegation, the I&I Division shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This notification shall be documented.
- g. The PREA Regional Coordinator shall make a referral to Mental Health utilizing ADOC Form MH-008, *Referral to Mental Health*.

2. Inmate-on-Staff.

- a. The PREA Regional Coordinator and the I&I Investigator shall be notified of all incidents involving sexual assault, rape, or other sexual offenses against an employee/staff by an inmate. The I&I Investigator shall be notified of incidents in accordance with AR 302, *Incident Reporting*.
- b. If applicable, the Associate Commissioner of Operations shall determine the placement of employee/staff involved in any PREA related incidents.
- c. The PREA Departmental Coordinator has the authority to transfer or place an inmate(s) involved in a PREA related incident.
- d. Retaliation against any employee(s) or inmate(s) who cooperates with an investigation of a PREA incident is prohibited.
- e. The I&I Division Director/designee shall refer such violations of law to the district attorney for prosecution.
- f. The Warden/designee shall notify the Institutional Coordinator(s) (ICs) and may request to activate the CISM team (see AR 316, *The Critical Incident Stress Management (CISM) Team*). The employee should be made aware of the availability of the State Employee Assistance Program (EAP) for further treatment and counseling.

3. Staff-on-Inmate.

- a. It is unlawful for an employee to engage in sexual and inappropriate conduct with an inmate. These acts are strictly prohibited and are in violation of Alabama law.
- b. Upon an allegation of any sexual offense or assault, the PREA Regional Coordinator and the I&I Investigator shall be notified. The I&I Investigator shall be notified of incidents in accordance with AR 302, *Incident Reporting*.
- c. The Associate Commissioner of Operations shall determine the placement of employee/staff involved in any PREA related incidents.
- d. If applicable, the PREA Departmental Coordinator has the authority to transfer or place an inmate(s) involved in all PREA related incidents.
- e. Retaliation against an employee(s) or inmate(s) who cooperates with an investigation of a PREA incident is prohibited.
- f. The I&I Division Director/designee shall refer such violations of law to the district attorney for prosecution.
- g. Following an inmate's allegation that a staff member committed sexual abuse against the inmate, the ADOC shall subsequently inform the inmate of the following information: the staff member is no longer with the ADOC, or is no longer employed at the institution, or has been indicted on a charge related to the sexual abuse, or has been convicted on a charge related to the sexual abuse. This notification shall be documented.

F. Data Collection and Monitoring

1. Data Collection.

- a. For the purpose of data collection tracking, the ADOC Form 302-A alleging sexual assault or sexual misconduct shall be forwarded to the I&I Division within seventy-two (72) hours of notification of a PREA related incident.
- b. No later than June 30 of each year, the PREA Departmental Coordinator shall compile the records and



data from the previous calendar year to submit, upon request, to the Department of Justice (DOJ).

- c. The PREA Departmental Coordinator shall review data collected to assess and improve the effectiveness of appropriate ADOC policy. He/She shall prepare a report on each institution for the Commissioner identifying problem areas, suggesting corrective action, and providing comparison from the previous year's report.
- d. The above referenced data shall be retained for ten (10) years.
- e. Criminal and administrative investigation records shall be retained for as long as the alleged abuser is incarcerated or employed by the agency, plus five (5) years

2. Monitoring.

- a. The PREA Regional Coordinator is responsible for monitoring all inmates identified as sexual aggressors or victims. Identification of sexual aggressors or victims information should be done discreetly.
- b. The Warden and PREA Coordinator will ensure inmates and staff who report sexual abuse, sexual harassment, or cooperate with a sexual investigation are protected from retaliation by other inmates or staff by monitoring their activities for 90-days after an incident. Monitoring shall continue beyond 90 days if initial monitoring indicates a continuing need. The agencies obligation to monitor may terminate if the agency determines the allegation is unfounded.
- c. Any updates of an inmate's history of sexual aggression or victimization shall be done by a mental health professional and notification shall be made to the PREA Departmental Coordinator.

G. Audits

1. Departmental PREA:

- a. The PREA Departmental Coordinator shall collaborate

with the ADOC Legal Division to develop contracts with a DOJ Certified Auditor(s).

- b. The PREA Departmental Coordinator shall ensure that each institution is audited at least once during a three-year period by an internal audit team.
- c. The PREA Departmental Coordinator shall review the following at each institution being audited:
  - (1). Prevention Planning.
  - (2). Responsive Planning.
  - (3). Training and Education.
  - (4). Screening for Risk of Sexual Victimization and Abusiveness.
  - (5). Reporting Procedures.
  - (6). Response Following an Inmate Report.
  - (7). Staff first responder duties.
  - (8). Preservation to protect inmates from contact with abusers.
  - (9). Investigations.
  - (10). Disciplinary sanctions for staff.
  - (11). Corrective action for contractors and volunteers.
  - (12). Disciplinary sanctions for inmates.
- d. The PREA Departmental Coordinator/designee shall review, at a minimum, a sampling of relevant documents and other records for the most recent one-year period.
- e. The PREA Departmental Coordinator/designee shall interview a representative sample of inmates and employees/staff in a private setting.

- f. The internal audit report shall state whether ADOC policies and procedures comply with relevant Federal PREA Standards and be provided to the Warden and Institutional Coordinator.
- g. A finding of “Does Not Meet Standards” will trigger a corrective action plan with the Warden, Institutional Coordinator, and the PREA Departmental Coordinator.

H. Miscellaneous

1. Institutional Staffing Plan.

- a. The Warden will, on a regular basis, make his/her best effort to comply with the established staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect inmates against sexual abuse.
- b. The PREA Departmental Coordinator shall meet with the Warden annually to assess and document if any adjustments are needed to the staffing plan, video monitoring systems and other monitoring technologies, and the facilities resources.

2. Cross-Gender Viewing and Searches.

- a. The institution shall not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners.
- b. The institution shall document on the shift log and ADOC Form 302-A, *Incident Report*, all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.
- c. The institution shall implement policies and procedures (Knock And Announce) that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitals, except in exigent circumstances or when such viewing is incidental to routine cell and/or dorm checks. Such policies and procedures shall require staff of the opposite gender to

announce their presence when entering an inmate housing unit.

- d. The facility staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversation with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of the broader medical examination conducted in private by a medical practitioner.

3. ADOC Hiring and Promotion - Departmental policy prohibits the hiring or promotion of an employee who may have contact with inmates who –

- Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
- Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
- Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph b.

a. Before hiring a new employee, the ADOC Personnel Division shall:

- (1). Conduct a criminal background records check.
- (2). Make its best efforts to contact all prior institutional employers on substantiated allegations of sexual abuse.
- (3). Ask potential employees about previous misconduct described in Paragraph V.H.3
- (4). Apprise potential employees that omissions of material regarding such misconduct shall be grounds for termination.

- b. For promotions, the I & I Director shall conduct a criminal background records check.
- c. Disqualifiers for promotions – If the employee has engaged in any conduct described in paragraph V. H. 3.
- d. The ADOC Personnel Director shall conduct a criminal background records check every five (5) years on all current employees.

**VI. DISPOSITION**

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

**VII. FORMS**

ADOC Form 454-A, *Inmate Awareness Acknowledgement*  
 ADOC Form 454-B, *Investigations Checklist*

**VIII. SUPERCEDES**

This Administrative Regulation supercedes AR 454, *Inmate Sexual Offenses and Custodial Sexual Misconduct*, dated May 22, 2008, and any changes thereto.

**IX. PERFORMANCE**

- A. Public Law 108-79, Prison Rape Elimination Act of 2003.
- B. Code of Federal Regulations, Title 28, Part 115, Prison Rape Elimination Act National Standards.
- C. Alabama Code Sections 13A-6-60, 13A-6-61, 13A-6-63, 13A-6-65, 13A-6-65.1, 14-11-30, 14-11-31, and 14-11-32.
- D. American Correctional Association (ACA), Standards For Adult Correctional Institutions, Fourth Edition, Sections 4-4281 through 4-4284.
- E. American Correctional Association (ACA), Guidelines for the Development of a Security Program, Third Edition.
- F. AR 302, *Incident Reporting*.
- G. AR 306, *Disposal of Contraband*.

- H. AR 336, *Searches*.
- I. AR 433, *Administrative Segregation and Housing for Close or Maximum Custody*.
- J. AR 435, *Protective Custody*.
- K. ADOC Classification Manual.

**ATTACHMENT(S)**

ADOC PREA Pamphlet, English



---

Kim T. Thomas, Commissioner

## INMATE AWARENESS ACKNOWLEDGEMENT

I, \_\_\_\_\_, AIS # \_\_\_\_\_,   
Inmate Name

acknowledge that I have received an orientation on the prohibition, prevention, detection, self-protection, reporting, treatment, and counseling relating to Inmate Sexual Offenses, Sexual Harassment, Custodial Sexual Misconduct, and the Prison Rape Elimination Act (PREA)

on \_\_\_\_\_ at \_\_\_\_\_   
Date Institution

Inmate's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Witness's Signature: \_\_\_\_\_

Distribution: Original – Central Records Division  
Copy – Inmate Database  
Copy – PREA Regional Coordinator

Alabama Department of Corrections  
**PREA INVESTIGATION CHECKLIST**

1. Time call received: \_\_\_\_\_
2. Initial information pertaining to incident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Ask if any injuries. If there are, ensure they are treated and photos of injuries taken. If death, follow the Investigator's Death Checklist. If victim/suspect requires transport, name of location transported to:  
\_\_\_\_\_
4. Time investigator reported to Institutional/location \_\_\_\_\_
5. Follow steps a, through d:
  - a. Determine if a sexual assault occurred.
  - b. If a sexual assault occurred, determine if a sexual assault kit is warranted (physical evidenced should be collected within the first 72 hours after the assault).
  - c. Ensure that the victim, suspect, and witness(es) are separated for safety and uniqueness of statements.
  - d. A polygraph examination given when applicable.
6. Is crime scene secured: \_\_\_\_\_
7. Collected evidence: \_\_\_\_\_
8. Take photos: \_\_\_\_\_
9. Take measurements: \_\_\_\_\_
10. Complainant's/Victim's name: \_\_\_\_\_
11. Suspect's name: \_\_\_\_\_
12. Victim's interview: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Alabama Department of Corrections  
**PREA INVESTIGATION CHECKLIST**

- 13. Witness's interview: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 14. Name, address/phone number of possible witness(es):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 15. Weather conditions: \_\_\_\_\_  
\_\_\_\_\_
- 16. Light conditions: \_\_\_\_\_
- 17. Suspect(s) interview (Garrity/Maranda warning):  
\_\_\_\_\_
- 18. Disposition of suspect(s): \_\_\_\_\_  
\_\_\_\_\_
- 19. Follow up interviews: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 20. Gather any additional information:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 21. Conduct surveillance if needed: \_\_\_\_\_  
\_\_\_\_\_
- 22. Process evidence and send/take to Forensics Lab: \_\_\_\_\_
- 23. Lab results received: \_\_\_\_\_
- 24. Case completed: \_\_\_\_\_
- 25. Case reviewed by Investigation and Intelligence Director or Asst. Director:  
\_\_\_\_\_

Alabama Department of Corrections  
**PREA INVESTIGATION CHECKLIST**

- 26. Case sent to District Attorney and ADOC Commissioner:  
\_\_\_\_\_  
\_\_\_\_\_
- 27. Grand Jury proceedings date: \_\_\_\_\_
- 28. Departmental hearing: \_\_\_\_\_
- 29. Contact DA's office to obtain final results of case: \_\_\_\_\_
- 30. Post final results in I&I case file: \_\_\_\_\_

Distribution: Director, Investigations & Intelligence  
File

## **DID YOU KNOW?**

Rape and sexual assault happen to females and males of all ages, from infancy to the senior years.

98% of males who have raped boys reported they are heterosexual. Most males who assault men or women are married or report having girlfriends.

Sexual assault has nothing to do with the victim's present or future sexual orientation. Victims may be either heterosexual or homosexual.

A survivor is not at fault for the rape even if she/he was in a secluded area or had previous consensual sex with the attacker.

If male victims of sexual assault ejaculated or became sexually aroused, it does not mean they were not raped or that they gave consent. These are normal, involuntary physiological reactions.

It is common for survivors of sexual assault to have feelings of embarrassment, anger, guilt, panic, depression, and fear for several months or years after the attack. Other common reactions include loss of appetite, nausea or stomach aches, headaches, loss of memory and / or trouble concentrating and changes in sleep patterns.

## **FACTS FOR THE OFFENDER WHO SEXUALLY ASSAULTS OTHER OFFENDERS:**

All cases of sexual assault are investigated by the Investigations and Intelligence Division (I&I) as a criminal investigation. You will be prosecuted for a criminal offense and if found guilty of a felony, any additional prison time will be stacked on top of your current sentence in accordance with Alabama law.

If you are convicted your VICTIM will have an opportunity to write a statement which can impact your SENTENCE LENGTH and can affect your ability to parole.

You will be a REGISTERED SEX OFFENDER upon release from prison.

**YOU WILL BE ISSUED A DISCIPLINARY CASE** if found guilty, sanctions will be harsh. In addition, your classification level will be reviewed and likely downgraded, which could mean a transfer to a higher security prison or housing unit with significantly less freedom of movement and limited privileges. If you have family, will this affect your loved ones and their ability to visit you?

Engaging in homosexual conduct in prison significantly increases your risk of HIV infection, along with exposing you to other sexually transmitted diseases.

If you have trouble controlling your actions seek help from mental health staff and / or consider participating in programs designed to control anger or reduce stress. To reduce immediate feelings of anger or aggression try talking to or writing a friend, meditate, or do breathing exercises to relax, or engage in some type of exercise.



# **SEXUAL ASSAULT AMERITORS**



## **Alabama Department of Corrections Investigations & Intelligence Division (I & I)**

### **Safe Prisons Program**

#### **ZERO SEXUAL ASSAULTS:**

**“Achieving a Safe Environment for All  
Through Positive Change by All”**

## SEXUAL ASSAULT

Sexual assault occurs when a person forces another person to have sexual intercourse, to have sexual contact, or to commit sodomy. Any unwelcome sexual contact is illegal and unacceptable. Sexual assaults are punishable up to 99 years in prison, for the first offense.

Custodial Sexual Misconduct occurs when any employee has any sexual contact with any person in custody, in any corrections facility. The crime of Custodial Sexual Misconduct is punishable up to 10 years in prison, for the first offense.

Predators use sex as a weapon to assault the body, mind, psyche and spirit of their victims. This is done to project power of authority.

Sexual assault affects everyone, either directly or through the experiences of those we care about. This issue can affect persons of any gender, age, race, ethnic group, socioeconomic status, sexual orientation, or disability.

The statistics are proof of this problem: according to the National Crime Victimization Survey (NCVS), in 2002 there were 247,730 victims of rape (this number does not include victims 12 or younger), seven out of every eight rape victims were female, and one in every eight rape victims was male. A 1998 study indicates that about 2.78 million American men have experienced an attempted or completed rape, and one out of every six American women have experienced an attempted or completed rape.

## RAPE AVOIDANCE

The only way rape can be prevented is when a potential rapist chooses NOT to rape. However, YOU may avoid an attack by keeping the following safety guidelines in mind:

Position yourself in "Safe Zones" areas where you can see a staff member and the staff member can see you. If you are being pressured for sex, report it to any staff member immediately.

Be aware of situations that make you feel uncomfortable. Trust your instincts. IF IT FEELS WRONG, LEAVE. GET HELP. OR CALL OUT FOR A STAFF MEMBER. Don't be afraid to say "NO" or "STOP IT NOW."

Walk and stand with confidence. Many rapists choose victims who look like they won't fight back or are emotionally weak.

Avoid talking about sex and casual nudity. These things may be considered a come on, or make another believe that you have an interest in a sexual relationship.

Avoid purchasing any items from the commissary/store with the exception of hygiene items for the first 90 days. Large commissary spends will attract attention of predators.

Do not accept commissary/store items or other gifts from other offenders. Placing yourself in debt to another offender can lead to the expectation of repaying the debt with sexual favors.

## WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED

**IF THE ATTACK HAS JUST HAPPENED...**

Get to a safe place. REPORT THE ATTACK TO A STAFF MEMBER IMMEDIATELY. The longer you wait the more difficult it is to obtain the evidence, necessary for a criminal and / or administrative investigation.

Request immediate medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.

Do not shower, brush your teeth, use the restroom, or change your clothes. You may destroy important evidence.

If you have been attacked or witnessed an attack, you should report the attack to any staff member, supervisor or the warden. You may also report the incident to ANY STAFF MEMBER assigned to your facility. All allegations regarding sexual assault will be investigated immediately by I & L.

**Later On...** Seek the support of a trusted friend, family member, or chaplain at your facility. The days ahead can be traumatic and it helps to have people who care about you to support you. Seek professional help. Mental Health staff is available for crisis care 365 days a year, to listen and offer support.