

DALLAS COUNTY SHERIFF'S DEPARTMENT GENERAL ORDERS

Revised: September 2013	Effective Date: 2014	Number: Chapter 3.13
Subject: Prison Rape Elimination Act of 2003 (PREA)		

Purpose- The purpose of the policies and procedures outlined in this section are to ensure that the Dallas County Sheriff's Department will be in compliance with all rules and regulations set forth in the Prison Rape Elimination Act of 2003 (PREA). The Dallas County Sheriff's Department will ensure there is a zero tolerance relating to sexual assault/rape of offenders as crime victims. The Dallas County Sheriff's Department will maintain standards for detection, prevention, reduction, and punishment of prison rape.

The prevention of sexual assault or sexual misconduct is a top priority to protect the safety of the public, to facilitate release of inmates, residents, and/or youthful inmates into the community who have not been sexually assaulted while in custody, to protect public health from sexually transmitted diseases that they may contract while in custody, to protect their rights, to provide safe conditions of confinement and to ensure safe, secure and orderly operations of the Dallas County Sheriff's Department facilities.

Policy- The Dallas County Sheriff's Department does not condone nor tolerate any type of sexual misconduct, sexual contact, sexual abuse and sexual harassment toward any inmates, residents, and/or youthful inmates. The Dallas County Sheriff's Department will immediately respond to allegations, fully investigate reported incidents, pursue disciplinary action, and refer for investigation and prosecution those who perpetrate such conduct. All Dallas County Sheriff's Department employees, contractors, volunteers and any other individuals in positions of authority over inmates, residents, and/or youthful inmates are subject to administrative and/or criminal investigation for violation of this policy.

The Dallas County Sheriff's Department considers any form of sexual misconduct by employees toward an inmate, resident, and/or youthful inmate to be official oppression or an improper relationship with a person in custody. Allegations may involve inmate to inmate contact, resident to resident contact, youthful inmate to youthful inmate contact or employee to inmate contact, employee to resident contact, employee to youthful inmate contact. Sexual misconduct is not gender-specific, and may occur: male to male, male to female, female to female, female to male.

I. Definitions:

- Allegations- Events which are said to have happened, but which have not been verified.
- Contractor- A person who provides services on a recurring basis pursuant to a contractual agreement with the department.
- Department head- The Sheriff of Dallas County holds the ultimate responsibility for the administration, command, and both internal and external operations of the Dallas County Sheriff's Department.
- Department- The Dallas County Sheriff's Department is responsible for the care, custody, control and detention of all inmates housed within Dallas County.

Direct Supervision-	An employee is in the same room with the inmates twenty-four hours per day.
Employee-	Any person employed by the Dallas Sheriff's Department including Reserve Deputies and Posse members while on duty. Employees assigned to Detentions are responsible for the supervision and control of the inmates.
Exigent Circumstance-	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.
Facility-	A place, institution, building (or part thereof), set of buildings, structure or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals.
Facility head-	The Captain is the principal official of a facility.
Inmate-	An individual who has been arrested and detained in the Dallas County Sheriff's Department Jail pending adjudication of criminal charges, an individual committed to confinement after adjudication of criminal charges for sentences of one year or less or a person adjudicated guilty who is awaiting transfer to a correctional facility.
Jail-	A confinement facility of a Federal, State or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility.
Juvenile-	Any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail.
Juvenile facility-	Means a facility primarily used for the confinement of juveniles pursuant to the juvenile justice system or criminal justice system.
Lockup-	Means a facility that contains holding cells, cell blocks, or other secure enclosures that are under the control of a law enforcement, court, or custodial officer. They are used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency.
Medical Practitioner-	A health professional who, by virtue of education, credentials and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A "qualified medical practitioner" refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims.
Not Sustained-	Insufficient evidence either to prove or disprove the internal allegation.
Pat down search-	Means a running of the hands over the clothed body of an inmate by an employee to determine whether the individual possesses contraband.
PREA Coordinator-	The official responsible for the coordination and compliance monitoring of the Prison Rape Elimination Act of 2003 in the Department and contracted programs.
Resident-	Means any person confined or detained in a juvenile facility or in a community confinement facility.

Secure juvenile facility-	Means a juvenile facility in which the movements and activities of individual residents may be restricted or subject to control through the use of physical barriers or intensive staff supervision. A facility that allows residents access to the community to achieve treatment or correctional objectives, such as through educational or employment programs, typically will not be considered to be a secure juvenile facility.
Strip Search-	A search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitalia.
Sustained allegation-	Allegation is supported by sufficient evidence in an Internal Affairs investigation.
Substantiated allegation-	Allegation is supported by sufficient evidence in an Criminal investigation.
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.
Transportation vehicle-	Any vehicle used to transport inmates, residents, and/or youthful inmates to other facilities, court, medical facilities, or any other location.
Unfounded allegation-	A criminal or internal allegation is false or not factual.
Unsubstantiated-	Insufficient evidence either to prove or disprove the criminal allegation.
Volunteer-	An individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency.
Youthful inmate-	Means any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail.
Youthful detainee-	Means any person under the age of 18 who is under adult court supervision and detained in a lockup.

II. Texas Penal Code Statutes:

All employees of the Dallas Sheriff's Department, contractors, volunteers or any other individual in a position of authority over an inmate, resident, and/or youthful inmate may be subject to criminal investigations if the alleged victim makes an allegation of Sexual Assault, Sexual Misconduct, Sexual Contact, Sexual Abuse and/or Sexual Harassment. Inmates, residents, and/or youthful inmates may be subject to a criminal investigation if another inmate, resident, and/or youthful inmate makes an allegation of Sexual Assault. The following statutes may apply:

- A. Employees, contractors, volunteers or any other individual in a position of authority over an Inmate may be charged with one of the following Texas Penal Code Statutes:
 1. Texas Penal Code, Section 39.03, Official Oppression
 2. Texas Penal Code, Section 39.04, Violations of the Civil Rights of Person in Custody; Improper Sexual Activity with Person in Custody
- B. Inmates, residents, and/or youthful inmates may be charged with one of the following Texas Penal Code Statutes:
 1. Texas Penal Code, Section 22.011, Sexual Assault
 2. Texas Penal Code, Section 22.021, Aggravated Sexual Assault

III. **Dallas County Sheriff's Department General Orders and Code of Conduct Violations:**

All employees of the Dallas Sheriff's Department, contractors, volunteers or any other individual in a position of authority over an inmate, resident, and/or youthful inmate may be subject to an administrative and/or disciplinary investigation if an inmate makes an allegation concerning one of the following:

A. Code of Conduct Violations: 2.10 Moral Turpitude

1. **Sexual Conduct On Duty:** It is prohibited to engage in sexual intercourse, deviate sexual intercourse, or sexual contact, as defined in the Texas Penal Code, Section 21.01, ("Deviate sexual intercourse" means any contact between any part of the genitals of one person and the mouth or anus of another person or the penetration of the genitals or the anus of another person with an object) while on duty.
2. **Sexual Conduct with Inmate/Prisoner:** Employees shall not engage in sexual conduct, as defined in the Texas Penal Code, Sec. 43.25 (a) (2), with an individual that is detained or in custody. (43.25 states "Sexual Conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola).
3. **Sexual Contact (PREA defines as):** Employees shall not engage in any form of sexual contact, intentional sexual touching or physical contact in a sexual manner, either directly or through clothing, of the genitalia, anus, groin, breasts, inner thighs, buttocks, WITH or WITHOUT the consent of the person; or any touching or inappropriate viewing with intent to arouse, humiliate, harass, degrade, or gratify the sexual desire of any person.
4. **Sexual Misconduct (PREA defines as):** Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, visitor, contractor or agency representative. This includes acts or attempts to commit such acts including, but not limited to, sexual assault, sexual abuse, sexual harassment, sexual contact, sexual gratification, conduct of a sexual nature or implication, obscenity and unreasonable invasion of privacy. Sexual misconduct also includes, but is not limited to, conversations or correspondence that suggests a romantic relationship between an inmate and any party referenced above. Misconduct can also involve inappropriate viewing.

B. Code of Conduct Violations: 4.06 Harassment

1. **Sexual Harassment (PREA defines as):** Includes, but is not limited to, all of the following, whether by staff, volunteers, contractors, other agency representatives, or inmates: sexual advances; sexually offensive language, comments or gestures; influencing, promising or threatening any inmate's (or staffs) safety, custody status, privacy, housing, privileges, work or program status, in exchange for personal gain or favor of a sexual nature; creating or encouraging an atmosphere of intimidation, hostility, or offensiveness as perceived by any individual who observes the sexually offensive behavior or language.
2. **Violation of Privacy Rights of Inmates:** This includes, but is not limited to, the act or the attempted act of observing or interfering with an inmate's personal affairs without a reasonable need to do so for the immediate safety

and security of the inmate, employee, or others within the institution. Violations may include unreasonable intrusive viewing of an inmate's use of the shower, toilet, or in areas where inmates dress, outside legitimate security needs. Acts that may also be included consist of: failing to announce his/her presence when entering a housing unit in a non-emergency situation; reading personal mail or written materials of an inmate when not required for safety and security of the institution of persons therein.

3. **Sexualized Work Environment:** A work environment in which the behaviors, dress and speech of either staff and/or inmates create a sexually charged workplace. Sexually explicit talk, inappropriate emails, posted cartoons, jokes or unprofessional dress in the presence of inmates characterizes a sexualized work environment. A sexualized work environment severely erodes the professional boundaries between staff and inmates.

IV. PREA Coordinator:

The PREA Coordinator will be a Detention Service Supervisor directly responsible to the Assistant Chief Deputy of Technical Services and will have the following duties:

1. Coordinate and develop procedures to identify, monitor, and track sexual misconduct incidents occurring in the Department facilities and programs,
2. Maintain related statistics,
3. Conduct audits to ensure compliance with Department policy and the Prison Rape Elimination Act of 2003,
4. Coordinate facility/program PREA-related activities,
5. Ensure facility/program compliance with training requirements,
6. Track and report PREA statistical data,
7. Work with the Dallas County Sheriff's Department Criminal Investigation Section regarding any sexual misconduct, sexual abuse or sexual assault investigations,
8. Notify the inmate of the outcome of the criminal investigation as follows:
 - a. Substantiated Allegation
 - b. Unsubstantiated Allegation
 - c. Unfounded Allegation
9. Maintain sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.

V. Orientation:

The Classification Section will identify, assess and manage inmates and/or youthful inmates with special needs, including those who are potentially vulnerable and potentially dangerous, to provide safe housing, adequate protection, and programmatic resources to meet their needs during the book-in process at the Lew Sterrett Justice Center.

A. Offender Orientation and Education

All inmates and/or youthful inmates will receive information about sexual misconduct during the book in process. Designated staff will communicate the information verbally

and in writing, in a manner that is clearly understood by the inmates and/or youthful inmates. Information provided will include, but is not limited to:

1. Presentation of the Inmate Handbook and Sexual Misconduct brochure,
2. Information on how to confidentially file a sexual misconduct, sexual assault, sexual contact, sexual abuse and/or sexual harassment allegation against another inmate or staff member, volunteer, contractor or other representative of the Dallas Sheriff's Department.

B. Inmates, Residents and/or Youthful Inmates with disabilities

The Dallas Sheriff's Department shall take appropriate steps to ensure that inmates and/or youthful inmates with disabilities (including deaf, hard of hearing, blind, low vision, intellectual, psychiatric, and/or speech disabilities) have an equal opportunity to participate in or benefit from all aspects of the department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The department will do the following:

1. Provide access to interpreters who can interpret effectively, accurately, and impartially.
2. Provide written materials in formats that ensure effective communication with inmates or youthful inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision.

C. Inmates, Residents and/or Youthful Inmates with limited English Proficiency

The Dallas Sheriff's Department shall take appropriate steps to ensure that inmates and/or youthful inmates with limited English proficiency have an equal opportunity to participate in or benefit from all aspects of the department's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The department will do the following:

1. Provide interpreters who can interpret effectively, accurately, and impartially.

VI. Grievance and Reporting:

Inmates and/or youthful inmates will have access to a confidential lock box to report any allegation of sexual misconduct, sexual assault, sexual contact, sexual abuse and/or sexual harassment. The Dallas Sheriff's Department staff will be required to inform the inmates and/or youthful inmates on where the lock box is located as they enter the facility, including transferred inmates and/or youthful inmates from another facility.

The inmates and/or youthful inmates will have access to the lock box twenty-four hours a day, seven days a week. Inmates and/or youthful inmates may also verbally report any allegations to a staff member or medical staff.

The PREA Coordinator will be the only one who has access to the lock box and he/she will distribute the grievance or allegation to the appropriate authority.

- A.** Once a employee, medical staff member, volunteer, contractor or representative of the department receives information from the inmate and/or youthful inmate regarding a sexual offense by another inmate or staff member, he/she will do the following:

1. He/she shall immediately inform the Division Commander. Failure to do so may result in disciplinary action, up to and including termination. If the allegation

involves an employee of the Dallas Sheriff's Department, volunteer, contractor, or other representative of the department, the supervisor will contact the Internal Affairs Division. Protocol set forth in the General Orders, Chapter 4.9, VI.,D., will be followed.

2. Any allegation of sexual misconduct, sexual assault, sexual abuse, sexual contact or sexual harassment shall be reported to the Sheriff and the Executive Chief Deputy within twenty-four hours.
 - a. If the allegation is towards an employee, the Executive Chief Deputy may place the employee on administrative leave or temporarily transfer the employee to another assignment until the investigation is complete.
 3. Any credible allegation of forcible sexual assault will be reported immediately to the Criminal Investigation Section in order to preserve any possible physical evidence. If the allegation involves a staff member, the Internal Affairs Division will be notified immediately. According to General Orders Chapter 4.9, Discipline, Section XXII., the Internal Affairs Division may suspend the administrative investigation if it is believed that a concurrent investigation would hinder criminal investigation and/or prosecution.
 4. Upon receipt of a complaint of forcible sexual assault for which there may be physical evidence, the complainant may be transported to a hospital for physical examination and/or rape kit as necessary to preserve physical evidence. The rape kit will be sent to the Southwest Institute of Forensic Science for testing.
 5. Inmates and/or youthful inmates making allegations of sexual misconduct, sexual contact, sexual abuse or sexual harassment may be provided appropriate counseling from the Mental Health staff and/or medical treatment from the medical staff.
 6. The department will determine if the alleged victim requires placement under Protective Custody Status. The department will maintain constant supervision of the inmate.
 7. Once an inmate and/or youthful inmate files a complaint, he/she will be transferred to another location. The transfer will remain confidential in order to protect the inmate from retaliation and/or further danger.
- B. The inmate and/or youthful inmate has the right to file a grievance involving any form of sexual misconduct in writing or verbally. The inmate and/or youthful inmate has the following rights regarding a grievance:
1. The Dallas Sheriff's Department shall not impose a time limit on when an inmate and/or youthful inmate may submit a grievance regarding an allegation of sexual abuse.
 2. The Department shall not require the inmate and/or youthful inmate to use any informal grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
 3. An inmate and/or youthful inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint.
 4. The Dallas Sheriff's Department shall issue a final department decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. (This does not include time used by inmates and/or

youthful inmates in preparing any administrative appeal).

5. The Dallas Sheriff's Department may require an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The department shall notify the inmate and/or youthful inmate in writing of any such extension and provide a date by which a decision will be made.
6. At any level of the administrative process, including the final level, if the inmate and/or youthful inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.
7. Third parties shall be permitted to assist inmates and/or youthful inmates in filing requests for administrative remedies relating to allegations of sexual abuse. Third parties may be permitted to file such requests on behalf of an inmate(s). Third parties include fellow inmates, youthful inmates, staff members, family members, attorneys and outside advocates.
 - a. The department may require the alleged victim agree to have the request filed on his or her behalf, and may require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.
 - b. If the alleged victim declines to have the request processed on his or her behalf, the department shall document the alleged victim's decision.
8. The department may discipline an inmate and/or youthful inmate for filing a grievance related to alleged sexual abuse only where the department demonstrates that the inmate filed the grievance in bad faith.

VII. Investigations:

All allegations of sexual misconduct, sexual assault, sexual abuse, sexual contact or sexual harassment shall be investigated administratively and/or criminally. Investigations of sexual misconduct, sexual contact, sexual abuse and sexual harassment shall be conducted by an investigator who has experience and training in investigations and appropriate and effective interview techniques. Investigations involving a juvenile shall be conducted by an investigator who has experience and training in investigations involving juveniles. The Dallas Sheriff's Department Criminal Investigation Section is responsible for investigating criminal allegations that are allegedly committed at any of Dallas County jails, lock ups, secure juvenile facility, and/or transportation vehicles. The following protocol will be followed:

- A. An inmate and/or youthful inmate who reports an incident of sexual assault, sexual misconduct, sexual contact, sexual abuse and/or sexual harassment may request to be treated as an anonymous informant.
- B. Employees will be responsible for securing the potential crime scene and protecting the victim and separating the alleged perpetrator(s) if they are inmates and/or youthful inmates.
- C. The investigator shall conduct interviews with the complainant, witnesses, the accused, The alleged victim(s) and any other individuals who may have information about the alleged incident(s).
- D. The investigation, including interviews, videos, polygraph documents, witness Statements, supporting documents, and other evidence will be treated as confidential.

Secrecy orders are executed when appropriate. The name of the complainant and/or alleged victim and the identity of the witnesses shall be confidential. It is imperative that confidentiality regarding the identity of any individual involved in the investigation be maintained to the greatest extent possible with the Dallas County Sheriff's Department or within any facility to which the inmate, resident, and/or youthful inmate may be transferred.

- E. Except for those individuals responsible for conducting the investigation, all other individuals alerted to the allegation, including Dallas Sheriff's Department staff, are prohibited from conducting independent investigations or inquiries into the circumstances related to the alleged incident(s). Breach of confidentiality may result in disciplinary action, up to and including dismissal. However, the pending investigation shall in no way limit an inmate's right to access legal counsel.
 - 1. The confidentiality provisions above shall in no way limit the investigator or the employee's from testifying before a grand jury, court, or a local, state or federal investigatory agency.
- F. Interviews will be conducted thoroughly in a professional, non-abusive and non-threatening manner. Dallas County Sheriff's Department employees will make no predetermined judgment regarding whether the reported incident occurred or not, but will proceed with notifying the appropriate individuals based on the nature of the report. If appropriate, a sexual misconduct complainant may be offered the opportunity to speak to a same gender deputy regarding the facts of the complaint.
- G. All Dallas County Sheriff's Department employees will cooperate fully with the investigation into all allegations, and will protect and preserve all evidence.
- H. If the victim refuses to cooperate with the investigator and there is no physical evidence to support the allegation, the investigator may close the case. The investigator must interview any witnesses prior to closing the case. The investigator must determine if the victim was coerced, threatened or in fear of retaliation before closing the investigation.
- I. If the victim is a juvenile resident and/or youthful inmate, the investigator may not close the investigation if the victim recants the allegation.
- J. An initial and final investigation report shall be completed within a reasonable time. Factual findings may be based on a range of evidence, including physical and documentary evidence, witness accounts, and circumstantial evidence. If a witness is an inmate and/or youthful inmate, their credibility shall be evaluated in an unbiased manner in accordance with established investigation methods. The final investigation shall include at a minimum, a narrative of the allegations, a comprehensive listing of factual findings, details of the interviews with all parties and witnesses, conclusions, and recommendations. If the allegation involves an employee, a final disciplinary determination shall be made by the Sheriff or the Executive Chief Deputy.
 - 1. The investigation will be completed even if the allegation involves an employee who terminates his/her employment during the investigation.
 - 2. The investigation will be completed even if the inmate making the allegation is released from custody and/or transferred to another Federal, State or local agency.
- K. All allegations, reports of allegations and the results shall be preserved and maintained by the office of the Criminal Investigation Section and if applicable, the Internal Affairs Division. The PREA coordinator will be given all findings in order to complete the Annual PREA report.

VIII. Retaliation and Protection:

The Dallas Sheriff's Department will protect all inmates and staff who report or cooperate with any allegation of Sexual Misconduct, Sexual Assault, Sexual Contact and Sexual Harassment.

- A. The Dallas County Sheriff's Department shall protect inmates who are victims, witnesses or the accused by doing one of the following:
 - 1. Separating the victim(s) and the accused inmate(s) and/or youthful inmate(s) by housing facilities or locations.
 - 2. Transferring an accused staff member to another facility or placing the employee on administrative leave.
 - 3. Providing emotional support services for inmates or staff members who fear retaliation.
- B. The Dallas County Sheriff's Department shall monitor the conduct or treatment of Inmates and/or youthful inmates or staff members for 90 days who reported the sexual abuse.
- C. Items the agency shall monitor include:
 - 1. Any inmate and/or youthful inmate disciplinary reports
 - 2. Housing assignments
 - 3. Program changes
 - 4. Negative performance reviews or assignment changes by staff members
- D. The Dallas County Sheriff's Department shall take appropriate measures to protect any other individual who cooperates with an investigation if he/she expresses a fear of retaliation.
- E. The Dallas County Sheriff's Department shall establish procedures for the filing of an emergency grievance alleging that an inmate and/or youthful inmate is subject to a substantial risk of imminent sexual abuse.
 - 1. After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the department shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken.
 - 2. The department shall provide an initial response within 48 hours and shall issue a final department decision within 5 calendar days.
 - 3. The initial response and final department decision shall document the department's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
- F. The Dallas County Sheriff's Department obligation to monitor shall terminate if the Department determines that the allegation is unfounded.

IX. Inmates and/or Youthful Inmates Right to Appeal:

The victim of the sexual misconduct, sexual contact, sexual abuse or sexual harassment will be informed in writing of the outcome of the investigation and the resolution by the PREA Coordinator.

An victim who is dissatisfied with the investigation or resolution of an allegation of sexual misconduct, sexual contact, sexual abuse or sexual harassment, may appeal by letter to the PREA Coordinator within seven days of receiving the written outcome of the investigation. The PREA Coordinator shall give a written response to the inmate within a reasonable period of time.

X. Inmate and/or youthful inmate access to outside confidential support services:

A. The Dallas County Sheriff's Department shall provide inmates and/or youthful inmates with access to outside Local, State or National victim advocacy or rape crisis organizations for emotional support services related to sexual abuse by giving the following:

1. Mailing addresses
2. Telephone numbers
3. Toll-free hotline phone numbers

B. The department shall provide immigrant services agencies for eligible inmates and/or youthful inmates.

C. The department shall enable reasonable communication between inmates and support organizations and agencies, in as confidential a manner as possible.

1. The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

D. The Dallas County Sheriff's Department shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse. The department shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

XI. Juveniles

Juvenile defendants are housed at the Henry Wade Juvenile Center in Dallas County. The State of Texas recognizes anyone as an adult at the age of seventeen (17). The Texas Family Code defines a "Child" as a person who is ten (10) years of age and under seventeen 17 years of age. PREA requires inmates who are seventeen (17) years of age to be separated from the jail population. PREA defines juveniles as youthful inmates.

A. The Dallas County Sheriff's Department will house any individual who is seventeen (17) years of age in a location that is separate from all other inmates incarcerated at the facility.

1. Male individuals who are seventeen (17) years of age and fall under the same classification will be housed in the same tank/pod. They will be out of view from the other inmates. The youthful inmates will only be housed in the same tank/pod with other seventeen (17) year olds.

2. Female individuals who are seventeen (17) years of age and fall under the same classification will be housed in the same tank/pod. They will be out of view from the other inmates. The youthful inmates will only be housed in the same tank/pod with other seventeen (17) year olds.
3. Youthful inmates who are seventeen (17) years of age will only be allowed to attend classes or inmate programs with the inmates over seventeen (17) years of age if they are under Direct Supervision.
4. Youthful inmates who are seventeen (17) years of age will be under Direct Supervision at all times if they are removed from the tank/pod for any reason.

XII. Lockups

Lockups are defined as a facility that contains holding cells, cell blocks, or other secure enclosures that are under the control of a law enforcement, court, or custodial officer. They are primarily used for the temporary confinement of individuals who have recently been arrested, detained, or are being transferred to or from a court, jail, prison, or other agency. The Dallas County Sheriff's Department has the following lockups:

1. Central Intake holdovers located on the first floor of Lew Sterrett
 2. Release Section holdovers located on the second floor of Lew Sterrett
 3. Court Desk holdovers located on the bottom level of Frank Crowley
 4. Holdovers located in Frank Crowley for Criminal and/or Civil Court
 5. Holdovers for the Criminal Investigation Section and Intelligence
 6. Holdovers located at each jail facility for temporary detainment
- A. Detainees, youthful detainees, inmates, and/or youthful inmates who are housed in a lockup overnight shall be screened to assess their risk of being sexually abused by others or the possibility they will be abusive towards another detainee, youthful detainee, inmate, and/or youthful inmate. Employees shall ask the detainee, youthful detainee, inmate, and/or youthful inmate about his or her own perception of vulnerability.
 - B. Dallas County Sheriff's Department employees shall consider whether, based on the information before them, a detainee, youthful detainee, inmate, and/or youthful inmate may be at a high risk of being sexually abused if they are placed in a lockup that is for a temporary purpose only. If the employee feels the individual will be in any type of danger or threat, the employee will take the necessary steps to protect the individual.
 - C. The screening process in the lockups shall also consider the following criteria to screen detainees, youthful detainees, inmates, and/or youthful inmates:
 1. Whether the individual has a mental, physical, or development disability,
 2. The individual's age,
 3. The individual's physical build and appearance,
 4. The nature of the individual's alleged offense and criminal history.

XIII. Limits to cross-gender viewing and searches

Employees shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners.

Employees shall not search or physically examine a transgender or intersex detainee, youthful detainee, inmate, and/or youthful inmate for the sole purpose of determining the individual's genital status. To determine the gender status, the employee will ask the individual, review medical records, or have a medical examination conducted in private by a medical practitioner. A supervisor must be contacted prior to any medical examination.

XIV. Transportation Vehicles

All rules and regulations set forth in this policy shall apply to any transportation vehicle utilized by any Dallas County Sheriff's Department employee transporting detainees, youthful detainees, inmates, and/or youthful inmates. Any alleged complaint will be thoroughly investigated criminally and/or administratively. Only sworn law enforcement officers and detention personnel will be allowed to transport detainees, youthful detainees, inmates, and/or youthful inmates to another location.

- A. Any time a juvenile is transported to a facility, court or any other location, the officer will inform the Dallas County Sheriff's Department Dispatch of the following:
 - 1. The destination and beginning mileage
 - 2. The ending mileage
 - 3. Unless there is an emergency, the officer will not stop at any other location
 - 4. Juveniles and youthful inmates will not be transported with adult inmates

- B. Any time a male officer is transporting a female detainee and/or female inmate the officer will inform the Dallas County Sheriff's Department Dispatch of the following:
 - 1. The destination and beginning mileage
 - 2. The ending mileage
 - 3. Unless there is an emergency, the officer will not stop at any other location if the officer is traveling alone
 - 4. In some cases, male and female detainees will ride together in the back seat of a Marked Traffic Unit. The Deputy Sheriff must be able to observe the male and female detainee at all times. The Deputy Sheriff will not stop at any other locations unless there is an emergency.
 - 5. In some cases, male and female inmates will ride together in the back seat of a Fugitive vehicle. The Fugitive Investigator must be able to observe the male and female inmate at all times. The Fugitive Investigator will be allowed to stop for bathroom breaks or other law enforcement agencies on extended trips.
 - 6. In some cases, male and female inmates will ride together in the back seat of a Criminal Investigative vehicle. The Detective must be able to observe the male and female inmate at all times. The Detective will not stop at any other locations unless there is an emergency.
 - 7. Male and female detainees and/or inmates will not be allowed to be together in the back of a Transportation Van for any reason. They must be separated by a cage or barrier.