


POLICY NUMBER 3.10	JUVENILE RESIDENTIAL CENTER OF NORTHWEST OHIO	
	POLICY AND PROCEDURE – Prison Rape Elimination Act (PREA)	
	A.C.A. Reference:	3-JCRF-3D-04-2 3-JCRF-3D-04-3 3-JCRF-3D-04-4 3-JCRF-3D-04-5 3-JCRF-3D-04-6 3-JCRF-3D-04-7 3-JCRF-3D-04-8 3-JCRF-3D-04-9 3-JCRF-3D-04-10
	PREA Standard:	115.311 (a-c); 115.312 (a) (b); 115.387 (e)
	OAC Standard:	Not Applicable
	Effective/Revised:	6-16-19
	Review Date:	1-4-24
	Approved By:	 , Director

POLICY:

The Juvenile Residential Center of Northwest Ohio is committed to complying with all provisions of the federally mandated Prison Rape Elimination Act (PREA) and establishes a zero-tolerance policy towards all forms of sexual abuse and sexual harassment. JRCNWO will provide and establish safe practices related to the prevention, detection, reduction, and punishment of all sexual assaults.

The Director shall appoint a PREA Coordinator to assist with the development, implementation, and oversight of agency efforts to comply with the PREA standards.

Sexual Conduct between staff, volunteers, or contract personnel with juveniles, and such conduct between juveniles, is prohibited and subject to administrative and/or criminal disciplinary sanctions, regardless of consensual status. The facility shall prohibit all sexual activity between residents. While incarcerated residents are not able to consent to sexual activities.

JRCNWO shall report all instances of child abuse and/or neglect consistent with appropriate state and local laws.

JRNCWO shall ensure that information is provided to juveniles about sexual abuse and sexual assault regarding:

1. Prevention and Intervention
2. Self-Protection
3. Reporting of sexual abuse or sexual assault
4. Treatment and Counseling

This information will be communicated orally and in writing, in a language clearly understood by the juvenile when they are admitted to the facility.

Juveniles shall be screened within 24 hours of their admission to the facility for potential vulnerabilities of sexual victimization or tendencies related to potential sexually aggressive behavior. Housing assignments shall be done accordingly.

JRCNWO shall require that an investigation is conducted and documented whenever sexual assault has been alleged, threatened, or occurred.

JRCNWO shall require that juveniles identified as a potential risk for sexual victimization or sexual aggressiveness be assessed by mental health or other qualified professionals. Such juveniles shall be identified, monitored, counseled, and provided with appropriate treatment.

JRCNWO shall ensure that any victim of sexual assault be referred, under appropriate security provisions, to a community facility for treatment and collection of evidence.

Juveniles who are the victim of sexual abuse shall have the option of reporting the incident to a designated staff member, other than an immediate point-of-contract line staff member.

All case records associated with claims of sexual abuse or sexual assault, including incident reports, investigative reports, juvenile information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling, are retained in accordance with an established schedule.

JRCNWO is a single facility and shall not contract for the confinement of its residents with private agencies or other entities, including government agencies.

PROCEDURE:

Staff Training, Education, and Awareness

1. During Orientation training, and annually thereafter, all employees shall be trained on the facility's zero-tolerance towards any form of sexual abuse, sexual harassment, and sexual conduct.
2. Training shall include how to prevent, detect, report, and respond to such incidents. The topics covered include LGBTQI topics, the Coordinated Response Plan, Warning Signs, Common Dynamics, resident education, resident rights, prohibited behaviors, mandatory reporting, avoiding inappropriate relationships, consent, and disciplinary sanctions.
3. Orientation and as need training for all contract personnel and volunteers shall be based upon the level of services provided and the level of contact that they have with residents.

Youth Education, Training, and Awareness

1. Juveniles are screened within 24 hours of their admission to the facility for potential vulnerabilities and tendencies related to sexually aggressive behaviors. House assignments shall be made accordingly.
2. Juveniles are introduced to PREA at the time of admission and issued an educational pamphlet. Information shall be provided to juveniles about sexual abuse and sexual assault regarding:
 - A. Prevention and Intervention

- B. Self-protection
 - C. Reporting of sexual abuse or sexual assault
 - D. Treatment and Counseling
3. PREA is addressed under the "General Conduct" section in the resident handbook and educates them regarding resident-on-resident, staff-on-resident, and resident-on-staff sexual assault as well as inappropriate relationships with others.
 4. Prevention of sexual abuse and sexual assault is discussed with all newly admitted residents at the time of admission and during their orientation phase. This information is communicated orally and in writing, in a language that is clearly understood.
 5. Residents that are identified as being at risk of sexual victimization or sexual aggressiveness are assessed by mental health or other qualified professionals. Such residents shall be identified, monitored, counseled, and provided with appropriate treatment.

Acknowledgment

1. All residents, staff, visitors, volunteers, and contract personnel shall sign an acknowledgment form agreeing to adhere to the facility's zero-tolerance policy.
2. This acknowledgment includes refraining from any form of sexual contact, sexual conduct, or sexual harassment, regardless of consensual status. Additionally, they agree to report any instances of these prohibited behaviors to a supervisor or staff member.

Youth Victim

1. All incidents of sexual intimidation, sexual assault, or unwanted advances shall be investigated promptly and thoroughly.
2. Residents are encouraged to tell any trusted adult (parent, staff, teacher, etc.) if they feel they have been a victim of sexual intimidation, sexual assault, or unwanted advances from another resident or staff member.
3. Residents have the option to report the incident to any staff member, other than an immediate point-of-contact line staff member.
4. Resident victims of sexual assault shall be referred, under appropriate security provisions, to a community facility for treatment and the collection of evidence.
5. The resident victim shall be moved to a safe location while an investigation is completed and/or the perpetrator is removed from the facility.
6. The incident shall be reported to the Bowling Green Police Division for investigation, as well as to Wood County Job and Family Services.
7. Notification shall be made as soon as possible to the resident's parents and referring Court.
8. Case records associated with claims of sexual abuse and/or sexual assault, including incident reports, investigative reports, resident information, case disposition, medical and counseling

evaluation findings, and recommendations for post-release treatment and/or counseling shall be retained in accordance with an established schedule.

Staff Victim

1. Staff victims of sexual assault shall be referred to a community facility for treatment and collection of evidence.
2. The incident shall be reported to the Bowling Green Police Division for investigation.

Disciplinary Sanctions

1. Resident disciplinary sanctions shall be clearly defined in the resident handbook and may include removal from the facility and/or criminal charges being filed.
2. Staff disciplinary sanctions shall be addressed administratively and may include termination and/or criminal charges being filed.

Physical Plant

1. Common areas, living units, hallways, the gymnasium, and classrooms shall be viewable on the facility's electronic surveillance system.
2. All doors, except for bathroom doors, shall have viewing windows for safety purposes.
3. All Counseling and Administrative offices may have blinds however, the blinds must always remain open and in a vertical position.
4. The PREA Coordinator and designated staff shall assess the facility's physical plant annually and make recommendations for improvement, including the addition of surveillance cameras.
5. JRCNWO is a single facility and does not contract for the confinement of its residents with private agencies or other entities, including other government agencies. As a result, the facility will not need to obtain any incident-based or aggregated data.

Prohibited Behaviors

1. Sexual Abuse involves:
 - A. An inmate, detainee, or resident, by another inmate, detainee, or resident and includes any of the following acts, if the victim does not consent, is coerced into such an act by overt or implied threats of violence, or is unable to consent or refuse:
 - I. Contact between the penis and vulva or penis and anus, including penetration, however slight;
 - II. Contact between the mouth and penis, vulva, or anus;
 - III. Penetration of the anal or genital opening of another person, however slight, by hand, finger, object, or other instrument;
 - IV. Any other intentional touching, either directly or through the clothing, of the genitals, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation.

B. An inmate, detainee, or resident by a staff member, contractor, or volunteer and includes any of the following acts:

- I. Contact between the penis and vulva or penis and anus, including penetration, however slight;
- II. Contact between the mouth and penis, vulva, or anus;
- III. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- IV. Penetration of the anal or genital opening of another person, however slight, by hand, finger, object, or other instrument that is unrelated to official duties and has the intent to abuse, arouse, or gratify sexual desire;
- V. Any other intentional touching, either directly or through the clothing, of the genitals, anus, groin, breast, inner thigh, or buttocks of another person, that is unrelated to official duties and has the intent to abuse, arouse, or gratify sexual desire;
- VI. Any attempt, threat, or request to engage in any of the activities described in paragraphs 1-5 of this section;
- VII. Any display of his or her uncovered genitalia, buttocks, or breasts in the presence of an inmate, detainee, or resident;
- VIII. Voyeurism by a staff member, contractor, or volunteer.

2. Voyeurism means 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 the toilet in his or her cell to perform bodily functions; requiring them to expose his or her buttocks, genitalia, or breasts; or taking images of all or part of their naked body or while performing bodily functions.

3. Sexual Harassment includes:

- A. Repeated and unwelcomed 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 to another; or
- B. 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 one's body or clothing, obscene language, or gestures.

STANDARD(S):

This policy is in accordance with applicable American Correctional Association (ACA), Prison Rape Elimination Act (PREA), and Ohio Administrative Code standards.