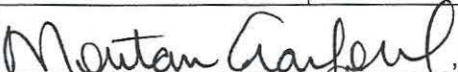


POLICY NUMBER 3.10	JUVENILE RESIDENTIAL CENTER OF NORTHWEST OHIO	
	POLICY AND PROCEDURE – PRISON RAPE ELIMINATION ACT (PREA)	
	A.C.A. Reference:	3-JCRF-3D-04-2 3-JCRF-3D-04-3 3-JCRF-3D-04-4 3-JCRF-3D-04-5 3-JCRF-3D-04-6 3-JCRF-3D-04-7 3-JCRF-3D-04-8 3-JCRF-3D-04-9 3-JCRF-3D-04-10
	PREA Standard	115.311 (a) (b) (c); 115.312 (a) (b)
	OAC Standard	None Directly Applies
	Effective/Revised:	9-06-00; 06-06-19
	Review Date:	1-7-21
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.

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

JRCNWO shall ensure that information is provided to juveniles about sexual abuse or sexual assault regarding:

- A. Prevention and Intervention
- B. Self-Protection
- C. Reporting of sexual abuse or sexual assault
- D. 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 made 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 appropriate treatment.

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

Juveniles who are the victims of sexual abuse shall have the option of reporting the incident to a designated staff member, other than an immediate point of contact 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 other government agencies.

PROCEDURE:

Staff Education, Training, and Awareness

1. During Orientation Training, all new employees shall be trained on the facility's policy of zero-tolerance towards any form of sexual abuse, sexual harassment, or sexual conduct. Any of these behaviors involving juveniles, staff, contract personnel, or volunteers, is prohibited and subject to administrative and/or criminal disciplinary sanctions, regardless of consensual status.
2. Annual training for all employees shall include resident-on-resident sexual assault, sexual harassment, and all forms of inappropriate relationships between residents and staff.
3. Orientation and as needed training for all contract personnel and volunteers shall be based upon the level of services provided and level of contact 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. Housing 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 or 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 "General Conduct" in the Resident Handbook and educates residents in regards to resident-on-resident sexual assault, staff-on-resident sexual assault, resident-to-staff assault, and inappropriate relationships between staff and residents.
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 clearly understood by the resident.
5. Youth that are identified as being a risk of sexual victimization or sexual aggressiveness are assessed by mental health or other qualified professionals. Such juveniles shall be identified, monitored, counseled, and provided appropriate treatment.

Documentation

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

Youth Victim Detection

1. All youth shall be encouraged to tell a trusted adult (their Parent, Counselor, Teacher, Youth Advisor, etc.) if they feel they have been the victim of sexual intimidation, sexual assault, or unwanted advances from another resident or from a staff member. Youth have the option to report the incident to any staff member, other than an immediate point of contact staff member. All incidents of sexual intimidation, sexual assault, or unwanted advance shall be thoroughly investigated.
2. Youth victims of sexual assault shall be referred, under appropriate security provisions, to a community facility for treatment and gathering of evidence.
3. The youth's parent and referring Court shall be notified as soon as possible.
4. The youth victim shall be moved to a safe location while an investigation is completed and/or the perpetrator is removed from the facility.
5. The matter shall be reported to the Bowling Green Police Division for investigation, as well as to Wood County Job and Family Services.
6. All case records associated with claims of sexual abuse and/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.

Staff Victim Detection

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

Resident 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.

Staff Disciplinary Sanctions

1. Staff disciplinary sanctions shall be addressed administratively and can include termination or the filing of criminal charges.

Physical Plant

1. Common Areas, hallways, and classrooms of the facility shall be viewable on the facility's electronic surveillance system.
2. All doors, with the exception of bathrooms, shall have viewing windows.
3. All Counseling and Administrative offices may have blinds; however, they must remain open in the vertical position at all times.
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.

Definitions of Prohibited Behaviors

Sexual Abuse includes:

1. Sexual Abuse of an inmate, detainee, or resident, by another inmate, detainee, or resident;
&
2. Sexual Abuse of an inmate, detainee, or resident, by a staff member, contractor, or volunteer.

Sexual Abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1. Contact between the penis and vulva or the penis and anus, including penetration, however slight;
2. Contact between the mouth and penis, vulva, or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument:

4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts:

1. Contact between the penis and vulva or the penis and anus, including penetration, however slight;
2. Contact between the mouth and penis, vulva, or anus;
3. 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;
4. Penetration of the anal or genital opening, however, slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly, or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs 1-5 of this section;
7. Any display by a staff member, volunteer, or contractor of his or her uncovered genitalia, buttocks, or breasts in the presence of an inmate, detainee, or resident; and
8. Voyeurism by a staff member, contractor or volunteer.

Voyeurism by a staff member, contractor, or volunteer 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 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.

Sexual Harassment includes:

1. 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;
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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 one's body or clothing, obscene language, or gestures.

Standard:

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