

Zero Tolerance Policy

It is the policy of the IDOC to provide a safe and secure environment for all staff, volunteers, contractual staff, visitors, official visitors and offenders and to maintain a program for the prevention of sexual abuse and sexual harassment. The IDOC is committed to zero (0) tolerance for all forms of sexual abuse and sexual harassment between staff, volunteers, contractors, contractual staff, visitors, official visitors and offenders whether committed by staff, volunteers, contractual staff, visitors, or other offenders. Sexual activity by staff, volunteers, contractual staff, visitors, official visitors and offenders with offenders, regardless whether consensual or not, is strictly prohibited.



Recognition of Sexual Abuse

The following are signs that an assault **may** have occurred:

- Has difficulty or pain while walking
- Has difficulty or pain while sitting
- Has unusual bruises or marks indicative of an assault
- Bloody clothing/undergarments
- Bloody linen
- Frequent requests for health care
- Frequent requests for laundry
- Decrease in interest in normal activities
- Withdrawal from social activities
- Abrupt attitude changes

Prevention

Staff aid in the prevention of sexual assaults/abuse by frequent observation of their areas and the behavior of persons assigned to these areas. They should note any offenders/staff loitering in spots not observable by staff persons or cameras.



Sexual Abuse Prevention and Reporting



Staff Information Brochure

The following brochure concerns the Prison Rape Elimination Act of 2003 (PREA) and how it affects you.



Sexual Abuse Prevention and Reporting: Staff, Contractor, Volunteer Information

This brochure is designed to aid staff in the recognition of sexual abuse and the reporting requirements of these cases. Additionally, materials concerning crisis intervention, preservation of evidence, and treatment of the crime scene are included. All staff must familiarize themselves with the information.

Categories of Sexual Abuse/Misconduct

Abusive Sexual Contact:

Non-penetrative contact of a sexual nature with any offender/student without his/her consent or of an offender/student who is unable to consent or refuse, which includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

Non-Consensual Sexual Acts:

Contact of a sexual nature with any offender/student without his/her consent or of an offender/student who is unable to consent or refuse and including:

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

Sexual Harassment:

1. Verbal statements or comments of a sexual nature to an offender/student by an employee, volunteer, contractor, official visitor, or Department representative or statements including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing; or obscene language or gestures.
2. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one offender/student directed toward another offender/student.

Staff/Volunteer/Contractor Sexual Misconduct:

Sexual abuse of an offender or student by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the offender or student:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the 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 definition;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an offender or student, and
8. Voyeurism by a staff member, contractor, or volunteer unrelated to official duties.

Methods for Reporting Sexual Abuse and Sexual Harassment

Staff receiving information regarding sexual abuse or sexual harassment against an offender shall notify the Superintendent and Internal Affairs so that an investigation can be initiated. Staff shall take care to ensure that the information is treated in a CONFIDENTIAL manner. Offenders who have been the victim of sexual abuse should be encouraged to report these situations and should be made aware that they can make a report to any staff person of their choosing, filing a grievance, calling the facility PREA hotline, emailing a report via JPAY, or having family make a report through the hotline and email posted on the IDOC website.

Crisis Intervention

When a staff, contractor or volunteer receives a report of sexual abuse or sexual harassment they shall report it to the Shift Supervisor or designee and a detailed REPORT of INCIDENT shall be completed prior to the end of the shift.. The victim and perpetrator shall be physically separated and if the allegation involves sexual abuse, the victim shall be referred to health Care staff for examination.

Treatment of Crime Scene/Evidence Preservation

When possible, steps should be taken to preserve the scene of the alleged sexual assault. Internal affairs should be contacted to handle evidence and process the scene. If this is not possible, any evidence must be processed using separate evidence bags (paper) and evidence cards for each item processed. Items should be photographed, in place, prior to removing them from the location. No items of evidence shall be placed into plastic bags.

If the incident occurred within 96 hours of the report staff shall ensure that appropriate actions are taken to preserve as much evidence as possible. If intercourse is involved, the victim shall be advised not to use the toilet, shower, or otherwise clean themselves and not to remove any clothing. The alleged perpetrator, if known, shall be required to follow the same actions. Mental health staff or staff trained in victim support shall be contacted to meet with the alleged victim.

Refer to policy 02-01-115 for more information.