

WEBER COUNTY CORRECTIONAL FACILITY

Volume

INMATE MANAGEMENT

Chapter

JD 11- PREA

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OPERATIONAL DRAFT

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JD 11/01.00 **GENERAL**

JD 11/01.01 **Purpose**

The purpose of this chapter is to provide WCCF procedures, guidelines and requirements for prevention, detection, investigation and tracking of sexual assaults occurring within the WCCF.

JD 11/01.02 **Cross Reference**

Prison Rape Elimination Act of 2003
JD 03: Temporary Restrictions
JD 06: Inmate Disciplinary
JF 04: Crime Scene

JD 11/01.03 **Definitions**

aggressor	for purposes of this policy, any person alleged to have committed sexual assault against another person
contract inmates	inmates housed at the WCCF for the Utah Dept. of Corrections, US Marshall's Service or other agency by contract with the WCCF
investigator	for purposes of this policy, a Sheriff's Office staff member assigned to investigate and report on allegations of sexual assault occurring within the WCCF
PREA	Prison Rape Elimination Act
R&O	Reception and Orientation
sexual assault	an act of force or threat of force against another person where there is contact between the genitalia of one person and the mouth, buttocks, anus, or female breasts of another person, or when there is penetration of any body part or object into the genitalia, mouth or anus of another person.
TRO	Temporary Restriction Order
WCCF	Weber County Correctional Facility

JD 11/02.00 **PREA**

JD 11/02.01 **Policy**

It is the policy of the WCCF:

- A. to provide a safe, secure environment for inmates and staff which is free from the threat of sexual assault; and
- B. to maintain a program of prevention, detection, response to, and investigation of allegations of sexual assault.

JD 11/02.02 **Rationale**

- A. The WCCF recognizes the need to eliminate custodial sexual assault and is committed to emphasizing zero tolerance concerning the sexual abuse of inmates by either other inmates or staff while in the custody of the WCCF.
- B. Eliminating sexual assault increases the public safety , the safety of inmates and staff and the emotional and physical well-being of inmates and staff.
- C. Orientation and training for inmates and staff on the subject of custodial sexual assault is intended to assist in the prevention and detection of sexual assault.

JD 11/02.03 **Procedure: Staff Training**

The WCCF shall develop training for staff to include:

- A. the purpose of the PREA;
- B. the prevention, detection and investigation of sexual assault;
- C. reporting sexual assault; and
- D. the documentation and tracking of sexual assault occurring within the WCCF.

JD 11/02.04 **Procedure: Inmate Orientation**

- A. R&O inmates should receive orientation regarding custodial sexual assault through:
 - 1. the inmate handbook;

2. an orientation video; and/ or
 3. the initial classification interview.
- B. Inmate orientation should address:
1. self protection against sexual assault;
 2. prevention;
 3. reporting sexual assault; and
 4. available treatment and counseling.
- C. WCCF staff should assist in an appropriate orientation regarding sexual assault for those inmates who do not speak English, have disabilities, or demonstrate low literacy levels.

JD 11/02.05 **Procedure: Reporting and Investigation of Sexual Assault**

A. Inmate/ Victim Responsibility

Any inmate/ victim alleging sexual assault should report the incident to any staff member either verbally or in writing.

B. Staff Responsibility

1. Any staff member receiving a report of sexual assault either verbally or in writing shall immediately notify their immediate supervisor to include the Operations Watch Commander/ O.I.C.
2. Staff shall ensure that the alleged victim is physically separated from the aggressor by making appropriate housing assignment changes. Staff shall consider safety and supervision concerns of the victim and aggressor when making adjustments in supervision.
3. WCCF staff shall treat the scene of an alleged sexual assault as a crime scene, ie., take actions to preserve potential evidence and other actions as described in WCCF policy JF 04, Crime Scene.
4. TRO's shall be completed as appropriate to document restrictions.
5. The Operations Watch Commander/ O.I.C. shall:

- a. notify the Jail Commander;
 - b. notify Medical Unit staff; and
 - c. ensure that incident reports are completed detailing reported and known information regarding the alleged sexual assault.
- 6. The Jail Commander shall ensure that a WCSO investigator is notified and that all available reports are forwarded to the investigator for consideration.
 - 7. Housing Unit staff members should initiate administrative disciplinary action against the aggressor when appropriate.

C. WCCF Medical Unit Staff Responsibility

- 1. Medical Unit staff shall initially examine the alleged victim for trauma or injuries requiring immediate medical attention.
- 2. The alleged victim should be advised of appropriate methods concerning the preservation of evidence.
- 3. When appropriate, Medical Unit staff should refer the alleged victim for examination and collection of evidence or other necessary treatment by a hospital or physician.
- 4. Medical Unit staff should refer the alleged victim for consultation with WCCF Mental Health staff for appropriate counseling.

D. WCSO Investigator Responsibility

- 1. The assigned investigator shall be responsible to coordinate appropriate investigative responses with custody staff, ie., crime scene protection, photographs, interviews, etc.
- 2. The investigator shall be responsible to present investigative information for County Attorney review and criminal charges if appropriate.

JD 11/02.06 **Procedure: Tracking and Documentation**

- A. Beginning January 1st, 2006, the WCCF Jail Commander shall assemble, or cause to be assembled, records of all reported claims of custodial sexual assault to include:

1. name of the alleged victim;
2. name of the alleged aggressor;
3. names of witnesses;
4. administrative action taken, ie., TRO's, misconduct reports, etc.;
5. findings of administrative actions taken;
6. referrals for criminal prosecution;
7. disposition of all administrative and criminal proceedings.

B. The records described above shall be maintained:

1. so that the WCCF is able to respond to official inquiries regarding the PREA; and
2. as appropriate to assist in the defense of the WCCF when considering potential future litigation.