

V.I.P. Prison Rape Elimination Act Training

For CT-DOC Volunteers, Interns and Professional Partners (VIP's), including Contractors and Researchers

On September 4, 2003 President George W. Bush signed the Prison Rape Elimination Act (P.R.E.A.) into law. P.R.E.A. aims to curb prison rape through a "zero-tolerance" policy and make the prevention of prison rape a top priority in each prison system. Through research and information gathering the act was to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.

The act also calls for developing national standards to prevent incidents of sexual violence in prison. It also makes policies more available and obvious. By making data on prison rape more available to the prison administrators as well as making corrections facilities more accountable for incidents pertaining to sexual violence and of prison rape it would more than likely decrease the crimes.

Staff Monitoring and Intervention (Sexual Abuse). Staff, Volunteers, Interns and Professional Partners (VIP's) including vendors and contractors shall treat any observation of sexual activity as potential sexual abuse. All staff and VIP's shall report any instance of suspected, alleged or actual sexual abuse, retaliation against staff or inmates for reporting sexual abuse, or staff neglect or violation of responsibilities contributing to sexual abuse to a shift supervisor as soon as practical and provide documentation in accordance with CT/DOC Administrative Directive 6.6, Reporting of Incidents (available on the DOC Website www.ct.gov/doc)

DEFINITIONS:

Abusive Sexual Contact. Contact of any person without his or her consent, or of a person who is unable to consent or refuse AND the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, without his or her consent, or of a person who is unable to consent or refuse; excluding incidents in which the intent of the contact is to harm or debilitate rather than to sexually exploit. Abusive sexual contact shall also include any unwanted and/or forced kissing and hugging.

Nonconsensual Sexual Act. Contact of any person without his or her consent, or of a person who is unable to consent or refuse AND one of the following: (1) contact between the penis and the vagina or the penis and the anus including penetration, however slight; or (2) contact between the mouth and the penis, vagina, or anus; or (3) penetration of the anal or genital opening of another person by a hand, finger, or other object.

Sexual Abuse. For the purposes of this Training, sexual abuse shall be defined as the following conduct between persons regardless of gender. There are two categories of sexual abuse:

- 1) Sexual abuse of an inmate by another inmate 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

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consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - (b) Contact between the mouth and the penis, vulva, or anus;
 - (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and:
 - (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to physical altercation.
- 2) Sexual abuse of an inmate by a staff member or VIP includes any of the following acts, with or without consent of the inmate:
- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - (b) Contact between the mouth and the penis, vulva, or anus;
 - (c) Contact between the mouth and any body part where the staff member, contractor, vendor or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - (d) 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;
 - (e) 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;
 - (f) Any attempt, threat, or request by a staff member, contractor, vendor or volunteer to engage in the activities described in paragraphs (a) through (e) of this section;
 - (g) Any display by a staff member, contractor, vendor or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, and;
 - (h) Voyeurism by a staff member, contractor, vendor or volunteer.

Staff Monitoring and Intervention (Sexual Harassment). All staff and VIP's shall report any instance of suspected, alleged or actual sexual harassment, retaliation against staff or VIP's or inmates for reporting sexual harassment, or staff neglect or violation of responsibilities contributing to sexual harassment to a shift supervisor as soon as practical and provide documentation in accordance with Administrative Directive 6.6, Reporting of Incidents.

DEFINITIONS:

Sexual Harassment. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or

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actions of a derogatory or offensive sexual nature by one inmate, directed toward another; and repeated verbal comments or gestures of a sexual nature to an inmate, by a staff member, contractor, vendor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Report any behavior or act of a sexual nature directed towards an inmate by any employee, contractor or VIP. It is the responsibility of all to maintain professional boundaries with inmates under their supervision per PREA-The Prison Rape Elimination Act.

Per PREA standard 115.77: Any VIP-Volunteer, Intern or Professional Partner, including Contractors and Researchers who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.