

Reporting

Volunteers and Contractors

Must immediately report:

- Any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment;
- Retaliation against a victim or reporter of sexual abuse or sexual harassment; and
- Any staff, volunteer or contractor neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Must:

- Speak with any supervisor, Security Director, Warden/Deputy Warden, Office of Special Operations, and/or PREA Director; and/or
- Submit an online report (DOC website) AND follow-up with a phone call to the PREA Office at (608) 240-5071.

Apart from reporting to designated supervisors or officials, volunteers and contractors shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in DOC policy, to make treatment, investigation, and other security and management decisions.

All allegations of sexual abuse and sexual harassment are investigated by WI DOC and referred to law enforcement.

Quick Reference

Please use the space below to insert local contact information for the following people with responsibilities under the Prison Rape Elimination Act.

Facility PREA Compliance Manager

(Name)

Facility Victim Services Coordinator

(Name)

Professional Relationships

Volunteers and contractors must maintain healthy professional boundaries with all offenders. Those with appropriate boundaries are respectful, compassionate and consistent; use safe and effective communication; remain mindful of non-verbal communication; are trauma informed; avoid a sexualized environment; manage their stress; avoid personal disclosures; report rule violations and suspicious behavior; and report knowledge of sexual abuse and sexual harassment.

Responding “YES” to any of the questions below may indicate risk of compromising professional boundaries with an offender. *Seek guidance from a supervisor, trusted person or employee assistance program.*

1. Do you look forward to seeing a particular offender when you come to work?
2. Have you done anything with an offender that you would not want your family or your supervisor to know about it?
3. Would you be reluctant to have a coworker observe your behavior for an entire day?
4. Do you talk about your personal matters with offenders?
5. Do you believe that you can ask an offender to do personal favors for you?
6. Have you ever received personal advice from an offender?
7. Have you said anything to an offender that you would not want tape recorded?
8. Do you have thoughts or fantasies of touching a particular offender? Does this extend to planning how you can be alone with that offender?
9. Do you have the right to touch an offender whenever and wherever you want to do so?
10. Do you look forward to sharing good/bad news with a particular offender?
11. Do you think offenders are not allowed to say “no” to you, no matter what you ask?
12. Have you ever allowed an offender to talk to you about sexual experiences or sexual fantasies, or to tell sexual jokes in your presence? Have you shared these things with an offender?

Adapted from “The Daily Dozen.” Developed by Teena Farmon.

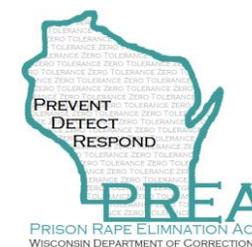
ZERO TOLERANCE



Sexual Abuse and Sexual Harassment In Confinement:

A Guide for Volunteers and Contractors

Prison Rape Elimination Act



Sexual Abuse and Sexual Harassment in Confinement

The Prison Rape Elimination Act (PREA) was signed into law in 2003 after unanimous support from Congress and years of pressure from advocates and survivors. PREA extends far beyond the elimination of rape in prison; it is the first federal law to support preventing, detecting and responding to sexual abuse and sexual harassment in all confinement settings. As such, WI DOC has zero tolerance for sexual abuse, sexual harassment and report-related retaliation of offenders perpetrated by other offenders, staff, contractors and volunteers. Executive Directive (ED) 72 reflects this commitment.

Definitions

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

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva or anus;
- 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;
- 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;
- 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.

Sexual harassment includes repeated verbal comments or gestures of a sexual nature to an offender by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Definitions

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

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva or anus;
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument; and
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks or another person, excluding contact incidental to a physical altercation.

Sexual harassment includes 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 directed towards another.

Consent is when someone willingly and freely agrees to be a part of an activity. If someone does not agree or is unable to agree because they are asleep, unconscious, drugged, afraid, feeling threatened or don't understand what's going on then they have not consented.

Because volunteers and contractors have authority over offenders, offenders can never truly consent to sexual activity with a volunteer or contractor even if they agree. It is **always** against the law for a volunteer or contractor to engage in sexual activity with an offender. Consensual sexual activity between offenders is a violation of Wisconsin Administrative Code (303).

Vulnerable Offenders

Understanding the characteristics that put an offender at higher risk for sexual victimization creates awareness and greatly improves DOC's ability to prevent and detect sexual abuse and harassment. Vulnerable offenders include those with the following traits:

- Mental, physical or developmental disability or illness
- Small in stature, first time or young offenders
- Limited English proficiency
- Intoxicated or under the influence
- Resource poor
- Sex offender
- Prior sexual victimization
- Identifies/perceived as LGBTI or gender non-conforming

Indicators of Abuse

While not absolutes, there are often red flags that may indicate compromised boundaries or abuse.

Perpetrators (actual or potential) may stalk, groom, or trade favors; have a prior history of sexual abuse; display voyeuristic or exhibitionistic behaviors; frequently test boundaries; have difficulty controlling anger; isolate from co-workers; have changes in their personal life or appearance; and/or bring inappropriate/contraband items to work.

Victims (actual or potential) may refuse to shower; leave their empty cell or return to their occupied cell; exhibit unusual aggressiveness; linger near staff; bed wet; use increased sexualized language; and/or engage in protective pairing.