

# Sexual Abuse/Assault Prevention and Intervention at Alvis House: *An Overview*

**\*What is sexual abuse/assault?** According to the Federal Bureau of Prisons (BOP) Program Statement on Sexual Abuse/Assault Prevention and Intervention Programs,

*-Inmate-on-Inmate Sexual Abuse/Assault is:* one or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidating, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act.

*-Staff-on-Inmate Sexual Abuse/Assault is:* engaging in, or attempting to engage in a sexual act with any inmate or the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.

Sexual abuse/assault of inmates by staff or other inmates is an inappropriate use of power and is prohibited by BOP policy and the law.

*-Staff Sexual Misconduct is:* sexual behavior between a staff member and an inmate which can include, but is not limited to indecent, profane, or abusive language or gestures and inappropriate visual surveillance of inmates.

**\*Your right to be safe from sexual assault.** While you are incarcerated or at a community reentry center, no one has the right to pressure you to engage in sexual acts. You do not have to tolerate sexual assault or pressure to engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Whether you are straight, gay, lesbian, or bisexual, you have the right to be safe from unwanted sexual advances and acts.

**\*Confidentiality.** Information concerning the identity of an inmate victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need to know in order to make decisions concerning the inmate-victim's welfare for law enforcement/investigative purposes.

**\*What to do if you are assaulted.** If you become a victim of sexual assault, you should report it immediately to staff who will offer you immediate protection from the assailant and will refer you for a medical examination and clinical assessment. You do not have to name other inmates or the staff member to receive assistance, but specific information may make it easier for staff to help you. You may also report an assault on-line at the Alvis House website or call the PREA hotline at 614-388-9903. You will continue to receive protection from the assailant, whether or not you agree to testify against them. Even though you may want to clean yourself after the assault, it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom. Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases and gather any physical evidence of the assault. The individuals who sexually abuse or assault inmates can and may be disciplined and/or prosecuted if the abuse is reported.

**\*How to report an incident of sexual assault.** It is important that you tell a staff member if you have been sexually assaulted. You can tell your case manager, Chaplain, psychologist,

clinician, community reentry specialist or any other staff member you trust. You may also report an assault on-line at the Alvis House website or call the PREA hotline at 614-388-9903. Agency staff members are instructed to keep the reported information confidential, and only discuss it with the appropriate officials on a need to know basis.

There are, however, other means to confidentially report the assault if you are not comfortable talking with staff.

You may report an assault on-line at the Alvis House website or call the PREA hotline at 614-388-9903.

You may file a written grievance/report regarding the sexual misconduct to the program manager/director.

You may file or report an assault directly to local law enforcement by calling 9-1-1.

**\*Seek medical help.** If you have been sexually assaulted, you must get medical attention immediately. Although it may be difficult, it is important that you do not shower after the assault. Showering may wash off the hair and body fluids which are critical evidence. Also, bring the clothes and underwear that you had on at the time of the assault to the medical exam with you. You will be checked for the presence of physical evidence which supports your allegation. A medical professional will perform a pelvic and/or rectal examination to obtain samples of or document the existence of physical evidence such as hair, body fluids, tears or abrasions which remain after the assault. This physical evidence is crucial in corroborating the sexual assault occurred and in identifying the assailant. The examination will be conducted privately and professionally. You should seek medical help if you have been sexually assaulted or had sexual relations with others, to determine if you have been exposed to the HIV virus or other sexually transmitted diseases. Female offenders will be tested for pregnancy when appropriate.

**\*Understand the investigative process.** Once the misconduct is reported, an investigation will begin. The investigation may include local law enforcement; specially trained Alvis House staff, and/or investigative staff from the appropriate corrections contracting body, e.g., Federal Bureau of Prisons or Ohio Department of Rehabilitation and Correction. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings. Any inmate who alleges that he or she has been sexually assaulted shall be offered immediate protection and will be referred for a medical examination.

**\*Counseling programs for victims of sexual assault.** If you have been the victim of an assault by staff or inmates, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, and mental health counseling are all available to you.

Most people need help to recover from the emotional effects of sexual assault. If you are the victim of a sexual assault, whether recent or in the past, psychology staff are available to counsel you. If you feel that you need help to keep from sexually assaulting someone else, psychological services are available to help you gain control over these impulses.

**\*About your safety**. If you feel that your right to be left alone sexually is being violated, staff are available to help you deal with this problem. You should feel free to discuss your concerns about sexual assault with any staff member. Some staff, like psychologists, are specially trained to help you deal with problems in this area. If you are in an emergency situation, approach any staff member. It's part of their job to ensure your safety. Even if you have not been sexually assaulted or abused, but are in fear for your safety, you must report your concerns to staff. You do not have to name other inmates to receive assistance, but specific information may make it easier for staff to help you.

**\*Avoiding sexual assault**. Here are some things you can do to protect yourself against sexual assault:

- Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
  
- Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
  
- Do not accept an offer from another inmate to be your protector.
  
- Find a staff member with whom you feel comfortable discussing your fears and concerns.
  
- Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.
  
- Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
  
- Stay in well lit areas of the institution.
  
- Choose your associates wisely. Look for people who are involved in positive activities like educational programs, psychology groups, or religious services. Get involved in these activities yourself.
  
- Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff

**REMEMBER**

Sexual assault is a serious crime. All reported incidents of sexual assault will be investigated. If you are a victim of such an assault REPORT IT IMMEDIATELY. You will be protected from the assailant.

Staff or inmates who engage in sexual abuse or assault of inmates will be investigated by law enforcement authorities, and if found guilty, will be subject to a full range of criminal and administrative sanctions.

Any sexual act between inmates and staff (even when no objection is raised) is ALWAYS illegal

APPENDIX:

**\*Practical definitions.** The following practical definitions and examples are provided as general descriptions of behaviors that are inappropriate. Other state and federal statutes may prohibit this conduct.

*-Inmate-on-Inmate Sexual Abuse/Assault:* one or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidating, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act. Sexual acts or contacts between inmates, even when no objections are raised, are prohibited acts.

*-Prohibited Acts:* Federal inmates who engage in inappropriate sexual behavior with or direct it at others, can be charged with the following Prohibited Acts under the Inmate Disciplinary Policy.

Code 101/(A):	Sexual Assault
Code 205/(A):	Engaging In a Sex Act
Code 206/(A):	Making a Sexual Proposal
Code 221/(A):	Being in an Unauthorized Area with a Member of the Opposite Sex
Code 300/(A):	Indecent Exposure
Code 400/(A):	Using Abusive or Obscene Language

*-Staff-on-Inmate Sexual Abuse/Assault is:* engaging in, or attempting to engage in a sexual act with any inmate or the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.

*-Inappropriate Staff Conduct:* The Standards of Employee Conduct prohibit employees from engaging in, or allowing another person to engage in, sexual behavior with an inmate. Sexual behavior includes, but is not limited to indecent, profane, or abusive language or gestures, and inappropriate visual surveillance of inmates.

- Making sexually offensive comments or gestures, or engaging in physical conduct of a sexual nature with an inmate.
- Influencing, promising, or threatening an inmate's safety, custody, privacy, housing, privileges, work detail, or program status in exchange for sexual favors.

It is NEVER appropriate for a staff member to make sexual advances, comments, or engage in sexual contact with an inmate. Even if the inmate wants to be involved with the staff member, the staff member is not allowed to respond. It is not appropriate for an inmate to approach a staff member sexually.
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**\*Statutory definitions specific to federal residents.** The following statutes prohibit sexual behavior by staff and inmates:

*Aggravated Sexual Abuse (18 U.S.C. § 2241):* By force or threat...Whoever, in a Federal prison, knowingly causes another person to engage in a sexual act or by using force against that person; or by threatening or placing that other person in fear that any person will be subject to death, serious bodily injury, or kidnapping; or attempts to do. By other means...Whoever, in a Federal prison, knowingly renders another person unconscious and thereby engages in a sexual act with that other person; or administers to another person by force or threat of force, or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance or attempts

to do so and thereby, substantially impairs the ability of that other person to appraise or control conduct; and engages in a sexual act with that other person.

*Sexual Abuse (18 U.S.C. § 2242)*: Whoever, in a Federal prison, knowingly causes another person to engage in a sexual act by threatening or placing that other person in fear or attempts to do so; or engages in a sexual act with another person or attempts to do so if that person is incapable of appraising the nature of the conduct; or physically incapable of declining participation in, or communicating unwillingness to engage in, that sexual act.

The following criminal provisions are only applicable to sexual misconduct by staff members.

*Sexual Abuse of a Ward (18 U.S.C. § 2243 (b))*: Whoever, in a Federal prison, knowingly engages in a sexual act or attempts to do so with another person who is in official detention; and under the custodial, supervisory, or disciplinary authority of the person so engaging.

*Abusive Sexual Contact (18 U.S.C. § 2244)*: Whoever, in a Federal prison, knowingly engages in sexual contact with another person without that person's permission.

*Terms Defined (18 U.S.C. § 2246)*: Sexual Act is defined as: contact between the penis and the vulva or the penis and the anus; contact occurs upon penetration, however slight; contact between the mouth and the penis, the mouth and the vulva, or mouth and the anus; the penetration, however slight, of the anal or genital opening by another hand or finger or by any object-with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual contact is defined as: . . .the intentional touching, either directly or through the clothing, or the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

### **Reporting an incident of sexual assault.**

Tell a staff member if you have been sexually assaulted. You may file a written grievance/report regarding the sexual misconduct to the program manager/director. You can also tell your case manager, psychologist, clinician, community reentry specialist or any other staff member you trust. Agency staff members are instructed to keep the reported information confidential, and only discuss it with the appropriate officials on a need to know basis.

If you are not comfortable talking with staff or would prefer to report in an alternate way, the following are all available to report an incident of sexual assault.

- Go to the Alvis House website, [www.alvishouse.org](http://www.alvishouse.org), and click on "PREA" on the home page.
- Call the Alvis House PREA hotline at 614-388-9903.
- You may file or report an assault directly to local law enforcement by calling 9-1-1.