

## Nationwide Survey of Adult Jails

On September 4, 2003, the Prison Rape Elimination Act (PREA) of 2003 (P.L. 108-79) was signed into law. The PREA created the National Prison Rape Elimination Commission (the Commission) to study and develop national standards on the prevention, detection, and punishment for rape in correctional settings. The Commission has several studies underway required under the PREA and has asked the National Academy of Public Administration (the Academy) to assist with two main areas of research: a review of policy and procedures and a review of surveillance and design techniques. The Academy is an independent, non-profit organization chartered by Congress. To learn more about the Academy, please visit [www.napawash.org](http://www.napawash.org).

In order to provide the Commission with more information, this survey will ask about your policy, procedures and practices, as well as surveillance techniques to prevent inmate-on-inmate prison rape and sexual misconduct with inmates. Information gathered from all reporting jails will be used only in the aggregate. The information you report will not be identified as being reported by you or your jail. Please base all answers on your official agency policy and procedures. Based on your responses, the Academy will make recommendations to the Commission for practical and effective standards that will not impose substantial additional costs. **This is your opportunity to have a say in what standards are eventually recommended to prevent, detect, and punish prison rape in your jurisdiction.**

This survey requires an average of 20 minutes to complete. A self addressed, stamped envelope is enclosed for your convenience in returning the survey. We urge you to complete the survey as soon as possible **but no later than July 31, 2006**. If you need any assistance, please contact the Survey Operations Center at 1-888-300-8810 or email us at [eastmesa@adelphia.net](mailto:eastmesa@adelphia.net).

**Thank you for your participation!**

# Nationwide Survey of Adult Jails

## Section 1—Definitions

The definition of “rape” under the Prison Rape Elimination Act of 2003 divides inmate-on-inmate sexual violence into two categories formulated by the Centers for Disease Control and Prevention and used by the Bureau of Justice Statistics: non-consensual sexual acts and abusive sexual contacts.

**Please use the following definitions in completing this survey:**

### **Sexual Violence—Non-Consensual Sexual Acts:**

- Contact of any person without his or her consent, or of a person who is unable to consent or refuse  
**AND**
- Contact between the penis and the vagina or the penis and the anus including penetration, however slight  
**OR**
- Contact between the mouth and the penis, vagina, or anus  
**OR**
- Penetration of the anal or genital opening of another person by a hand, finger, or other object

### **Sexual Violence—Abusive Sexual Contacts:**

- Contact of any person without his or her consent, or of a person who is unable to consent or refuse  
**AND**
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person

### **Inmate:**

- Any person committed to the care and custody of the jail by any court or through judicial sanctions, including short-term arrestees, those awaiting trial, and those serving sentences

### **Jail Employee:**

- Any person, certified or civilian, compensated by the jail for working full-time, part-time or by paid internship

### **Contractor/Vendor:**

- Any person or corporation, other than an employee, providing any service to the jail for an agreed upon form of compensation

### **Other Government Employee:**

- Any person compensated by local government for working full-time, part-time or by paid internship

### **Volunteer:**

- Any person who, by mutual agreement with the jail, provides service without compensation, or who voluntarily assists inmates or the jail in the course of the volunteer’s duties

### **Sexual Misconduct with Inmates:**

- Any completed, threatened or requested behavior or act of a sexual nature directed toward an inmate by an employee, other local government employee, contractor/vendor, volunteer or visitor, whether consensual or non-consensual  
**INCLUDING**
- Sexual violence, sexual abuse, sexual harassment, sexual contact, sexual gratification, conduct of a sexual nature or implication, obscenity and unreasonable invasion of privacy or voyeurism. Sexual misconduct also includes conversations or correspondence that suggests a romantic relationship between any inmate and any party referenced above.

## Section 2—Inmate-on-Inmate Sexual Violence

### Overall Policy and Procedures

1. Before receiving this survey, did you know that the Prison Rape Elimination Act applied to sexual violence in your jail?

- Yes
- No

2. Do you have written policy and procedures that specifically address inmate-on-inmate sexual violence?

- Yes
- No, these policy and procedures are being developed
- No

→ IF YOU ANSWERED NO,  
GO TO QUESTION 8

3. How were your policy and procedures covering inmate-on-inmate sexual violence developed? MARK ALL THAT APPLY

- Modified previous jail policy and procedures to comply with the PREA requirements
- Created new policy to meet the PREA requirements
- Input from consultants
- Input from local prosecutor(s)
- Developed in-house by employee(s)
- Materials provided by the National Institute of Corrections (NIC)
- None of the above
- Other

Please specify:

4. Do your policy and procedures on inmate-on-inmate sexual violence . . .

YES NO

- |   |                       |                       |
|---|-----------------------|-----------------------|
| Include a definition of inmate-on-inmate sexual violence consistent with federal or state law or the definition on the previous page?   | <input type="radio"/> | <input type="radio"/> |
| Contain a statement establishing a zero tolerance for inmate-on-inmate sexual violence?   | <input type="radio"/> | <input type="radio"/> |
| Specify the steps employees must follow in reporting allegations of inmate-on-inmate sexual violence?   | <input type="radio"/> | <input type="radio"/> |
| Specify the steps contractors/vendors must follow in reporting allegations of inmate-on-inmate sexual violence?   | <input type="radio"/> | <input type="radio"/> |
| Specify the steps other local government employees must follow in reporting allegations of inmate-on-inmate sexual violence?  | <input type="radio"/> | <input type="radio"/> |
| Specify the steps volunteers must follow in reporting allegations of inmate-on-inmate sexual violence?  | <input type="radio"/> | <input type="radio"/> |
| Identify reporting procedures for victims of inmate-on-inmate sexual violence?  | <input type="radio"/> | <input type="radio"/> |
| Provide more than one way to report inmate-on-inmate sexual violence incidents (e.g., going outside the chain of command, to an authority outside your jurisdiction, a toll-free number)?           | <input type="radio"/> | <input type="radio"/> |
| Require individuals who are responsible for jail mental health services to report allegations of inmate-on-inmate sexual violence described during any mental health related or other conversation? | <input type="radio"/> | <input type="radio"/> |
| Require individuals who are responsible for jail medical services to report allegations of inmate-on-inmate sexual violence described during any medical or other conversation?                     | <input type="radio"/> | <input type="radio"/> |
| Require that inmates receive orientation/training about your policy and procedures on inmate-on-inmate sexual violence within one week of arrival?  | <input type="radio"/> | <input type="radio"/> |

(Question 4 continued)

Do your policy and procedures on inmate-on-inmate sexual violence . . .

	YES	NO
Use an inmate screening and/or classification procedure designed to minimize risk of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Include policy and procedures for housing <i>potential</i> inmate victims of sexual violence separate from the general inmate population?	<input type="radio"/>	<input type="radio"/>
Refer an inmate who makes an allegation of inmate-on-inmate sexual violence for <i>mental health</i> assessment/treatment?	<input type="radio"/>	<input type="radio"/>
Refer an inmate who makes an allegation of inmate-on-inmate sexual violence for <i>medical</i> assessment/treatment?	<input type="radio"/>	<input type="radio"/>
Protect witnesses of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Separate inmate victims from inmate perpetrators with facility transfers (e.g., to another jurisdiction)?	<input type="radio"/>	<input type="radio"/>
Separate inmate victims from inmate perpetrators by housing assignment?	<input type="radio"/>	<input type="radio"/>
Protect inmate victims from inmate retaliation for reporting incidents of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Test for communicable diseases for inmate victims of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Test for communicable diseases for inmate perpetrators of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>

5. Do your policy and procedures specify that the following persons have a mandatory responsibility to report inmate-on-inmate sexual violence?

	YES	NO
Inmates	<input type="radio"/>	<input type="radio"/>
Jail employees	<input type="radio"/>	<input type="radio"/>
Contractors/vendors	<input type="radio"/>	<input type="radio"/>
Other local government employees who work in the jail	<input type="radio"/>	<input type="radio"/>
Volunteers	<input type="radio"/>	<input type="radio"/>

6. Do your policy and procedures specify that the following persons are subject to sanctions if they fail to report a substantiated instance of inmate-on-inmate sexual violence?

	YES	NO
Inmates	<input type="radio"/>	<input type="radio"/>
Jail employees	<input type="radio"/>	<input type="radio"/>
Contractors/vendors	<input type="radio"/>	<input type="radio"/>
Other local government employees who work in the jail	<input type="radio"/>	<input type="radio"/>
Volunteers	<input type="radio"/>	<input type="radio"/>

7. Is there a process to regularly audit your jail's compliance with your policy and procedures including those related to inmate-on-inmate sexual violence?

- Yes
- No

8. Do you educate inmates about . . .

	YES	NO
What behaviors are unacceptable related to inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
What to do if they think they may become a victim of inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Reporting inmate-on-inmate sexual violence that happens to them?	<input type="radio"/>	<input type="radio"/>
Reporting inmate-on-inmate sexual violence that happens to other inmates?	<input type="radio"/>	<input type="radio"/>
How to report inmate-on-inmate sexual violence by using posted information (e.g., bulletin board or posters)?	<input type="radio"/>	<input type="radio"/>

**9. Does your jail have any of the following techniques available to detect and prevent inmate-on-inmate sexual violence in your facility?**

	YES	NO
Mirrors	<input type="radio"/>	<input type="radio"/>
Recorded camera surveillance of common areas	<input type="radio"/>	<input type="radio"/>
Recorded camera surveillance of all areas inmates can access	<input type="radio"/>	<input type="radio"/>
Non-recorded camera surveillance of common areas	<input type="radio"/>	<input type="radio"/>
Non-recorded camera surveillance of all areas inmates can access	<input type="radio"/>	<input type="radio"/>
Inmate tracking systems (e.g., bar codes/GPS/radio frequency bracelets)	<input type="radio"/>	<input type="radio"/>
Motion detectors	<input type="radio"/>	<input type="radio"/>
Emergency intercoms or alert buttons	<input type="radio"/>	<input type="radio"/>
Line-of-sight into every cell from the control point for the housing unit or officer work station	<input type="radio"/>	<input type="radio"/>
Single cells for inmates likely to be victims of inmate-on-inmate sexual violence	<input type="radio"/>	<input type="radio"/>
Single cells for all inmates	<input type="radio"/>	<input type="radio"/>
Telephone hotline that allows inmates to confidentially report inmate-on-inmate sexual violence	<input type="radio"/>	<input type="radio"/>
Employees stationed inside the housing units who are trained to communicate with inmates	<input type="radio"/>	<input type="radio"/>
Providing employees with information from screening/classification on potential inmate victims of inmate-on-inmate sexual violence	<input type="radio"/>	<input type="radio"/>
Providing employees with information from screening/classification on potential inmate sexual perpetrators	<input type="radio"/>	<input type="radio"/>
Providing employees with information from screening/classification on inmates with a history of sexual violence	<input type="radio"/>	<input type="radio"/>
Other techniques not listed here	<input type="radio"/>	<input type="radio"/>

Please specify:

**10. For reported cases of inmate-on-inmate sexual violence, do you have policy and procedures that call for . . .**

	YES	NO
Investigating or referring for investigation incidents of alleged inmate-on-inmate sexual violence (e.g., gathering/preserving evidence)?	<input type="radio"/>	<input type="radio"/>
Protecting the inmate victim from ongoing inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>
Protecting the inmate victim from retaliation for reporting the inmate-on-inmate sexual violence?	<input type="radio"/>	<input type="radio"/>

**11. How does your facility document allegations of inmate-on-inmate sexual violence?**

- Paper records only (e.g., incident reports)
- Electronic records only
- Both electronic and paper records
- Other

Please specify:

**12. In an incident when threats of inmate-on-inmate sexual violence have been made without any sexual violence or contact occurring, do you...**

	YES	NO
Document the incident?	<input type="radio"/>	<input type="radio"/>
Investigate the incident?	<input type="radio"/>	<input type="radio"/>
Impose administrative sanctions?	<input type="radio"/>	<input type="radio"/>

13. In the last 12 months, what are some of the barriers your jail has faced in preventing, detecting, and investigating incidents of inmate-on-inmate sexual violence?

MARK ALL THAT APPLY

- Employee shortages
- Lack of employee training
- Lack of surveillance equipment
- Poor facility design (e.g., blind spots)
- Low priority for employees
- Outside investigators don't understand the dynamics of the jail environment
- Outside political pressure to take no action
- Inmate reluctance to report inmate-on-inmate sexual violence
- Inmate reluctance to cooperate with investigations of inmate-on-inmate sexual violence
- Inmates have made false accusations
- Other

Please specify:

14. Does your jail have jurisdiction to investigate allegations that violate criminal laws?

- Yes
- No → GO TO QUESTION 17

15. If the investigation of inmate-on-inmate sexual violence sustains the allegations, do you refer the case for prosecution?

- Yes
- No

16. During the last 12 months, did your jurisdiction refer an inmate perpetrator for prosecution for an act of inmate-on-inmate sexual violence?

- Yes
- No

17. What are some of the barriers that have kept inmate-on-inmate sexual violence cases from being prosecuted?

MARK ALL THAT APPLY

- No barriers
- Lack of evidence
- Other problems with the evidence
- Low priority for employees
- Low priority for prosecutors
- Low priority for outside investigators
- Outside investigators don't understand the dynamics of the jail environment
- No formal policy for referring cases
- Inmate reluctance to cooperate with investigations of inmate-on-inmate sexual violence
- Fear inmates make false accusations
- Not sure/no experience with this issue
- Other

Please specify:

### Section 3—Training on Inmate-on-Inmate Sexual Violence

18. Do any of the following individuals receive training specifically on inmate-on-inmate sexual violence *when beginning work at the jail*?

	YES	NO
Jail employees who work directly with inmates	<input type="checkbox"/>	<input type="checkbox"/>
Jail employees who do not work directly with inmates	<input type="checkbox"/>	<input type="checkbox"/>
Contractors/vendors	<input type="checkbox"/>	<input type="checkbox"/>
Other local government employees who work in the jail	<input type="checkbox"/>	<input type="checkbox"/>
Volunteers	<input type="checkbox"/>	<input type="checkbox"/>

19. Do you require the following individuals to complete in-service (or refresher) training specifically on inmate-on-inmate sexual violence?

	YES	NO
Jail employees who work directly with inmates	<input type="checkbox"/>	<input type="checkbox"/>
Jail employees who do not work directly with inmates	<input type="checkbox"/>	<input type="checkbox"/>
Contractors/vendors	<input type="checkbox"/>	<input type="checkbox"/>
Other local government employees who work in the jail	<input type="checkbox"/>	<input type="checkbox"/>
Volunteers	<input type="checkbox"/>	<input type="checkbox"/>

**20. Do you cover any of these topics in your employee training?**

<b>Training Topic</b>	<b>Pre-service/Initial Training</b>	<b>In-Service/Refresher Training</b>
Definition of inmate-on-inmate sexual violence	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to prevent inmate-on-inmate sexual violence	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to respond to cases of "imminent risk" of inmate-on-inmate sexual violence	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How investigations of alleged inmate-on-inmate sexual violence are conducted	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to preserve evidence immediately after an inmates-on-inmate sexual violence incident is reported	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to immediately secure the crime scene	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
The need for the employee to contact his/her first-line supervisor immediately	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to document reported incidents of inmate-on-inmate sexual violence	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to ensure that an alleged inmate victim receives medical assessment/treatment	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know
How to ensure that an alleged inmate victim receives mental health assessment/treatment	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Don't Know

**Section 4-Employee Sexual Misconduct with Inmates**

**21. Do you have written policy and procedures that specifically address sexual misconduct with inmates for each of the employees listed below?**

	<b>YES</b>	<b>NO</b>
Jail employees	<input type="radio"/>	<input type="radio"/>
Contractors/vendors	<input type="radio"/>	<input type="radio"/>
Other local government employees who work in the jail	<input type="radio"/>	<input type="radio"/>
Volunteers	<input type="radio"/>	<input type="radio"/>

**IF "NO" FOR ALL OF THE ABOVE, GO TO QUESTION 23**

**22. Do your policy and procedures on sexual misconduct require...**

	<b>YES</b>	<b>NO</b>
Referrals to employee assistance programs for employee involved as a target, witness or complainant?	<input type="radio"/>	<input type="radio"/>
Potential sanctions for employee found to be involved in sexual misconduct with inmates?	<input type="radio"/>	<input type="radio"/>
A background investigation of prospective employees' past behavior of sexual abuse?	<input type="radio"/>	<input type="radio"/>
A definition of sexual misconduct that is broad enough to include all of the following: male employee/female inmate, female employee/male inmate and same-sex relationships?	<input type="radio"/>	<input type="radio"/>
Protecting inmate victims from employee retaliation for reporting incidents?	<input type="radio"/>	<input type="radio"/>

23. Does your *pre-service/initial training* for the following individuals specifically address sexual misconduct with inmates?

	YES	NO
Jail employees	<input type="radio"/>	<input type="radio"/>
Contractors/vendors	<input type="radio"/>	<input type="radio"/>
Other local government employees who work in the jail	<input type="radio"/>	<input type="radio"/>
Volunteers	<input type="radio"/>	<input type="radio"/>

24. Does your *in-service/refresher training* for employees specifically address sexual misconduct by employees with inmates?

	YES	NO
Jail employees	<input type="radio"/>	<input type="radio"/>
Contractors/vendors	<input type="radio"/>	<input type="radio"/>
Other local government employees who work in the jail	<input type="radio"/>	<input type="radio"/>
Volunteers	<input type="radio"/>	<input type="radio"/>

25. Do you include the following topics in any of your training programs?

	YES	NO
Definition of sexual misconduct with inmates	<input type="radio"/>	<input type="radio"/>
How to document reported incidents of sexual misconduct	<input type="radio"/>	<input type="radio"/>
Dynamics of inappropriate relationships with inmates	<input type="radio"/>	<input type="radio"/>
Warning signs for the development of inappropriate relationships with inmates	<input type="radio"/>	<input type="radio"/>
Where/how to get help if you see the warning signs	<input type="radio"/>	<input type="radio"/>
Different approaches for working with male and female inmates	<input type="radio"/>	<input type="radio"/>
Potential sanctions for sexual misconduct with inmates	<input type="radio"/>	<input type="radio"/>

26. During the last 12 months, if your jurisdiction referred any *male* for prosecution for an act of sexual misconduct with an inmate, how likely is it that the case will be prosecuted?

- Does not apply; no referrals made in the last 12 months
- Very likely
- Somewhat likely
- Somewhat unlikely
- Very unlikely

27. During the last 12 months, if your jurisdiction referred any *female* for prosecution for an act of sexual misconduct with an inmate, how likely is it that the case will be prosecuted?

- Does not apply; no referrals made in the last 12 months
- Very likely
- Somewhat likely
- Somewhat unlikely
- Very unlikely

28. Please use the space below to provide any additional comments you may have on any of the topics covered in this survey (e.g., innovative practices being developed/implemented in your jurisdiction).

**Thank you for completing this survey!**

Please use the enclosed envelope to return your survey to us. If you have any questions about the survey, please call 1-888-300-8810 or email us at [eastmesa@adelphia.net](mailto:eastmesa@adelphia.net).