

## What can I do to avoid inappropriate staff/offender relationships?

Most staff/offender sexual misconduct occurs only after seemingly innocent professional boundaries have been crossed. The following behaviors will assist you in maintaining appropriate boundaries:

- Maintain professional distance
- Focus behavior on duties and assignments
- Do not become overly close with any particular offenders
- Do not share your own or other staff person's personal information with our around offenders.
- Do not discuss issues you may have with other staff or management with or around offenders.
- When speaking to offenders about other staff refer to the staff person as Ms. or Mr. or by their title.
- When speaking to offenders refer to them as Ms. or Mr. and their last name
- Do not accept gifts or favors from offenders
- Be knowledgeable of Departmental policy and procedure, rules of conduct and laws regarding sexual misconduct and sexual harassment.

## Other things to consider

- Amorous or sexual relationships with offenders are seldom a secret. Such behavior will undermine your professional career by subjecting you to disrespect and manipulation from other offenders.
- Once in a relationship, professional judgment becomes clouded and the normal defenses that exist to protect you will be compromised.
- Your conduct and the decisions you make reflect not only on your own reputation, but also on that of your peers and the agency you represent.
- You will face loss of employment and possibly a felony conviction and imprisonment.

## A Duty to Report

Staff must report any inappropriate staff/offender behavior immediately. The presence of illegal and unethical behavior by staff compromises the security and safety of

offenders and the agency. Staff that fail to report such behavior will be held accountable and sanctioned – possibly with dismissal. All efforts will be made to ensure the confidentiality of the reporting staff member.

To report staff/offender misconduct, file an incident report to the appointing authority (per policy).

## Resources for Staff:

### DOC Staff Resource Center

There are 6 Staff Resource Centers (SRC) throughout the state and 7 Staff Counselors. Services are confidential, voluntary, free and easily accessible. Services include, but are not limited to: occupational health; counseling; conflict resolution; alcohol/substance abuse treatment referrals; critical incident stress management (CISM); education; team skill building and career development. See Inside DOC under Staff Resource Center <http://insidedoc/usercontents/>

You can contact a Staff Counselor at:

Aberdeen	360-537-1873
Clallam Bay	360-963-1414
Lacey	360-413-5444
Monroe	360-794-2273
Shelton	360-427-4593
Spokane	509-227-7018
Tacoma	253-680-2744
Walla Walla	509-524-7504

### Washington State Employee Assistance Program

This EAP serves all State of Washington employees. EAP services are confidential, voluntary, and free at these locations:

- Olympia 360-753-3260
- Seattle 206-281-6315
- Spokane 509-482-3686



State of Washington  
Department of Corrections

## Staff Guide on the Prevention and Reporting of Sexual Misconduct with Offenders



Dedicated to Increasing Public Safety Through the Elimination of Custodial Sexual Misconduct

Confidential Reporting Hotline

**800-586-9431**

## Staff Sexual Misconduct

The Washington State Department of Corrections recognizes that the vast majority of its employees do not engage in sexual misconduct with offenders and do not support staff members who do. Staff sexual misconduct tarnishes our reputation and jeopardizes the safety and security of our Department facilities and supervision capabilities.

The Department maintains a zero tolerance policy with regard to staff sexual misconduct and inappropriate staff/offender relationships. The policy also applies to contract staff, vendors and volunteers.

The information contained in this brochure is designed to help staff understand and avoid inappropriate staff/offender behavior and to know what to do should it occur.

All allegations of staff sexual misconduct will be investigated and will be referred to local law enforcement when appropriate.

### What is sexual misconduct?

DOC policies **490.800** and **850.030**, **RCW 9A.44.160**, **RCW 9A.44.170**, and **RCW 72.09.225** all contain detailed descriptions of what constitutes sexual misconduct and staff misconduct of a sexual nature. Forms of sexual misconduct include, but are not limited to:

1. Any behavior of a sexual nature directed toward an offender by a Department staff, contract staff, or volunteer.
2. Inappropriate touching between offenders and staff.
3. All completed, attempted, threatened, or requested sexual acts between Department staff and the offender.
4. Sexual comments and conversations with sexually suggestive innuendos or double meanings.
5. Display or transmittal of sexually suggestive posters, objects, or messages.

## An Abuse of Power

Due to the imbalance of power between offenders and staff in correctional settings, sexual interactions between staff (who have power) and offenders (who lack power) are unprofessional, unethical and illegal.

Some offenders who lack power may become sexually involved with staff in an effort to equalize the imbalance of power. Occasionally an offender may try to use sex to improve his/her standing or circumstances (e.g., better job, avoid disciplinary action, affect a release plan, gain privileges, etc.).

Because of the imbalance of power between offenders and staff, contractors, vendors and volunteers, there can never be a consensual relationship between offenders and persons working or volunteering for the Department. The law states "consent" is not a defense to prosecution.

### History of Victimization

Some staff don't think of offenders as 'victims' of staff sexual misconduct, especially when the offender appears to be a willing participant or even initiated the sexual or 'romantic' interactions with a staff member. The offender is always the victim because of the imbalance of power. The consent or willingness of an offender to participate may be a survival strategy or a learned response to previous or current victimization.

Many offenders have a history of victimization (physical and/or sexual abuse), which may make them especially vulnerable to the sexual overtures of persons in positions of authority. Their perception of affection/love may be skewed by this background of abuse, making it impossible for them to refuse advances of a staff member. In some instances, particularly for female offenders, their survival in the community has been directly related to using their sexuality to obtain the means to survive. Coupled with low self-esteem, this carries over into their conduct in prison and while under community supervision.

As staff, it is your job to discourage, refuse and report any sexual overtures from or to offenders and to maintain professional boundaries **at all times**.

### What are some of the risk factors that often lead to inappropriate relationships with offenders?

- Assignment to an isolated/remote post
- A personal, financial, marital, relationship crisis or loss
- Little or no social life -- work is main focus of life
- Anger, resentment, bitterness toward, or dispute with Administration

### Red Flags:

The following are behaviors or 'red flags' that may signal you or someone you work with is in danger of engaging in sexual misconduct with an offender:

- Spending a lot of time with a particular offender
- Change in appearance of an offender or staff member
- Deviating from agency policy for the benefit of a particular offender
- Sharing personal information with an offender
- Horseplay
- Overlooking infractions of a particular offender
- Doing favors for an offender
- Consistently volunteering for a particular assignment or shift
- Coming to work early/staying at work late
- Flirting with an offender
- Standing too close to an offender
- Taking up an offender's cause or grievance
- Changing duty assignments of a particular offender
- Getting into conflicts with co-workers over an offender
- Bringing things into the facility for the offender
- Doing favors for an offender's family
- Feeling the effects of major life changes (divorce, etc)
- Believing an offender is indispensable

***If you see yourself or others in this list, you should discuss this it with your supervisor and/or the EAS.***