

 <p><b>Story County Sheriff's Office</b> Paul H. Fitzgerald, Sheriff</p> <p><b>GENERAL ORDER</b></p>	Effective: 12/09/14	Last Revised:	Number: 708
	Reference: Iowa Code 709, Iowa Code 702.19		
Subject: <b>COMPLIANCE WITH THE FEDERAL PRISON RAPE ELIMINATION ACT (PREA)</b>	By Order Of:	Pages: 13	

**I. PURPOSE**

It is the Story County Jail’s mission to provide a safe, humane and secure environment, free from the threat of sexual misconduct for all inmates. The purpose of this policy is to provide procedural guidelines in facilitating the prevention, detection, response, investigation, prosecution, tracking and punishment of sexual harassment, sexual abuse, sexual assault, and sexual misconduct within the Story County Jail.

**II. PROCEDURE**

The Story County Jail has zero tolerance for all forms of sexual misconduct within its facilities. Sexual misconduct, regardless of consensual status, is prohibited and subject to in-house disciplinary measures and criminal prosecution.

**III. DEFINITIONS**

**Staff:** Sheriff’s office employees, volunteers, and contractors.

**Allegation:** Any event that is said to have happened but which has not yet been verified, these events include rumor and “inmate talk”.

**Contractor:** Any person not an employee, volunteer or inmate who works within the facility.

**Employee:** Any paid member of the Story County Sheriff’s Office who performs their official duties within the facility.

**Gender nonconforming:** Any person whose appearance or manner does not conform to traditional societal gender expectations.

**Indecent Exposure:** The exposure of a person’s genitals, pubes, breasts or buttocks to another person or committing a sex act in the presence of a third party.

**Inmate-on-inmate sexual abuse:** Sexual contact between inmates by the use of force or of the threat of force as defined by this policy and Iowa Code 709.

**Inmate-on-inmate sexual assault:** Penetrative sexual contact by an inmate to another inmate without the latter’s consent as defined by this policy and Iowa Code 709.

**Inmate-on-inmate sexual harassment:** Sexual Harassment, as described by policy, perpetrated by an inmate on another inmate.

**Inmate-on inmate sexual misconduct:** Encompasses all incidents or attempts of inmate-on-inmate sexual harassment, abuse, and sexual assault.

**Intersex:** Any person who's sexual or reproductive anatomy does not seem to fit typical definitions of male or female.

**Pat-down search:** Running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband.

**Perpetrator:** Any person committing sexual misconduct against an inmate.

**PREA Coordinator:** Designee who coordinates the mission, policies and implementation of all PREA standards within the office.

**Sexual Abuse:** Sexual contact of any person by the use of force or of the threat of force as defined by Iowa Code 709; or unwanted, non-penetrating intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person or any unwanted physical contact that is sexual in nature; or any other sexual contact or sex act as defined in Iowa Code 702.19 that is not sexual assault.

**Sexual Assault:** Penetrative sexual contact of any person by the use of force or of the threat of force; or the use of any object for the purpose of the above described sexual contact; or the simulation of any of the above that includes physical touching of the body part. Sexual acts included in this definition are: Contact between the penis and the vagina or the anus; Contact between the mouth and the penis, vagina, or anus; Penetration of the anal or genital opening of another person by a hand, finger, or other object.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communications of a sexual nature. This includes demeaning references to gender, derogatory or sexually suggestive comments about clothing or body, or obscene language and/or gestures. Sexual harassment may be viewed as a precursor to sexual violence.

**Sexual Misconduct:** Any form of conduct of a sexual nature which includes: abuse, assault and harassment.

**Staff-on-inmate sexual abuse:** Sexual contact by staff to an inmate that is non-penetrative as defined in policy and by Iowa Code 709.

**Staff-on-inmate sexual assault:** Penetrative sexual contact by staff to an inmate without the latter's consent as defined by this policy and Iowa Code 709.

**Staff-on-inmate sexual harassment:** Sexual Harassment, as described by policy, perpetrated by a staff member on an inmate.

**Staff-on-inmate sexual misconduct:** Any form of conduct or attempted conduct of a sexual nature by staff members to inmates which includes: abuse, assault, and harassment.

**Staff-on-inmate voyeurism:** Deliberate, continued invasion of an inmate's privacy by staff for reasons unrelated to official duties, such as deliberate and continued viewing of an inmate who is using the toilet

in his or her cell; requiring an inmate to expose his or her buttocks, genitals, or breast outside of approved procedures; or taking images of all or part of an inmate's naked body or of an inmate performing a bodily function and distributing or publishing them outside of official duties.

**Sustained allegation:** Any allegation that was investigated and determined to have occurred.

**Unfounded allegation:** Any allegation that was investigated and determined not to have occurred.

**Not Sustained allegation:** Any allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

**Exonerated allegation:** Any allegation determined to have happened but was justified.

**Transgender:** Any person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's sex at birth.

**Volunteer:** Any individual who donates time and effort to the Story County Sheriff's Office.

#### **IV. GUIDELINES**

- A. The Story County Jail has a zero tolerance of sexual misconduct of any kind between staff and inmates or inmates and inmates.
- B. All inmates shall be advised of their right to be free of sexual misconduct from staff or inmates and the procedures for reporting abuse will be explained.
- C. Any conduct of a sexual nature by staff directed toward inmates under their care, custody and supervision is prohibited.
- D. Staff shall adhere to all the guidelines of this policy and shall ensure their conduct does not constitute or promote sexual misconduct nor in any way violate the provisions of this guideline.
- E. All allegations and incidents of sexual misconduct by staff or inmates must be reported, fully investigated and treated in a confidential and serious manner.
- F. Unless otherwise dictated by policy, employees receiving any knowledge, suspicion or information of sexual misconduct must not reveal any information related to the alleged sexual misconduct to anyone unless directed to do so by the Jail Administrator or their designee.
- G. During the course of their duties, as part of routine searches and security procedures, employees may be required to touch parts of an inmate's body and view inmates in various stages of undress. After investigation, allegations resulting from the appropriate use of these procedures will be deemed unfounded and not constitute sexual misconduct.
- H. Any employee that receives information on alleged sexual misconduct will immediately take measures to provide separation between the staff member and (inmate) victim or the inmates involved. Employees that do not have rank or authority to enforce this separation will immediately contact an employee who does.
- I. The area of the alleged sexual misconduct will be secured as a crime scene until the scene is processed by the designated investigative authority.

- J. Any staff member who reports an incident of alleged staff-on-inmate sexual misconduct shall not be retaliated against by other staff.
- K. Any staff that retaliates, harasses, bullies or otherwise attempts to intimidate a person who has reported alleged staff-on-inmate sexual misconduct is subject to disciplinary action up to and including termination.
- L. Any staff member found in violation of staff-on-inmate sexual misconduct is subject to disciplinary measures up to and including termination and criminal prosecution.

## **V. PREA COORDINATOR**

### **Authority and Job Description:**

The PREA Coordinator shall be designated by the Jail Administrator. The PREA Coordinator will be responsible for collecting, maintaining, and auditing information. The PREA coordinator is not bound by the chain of command and has a direct line of communication with the Sheriff and Jail Administrator on matters relating to PREA.

#### A. Data Collection:

1. Data shall be collected regarding each instance of sexual misconduct act as outlined in this policy. Collected data will include; screening forms, incident reports, interviews, voluntary statements, and general population statistics. The PREA Coordinator will also ensure that methods are in place to capture all relevant information pertaining to the most recent Survey of Sexual Violence.

#### B. Data Maintenance:

1. The PREA Coordinator will put methods in place ensuring that all records pertaining to PREA are kept for a minimum of 10 years. All written reports pertaining to investigations of PREA incidents at a minimum must be kept for as long as the alleged abuser is incarcerated or employed by the agency, plus 5 additional years.

#### C. Data Audit:

1. An audit shall be conducted at least annually by the PREA Coordinator on records pertaining to occurrences of inmate sexual abuse. The purpose for this audit is to uncover any trends that may appear. Special attention should be given to correlating location in the facilities, known blind spots, proper staffing and security practices. The results of this audit shall be reported to the Jail Administrator and Sheriff. Results of the audit shall include any recommendations for improvement in staffing, facility layout, practices, and training which have become evident during the review.

## **VI. TRAINING**

#### A. Employees:

1. All Employees having contact with inmates shall receive training regarding staff-on-inmate sexual misconduct

2. All employees shall receive mandatory training related to this guideline governing inmate-on-inmate sexual misconduct which includes:
  - a. Knowledge of predatory behavior
  - b. Identifying victim behavior
  - c. The effects of sexual misconduct on a victim
  - d. Detecting inmates who pose a risk of sexual misconduct towards other inmates
  - e. Encouraging victims to report the crime
  - f. Effective and professional communication with lesbian, gay, bisexual, transgender, and intersex inmates
  - g. How to avoid inappropriate relationships with inmates
  - h. Mandatory reporting and reporting procedures
3. All staff in positions that have inmate contact shall review this guideline annually and shall sign a receipt acknowledging this guideline has been reviewed.

**B. Inmate Education:**

1. During the booking procedure, inmates will be orientated on the issue of inmate-on-inmate sexual misconduct and staff-on-inmate sexual misconduct. This will be documented by means of the PREA Awareness Form, and a signed copy of this form will be kept in the inmate's file.
2. Additional education of this subject matter will be provided by the classification officer during the inmate's primary classification. During this primary classification reeducation on how to report PREA incidents as well as the inmate's right to be free of sexual misconduct in the facility will be covered and documented.
3. Education on inmate-on-inmate sexual misconduct and staff-on-inmate sexual misconduct is communicated verbally and in writing in a language clearly understood by the inmate. Appropriate provisions will be made for those not fluent in English and those with disabilities and lower literary levels.
4. A video regarding PREA may be shown to inmates as a supplement to inmate training, but not as a replacement for the above training.

**C. Volunteer and Contractor Training:**

1. All volunteers and or contractors whom could have contact with inmates shall receive training regarding sexual misconduct, including:
  - a. Sexual misconduct with inmates.
  - b. Story County Jail's zero tolerance for sexual misconduct.
  - c. How to report incidents of sexual misconduct.
2. Documentation will be kept ensuring that all volunteers and contractors have received this training. Returning volunteers and contractors that have documented training within the past year will not need to repeat the training.

3. Contractors providing frequent, ongoing services (i.e. contracted medical and programs personnel) with direct inmate contact will be trained to the same level as employees as directed in this policy.

## **VII. SCREENING**

### **A. Staff Screening:**

1. The Story County Sheriff's Office will not consider application for employment for any person whom has been convicted of a sexual offense crime, nor anyone whom has engaged in sexual misconduct in an institution.
2. All employee applicants will be asked about prior abuse history in their applications or during interviews.
3. A history of child abuse will be checked during the applicants' background investigation.
4. The Story County Jail will consider any incidents of sexual misconduct in employment decisions, as well as will provide any information regarding such incidents to possible future institutional employers, unless otherwise prohibited by law.
5. Criminal background checks will be performed on all new employees, and will be conducted at a minimum of every year on all current employees.

### **B. Inmate Screening:**

1. Inmates are screened upon intake as ever having been a victim of sexual misconduct of any kind while incarcerated in this facility or any other detention facility; which will determine their vulnerability of being a victim to this type of behavior by other inmates.
2. During the initial intake process, inmates are also screened to identify those who pose a risk of having tendencies in acting out with sexually aggressive behavior.
3. Inmates will be given additional screening during the inmate's primary classification interview. This interview will be conducted by a classification officer within 30 days of the inmate's date of intake. The purpose of this is to identify those inmates who have been victims of any form of sexual misconduct during a previous incarceration in this facility or any other detention facility. This assessment will also identify inmates that have a history of sexually aggressive behavior and the potential for acting out on inmates that are vulnerable.
4. Any knowledge of an inmate's vulnerability or predatory behavior will be passed onto shift supervisors and the Jail Administration.
5. If it is discovered that an inmate was a victim of sexual misconduct while confined at another facility, the Jail Administration will contact the Administrator of that detention facility where the alleged abuse occurred. This will be done within a timely manner, no greater than 72 hours after the information about such incident was received.

6. An inmate's risk level shall be re-assessed and PREA information will be re-addressed at every subsequent classification review and whenever additional information becomes available regarding his or her risk.
7. Documentation regarding risk levels and PREA training will be kept with classification documentation in the inmate file (whether electronic and/or paper).

C. Volunteer and Contractor Screening:

1. Any volunteer or private contractor who may have contact with inmates must be screened for a history of sexual misconduct and child abuse.
2. The Story County Sheriff's Office will not allow access to any person in a contractor or volunteer capacity whom has been convicted of a sexual offense crime, nor anyone whom has engaged in sexual misconduct in an institution.
3. The Story County Sheriff's Office will not grant access inside the jail to any person whom engages in sexual offense crimes, or anyone whom has engaged in sexual misconduct in an institution.
4. Criminal background checks will be conducted on all new volunteers and private contractors. Current volunteers and contractors will have a background check conducted no less than every year. This will not be required of volunteers and contractors whom do not have contact with inmates.

D. Inside Visitors and Tours:

1. Visitors and tours are occasionally allowed inside the facility. These visits and tours will be arranged in a manner so as not to allow any inmate contact and will be escorted by an employee at all times. Tours and visits will be subject to the following security procedures. These procedures do not apply to inmate visitation:
  - a. All visitors will sign in on a ledger outside the jail perimeter.
  - b. All visitors will have a warrant check run prior to entry. No wanted persons will be allowed to visit or tour the facility.
  - c. Any person whose warrant check indicates Sexual Offender status will not be allowed to visit/tour the facility.

## **VIII. PREVENTION**

- A. Routine personal observation rounds will be completed by jail staff as a deterrent and to aid in the prevention and detection of inmate-on-inmate sexual misconduct.
- B. Video monitoring will be utilized for the prevention and detection of inmate-on-inmate and staff-on-inmate misconduct, but will not replace physical jail checks.
- C. Unannounced supervisory rounds will be performed by supervisory staff on a regular basis. These rounds are designed to deter staff from sexual misconduct, as well as help identify any incidents of misconduct that may have occurred. Jail staff will be prohibited from informing others when a round is taking place. All unannounced supervisory rounds shall be documented.

- D. When opposite gendered staff are assigned to housing units (i.e.: female staff assigned to male housing units; male staff assigned to female housing units) an announcement notifying inmates of said assignment will be made at the beginning of each shift. If another officer, of a different sex than the assigned officer, enters a unit an announcement will be made.
- E. All accommodations will be made to attempt to have communication with inmates with disabilities and limited English proficiency be as effective as communication with other inmates. This includes inmate PREA education as well as reporting PREA incidents.

## **IX. REPORTING**

### **A. Inmate Reporting:**

1. An inmate may report an incident of sexual misconduct either verbally or in writing to:
  - a. Detention Officer
  - b. Medical and Mental Health staff
  - c. A shift supervisor or Jail Administrator
  - d. Jail counselor
  - e. Inmate's attorney
  - f. ACCESS Hotline
  - g. Grievance procedures (with no time-limit for inmate to report)
  - h. PREA tip/reporting phone system (if available)
  - i. Visitor/Family member
2. Purposeful, malicious false reporting will result in disciplinary and/or criminal charges.

### **B. Volunteer and Contractor Reporting:**

1. Any volunteer or contractor who receives information regarding sexual misconduct involving an inmate will immediately notify on-duty staff. This includes verbal reports from third-parties.
2. Volunteers and contractors shall not to reveal any information related to an alleged sexual misconduct to anyone other than those who are directly involved in the investigation of the incident.
3. Any staff that witnesses or receives an initial report of sexual misconduct shall immediately begin response procedures by notifying the supervisor or senior officer on duty, who shall then notify the PREA Coordinator. Once the PREA Coordinator has been notified he/she shall then notify Jail Administration, who will then in turn notify the Sheriff's Office Administration.
4. The jail staff must not reveal any information related to an alleged sexual misconduct to anyone other than those who are directly involved in the investigation of the incident.



5. Failure by staff members to report instances of sexual misconduct will result in disciplinary action.
6. The PREA Coordinator or Jail Administrator will oversee the response procedures.

## **X. RESPONSE**

- A. All Story County Sheriff's Office employees are required to immediately report any knowledge, suspicion, or information they receive regarding any incident of sexual misconduct that has occurred within the Story County Jail. In addition they must immediately act to protect the safety of the inmate and remove them from the environment in which the alleged misconduct took place. In receiving information that an inmate has been a victim of sexual misconduct; the employee must take the allegation seriously and act upon it immediately.
- B. The employee receiving information of an alleged sexual misconduct will immediately report it to their assigned supervisor. The supervisor shall then report the incident of sexual misconduct directly to the PREA Coordinator. Once the PREA Coordinator has been notified, he/she shall inform the Jail Administration. The Jail Administration will then in turn notify the Sheriff's Administration.
- C. The supervisor or senior officer will ensure immediate action has been taken to protect the safety of the inmate and they have been removed from the environment in which the alleged misconduct took place. The supervisor will also remove the alleged perpetrator from having contact with the victim and the crime scene.
- D. The inmate will be encouraged not to take any action that could destroy physical evidence before an investigator arrives.
- E. If necessary, the inmate will be examined on-site by medical staff if available for life threatening injuries and then referred to another appropriate medical facility for collection of evidence. The evidence will be maintained and turned over to the investigating Agency.
- F. The Jail Administrator or PREA Coordinator will ensure SART is notified.
- G. The appropriate investigative agency will be determined and notified by the Jail Administrator or designee.
- H. The alleged perpetrator will be removed from the area of the incident and segregated to preserve evidence until arrival of the investigating agency.
- I. There will be a coordinated response between the Story County Sheriff's Office and outside medical facilities in the event of PREA related incidents. This coordinated response will ensure:
  1. The victim's acute medical needs are assessed.
  2. The victim will be informed of their rights.
  3. The inmate will have explained the need for forensic medical examination and options of such shall be given to the victim.
  4. The victim will be given the opportunity to talk to a victim's advocate or other qualified staff member.
  5. The victim will be offered crisis intervention counseling.

6. The victim and witnesses will be interviewed.
  7. Evidence will be collected according to Iowa Code standards.
  8. Victims determined to have special needs shall be accommodated to the extent possible.
- J. For a minimum of 90 days following a report of sexual misconduct, Jail Administration, or their designee shall monitor the conduct and treatment of inmates or staff whom reported the misconduct and inmates who were reported to have suffered sexual misconduct, to see if there are any changes that may suggest possible retaliations by inmates or staff, and shall act promptly to remedy any such retaliation. Jail Administration or their designee shall monitor the following (but not exclusively): inmate disciplinary reports, housing or program changes, and negative performance reviews or reassignments of staff. Jail Administration shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need. When monitoring inmates, periodic status checks shall be conducted and documented. Any other individual whom cooperates with an investigation who expresses fear of retaliation shall also have appropriate measures taken to protect against retaliation. The Story County Jail's obligation to monitor shall terminate if the allegation be determined unfounded.
- K. The alleged perpetrators will be handled accordingly:
1. Employee: As directed by the Sheriff or their designee, a staff member accused of the sexual misconduct, after being initially seen by the investigative team, shall be placed on administrative leave pending the results of the investigation.
  2. Inmate: An inmate accused of the sexual misconduct, after being initially seen by the investigative team, shall be placed into administrative segregation pending disciplinary proceedings and the outcome of the investigation.
  3. Volunteer/Contractor: A volunteer or contractor accused of the sexual misconduct, after being initially seen by the investigative team, shall be prohibited from entering the Jail perimeter pending the results of the investigation.

## **XI. INVESTIGATION**

- A. The Jail Administrator or designee will contact the Field Services Division Commander and a Story County Deputy will be called in to take the initial report.
- B. The jail staff shall provide complete cooperation and will not interfere with the investigative process of an alleged sexual misconduct. This includes failure to report or attempt to cover up an incident of an alleged sexual misconduct; allegation or statement that a person or a witness knew could not have been true; or any form of failure to cooperate with an investigation or inquiry. Failure to cooperate or failure to report shall result in disciplinary action.
- C. Purposeful, malicious false reporting will result in disciplinary action and/or criminal charges.
- D. If a staff member resigns or is terminated, the investigation into the allegation of misconduct shall continue to a final outcome. A full report will also be made to all relevant law enforcement agencies and any relevant licensing bodies.
- E. Story County Jail's policy for investigations of PREA incidents will be published on its website or made otherwise available.

- F. Those involved in and having knowledge of an incident shall provide complete cooperation and will not interfere with the investigative process of an alleged incident. This includes failure to report or attempt to cover up an incident, allegation or statement that a person or a witness knew could not have been true. Failure to cooperate or failure to report shall result in disciplinary action.
- G. The Jail Administrator will encourage investigative agencies to use their own standard practices for investigating sexual assaults in investigating PREA incidents.
- H. The Story County Jail shall impose no standard higher than a preponderance of evidence for determining if an allegation is substantiated.
- I. All investigations shall be conducted administratively and/or criminally as outlined below:
  - 1. Administrative Investigations:
    - a. Shall include an effort to determine whether staff actions or failures to act contributed to the abuse/misconduct.
    - b. Shall be documented in written reports that include a description of the physical and testimonial evidence, reasoning behind credibility assessments, and investigative facts and findings.
  - 2. Criminal Investigations:
    - a. At the discretion of the Sheriff, the criminal investigation may be turned over to and handled by an outside, designated investigative agency.
    - b. All records and evidence (video, etc.) will be turned over to the designated investigative agency.
    - c. Story County Jail will cooperate with the investigation and will endeavor to remain informed about the progress of the investigation.
- J. Investigation and Documentation (Inmate-on-Inmate):
  - 1. Inmate-on-inmate sexual misconduct:
    - a. Administrative investigation conducted by PREA Coordinator/Investigator or designee.
    - b. Incident Report.
    - c. Story County Jail Disciplinary Report.
    - d. Criminal Investigation referral documentation.
- K. Investigation and Documentation (Staff-on-Inmate; this includes contractors and volunteers):
  - 1. Staff-on-inmate sexual misconduct:
    - a. Administrative investigation conducted by PREA Coordinator/Investigator or designee.
    - b. Incident Report.
    - c. Referral Internal Affairs.
    - d. Internal Affairs Decision
    - e. Referral to Criminal Investigation

## **XII. INVESTIGATIVE OUTCOME**

- A. Allegations against staff members: Following an inmate's allegation that a staff member has committed sexual misconduct against the inmate, the agency shall inform the inmate as to whether the allegation has been determined to be: Sustained, Not Sustained, Exonerated or Unfounded.

Following the investigation, the agency will notify the alleged victim whenever:

1. The staff member is no longer posted in the inmate's unit.
2. The staff member is no longer employed at the facility.
3. The staff member has been indicted on a charge related to the reported conduct.
4. The indictment results in a conviction. If the allegation is found to be substantiated the presumptive disciplinary sanction shall be termination of employment.

Obligation to notify the victim terminates once the inmate is released from incarceration by the Story County Sheriff's Office.

- B. Allegations against fellow inmates: Following an inmate's allegation that another inmate has committed sexual misconduct against the inmate the agency shall inform the inmate as to whether the allegation has been determined to be: Sustained, Not Sustained, Exonerated or Unfounded.

Following the investigation, the agency will notify the alleged victim whenever:

1. The abuser has been indicted on a charge related to the reported conduct.
2. The indictment results in a conviction.

Obligation to notify the alleged victim terminates when they are released from incarceration by the Story County Sheriff's Office.

- C. Allegations against Volunteers and Contractors: Following an inmate's allegation that a volunteer or contractor has committed sexual misconduct against the inmate the agency shall inform the inmate as to whether the allegation has been determined to be: Sustained, Not Sustained, Exonerated or Unfounded.

Following the investigation, the agency will notify the alleged victim whenever:

1. The volunteer/contractor member is no longer allowed in the victim's housing unit.
2. The volunteer/ contractor is no longer allowed in the facility.
3. The volunteer or contractor has been indicted on a charge related to the reported conduct.
4. The indictment results in a conviction. The Story County Jail will prohibit any volunteer or contractor from entrance inside the jail perimeter where an allegation is found to be substantiated, as well as report any incident to law enforcement unless the conduct is clearly not criminal.

Obligation to notify the victim terminates once the inmate is released from incarceration by the Story County Sheriff's Office.

- D. PREA Coordinator Review: In all investigations, unless the finding of the allegation is unfounded, a review must occur at the conclusion of every investigation within 30 days. The PREA Coordinator will oversee the review and designate a review team. The review team's duty will be to report determinations on items a-e listed below, as well as make overall recommendations.

1. Reviews must consider:
  - a. If changes in policy and practice are needed to improve prevention, detection, or response to sexual abuse incidents;

- b. If race, ethnicity, LGBTI or gender non-conforming status, gang affiliation, or group dynamics in the facility played a role in the incident;
  - c. If physical barriers in the facility played a role in the incident;
  - d. If staffing levels need to be changed;
  - e. If more video monitoring is needed.
2. After concluding the review and report, Jail Administration must either implement the review team's recommendations, or document reasons as to why the recommendations were not implemented.
  3. The Story County Jail will collect, at a minimum, sufficient data to fully answer all questions in the most recent revision of the *Survey of Sexual Violence (SSV)*, conducted by the BJS. All data collected (including incident reports, investigation files, and incident reviews) shall be retained securely for at least 10 years after the date of the initial collection, unless mandated otherwise by law.
  4. The Jail Administration will forward all reports regarding an alleged staff on inmate sexual misconduct to the State Jail Inspector at the conclusion of the investigation.

### **XIII. ONGOING CARE**

- A. If necessary, an inmate who reports they have been sexually abused or assaulted will be triaged by nursing staff (if available) and transferred to another facility for collection of physical evidence. In the event that the allegation involves male-on-female misconduct, pregnancy tests and timely access and information on pregnancy related medical services will be provided.
- B. While incarcerated, victims of sexual misconduct have the right to medical treatment and to be treated in a fair and humane manner during the entire criminal justice process. The victim will also be offered testing for sexually transmitted diseases. Victims of sexual abuse will not be charged for any services or medication relating to sexual abuse treatment and cannot be forced to name the abuser as a condition to receive care.
- C. While incarcerated, the inmate victim will be offered counseling that is consistent with community level care for as long as is needed. Follow up counseling shall be available to inmates who are victims, as well as other ongoing support as deemed necessary. A government based counseling agency may be utilized for ongoing care and counseling, however the agency must not be affiliated with any criminal justice or law enforcement organization.
- D. If the victim or alleged perpetrator is detained solely for immigration, he/she will be granted access to Immigrant Service Agencies and documentation between these agencies and the Story County Jail will be kept.
- E. If perpetration occurred in any other facility, the Story County Jail will provide medical and mental health care to the victim.