For Volunteers and Contractual Staff of the Henrico Sheriff's Office

A Guide for the Prevention and Reporting of Undue Familiarity and Sexual Abuse with Offenders/ Inmates.

This informational sheet will educate you on the Prison Rape Elimination Act of 2003 (PREA), Code of Virginia 18.2-64.2 and the Henrico Sheriff's Office standard concerning inmate sexual abuse. It is intended to provide information on maintaining professional boundaries with inmates and your duty to report incidents of inmate sexual abuse. The Prison Rape Elimination Act of 2003 (PREA) is a Federal law established to address the elimination and prevention of sexual abuse and rape in correctional systems. PREA applies to all federal, state, and local prisons, jails, police lockups, private facilities, and community settings.

In response to PREA, the Henrico Sheriff's Office is committed to a standard of zero-tolerance of sexual abuse of offenders either by staff, other inmates, volunteers, contracted staff or individuals having custody of or responsibility for the safety, security, care and/or treatment of inmates. Volunteers and contractual staff must be aware that unprofessional relationships will not be tolerated, and these relationships are criminal and may be prosecuted under state and federal statutes.

Code of Virginia

An inmate is any individual incarcerated in any jail, state or federal correctional facility, or participating in any jail, state, or federal work release, home incarceration or drug court program or any individual released from any jail or a state or federal correctional facility.
Carnal knowledge is defined under *Code of Virginia* 18.2- 64.2 as the acts of sexual intercourse, cunnilingus (oral stimulation of the female) or fellatio (oral stimulation of the male), anilingus (oral stimulation of the anal for sexual stimulation), anal intercourse, and animate or inanimate object sexual penetration of an inmate, parolee, probationer, detainee, or pretrial or post-trial offender. Such offense is a Class 6 felony.

Sexual Misconduct/Sexual Harassment

Any sexual contact between staff and inmates, volunteers, or contracted personnel and inmates, regardless of consensual status, is prohibited and subject to administrative and criminal disciplinary sanction. Please review Sheriff's Office Policy, Staff Code of Conduct 7C-02.

Disciplinary Sanction

Any contractor or volunteer who engages in sexual misconduct/harassment shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.

Undue Familiarity

All employees, contractual staff and volunteers of this office should treat inmates in a firm, fair and consistent manner, and refrain from inappropriate and improper contact with them. Whenever there is reason to discuss an inmate's problem with them, a professional attitude consistent with roles and responsibilities should be exercised. As an employee, contractual staff or volunteer, you should not:

- Have any financial dealings with an inmate unless authorized by the facility administrator or supervisor
- Borrow anything from an inmate
- Lend anything to an inmate
- Make gifts to or perform personal services for an inmate
- Use abusive, indecent, or profane language in the presence of an inmate
- Curse an inmate
- Knowingly give or sell any tobacco products to an inmate
- Knowingly give or sell a mobile telephone or other wireless communication devices to an inmate.

It is a criminal offense for any person to sell or give any inmate any intoxicating drink, barbiturate or stimulant drug, or any narcotic, poison, or poisonous substance, or to convey to or from an inmate any letters or oral messages or any instrument or weapon by which to effect an escape, or that will aid in an assault or to sell an inmate any article forbidden by inmate rules. The information listed above is not all inclusive. When in doubt one should seek clear guidance from a supervisor before engaging in what could be viewed as misconduct.

Red Flags

Addressing offender/inmate unduly familiar relationships and sexual abuse is important both individually and within the agency. While you may not be in danger of committing such an offense, one of your colleagues may be. It is especially important to pay close attention to your colleagues' behavior as well as your own.

The following examples are a list of behaviors that may be signs that you or someone you work with is in danger of engaging in undue familiarity and/or sexual misconduct. These behaviors or "red flags" may signal that there are problems ahead for you, your colleagues, or the agency.

Some Examples Of "Red Flags" Are:

- Deviating from agency policy for the benefit of a specific inmate
- Changes in appearances of an inmate or staff member
- Overlooking infractions of a specific inmate
- Spending a lot of time with a specific inmate
- Taking up an inmate's cause or grievance
- Doing favors for an inmate
- Flirting with an inmate
- Getting into conflicts with staff over an inmate

Remember, it is a problem for everyone when a staff member, contractual staff or volunteer becomes involved in un-duly familiar relationships and/or sexual misconduct with an inmate. When these flags are observed, you have a duty to report it.

REMEMBER

You have a duty to report incidences of undue familiarity and offender/inmate sexual abuse.

All the following numbers can be used to report incidences

- PREA Coordinator Jail West (804) 501-5703
- PREA Coordinator Jail East (804) 652-1142

YWCA Richmond (804) 612-6126
National Sexual Abuse Hotline 1 (800) 656-4637

Resources

- Prison Rape Elimination Act of 2003
- DOC Sexual Violence Elimination Policy
- National Institute of Corrections
- Virginia Code 18.2-64.2

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