

Sixth District Department of Correctional Services POLICY	Issue Date 10/18/13	Effective Date 03/20/17	Policy Number 2411-17
Subject SEXUAL MISCONDUCT WITH OFFENDERS COMMUNITY CONFINEMENT STANDARDS (PREA Sexual Violence Propensity Assessment)		Review Month June	Author 0590 (MLA)
Rescinds 2411-14	Reference Prison Rape Elimination Act-Community Confinement Standards, United States Department of Justice Final Rule 28 C.F.R. Part 115, Docket No. OAG-131, RIN 1105-AB34, May 17, 2012		

PURPOSE:

To ensure all residential offenders are screened for sexual violence and housed accordingly.

POLICY:

Congress enacted the Prison Rape Elimination Act of 2003 (PREA) to address the problem of sexual abuse of persons in the custody of U.S. correctional agencies. In accordance with PREA standards and requirements, it is the goal of the Sixth Judicial District Department of Correctional Services to identify sexual predators/potential sexual predators and provide the greatest possible protection to victims/potential victims of sexual abuse while housed in the Department's residential facilities. This policy applies to all employees and offenders of the Sixth Judicial District Department of Correctional Services and is maintained current by the District Director or designee.

PROCEDURE:

1. All offenders entering a Residential Facility, even if a transfer from another confinement facility, on or after January 1, 2013, are assessed by Department staff for sexual violence tendencies/sexual victimization using the Sexual Violence Propensity Assessment (SVP). This information is utilized to make decisions regarding room assignments, employment, programming and education. The primary objective is to keep residents who are at high risk of sexual victimization separate from those that are considered highly sexually abusive.
2. The SVP are completed by the current prison case manager, if incarcerated, prior to entry into a residential facility. If the offender has not been incarcerated or if, for some reason, an offender enters a residential facility from another confinement facility without a SVP Assessment being completed, one is completed before room assignment is made.
3. The results of the Sexual Violence Propensity Assessment are documented in ICON and are used to make housing, bed, work, and program assignments in the facility. Please refer to the SVP Assessment Scoring Guide (2411A) for further information on SVP codes.
4. The Sexual Violence Propensity Assessment is reviewed by case managers within the first thirty (30) days of facility placement and as otherwise warranted to determine if changes need to be made on the assessment.

POLICY NUMBER 2411-17
PAGE 2 OF 2

PROCEDURE: (continued)

5. The SVP Assessment must be current within one (1) year for any resident housed in a residential facility.
6. Information contained in the Sexual Violence Propensity Assessment is treated as confidential.
7. A resident's risk level is re-assessed by request, referral, sexual abuse incident or other additional information pertaining to the resident's sexual abusiveness or victimization.
8. Transgender or Intersex Residents:
 - A. **Transgender** - means a person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
 - B. **Intersex** - means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
 - C. Residents are not disciplined for refusing to disclose or provide incomplete information or answer any questions with respect to:
 - 1.) A mental, physical or developmental disability.
 - 2.) Identification or perception the resident is bi-sexual, gay, lesbian, transgender, intersex, gender non-conforming; or perceived as such.
 - 3.) Whether or not the resident has previously experienced sexual victimization;
 - 4.) The residents perceived sense of vulnerability.
 - D. In deciding whether to assign a transgender or intersex resident to a facility/wing for male or female residents, and in making other housing and programming assignments, staff considers on a case-by-case basis whether a placement ensures the residents health and safety, and whether the placement presents management or security problems.
 - E. A transgender or intersex resident's own views with respect to his or her own safety is given serious consideration.
 - F. Transgender and intersex residents are given the opportunity to shower separately from other residents.
 - G. The Department does not place lesbian, gay, bisexual, transgender, or intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such residents.

BY ORDER OF:

Bruce Vander Sanden, Director