

## **Sexual Abuse and Assault Prevention and Intervention D-104**

### **402.1 PURPOSE**

The purpose of this operations order is to establish guidelines for staff to act affirmatively to prevent the sexual abuse and assaults of those incarcerated in the jail; provide prompt and effective intervention and treatment for victims of sexual abuse and assault and control, discipline and prosecute, the perpetrators of sexual abuse and assault.

### **402.2 POLICY 115.11**

The Yuba County Jail maintains a zero-tolerance policy for all forms of sexual abuse and assault. It is the policy of the facility to provide a safe and secure environment for all inmates, employees, contractors, and volunteers, to be free from the threat of sexual abuse or assault, by maintaining a Sexual Abuse and Assault Prevention and Intervention (SAAPI) Program that ensures effective procedures for preventing, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse and assault.

Sexual abuse or assault of inmates by other inmates or by employees, contractors or volunteers is prohibited and subject to administrative, disciplinary, and criminal sanctions. In all instances where allegations of sexual abuse or sexual assault are made, the jail will investigate thoroughly and hold all negligent parties, accountable for their actions, up to and including, criminal prosecution.

### **402.3 DEFINITIONS**

For the purposes of this policy, the following definitions apply (115.5):

(A) Inmate on Inmate Sexual Abuse and/or Assault Sexual abuse of an inmate by another inmate(s) includes any of the following acts by one or more inmates who, by force, coercion, or intimidation, or if the victim did not consent or was unable to consent or refuse, engages in or attempts to engage in:

(1) Contact between the penis and the vulva or anus, for purposes of this paragraph, contact involving the penis upon penetration, however slight.

(2) Contact between mouth and the penis, vulva, or anus.

(3) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object.

(4) Touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person.

(5) Threats, intimidation, or other actions or communications by one or more inmates aimed at coercing or pressuring another inmate to engage in a sexual act.

# Yuba County Sheriff Department

## Jail Policy Manual

### Sexual Abuse and Assault Prevention and Intervention D-104

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(B) Staff on Inmate Sexual Abuse and/ or Assault Sexual abuse of an inmate by a staff member, contractor, or volunteer includes any of the following acts, if engaged in by one or more staff members, volunteers, or contract personnel who, with or without the consent of the inmate, engages in or attempts to engage in any of the following:

(1) Contact between the penis and the vulva or anus and, for purposes of this paragraph, contact involving the penis upon penetration, however slight;

(2) Contact between the mouth and the penis, vulva, or anus;

(3) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

(4) Intentional touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

(5) Threats, intimidation, harassment, indecent, profane, or abusive language, or other actions or communications aimed at coercing or pressuring an inmate to engage in a sexual act;

(6) Repeated verbal statements or comments of a sexual nature to an inmate;

(7) Any display of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate;  
or

(8) Voyeurism, which is defined as the inappropriate visual surveillance of an inmate for reasons unrelated to official duties. Where not conducted for reasons relating to official duties, the following are examples of voyeurism: staring at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

(9) Staff and inmate perpetrators of sexual abuse, as well as inmates who engage in consensual sexual conduct, are subject to administrative and disciplinary sanctions. The facility shall not discipline an inmate for sexual contact with staff unless there is a finding that the staff member did not consent to such contact. Staff should be sensitive to the possibility that seemingly consensual behavior may have involved coercion by either person involved.

(C) Contractor: A person who or entity that provides services on a recurring basis pursuant to a contractual agreement with the facility.

(D) Volunteer: An individual who donates time and effort on a recurring basis to enhance the activities and programs of the facility.

#### **402.4 PREA PROGRAM COORDINATOR**

(A) The Jail Commander shall designate someone to serve as PREA Program Coordinator who shall serve as the facility point of contact for the agency and who has sufficient time and authority

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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to oversee facility efforts to comply with facility sexual abuse prevention and intervention policies and procedures.

(B) The PREA Program Coordinator must have sufficient time and authority to oversee facility efforts to comply with facility sexual abuse and assault prevention and intervention policies and procedures. They will serve as the facility point of contact for the local US Marshal office or other entities.

- (1) Assist with the development of written policies and procedures for the SAAPI Program, and with keeping them current;
- (2) Assist with the development of initial and ongoing training protocols;
- (3) Serve as a liaison with other agencies;
- (4) Coordinate the gathering of statistics and reports on allegations of sexual abuse or assault;
- (5) Review the results of every investigation of sexual abuse and assist in conducting an annual review of all investigations to assess and improve prevention and response efforts;
- (6) Review facility practices to ensure required levels of confidentiality are maintained; and
- (7) Ensure proper notifications are made of every allegation.

#### **402.5 PREVENTION PLANNING**

(A) All staff (employees, volunteers, and contractors) are responsible for being alert to signs of potential sexual abuse or assault, and to situations in which sexual abuses or assaults might occur. If a facility staff member has a reasonable belief that an inmate is subject to a substantial risk of imminent sexual abuse, he or she shall take immediate action to protect the inmate.

(B) Inmates identified as high risk with a history of sexually assaultive behavior are assessed by a mental health or other qualified professional. Inmates with a history of sexually assaultive behavior are identified, monitored, and counseled.

(C) Inmates identified as high risk for sexual victimization are assessed by a mental health or other qualified professional. Inmates at risk for sexual victimization are identified, monitored, and counseled.

#### **402.6 SCREENING AND CLASSIFICATION REQUIREMENTS**

(A) All inmates shall be screened upon arrival at the facility for potential risk of sexual victimization or sexually abusive behavior and shall be housed to prevent sexual abuse or assault, taking necessary steps to mitigate any such danger. The facility shall also use the assessment to inform assignment of inmates to housing, recreation and other activities, and voluntary work.

(B) Each new inmate shall be kept separate from the general population until he/she has been classified and housed accordingly.

(C) The initial classification process and initial housing assignment should be completed within 12 (twelve) hours of admission to the facility.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(D) The facility shall consider, to the extent that the information is available, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build and appearance of the inmate;
- (4) Whether the inmate has previously been incarcerated or detained;
- (5) The nature of the inmate's criminal history;
- (6) Whether the inmate has any convictions for sex offenses against an adult or child;
- (7) Whether the inmate has self-identified as gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has self-identified as having previously experienced sexual victimization; and
- (9) The inmate own concerns about his or her physical safety.

(E) Inmates shall not be disciplined for refusing to answer, or for not disclosing complete information in response to the assessment questions asked pursuant to this screening.

(F) The initial screening shall consider prior acts of sexual abuse or assault, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse or assault, as known to the facility, in assessing inmates for risk of being sexually abusive.

(G) The facility shall implement appropriate protections on the dissemination within the facility of responses to the assessment questions asked pursuant to this screening, limiting dissemination, and ensuring that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

(H) If screening indicates that an inmate has experienced prior sexual victimization or perpetrated sexual abuse, staff shall, as appropriate, ensure that the inmate is immediately referred to a qualified medical or mental health practitioner for medical and/or mental health follow-up as appropriate. When a referral for medical follow-up is initiated, the inmate shall receive a health evaluation no later than 2 (two) working days from the date of assessment. When a referral for mental health follow-up is initiated, the inmate shall receive a mental health evaluation no later than 72 hours after the referral.

(I) Inmates considered at risk for sexual victimization shall be placed in the least restrictive housing that is available and appropriate. Such inmates should be assigned to administrative separation for protective custody only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 (thirty) days.

(J) The facility shall reassess each inmate's risk of abusiveness between 60 and 90 days from the date of the initial assessment, and at any other time when warranted based upon the receipt of additional, relevant information or following an incident of abuse or victimization.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

---

(K) When making assessment and housing decisions for a transgender or intersex person, the facility shall consider the person's gender selfidentification and an assessment of the effects of placement on the inmate's health and safety. The facility shall consult a medical or mental health professional as soon as practicable on this assessment. The facility should not base placement decisions of transgender or intersex persons solely on the identity documents or physical anatomy of the person; a person's selfidentification of his/her gender and self-assessment of safety needs shall always be taken into consideration as well. The facility's placement of a transgender or intersex person shall be consistent with the safety and security considerations of the facility, and placement and programming assignments for each transgender or intersex person shall be reassessed at least twice each year to review any threats to safety experienced by the person.

(L) When operationally feasible, transgender, and intersex inmates shall be given the opportunity to shower separately from others.

#### **402.7 SCREENING AND CLASSIFICATION PROCEDURES**

(A) Staff shall comply with the jail policies on Receiving of Inmates (jail policy B-102) and Classification of Inmates (jail policy D-100).

(B) These procedures include the following:

- (1) References to screening forms or documents used by the jail
- (2) References to specific sources related to screening criteria
- (3) Procedures to protect screening information
- (4) Procedures for referral for medical or mental health follow-up
- (5) Standards and requirements for administrative segregation
- (6) Specific housing options to be considered for different inmates of varying risk levels including vulnerable persons
- (7) Procedures for classification review
- (8) Process for classification and housing of transgender and intersex inmates

#### **402.8 STAFF TRAINING REQUIREMENTS**

(A) Training on the facility's Sexual Abuse and Assault Prevention and Intervention Program shall be completed by all employees, contractors (if applicable) and volunteers, prior to having contact with inmates and not to exceed 60 (sixty) days from the start date of employment. SAAPI training shall be included for all employees, contractors, and volunteers in biannual refresher training thereafter.

(B) Employee training shall ensure facility staff are able to fulfill their responsibilities under this standard and shall include:

- (1) The facility's zero-tolerance policies for all forms of sexual abuse;

# Yuba County Sheriff Department

## Jail Policy Manual

### Sexual Abuse and Assault Prevention and Intervention D-104

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- (2) Definitions and examples of prohibited and illegal sexual behavior;
  - (3) The right of inmates and staff to be free from sexual abuse and assault, and from retaliation from reporting sexual abuse or assault;
  - (4) Instruction that sexual abuse and/or assault is never an acceptable consequence of detention;
  - (5) Recognition of situations where sexual abuse and/or assault may occur;
  - (6) How to avoid inappropriate relationships with inmates;
  - (7) Working with vulnerable populations and addressing their potential vulnerability in the general population;
  - (8) Recognition of the physical, behavioral, and emotional signs of sexual abuse and/or assault and ways to prevent and respond to such occurrences;
  - (9) The requirement to limit reporting of sexual abuse and assault to personnel with a need-to-know in order to make decisions concerning the victim's welfare, and for law enforcement and investigative purposes;
  - (10) The investigation process and how to ensure that evidence is not destroyed;
  - (11) Prevention, recognition and appropriate response to allegations or suspicions of sexual assault involving inmates with mental or physical disabilities;
  - (12) How to communicate effectively and professionally with inmates including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates;
  - (13) Instruction on reporting knowledge or suspicion of sexual abuse and/or assault; and
  - (14) Instruction on documentation and referral procedures of all allegations or suspicion of sexual abuse and/or assault.
- (C) All volunteers and other contractors who have contact with inmates shall be trained on their responsibilities under the facility's sexual abuse prevention, detection, intervention and response policies and procedures. The level and type of training for volunteers and contractors will be based on the services they provide and their level of contact with inmates; however, all volunteers and contractors who have any contact with inmates must be notified of the facility's zero-tolerance policy and informed how to report such incidents.
- (1) In this paragraph "other contractor" means a person who provides services on a non-recurring basis to the facility pursuant to a contractual agreement with the agency or facility.
- (D) The facility will maintain documentation verifying employee, volunteer, and contractor training. In addition to the general training, all facility staff responsible for conducting sexual abuse or assault investigations shall receive specialized training that covers, at a minimum:
- (1) Interviewing sexual abuse and assault victims;
  - (2) Sexual abuse and assault evidence collection in confinement settings;

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

---

- (3) Criteria and evidence required for administrative action or prosecutorial referral, and;
- (4) Information about effective cross-agency coordination in the investigation process.
- (E) The facility must maintain written documentation verifying specialized training provided to investigators pursuant to this requirement.
- (F) Facility medical staff shall be trained in procedures for examining and treating victims of sexual abuse.

#### **402.9 INMATE EDUCATION**

(A) Upon admission to the jail, all inmates shall be notified of the agency's and jails zero-tolerance policies and SAAPI Program for all forms of sexual abuse and assault through the orientation program.

(B) As part of the orientation, the Just Detention PREA: What You Need to Know video in booking will be played in both English, Spanish and Hmong. Once the video has been played, the facility will provide instruction to inmates on the facility's Sexual Abuse and Assault Prevention and Intervention Program and ensure that each inmate receives a Yuba County Jail Inmate Handbook and the Sexual Abuse and Assault Awareness Pamphlet

(C) The PREA Orientation will include:

- (1) The jails zero-tolerance policy for all forms of sexual abuse or assault;
- (2) The name of the Jail Prevention of Sexual Assault (PSA) Program Coordinator, Casa de Esperanza Rape Crisis Center, and information on how to contact that person or resource agency, to report confidentially and, if desired, anonymously.
- (3) Prevention and intervention strategies;
- (4) Definitions and examples of inmate on inmate sexual abuse and assault, staff on inmate sexual abuse, and assault and coercive sexual activity;
- (5) Explanation of methods for reporting sexual abuse or assault, including one or more staff members other than an immediate point-of-contact line officer.
- (6) Information about self-protection and indicators of sexual abuse and assault;
- (7) Prohibition against retaliation.
- (8) The right of an inmate who has been subjected to sexual abuse to receive treatment and counseling.

(D) The facility shall provide the inmate notification, orientation, or instruction in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired or otherwise disabled, as well as to inmates who have limited reading skills. The facility shall maintain documentation of inmate participation in the instruction session.

(E) The facility shall post in all housing units and common areas the following notices:

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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- (1) The name of the PSA Program Coordinator
- (2) PSA Coordinator, Casa de Esperanza hotline number;
- (3) Information about how Casa de Esperanza can assist inmates who have been victims of sexual abuse or assault. The postings include the mailing addresses and telephone numbers (including toll free hotline numbers where available).

#### **402.10 LIMITS TO CROSS-GENDER VIEWING AND SEARCHES 115.16**

(A) Searches may be necessary to ensure the safety of officers, civilians and inmates; to detect and secure evidence of criminal activity; and to promote security, safety, and related interests at the facility.

(B) A pat search (or "pat down") is a sliding or patting of the hands over the clothed body of an inmate by staff to determine whether the individual possesses contraband.

(1) A pat search does not require the inmate to remove clothing, although the inspection includes a search of the inmates clothing and personal effects. All pat searches shall be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs, including consideration of officer safety.

#### (2) Gender of Officer during Pat Searches

- Male inmates will be pat searched by male officers.

o Cross-gender pat-down searches of male inmates shall not be conducted unless, after reasonable diligence, staff of the same gender is not available at the time the pat-down search is required or in exigent circumstances.

- Female inmates will be pat searched by female officers.

o Cross-gender pat-down searches of female inmates shall not be conducted unless in exigent circumstances.

- All cross-gender pat-down searches shall be documented and will include the reasoning for the cross-gender pat search.

- All pat-down searches shall be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and agency policy, including consideration of officer safety.

- The jail shall train security staff in proper procedures for conducting pat-down searches, including crossgender pat-down searches and searches of transgender and intersex inmates.

(C) Searches of transgender or intersex inmates shall be conducted in accordance to jail policy E-136 – Search Procedures and jail policy, D-122 – Transgender and Intersex Inmates, and D-104 – Sexual Abuse and Assault Prevention and Intervention.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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#### **402.11 STRIP SEARCHES**

(A) A strip search is a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitalia.

(B) Staff will not routinely require an inmate to remove clothing or require an inmate to expose private parts of his/her body to search for contraband. A strip search will only be conducted when there is reasonable suspicion that contraband may be concealed on the person, and with supervisory approval in compliance with jail policy E-136.

(C) Strip searches or visual body cavity searches by staff of the opposite gender shall not be conducted except in exigent circumstances, including consideration of officer safety, or when performed by medical practitioners. All strip searches and body cavity searches shall be documented.

(D) Inmates shall be able to shower, perform bodily functions, and change clothing without being viewed by staff of the opposite gender, except in exigent circumstances or when such viewing is incidental to routine cell checks or is otherwise appropriate in connection with a medical examination or monitored bowel movement.

(E) Staff of the opposite gender shall announce their presence when entering an area where inmates are likely to be showering, performing bodily functions, or changing clothing.

(F) The facility shall not search or physically examine an inmate for the sole purpose of determining the person's genital characteristics. If the person's gender is unknown, it may be determined during conversations with the person, by reviewing medical records, or, if necessary, learning that information as part of a medical examination that all persons must undergo as part of the health screening processes.

Exigent circumstances are any set of temporary or unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility or a threat of the safety or security of any person. The agency shall train security staff in proper procedures for conducting pat-down searches, including crossgender pat-down searches and searches of transgender and intersex

#### **402.12 INMATE SUPERVISION**

(A) The facility shall ensure that it maintains sufficient supervision of inmates including through appropriate staffing levels and, where applicable, video monitoring, to protect them against sexual abuse.

(B) The Jail Commander shall determine security needs based on a comprehensive staffing analysis and a documented comprehensive supervision guideline that is reviewed and updated at least annually.

(C) In determining adequate levels of supervision and determining the need for video monitoring, the facility shall take into consideration generally accepted detention and correctional practices, any judicial findings of inadequacy, the physical layout of the facility, the composition of the

# Yuba County Sheriff Department

## Jail Policy Manual

### Sexual Abuse and Assault Prevention and Intervention D-104

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population, the prevalence of substantiated and unsubstantiated incidents of sexual abuse as well as other incidents reflecting on facility security and inmate safety, the findings and recommendations of sexual abuse incident review reports or other findings reflecting on facility security and inmate safety, the length of time inmates spend in custody, and any other relevant factors.

(D) Frequent unannounced security inspections will be conducted to identify and deter sexual abuse of inmates. Inspections will occur on night and day shifts. Staff are prohibited from alerting others that these security inspections are occurring, unless such an announcement is related to the legitimate operational functions of the facility. Staff are prohibited from being alerted that such unannounced rounds are occurring unless such announcement is related to the legitimate operational functions of the facility. All unannounced rounds shall be documented with a GAURDI Pipe in accordance with jail policy E-130.

#### **402.13 TRANSPORTATION REQUIREMENTS**

(A) Inmates identified as being "at risk" for sexual victimization shall be transported in accordance with that special safety concern.

When seating inmates, the facility shall assess all inmates to identify those likely to be sexual aggressors or sexual abuse victims and shall seat inmates in a manner designed to prevent sexual abuse, taking necessary steps to mitigate any such danger.

The transportation of inmates shall be in compliance with jail policy E-126- Transportation of inmates.

(B) Requirements for Upgrades to Facilities and Technologies:

(1) When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the facility shall consider the effect of design, acquisition, expansion, or modification upon its ability to protect inmates from sexual abuse and assault.

(2) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology in a facility, the facility shall consider how such technology may enhance its ability to protect inmates from sexual abuse and assault

#### **402.14 ACCOMMODATING PERSONS WITH DISABILITIES OR LEP 115.16**

(A) Accommodation Requirements:

The facility shall take appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities) have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse.

When necessary to ensure effective communication with inmates who are deaf or hard of hearing, or inmates who have intellectual, psychiatric, or speech disabilities, limited reading skills, or who are blind or have low vision, the facility will:

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(1) Provide access to in-person, telephonic, or video interpretive services that enable effective, accurate, and impartial interpretation, both receptively and expressively, using any necessary specialized vocabulary.

(2) Provide access to written materials related to sexual abuse in formats or through methods that ensure effective communication.

The facility shall take steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse to those who are limited English proficient, including steps to provide in-person or telephonic interpretive services that enable effective, accurate, and impartial interpretation, both receptively and expressively, using any necessary specialized vocabulary.

#### **402.15 REPORTING PROCEDURES**

##### **(A) Inmates Reporting Requirements:**

(1) The jail has developed policies and procedures to ensure that inmates shall have multiple ways to privately report sexual abuse and assault, retaliation for reporting sexual abuse, or staff neglect or violations of responsibilities that may have contributed to such incidents, and will not be punished for reporting.

(2) Staff shall take seriously all statements from inmates claiming to be victims of sexual abuse or assault and shall respond supportively and nonjudgmentally. Any inmate who alleges that he or she has been sexually abused and assaulted shall be offered immediate protection and separation from the assailant and shall be referred for a medical examination and/or clinical assessment for potential negative symptoms.

(3) Any inmate may report acts of sexual abuse or assault to any employee, contractor, or volunteer.

(4) If an inmate is not comfortable with making the report to immediate point-of-contact line staff, he/she shall be allowed to make the report to a staff person with whom he/she is comfortable in speaking about the allegations.

(5) Inmates may report acts of sexual abuse or assault through the Inmate Grievance process, as outlined in jail policy H-100.

(a) Formal grievances related to sexual abuse and assault may be filed at any time during, after, or in lieu of lodging an informal grievance or complaint and with no time limit imposed on when a grievance may be submitted.

(b) Written procedures must be implemented for identifying and handling time sensitive grievances that involve an immediate threat to the inmate's health, safety, or welfare related to sexual abuse or assault. Decisions on grievances shall be issued within 5 days of receipt and appeals shall be responded to within 30 days.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(c) Inmates may obtain assistance from another inmate, the housing officer or other facility staff, family members, or legal representatives. Staff shall take reasonable steps to expedite requests for assistance from these other parties.

(B) Inmate Reporting Procedures:

(1) Inmate reports of sexual abuse or assault, retaliation for reporting sexual abuse or assault, and/or staff neglect or violations of responsibilities that may have contributed to such incidents may be made using any available methods of communication, including but not limited to:

(a) Reports to the facility:

- Verbal reports to any staff member (to include the facility PSA Program Coordinator and, medical staff.
- Written informal or formal request or grievances to the facility.
- Sick call request
- Reports to family, friends, or other outside entities:
- Family members can report telephonically, in writing or verbally during visit.

(b) Reports to US Marshals:

- Written formal or informal grievances (including emergency grievance) to the US Marshals Office.

(c) Reports to Consulates:

- Telephonically or written reports to consular officials.

#### **402.16 STAFF NOTIFICATION AND REPORTING 115.63**

(A) All Yuba County Jail Staff, contractors and volunteers will immediately report:

(1) Jail personnel are required to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or assault; retaliation against any inmate or staff, contractor or volunteer who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

(2) Staff must also be able to report to an outside chain of command. Upon receiving an allegation that an inmate was sexually abused at another facility, the Jail Commander must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred. This notification shall be provided as soon as possible, but no later than 72 hours after the allegation. This notification shall be documented.

(3) Staff shall accept reports made verbally, in writing, anonymously, and from third parties, and promptly document any verbal reports. All reports will be forwarded to the shift supervisor for review.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(4) The jail has established a method to receive all third-party reports of sexual abuse in its facility and shall make available on its website to the public information on how to report sexual abuse on behalf of an inmate.

(5) The Jail Commander or his designee shall promptly report any incident involving a US Marshal inmates to the US Marshals and refer all cases that appear potentially to support criminal prosecution for criminal investigation.

(6) If an employee, contractor, or volunteer is alleged to be the perpetrator of inmate sexual abuse or assault, the Jail Commander shall be immediately notified and the alleged perpetrator will be removed from all inmate contact, pending the investigation.

(7) If the alleged victim is considered a vulnerable adult under a state or local vulnerable persons statute, the facility shall report that information to the designated State or local services agency under applicable mandatory reporting laws

(8) Information concerning the identity of a victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need-to-know in order to make decisions concerning the victim's welfare, and for law enforcement/investigative purposes. Apart from such reporting, staff shall not reveal any information related to a sexual abuse and assault report to anyone other than to the extent necessary to help protect the safety of the victim or prevent further victimization of other inmates or staff in the facility, or to make medical treatment, investigation, law enforcement, or other security and management decisions.

(B) Reporting requirements per the Federal Performance Based Detention Standards are as follows:

(1) In order to establish a strong, effective reporting culture among staff and ensure the agency and facility receive timely information about sexual assault, sexual abuse, sexual harassment or retaliation, and staff neglect or violation of responsibilities that may have contributed to an incident or retaliation, all allegations of sexual assault involving a US Marshal Inmate, must result in immediate notification of the US Marshal's within 24 hours of the initial report.

(2) Immediate notification and documented proof of notification is made to the external reporting jurisdiction, such as the police or rape crisis center. This does not include internal or corporate authorities.

(3) The facility administrator ensures facility staff report all allegations, while taking steps to protect the confidentiality of sexual abuse information by sharing internally with only those who need to know.

(C) Staff Notification and Reporting Procedures:

(1) Staff shall notify a supervisor when they become aware of an incident of sexual abuse or assault.

• The Yuba County Jail's chain-of-command structure for reporting allegations is as follows:

o Shift Supervisor

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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- o Jail Supervisor
- o PREA Coordinator
- o Jail Commander
- o US Marshals
- o Medical/Mental Health
- o Casa de Esperanza

(2) Unless otherwise directed by a supervisor, staff shall prepare the appropriate type of report to document the incident. This may be in the form of a jail incident report and/or a criminal report depending on the circumstances. A supervisor will make that final decision.

(3) The Jail Commander and/or the Jail Lieutenant shall be notified as soon as practicable.

(4) Any case that potentially supports criminal prosecution will be referred to the Yuba County Sheriff's Department – Criminal Investigation Unit to assume a criminal investigation, as necessary

#### **402.17 COORDINATED RESPONSE**

##### (A) First Responder Response:

(1) Staff shall take immediate action to separate any inmate who alleges that he/she has been sexually abused or assaulted from the alleged assailant, and shall refer the inmate for a medical examination and/or clinical assessment for potential negative symptoms.

(2) Victims of sexual assault are referred under appropriate security provisions to a community facility for treatment and gathering of evidence. If these procedures are performed in-house, the following guidelines are used:

(a) A history is taken by health care professionals who conduct an examination to document the extent of physical injury and to determine if referral to another medical facility is indicated. With the victim's consent, the examination includes collection of evidence from the victim, using a kit approved by the appropriate authority.

(b) Provision is made for testing of sexually transmitted diseases and counseling as appropriate.

(c) Prophylactic treatment and follow-up for sexually transmitted diseases are offered to all victims as appropriate.

(d) Following the physical examination, an evaluation by a mental health professional is made available to assess the need for crisis intervention counseling and long-term follow-up.

(e) A report is made to the facility or program administrator or designee to assure separation of the victim from his or her assailant.

(f) All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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recommendations for postrelease treatment and/or counseling are retained in accordance with an established schedule.

(3) Staff suspected of perpetrating sexual abuse or assault shall be removed from all duties requiring inmate contact pending the outcome of an investigation.

(4) The first officer to respond to a report of sexual abuse, or his or her supervisor, shall preserve and protect, to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence. (5) If the abuse occurred within a time period that still allows for the collection of physical evidence, the first responder shall:

(a) Request the alleged victim not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and

(b) Ensure the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

(c) If the first staff responder is not an Officer, the responder shall request that the alleged victim not take any actions that could destroy physical evidence and then notify custody staff.

(B) Specialized Response and Victim Services:

(1) The facility must use a coordinated, multidisciplinary team approach to responding to sexual abuse, such as a sexual assault response team (SART), which includes a medical practitioner, a mental health practitioner, a custody staff member, criminal investigator, as well as representatives from outside entities that provide relevant services and expertise.

a. The team consist of:

- Shift Supervisor
- PREA Coordinator
- Medical Practitioner
- Mental Health Practitioner
- Victim Advocacy Services Representative

(2) Staff shall utilize available community resources such as Rideout Hospital or Casa de Esperanza to provide valuable expertise and support in areas of crisis intervention, counseling, investigation and the prosecution of sexual abuse and assault perpetrators to address victims' needs most appropriately.

(3) The facility has entered into memoranda of understanding with Casa de Esperanza, a community service provider specializing in post-sexual assault intervention. The jail will enable reasonable communication between inmates and the local organizations in as confidential a manner as possible.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(4) The Jail Commander has made available to inmates information about the local organizations that can assist those who have been victims of sexual abuse. This information, which includes Casa de Esperanza's telephone number, toll-free hotline number and mailing address, is posted on all housing unit bulletin boards and is available in the YCJ Inmate Handbook.

(5) In the event of a sexual assault, the PREA Coordinator will contact the Casa de Esperanza who will provide a victim advocate. The Casa de Esperanza victim advocate will be able to provide emotional support, crisis intervention, information, and referrals. The jail will enable reasonable communication between inmates and Casa de Esperanza in as confidential a manner as possible.

(6) The jail staff will inform inmates, prior to providing them access to the Casa de Esperanza, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

(7) If a victim is transferred between detention facilities, the sending facility shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services.

(8) Where an alleged victim of sexual abuse or assault that occurred elsewhere in custody and is subsequently transferred to the detention facility, the facility shall comply with all response and intervention requirements outlined by this policy, as appropriate based on the nature and status of the case.

#### (C) Coordinated Response Team:

The Yuba County Jail will take seriously all statements from inmates claiming to be victims of sexual abuse or assaults and will respond supportively and nonjudgmentally. Immediately upon receiving a report of an alleged sexual abuse or assault the Yuba County Jail's first response will be to:

1. Take immediate action and isolate (safe haven) the victim from the alleged perpetrator to ensure his/her safety.

If the abuse occurred within a time period that still allows for the collection of physical evidence. The Yuba County Jail officer or non-detention staff member, will request the alleged victim not to take any actions that could destroy physical evidence, i.e.:

- washing
- defecating
- brushing teeth
- smoking
- changing clothes
- drinking
- urinating

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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- eating

2. Refer the victim to medical and mental health, for a medical examination and/or clinical assessment for potential negative symptoms.

3. Yuba County Jail staff, contractors and volunteers suspected of perpetrating sexual abuse or assault will be removed from all duties requiring inmate contact pending the outcome of an investigation. The Jail Commander will ensure that the incident is immediately referred to the US Marshals Service via email and the Yuba County Sheriff if warranted.

4. If identified, the perpetrator will be isolated (segregated) to prevent further sexual abuse and/or assaults. If the abuse occurred within a time period that still allows for the collection of physical evidence. The Yuba County Jail will make every effort to ensure that the alleged perpetrator does not take any actions that could destroy physical evidence, i.e.:

- Washing
- defecating
- brushing teeth
- smoking
- changing clothes
- drinking
- urinating
- eating

3. If identified, the first detention staff member to respond to a report of sexual abuse or his or her supervisors will preserve and protect to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence.

4. Complete detailed Incident Reports (IR) and required notifications as soon as possible and before the end of shift.

(D) Shift Supervisor The supervisor will ensure safe haven is provided to the victim(s), removing victim(s) from the affected area to eliminate further abuse from the perpetrator. The supervisor will gather initial facts from the victim(s), if the perpetrator is identified, the supervisor will ensure the perpetrator is removed and isolated to prevent further sexual abuse and/or assaults. Victim(s) will be escorted to medical for examination and mental health for a clinical assessment for potential negative symptoms. The supervisor, after ensuring the safety of any victim, will immediately notify the: Jail Commander, Jail Supervisor and PREA Program Coordinator. The Jail commander will notify the US Marshals (If the incident involved a US Marshal prisoner). Immediate reports will be made by both email and telephone; detailed reports will be started only after all evidence has been secured and, where deemed necessary.

(E) Medical Staff Yuba County Jail Wellpath medical staff will only provide care within the scope of their training and certification. Where indicated as necessary, advanced care for victim(s) of

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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sexual assault/abuse will be referred to outside providers. Examinations for sexual assault/abuse will be performed by the Sexual Assault Response Team (SART) at the Bear clinic in Sacramento, California.

(F) Mental Health Practitioner The Yuba County Jail's mental health provider will attempt to conduct a mental health evaluation of all known inmate - on- inmate abusers within 60 days of learning of such abuse history. The Yuba County Jail will offer treatment when deemed appropriate by mental health practitioners.

(G) Jail Commander and/or Jail Lieutenant Proper notification will be conducted as indicated on the Jail PREA Checklist. Refer to section "Staff Notification and Reporting Procedures."

(H) PREA Program Coordinator At any time, an inmate alleges sexual assault or abuse, Yuba County Jail will coordinate a sensitive response and initiate an administrative investigation. For any sexual assault or abuse allegations involving a US Marshal inmate, Yuba County Jail will coordinate with the US Marshal Service and other appropriate investigative agencies to ensure that an administrative and/or criminal investigation is completed for all allegations of sexual abuse or assault. All investigations, administrative or criminal, into alleged sexual assault will be prompt, thorough, objective, fair, and conducted by qualified investigators. The Yuba County Jail's PREA Coordinator will be responsible to conduct an administrative investigation for all allegations of sexual assault or abuse.

NOTE: If initial evidence suggests that a legitimate case of sexual abuse or assault did indeed occur, the alleged perpetrator(s) will not be interviewed during the administrative investigation, the Program Coordinator will notify the Jail commander and will notify the Yuba County Sheriff's Office.

#### (I) Response Team

The aforementioned team will engage the resources of Casa de Esperanza and the Yuba County Sheriff's Office, utilizing available community resources and services to provide valuable expertise and support in the areas of crisis intervention, counseling, investigation, and the prosecution of sexual abuse and/or assault perpetrators to most appropriately address victims' needs.

#### (J) Housing and Protection Requirements:

(1) Victims and vulnerable inmates shall be housed in a supportive environment that represents the least restrictive housing option possible (e.g. in a different housing unit, transfer to another facility, medical housing, or protective custody), and that will, to the extent possible, permit the victim the same level of privileges he/she was permitted immediately prior to the sexual assault. This placement should take into account any ongoing medical or mental health needs of the victim

(2) Victims may not be held for longer than five (5) days in any type of administrative separation for protective purposes, except in highly unusual circumstances or at the request of the victim. The facility shall notify the appropriate US Marshal Supervisor whenever an inmate victim is placed due to vulnerability to sexual abuse or assault, has been held in administrative separation for (72) hours. (See Policy D-106, Section VI, for Administrative Separation review guidelines).

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

---

(3) An inmate victim who is in protective custody after having been subjected to sexual abuse shall not be returned to the general population until completion of a proper re-assessment, taking into consideration any increased vulnerability of the inmate as a result of the sexual abuse or assault.

(4) Staff, contractors, and volunteers shall not retaliate against any person who reports, complains about, or participates in an investigation into an allegation of sexual abuse, or for participating in sexual abuse as a result of force, coercion, threats, or fear of force.

(5) The facility shall employ multiple protection measures, such as housing changes, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or for cooperating with investigations.

(6) For at least 60 - 90 days following a report of sexual abuse or assault, the facility, in concert with US Marshals (if a US Marshal is involved), shall monitor to see if there are facts that may suggest possible retaliation by inmates or staff, and facility shall monitor to see if there are facts that may suggest possible retaliation, and shall act promptly to remedy any such retaliation. Items the facility should monitor include any disciplinary reports, housing, or program changes, or negative performance reviews or reassignments by staff. The facility shall continue such monitoring beyond (90) days if the initial monitoring indicates a continuing need.

(7) If any of these requirements cannot be met, and it involves a US Marshal inmate, the facility will consult with the US Marshal supervisor to determine if they can provide additional assistance.

#### **402.18 HEALTH CARE SERVICES**

##### **(A) Health Care Services Requirements:**

(1) Victims of sexual abuse and assault shall have timely, unimpeded access to emergency medical treatment and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care.

(2) Transportation of an alleged victim for emergency care or other services provided off-site shall be arranged in a manner that takes into account the special needs of victimized inmates.

(3) The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all persons who have been victimized by sexual abuse while in custody.

(4) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

(5) Victims of sexually abusive vaginal penetration by a male abuser while incarcerated shall be offered pregnancy tests. If pregnancy results from an instance of sexual abuse, the victim shall receive timely and comprehensive information about lawful pregnancy-related medical services and timely access to all lawful pregnancy-related medical services.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

---

(6) Victims of sexual abuse while detained shall be offered tests for sexually transmitted infections as medically appropriate.

(7) The facility shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within (60) days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

(8) All treatment services, both emergency and ongoing, shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. The facility shall provide such victims with medical and mental health services consistent with the community level of care.

#### (B) Health Care Procedures:

(1) The Yuba County Jail contracts with a third-party medical provider who provides all initial medical care. If any medical care is necessary beyond what the jail provider can offer, the jail provider has procedures in place to arrange for off-site medical care as needed.

### **402.19 INVESTIGATION**

#### (A) Investigation Requirements:

(1) The Jail Commander, or his designee, will determine if an allegation of sexual abuse will be investigated by custody staff or referred to a criminal investigator.

(2) Criminal investigations fall under the jurisdiction of the Yuba County Sheriff's Department.

(3) If an allegation of sexual abuse or assault involves a department employee, the Jail Commander in consultation with his/her chain of command will decide if the criminal and/or administrative investigation will be referred to an outside agency. If the appropriate law enforcement agency declines to investigate the allegation, at a minimum the allegation shall be investigated by the Office of Professional Responsibility or Internal Affairs Level.

(4) The US Marshal Service shall be notified within 24-hours of all employee sexual misconduct allegations made by US Marshal Inmates.

(5) When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation via telephonically or email.

(6) All investigations must be prompt, thorough, objective, fair, and conducted by specially training, qualified investigators.

(7) Where evidentiary or medically appropriate, at no cost to the inmate, and only with their consent, the jail shall arrange for an alleged victim to undergo a forensic medical examination by a Sexual Assault Forensic Examiner, where practicable.

(8) As requested by a victim, the presence of his or her outside or internal victim advocate, including any available victim advocacy services offered by a hospital conducting a forensic exam, shall be allowed for support during a forensic exam and investigatory interviews.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(9) The results of the physical examination and all collected physical evidence will be provided to the investigating entity.

(10) Upon conclusion of a criminal investigation where the allegation was substantiated, or in instances where no criminal investigation has been completed, an administrative investigation shall be conducted. Upon conclusion of a criminal investigation where the allegation was unsubstantiated, the facility shall review any available completed criminal investigation reports to determine whether an administrative investigation is necessary or appropriate.

(11) Administrative investigations shall be conducted pursuant to department policy.

(12) Administrative investigations shall include the following:

(a) Preservation of direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data.

(b) Interviewing alleged victims, witnesses, and suspects.

(c) Reviewing prior complaints and reports of sexual abuse or assault involving the alleged suspect.

(d) Assessment of the credibility of an alleged victim, suspect or witness, without regard to the individual's status as an inmate, staff, or employee, and without requiring any victim to submit to a polygraph.

(e) An effort to determine whether actions or failures to act at the facility contributed to the abuse.

(f) A complete and thorough written report documenting each investigation.

(g) Retention of records for as long as the alleged abuser is detained or employed by the agency or facility, plus (5) years.

(h) Coordination of administrative and criminal investigations to ensure the criminal investigation is not compromised by an administrative investigation.

(12) The standard to determine whether an allegation of sexual abuse is substantiated shall be no higher than the preponderance of the evidence.

(13) Staff shall cooperate with any outside agency investigating an allegation of sexual abuse or assault in the facility. Where an alleged victim of sexual abuse or assault that occurred elsewhere while the victim was in custody and was subsequently transferred to the Yuba County jail, staff shall also cooperate with any investigative efforts arising from the incident.

(14) If the allegation involves a Marshal inmate, the US Marshal Service shall be notified of the results of the investigation and any responsive actions. The departure of the alleged abuser or victim from the employment or control of the facility shall not provide a basis for terminating an investigation.

#### **402.20 DISCIPLINARY SANCTIONS**

(A) Staff Discipline Requirements:

# Yuba County Sheriff Department

## Jail Policy Manual

### Sexual Abuse and Assault Prevention and Intervention D-104

---

- (1) Staff shall be subject to disciplinary or adverse action for substantiated allegations of sexual abuse or assault consistent with department and County policies and procedures.
- (2) Disclosure of any substantiated incidents of sexual abuse by staff shall be in compliance with department and County policies and procedures, and statutory law.
- (3) Any contractor or volunteer suspected of sexual abuse or assault shall be removed from all duties requiring inmate contact pending the outcome of the investigation.
- (4) Any substantiated allegation of sexual abuse or assault by a contractor or volunteer shall prohibit that person from further contact with inmates. The jail shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates by contractors or volunteers who have not engaged in sexual abuse or assault but have violated other sexual abuse policies.
- (5) Incidents of substantiated sexual abuse by a contractor or volunteer shall be reported to law enforcement as required by law, unless the activity was clearly not criminal. If the incident involves a Marshal inmate, the incident shall be reported to the US Marshal supervisor regardless of whether the activity was criminal in nature.

#### (B) Inmates Discipline Requirements:

- (1) Inmates shall be subjected to disciplinary sanctions pursuant to jail policy H-102 if they engaged in sexual abuse or assault.
- (2) An inmate shall not be disciplined for sexual contact with staff unless there is a finding the staff member did not consent to the contact.
- (3) For the purposes of disciplinary action, a report of sexual abuse or assault made in good faith based upon a reasonable belief the alleged conduct occurred shall not constitute a false report or lying even if an investigation does not establish evidence sufficient to substantiate the allegation.
- (4) If an inmate is mentally disabled or mentally ill, but competent, the disciplinary process shall consider whether their mental status contributed to their behavior when determining what type of discipline, if any, is

#### **402.21 INMATE NOTIFICATION**

- (1) Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.
- (2) If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.
- (3) Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:
  - (a) The staff member is no longer posted within the inmate's unit;

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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- (b) The staff member is no longer employed at the facility;
  - (c) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
  - (d) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
- (4) Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:
- (a) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
  - (b) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
- (5) All such notifications or attempted notifications shall be documented.
- (6) An agency's obligation to report under this standard shall terminate if the inmate is released from the agency's custody

#### **402.22 SEXUAL ABUSE INCIDENT AND ANNUAL REVIEWS**

(A) Staff shall conduct a sexual abuse and assault incident review at the conclusion of every investigation of sexual abuse or assault. A written report shall be completed within (30) days of the conclusion of the investigation recommending whether any change in policy or practice could better prevent, detect, or respond to sexual abuse and assault. Reports are required whether the allegation was substantiated or not.

(B) Staff shall implement the recommendations for improvement or shall document the reasons for not implementing them.

(C) Staff shall consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the jail.

(D) The Jail Commander shall ensure an annual review is made of all sexual abuse and assault investigations and resulting incident review to assess and improve sexual abuse and assault intervention, prevention, and response efforts. If no such investigations occurred a negative report shall be generated.

#### **402.23 DATA COLLECTION 115.87**

(A) Data Collection Requirements:

(1) The jail shall maintain, in a secure area, all case records associated with claims of sexual abuse and assault.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(2) Case records include incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling.

(3) Case records shall be maintained in accordance with applicable policies and retained in accordance with established schedules. The agency maintains sexual abuse data collected pursuant to 115.87 for at least 10 years after the date of the initial collection, unless federal, state or other local law requires otherwise.

(4) The confidentiality and release of medical records must be in compliance with department policy, and statutory law specific to records release.

(5) Monitoring and evaluation are essential for assessing both the rate of occurrence of sexual abuse and assault and agency effectiveness in reducing sexually abusive behavior. Accordingly, the Jail Commander shall maintain general files of all incidents of sexual abuse and assault that minimally include the following:

(a) Name of the victim and assailant of a sexual assault.

(b) Date, time, location, and nature of the incident.

(c) Demographic background of the victim and perpetrator, to include citizenship, age, gender, and whether either has self-identified as gay, lesbian, bisexual, transgender, intersex, or gender nonconforming.

(d) Detailed reporting timeline, including the names of the individual who reported the incident and received the report of sexual assault, date, and time the report was received, and steps taken to communicate the incident up the chain of command.

(e) Any injuries sustained by the victim.

(f) All formal and informal action taken, including all post-report follow up response taken by staff.

(g) All reports.

(h) Medical forms or other relevant medical information.

(i) Supporting memos and videotapes, if any.

(j) Any sanctions imposed on the perpetrator.

(k) Any other evidentiary materials pertaining to the allegation.

(6) The Jail Commander shall maintain these files chronologically in a secure location.

(7) The Jail Commander shall also maintain a listing of the names of sexual abuse and assault victims and assailants, along with the dates and locations of all sexual abuse and assault incidents occurring within the jail, on his or her computerized reporting system.

(a) This information shall be maintained on a need-to-know basis, which includes protection of electronic files from unauthorized access. At no time may law enforcement sensitive documents or evidence be stored at the jail.

# Yuba County Sheriff Department

## Jail Policy Manual

### *Sexual Abuse and Assault Prevention and Intervention D-104*

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(b) Access to these documents shall be limited to those staff involved in the treatment of the victim or the investigation of the incident.

(c) The system shall allow for the tracking of sexual abuse and assault across the system.

(8) On an ongoing basis, the Program Coordinator, Jail Commander and US Marshal Service must work together to share data regarding sexual abuse incidents and responses. Agency policy requires that aggregated sexual abuse data from facilities under its direct control and private facilities which it contracts be made readily available to the public at least annually through its website.

#### **402.24 FACILITY AUDITS**

(A) The Jail shall cooperate with all US Marshals or their designee audits of the jail's compliance with sexual abuse and assault policies and standards, including by:

(1) In advance of and during the on-site audit, making available relevant documents, records, and other information as requested (including available videotapes and other electronically available data)

(2) Permitting auditors access to all areas of the facility

(3) Permitting inmates to have private interviews with auditors, and to send confidential correspondence to the auditor

(4) Making available space suitable for interviews of inmates and staff

(B) Upon request, the jail shall also provide the US Marshals or their designee the results of any audits conducted of the facility against the DOJ "National Standards to Prevent, Detect, and Respond Prison Rape."

(C)) It is the responsibility of the PREA Program Coordinator to ensure the Yuba County Jail SAAP I Program policies and procedures are up to date in order to reflect current practices and the guiding regulations within their area of responsibility. All policies and procedures are reviewed annually.