

VILAS COUNTY JAIL

Preventing Sexual Assault and Harassment

Prison Rape Elimination Act (PREA)

Inmate Guide

The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to prevent, detect and respond to sexual abuse in confinement facilities. PREA applies to all federal, state and local prisons, jails, police lock-ups and private facilities.

Vilas County has a zero tolerance policy regarding sexual abuse and sexual harassment of offenders. We recognize the seriousness of such assaults along with the impact this has on the victim, the correctional environment, the community and society. Vilas County considers the detection, prevention, reduction and punishment of sexual assault and sexual harassment a priority and an integral component of operating a safe and secure jail.

The Vilas County Jail will respond to allegations of sexual assault and sexual harassment and be consistent with the following goals:

- Investigate and respond in a timely, humane and respectful manner.
- Maintain confidentiality of the investigation and sensitivity towards the victim.
- Provide the victim with follow-up medical and mental health services as appropriate.
- Hold accountable those in violation of sexual assault and sexual harassment.

We offer different ways to notify the Jail or Sheriff's Department to report sexual abuse or harassment. You may report it verbally to a corrections officer or sergeant, you may ask for paper and an envelope or you may request a communication form. You may also contact the Sheriff's Office or the Eagle River Police Department at the address and number noted below.

VILAS COUNTY SHERIFF'S OFFICE
330 Court St
Eagle River, WI 54521
(715) 479-4441

EAGLE RIVER POLICE DEPARTMENT
525 Maple St; PO Box 1269
Eagle River, WI 54521
(715) 479-1941

Sexual Safety in Detention

Per Vilas County Jail Policy 606, Wisconsin criminal law, and the federal Prison Rape Elimination Act (PREA), the Vilas County Jail strictly prohibits sexual abuse or sexual harassment of an inmate by another inmate or an

Nobody has the right to pressure you into any kind of sexual activity. You have the right to be safe while you are in the custody of the Vilas County Jail. It is never right for someone to pressure you into any type of sexual behavior. This also means that you do not have the right to force any type of sexual behavior on another person.

What kind of behavior is considered sexual?

- **Sexual abuse** happens when one or more inmates tries to force or sway another inmate to join in a sexual act through manipulation or by using threats, bullying, inappropriate touching, or other actions. This may also include inmates asking for, paying for, or making promises in exchange for sexual activity. Sexual abuse may also include exposing, touching, or gesturing to the inmate's own private parts to attract the attention of another person or using sexually explicit language.
- **Sexual harassment** includes repeated and unwanted sexual advances; requests for sexual favors; or comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate towards another inmate or by a staff member towards an inmate. This may include: demeaning references to gender, sexually suggestive or insulting comments about body or clothing, or obscene language or gestures. To help prevent sexual harassment, there should be no joking or teasing of any kind of a sexual nature.
- **Staff sexual misconduct** occurs when a staff member engages in, or attempts to engage in, a sexual act with any inmate. This includes the staff member intentionally touching the inmate's private parts with the intent to abuse, humiliate, harass or degrade the inmate, or arouse or gratify the sexual desire of any person.

Sexual behavior can also include, but is not limited to: indecent, profane, or abusive language or gestures of a sexual nature; inappropriate viewing of inmates; making sexually offensive comments or gestures; requesting sexual activity through promises of favors; or threatening an inmate for refusing sexual advances.

How to report an incident of sexual abuse, sexual harassment, or staff sexual misconduct

It is important that you tell a staff member as soon as possible if you have been sexually abused, sexually harassed, have been threatened, or have been asked to do something sexual in nature. You can tell a correctional officer, shift supervisor, medical services provider, teacher, or any other staff member. The Vilas County Jail staff members are instructed to keep the reported information confidential and only discuss it with the appropriate officials that have a need to know in order to perform their duties.

There are other ways to report sexual abuse, sexual harassment or staff sexual misconduct if you are not comfortable talking with staff. You can report it to the Vilas County Sheriff's Office or the Eagle River Police Department.

- File a Complaint. Complaint forms are available in housing units. This is a confidential process.

OR

- Write directly to the Sheriff or Jail Administrator at 330 Court St, Eagle River, WI 54521.

OR

- Contact the local law enforcement agency. You can report sexual abuse by contacting local law enforcement directly, or through a third party, such as a community sexual assault service provider.

You have the right to be free from any retaliation for reporting any knowledge or information about any sexual abuse or sexual harassment. If you experience any retaliation, please notify a staff member immediately.

If you are abused and/or harassed

Again, please report it as soon as you feel comfortable. You will be offered assistance and services. You can also have medical and mental health support.

Even though you may want to clean up after an assault, it is important NOT TO shower, wash yourself, brush your teeth, drink or eat anything, change your clothing, or use the bathroom before you see medical staff.

An outside Sexual Assault Nurse Examiner will gather any physical evidence from the assault, examine you for injuries, and check for sexually transmitted infections. Please remember that by reporting sexual abuse or staff sexual misconduct right away, you are assisting in helping to stop this harmful behavior and sending a message that this behavior will not be tolerated.

Definitions from the Prison Rape Elimination Act Standards

Sexual abuse includes:

- Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or inmate:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- Contact between the mouth and the penis, vulva, or anus;
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above;
- Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and;

- Voyeurism by a staff member, contractor, or volunteer. Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering 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.

Sexual harassment includes:

- Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures

Contractor means a person who provides services on a recurring basis pursuant to a contractual agreement with the agency.

Employee means a person who works directly for the agency or facility.

Volunteer means an individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency

Additional information to possibly include:

Safety Suggestions:

- Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
- Do not accept an offer from another inmate to protect you. Again, this offer may come with strings attached.
- Be Alert! Do not use contraband substances such as drugs or alcohol. These can weaken your ability to stay alert and make good judgments.
- Be direct and firm if another inmate asks you to do something you don't want to do.
- Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.