


Fifth Judicial District Department of Correctional Services Policy and Procedural Manual			Approval Date: 4-23-14 Approved By:  <small>Sally Kremer, Director Fifth Judicial District Department of Correctional Services</small>
Division: Administration Unit(s): All Units	Subject: PREA 4 – Screening for Risk of Sexual Victimization and Abusiveness		Effective Date: 4-23-14 Review Dates: N/A Revision Dates: N/A Origination Date: 4-23-2014
PREA Standards:	115.241	115.242	115.243

PURPOSE

To establish policy in regard to the screening and risk of sexual victimization and abusiveness.

POLICY

It is the policy of the Fifth Judicial District Department of Correctional Services to provide a safe, humane and secure environment, free from the threat of sexual violence and sexual harassment for all offenders, by maintaining a program of education, prevention, detection, response, investigation, prosecution and tracking. The Fifth Judicial District Department of Correctional Services has zero tolerance for sexual violence of any kind.

APPLICABILITY

This policy applies to all employees, prospective employees, interns, volunteers and contractors of the Fifth Judicial District Department of Correctional Services and will be maintained current by the District Director or designee.

PROCEDURES

I. Screening for Risk of Victimization and Abusiveness § 115.241

- A. All offenders shall be assessed via the Sexual Violence Propensity Assessment (SVP) during an intake screening and upon transfer to another facility for their risk of being sexually abused by other offenders or sexually abusive toward other offenders.
- B. Intake screening shall ordinarily take place within 72 hours of arrival at the facility.
- C. Intake assessments shall be conducted using an objective screening instrument, the Sexual Violence Propensity Assessment (SVP)
- D. The Sexual Violence Propensity Assessment screening (SVP) shall consider, at a minimum, the following criteria to assess offenders for risk of sexual victimization:
 1. Whether the offender has a mental, physical, or developmental disability;
 2. The age of the offender;
 3. The physical build of the offender;
 4. Whether the offender has previously been incarcerated;
 5. Whether the offender's criminal history is exclusively nonviolent;
 6. Whether the offender has prior convictions for sex offenses against an adult or child;

7. Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
 8. Whether the offender has previously experienced sexual victimization; and
 9. The offender's own perception of vulnerability.
- E. The intake screening shall consider prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known to the agency, in assessing offenders for risk of being sexually abusive.
 - F. Within 30 days of an offender's arrival at a facility, the facility will reassess the offender's risk of victimization or abusiveness by completing a new SVP assessment. The assessor will use any additional, relevant information received by the facility since the intake screening.
 - G. An offender's risk level shall be reassessed when warranted due to a referral, request, and incident of sexual abuse or receipt of additional information that bears on the offender's risk of sexual victimization or abusiveness.
 - H. Offenders may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to the above paragraphs (D 1, D 7, D 8 and D9) as listed above in this section.
 1. Whether the offender has a mental, physical, or developmental disability;
 2. Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
 3. Whether the offender has previously experienced sexual victimization; and
 4. The offender's own perception of vulnerability.
 - I. The Department shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the offender's detriment by staff or other offenders. All staff will comply with the Department's Confidentiality of Records policy.

II. Use of Screening Information § 115.242

- A. Staff shall use information from the SVP risk screening required by § 115.241 to inform housing, bed, work, education and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive.
- B. The Department shall make individualized determinations about how to ensure the safety of each offender.
- C. In deciding whether to assign a transgender or intersex offender to a facility for male or female offenders, and in making other housing and programming assignments, the Department shall consider on a case-by-case basis whether a placement would ensure the offender's health and safety, and whether the placement would present management or security problems.
- D. A transgender or intersex offender's own views with respect to his or her own safety shall be given serious consideration.
- E. Transgender and intersex offenders shall be given the opportunity to shower separately from other offenders.
- F. The Department shall not place lesbian, gay, bisexual, transgender or intersex offenders 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 offenders.