

## Red Flags

The following are examples of behaviors that may signal that you or a coworker are in danger of engaging in an inappropriate relationship with an incarcerated individual:

- Isolating from coworkers
- Spending too much time with one incarcerated individual
- Notable changes in behavior/appearance
- Deviating from policy
- Inappropriate jokes, comments or horseplay
- Doing favors for an incarcerated individual or their family
- Consistently volunteering for a specific assignment/shift
- Coming to work early/leaving late
- Flirting with an incarcerated individual
- Standing too close to an incarcerated individual
- Showing favoritism or becoming overly involved with a particular incarcerated individual

## Professional Behavior

DOC is committed to providing a safe and respectful environment for everyone, including LGBTI individuals. Do not use language that contains LGBTI stereotypes. Everyone should be treated with fairness, dignity, and respect. The following behaviors will assist you in remaining professional.

- Focus on duties and assignments
- Refer to staff as Ms., Mrs., Mr., or their title and last name
- Address transgender, intersex and/or gender non-conforming individuals by their preferred pronoun
- Do not accept gifts, letters, personal phone calls, or favors from incarcerated individuals, their family, or friends

## Employee Resources

There are five staff psychologists who will provide confidential, voluntary, free, and easily accessible services.

Staff psychologists can be reached at:

Lacey	(360) 413-5444
Lacey	(360) 791-4960
Monroe	(360)-913-5226
Seattle	(206) 305-7315
Spokane	(509) 319-1782
Walla Walla	(509) 540-5347
Toll Free	(888) 833-3726

## Additional Resources

RCW 9A.44.160

RCW 9A.44.170

RCW 72.09/225

[www.nicic.org](http://www.nicic.org)

[www.prearesourcecenter.org](http://www.prearesourcecenter.org)

[www.nij.gov](http://www.nij.gov)

The following DOC policies are available at [www.doc.wa.gov](http://www.doc.wa.gov):

- 490.700 Transgender, Intersex, and/or Gender Non-Conforming Housing and Supervision
- 490.800 PREA Prevention and Reporting
- 490.820 PREA Risk Assessments and Assignments
- 490.850 PREA Response
- 490.860 PREA Investigation
- 610.025 Health Services Management of Offenders in Cases of Alleged Sexual Misconduct

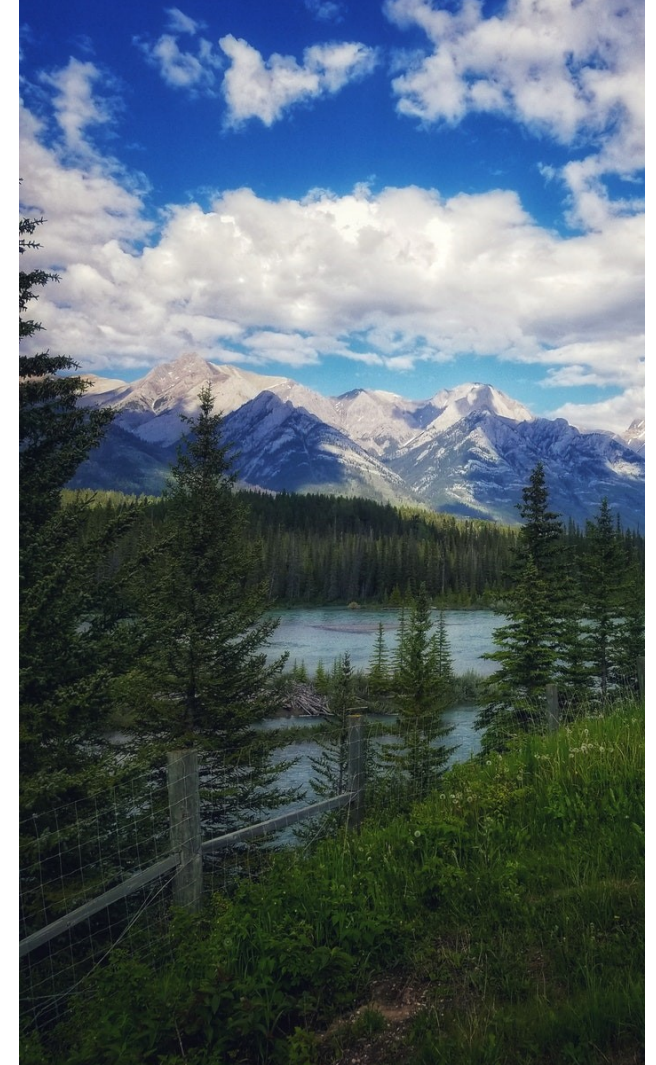
### Department of Corrections

P.O. Box 41100

Olympia, WA 98504-1100

Phone: (360) 725-8213

# PREA



## Prison Rape Elimination Act

A Resource for Staff, Volunteers,  
and Contractors



## What is PREA?

The Prison Rape Elimination Act (PREA) is a federal law that went into effect in September 2003. It prohibits sexual misconduct in correctional settings such as prisons, jails, lock-ups, juvenile facilities and Immigration Services/ICE detention facilities.

## Abuse of Power/Victimization

Due to the imbalance of power between incarcerated individuals and employees in a correctional setting, sexual interaction between an employee (power) and an incarcerated individual (who lacks power) is unprofessional, unethical and illegal. Some incarcerated individual may become sexually involved with staff in an effort to equalize the imbalance of power.

Occasionally, an incarcerated individual may try to use sex to improve his/her standing or circumstances (e.g., better job, avoid disciplinary action, gain privileges, etc.). Because of the imbalance of power between incarcerated individuals and employees, contract staff, and volunteers, there can never be a consensual relationship between incarcerated individual and persons working or volunteering for DOC. The law states “consent” is not a defense to prosecution.

Some people don’t think of incarcerated individuals as ‘victims’ of staff sexual misconduct particularly when the incarcerated individual appears to be a willing participant or even the initiator of the sexual or romantic interaction with a staff member. The incarcerated individual is always the victim because of the imbalance of power.

## Signs of Abuse

Incarcerated individuals may be anxious about reporting sexual abuse/harassment for a number of reasons, including fear of retaliation from other incarcerated individual and/or staff.

Some signs an incarcerated individual may be sexually abused/harassed include:

- Withdrawal
- Hypervigilance
- Refusing to shower
- Afraid to sleep
- Requests for protective custody

Incarcerated individuals who experience sexual abuse may experience depression, be in emotional shock or disbelief, feel guilty, be in denial or suffer self-blame or shame.

If an incarcerated individual is at risk of imminent sexual abuse, they must be separated from the alleged perpetrator and kept safe.

## Zero Tolerance

Incarcerated individuals have the right to be free from sexual abuse and sexual harassment while incarcerated. DOC has ZERO tolerance for all forms of sexual misconduct and will impose disciplinary sanctions for such misconduct, up to and including dismissal for staff and serious infractions for incarcerated individuals who victimize other incarcerated individuals. Incidents of sexual misconduct will be referred to law enforcement when applicable.

DOC policies regarding sexual misconduct apply to all individuals in DOC custody, both incarcerated and on community supervision. They also apply to employees, contract staff, volunteers and any other person providing services in department facilities or offices. incarcerated individual and staff also have the right to be free from retaliation for reporting sexual abuse and sexual harassment.

## Duty to Report

You must immediately report any knowledge, suspicion, or information received, including anonymous and third-party reports, regarding an allegation or incident of sexual misconduct occurring in any incarceration setting even if it is not a Department facility. This also includes related retaliation and knowledge of staff actions or neglect that may have contributed to an incident.

Staff receiving any information regarding an allegation or incident of sexual misconduct must deliver the information confidentially and immediately to the shift commander (prisons), the work release/residential program administrator/duty officer (work release) or the appropriate appointing authority/duty officer.

Any knowledge of retaliation must be reported in the same manner.

Staff may privately report an allegation of a highly sensitive nature directly to the Appointing Authority or Duty Officer. Allegations made against the Appointing Authority must be reported to the next higher authority.

## Things to Consider

Amorous or sexual relationships with an incarcerated individual are seldom a secret. They are inappropriate and illegal. Your personal and professional reputation may be jeopardized because of inappropriate conduct with an incarcerated individual. Your career, and even your family, can be negatively impacted or destroyed.

Once in a relationship, professional judgment becomes clouded and the normal defenses that exist to protect you, will be compromised. You will face the loss of employment and may be prosecuted resulting in a felony conviction and imprisonment. If you see warning signs, talk with the staff member. Don’t let them “fall off the cliff” and then tell everyone “I could have told you that was going to happen.”

### **Risk factors that may lead to an inappropriate relationship with an incarcerated individual**

- Assignment to an isolated/remote post
- A personal crisis (financial, marital, etc.)
- Little or no social life—work is the main focus
- Anger, resentment, bitterness toward, or dispute with administration