

Sexual Abuse and Assault Prevention and Intervention

- I. Purpose and Scope: This Standard Operating Procedure (SOP) requires Farmville Detention Center (FDC) to act affirmatively to prevent sexual abuse and assaults on detainees, to provide prompt and effective intervention and treatment for victims of sexual abuse and assault, and to control, discipline, and prosecute the perpetrators of sexual abuse and assault.
- II. Expected Outcomes. The expected outcomes of this SOP are:
 - A. Farmville Detention Center will articulate and adhere to a standard of zero tolerance for incidents involving all forms of sexual abuse or assault that may occur in the facility. Sexual assault or abuse of detainees by other detainees, staff, volunteers, or contract personnel is prohibited and subject to administrative, disciplinary, and criminal sanctions.
 - B. Detainees and staff will be informed about the facility's Sexual Abuse and Assault Prevention and Intervention Program and the zero-tolerance policy along with how to report such incidents.
 - C. Staff will receive training on working with vulnerable populations and addressing their potential vulnerability in the general population and will assign housing accordingly.
 - D. Detainees will be screened, classified, and initially housed by staff within 12 hours of arrival at the facility. The purpose of this screening is to identify those likely to be sexual aggressors or sexual victims and detainees will be housed accordingly to prevent sexual abuse or assault. Detainees who are considered likely to become victims will be placed in the least restrictive housing that is available and appropriate.
 - E. Facility staff assigned to FDC shall not search or physically examine a detainee for the sole purposes of determining the detainee's genital characteristics.
 - F. FDC shall train security staff in proper procedures for conducting pat-down searches, including cross-gender pat-down searches and searches of transgender and intersex detainees. 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 FDC policy, including consideration of officer safety.
 - G. Because classification is an ongoing and dynamic process, a detainee who is subjected to sexual abuse or assault will not be returned to general population until proper re-classification has occurred. Security staff shall take into consideration any increased vulnerability of the detainee as a result of the sexual abuse or assault.

- H. Detainees identified as being “at risk” for sexual victimization will be transported in accordance with that special safety concern. The section on Count, Identification and Seating, found in the SOP on Transportation (by Land), requires that transportation staff seat each detainee in accordance with written procedures from the Director with attention to detainees who may need to be afforded closer observation for their own safety.
- I. All allegations of sexual abuse or assault will be immediately and effectively reported to ICE/ERO and any other required entities based on the nature of the allegation.
- J. If a FDC staff member has a reasonable belief that a detainee is subject to a substantial risk of imminent sexual abuse, he or she shall take immediate action to protect the detainee.
- K. Staff, contractors, volunteers, and detainees are responsible for being alert to signs of potential situations in which sexual assaults might occur, take appropriate action to mitigate any identified risks to protect a detainee, and for making reports and intervention referrals as appropriate.
- L. Staff receiving reports of sexual abuse will limit the disclosure of information to individuals with a need-to-know to make decisions concerning the detainee-victim’s welfare, and for law enforcement investigative purposes.
- M. Staff, contractors, and volunteers suspected of perpetrating sexual abuse or assault shall be removed from all duties requiring detainee contact pending the outcome of the investigation.
- N. Detainees will be encouraged to promptly report acts of harassment of a sexual nature, abuse or signs of abuse observed, and will not be punished for reporting.
- O. If sexual abuse or assault of any detainee occurs, the medical, psychological, safety, and legal needs of the victim will be promptly and effectively addressed.
- P. FDC will utilize available community resources in order to offer victim services and other appropriate support to the fullest extent possible following incidents of sexual abuse or assault.
- Q. As appropriate, detainees victimized by an act of sexual abuse, assault or any mistreatment while being detained at FDC will be referred, under appropriate security provisions, to the health care unit for treatment. Gathering of clinical forensic evidence will be conducted by external independent and qualified health care personnel.
- R. Assailants will be disciplined and subject to criminal prosecution and care will be taken not to punish a confirmed or alleged sexual assault victim.

Victimized detainees will not be subject to disciplinary action either for reporting sexual abuse or for participating in sexual activity because of force, coercion, threats, or fear of force.

- S. Staff, contractors, volunteers, and detainees are prohibited from retaliating against any person, including a detainee, who reports, complains about, or participates in an investigation into an allegation of sexual abuse, or participates in sexual activity as a result of force, coercion, threat, or fear of force.
- T. FDC has multiple protection measures, such as housing changes, removal of alleged staff or detainee abusers from contact with victims, and emotional support services for detainees or staff who fear retaliation for reporting sexual abuse or for cooperating with investigations.
- U. Documentation of medical and mental health evaluations and treatment, crisis intervention counseling and recommendations for post-release follow-up treatment and/or counseling will be retained in the detainee's medical file in accordance with an established schedule.
- V. When conducting an administrative investigation into an incident of sexual harassment, abuse, or assault, FDC shall impose no standard higher than a preponderance of evidence criteria when determining whether allegations of sexual abuse are substantiated.
- W. Detainees who have reported allegations of sexual abuse and are still detained at FDC shall be notified about the results of the investigation and any responsive action taken by the facility following the investigation.
- X. For monitoring, evaluating and assessing the effectiveness of the sexual abuse or assault prevention and intervention program, incidents of sexual abuse or assault will be specifically documented and tracked. ICE/ERO will be notified promptly of any report of sexual abuse or assault.
- Y. The DHS Office of the Inspector General (OIG) hotline poster and the Appendix B: Sexual Assault Awareness notice will be posted in every housing area with information that assists detainees in reporting abuses.
- Z. FDC's PSA Compliance Manager, Shift Commanders and Assistant Shift Commanders, and other supervisory staff designated by the Director will conduct frequent unannounced security inspections of the facility with specific emphasis on detainee housing units for the purpose of identifying and deterring sexual abuse of detainees. These inspections will occur during night as well as day shifts. Designated supervisory staff will maintain the confidentiality of these security inspections to prevent alerting others that these checks are occurring. Unannounced security inspections will be recorded in the facility blotter.

- AA. Facility policies and procedures will include a requirement that staff of the opposite gender announce their presence upon entering detainee living areas.
- BB. FDC's coordinated multidisciplinary protocol and institutional plan for responding to detainee sexual abuse or assault is clearly detailed in this policy describing the procedures that will be taken by staff first responders, Shift Commanders or Assistant Shift Commanders, Sozo medical staff and mental health practitioners, facility investigators, facility leadership, and outside organizations which the facility have Cooperative Agreements and Memorandums of Understanding with (aka: SART—Sexual Assault Response Team). Protocols the facility shall follow during a response to an allegation of sexual abuse can be found and are detailed in Appendix G of this policy.
- CC. FDC follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for internal administrative proceedings and criminal prosecutions by the Commonwealth Attorney's Office for Prince Edward County. These protocols are outlined and described in Section P through R of this policy, have been developed in coordination with DHS, and these protocols are posted on the facility's website for availability to the public, http://ica-farmville.com/?page_id=159.
- DD. FDC shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse.
- EE. If the alleged victim is considered a vulnerable adult under a State or local vulnerable persons statute, FDC shall report the allegation to the local Social Services office under applicable mandatory reporting laws.
- FF. FDC shall provide communication assistance to detainees with disabilities and detainees who are limited in their English proficiency (LEP). FDC will provide detainees with disabilities with effective communication, which may include the provision of auxiliary aids, such as readers, materials in Braille, audio recordings, telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices for deaf persons (TTYs), interpreters, and note-takers, as needed. FDC will also provide detainees who are LEP with language assistance, including bilingual staff or professional interpretation and translation services, to provide them with meaningful access to its programs and activities.
- GG. The applicable content and procedures in this standard will be communicated to the detainee in a language or manner the detainee can understand.
- HH. All written materials provided to detainees will generally be translated into Spanish. Where practicable, provisions for written translation will be made for other significant segments of the population with limited English proficiency.

- II. Oral interpretation or assistance will be provided to any detainee who speaks another language in which written material has not been translated or who is illiterate.

III. References:

- A. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, 4th Edition: 4-ALDF-4D-22-1, 4-ALDF-4D-22-2, 4-ALDF-4D-22-3, 4-ALDF-4D-22-4, 4-ALDF-4D-22-5, 4-ALDF-4D-22-6, 4-ALDF-4D-22-7, 4-ALDF-4D-22-8, 4-ALDF-2A-29.
- B. National Commission on Correctional Health Care, Standards for Health Services in Jails.
- C. ICE/ERO Detention Standard on the detainee Disciplinary System.
- D. ICE/ERO Detention Standard on Medical Care, particularly in regard to confidentiality of records, medical and mental health screening and referrals and access to emergency care and crisis intervention.
- E. ICE/ERO Detention Standard on Detention Files, particularly in regard to confidentiality of records and electronic records systems.
- F. ICE/ERO Detention Standard on Admission and Release.
- G. ICE/ERO Detention Standard on Custody Classification System.
- H. ICE/ERO Detention Standard on Facility Security and Control.
- I. ICE/ERO Detention Standard Hold Rooms
- J. ICE/ERO Detention Standard Searches of Detainees.
- K. ICE/ERO Detention Standard Special Management Units.
- L. ICE/ERO Detention Standard Personal Hygiene.
- M. ICE/ERO Detention Standard Grievance System.
- N. ICE/ERO Detention Standard on Sexual Abuse and Assault Prevention and Intervention.
- O. Department of Homeland Security PREA Standards: Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities, 79 Fed. Reg. 13100 (March 7, 2014).

IV. Policy

Farmville Detention Center has zero tolerance for incidents of detainee-on-detainee sexual assault or battery and staff sexual misconduct or harassment towards

detainees. Reports of victimization can be made confidentially. All complaints of attempted sexual assault or battery, sexual assault or battery, and staff sexual misconduct or harassment shall be reported promptly and thoroughly investigated by the appropriate authorities. Information regarding a sexual assault or battery or sexual misconduct or harassment will be only disclosed to those who need to know for the purpose of investigation, decision making, and/or prosecution. Department of Homeland Security PREA standards prohibit any form of retaliation against an individual that makes a report of sexual abuse, and any report of sexual abuse or assault shall not negatively impact a detainee's immigration proceedings.

A. Definitions Related to Sexual Abuse and Assault

For the purposes of this SOP, the following definitions apply:

1. Sexual Abuse of a Detainee by another Detainee includes any of the following acts by one or more detainees 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:
 - a) Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
 - b) Contact between the mouth and the penis, vulva, or anus;
 - c) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object;
 - d) 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; or
 - e) Threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to engage in a sexual act.

Specifically, detainees may be charged with prohibited acts detailed in the Disciplinary System SOP:

- a) Code 101 Sexual Assault;
- b) Code 206 Engaging in Sexual Acts;
- c) Code 207 Making Sexual Proposals or Threats;
- d) Code 300 Indecent Exposure; or
- e) Code 404 Using Abusive or Obscene Language.

2. Sexual Abuse of a Detainee 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 detainee, engages in or attempts to engage in:
 - a) Contact between the penis and the vulva or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
 - b) Contact between the mouth and the penis, vulva, or anus;
 - c) 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;
 - d) 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;
 - e) Threats, intimidation, harassment, indecent, profane or abusive language, or other actions or communications, aimed at coercing or pressuring a detainee to engage in a sexual act;
 - f) Repeated verbal statements or comments of a sexual nature to a detainee, including demeaning references to gender, derogatory comments about body or clothing, or profane or obscene language or gestures.
 - g) Any display of his or her uncovered genitalia, buttocks, or breast in the presence of a detainee, or
 - h) Voyeurism, which is defined as the inappropriate visual surveillance of a detainee for reasons unrelated to official duties. Where not conducted for reasons relating to official duties, the following are examples of voyeurism: staring at a detainee who is using a toilet in his or her cell to perform bodily functions; requiring a detainee to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a detainee's naked body or of a detainee performing bodily functions.
3. In addition to the forms of sexual abuse and assault defined above, all sexual conduct, including consensual sexual conduct, between

detainees is prohibited and subject to administrative and disciplinary sanctions. Staff should be sensitive to the possibility that seemingly consensual behavior may have involved coercion by either person involved. Consensual sexual conduct between detainees and staff, volunteers, or contract personnel is included within the definition of staff-on-detainee sexual abuse and assault.

B. Victim Identification

1. Primarily, staff learns that sexual abuse or assault has occurred during detention because:
 - a) Staff discovers an assault in progress;
 - b) A victim reports an assault to a staff member;
 - c) Another detainee reports abuse or an assault, or a detainee is the subject of detainee rumors; or
 - d) Medical evidence indicates the probability of abuse or an assault.
2. While some victims can be clearly identified, many, or even most, may not come forward directly with information. Some victims may be identified through unexplained injuries, changes in physical behavior due to injuries, abrupt personality changes such as withdrawal or suicidal behavior, or other changes in behavior. In accordance with DHS PREA standard 115.35, medical and mental health care staff will receive specialized training, subject to the review and approval of the Field Office Director or other designated ICE Official, on the following components of FDC's Sexual Abuse and Assault Prevention and Intervention program:
 - a) Procedures for examining victims of sexual abuse.
 - b) Procedures for treating victims of sexual abuse.
 - c) How to detect, assess, and respond to signs of sexual abuse and sexual harassment effectively and professionally.
 - d) How and to whom to report allegations or suspicions of sexual abuse.
 - e) How to preserve physical evidence of sexual abuse.

C. Staff Shall Follow the Established Guidelines to Report and Respond Appropriately to a Suspected Victim:

1. FDC requires all staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse that occurred at the facility including;
 - a) Retaliation against detainees or staff who reported or participated in an investigation about such an incident;
 - b) Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation; and
 - c) Staff are required to immediately report any of the above specified conditions to their designated supervisor immediately whether the information came verbally, in writing, anonymously, or by third party. FDC has procedures in place where staff can receive third-party reports of sexual abuse at the facility. Likewise, information on reporting sexual abuse on behalf of a detainee is made available to the public and this information can be accessed on the facility's website at http://ica-farmville.com/?page_id=159.
 - d) FDC also authorizes and permits staff to make a report concerning a violation of the facility's Sexual Abuse and Assault Prevention and Intervention policy outside the chain of command if the staff member has a reasonable fear of retaliation or retribution for making the report. The last page of this policy contains contact information on the anonymous reporting hotline operated independently by Lighthouse Services, Inc.
2. Apart from such reporting, staff shall not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to help protect the safety of the victim or prevent further victimization of other detainees or staff in the facility, or to make medical treatment, investigation, law enforcement, or other security and management decisions.
3. If the alleged victim is considered a vulnerable adult under a State or local vulnerable persons statute, FDC shall report the allegation to the local Social Services office under applicable mandatory reporting laws. In the Commonwealth of Virginia mandatory reporting is required for adults 60 years of age or older and incapacitated adults aged 18 or older. FDC shall report any suspected sexual abuse, neglect, or exploitation of elders or incapacitated adults and shall document that these notifications were made. When making a report to Social Services, the following information shall be provided:
 - a) Name of the detainee,

- b) Age of detainee,
 - c) Address or location of the person suspected of being abused, and
 - d) As much information about the abusive situation as possible.
4. Upon learning of an allegation that a detainee was sexually abused, the first security staff member to respond to the report, or his or her Shift Commander or designated Supervisor, is required to:
- a) Separate the alleged victim and abuser;
 - b) Preserve and protect, to the greatest extent possible, any crime scene until appropriate steps can be taken to collect any evidence;
 - c) If the abuse occurred within a time period that still allows for the collection of physical evidence, 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
 - d) If the sexual abuse occurred within a time period that still allows for the collection of physical evidence, ensure that 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.
5. If the first staff responder is not a security staff member such as a contractor or volunteer, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and then notify security staff.
6. If a victim of sexual abuse is transferred between facilities covered by subpart A or B of this part of the DHS PREA standards, the sending facility, FDC, shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services.
7. If a victim is transferred from a DHS immigration detention facility to a facility not covered by paragraph (c) of this section of the DHS PREA standards, the sending facility, FDC, shall, as permitted by law, inform the receiving facility of the incident and the victim's potential need for medical or social services, unless the victim requests otherwise. If the receiving facility is unknown to FDC, the Director of Detention shall

notify the Field Office Director, so that he or she can notify the receiving facility.

8. In the event an alleged victim of sexual abuse or assault occurred elsewhere and is subsequently transferred to the Farmville Detention Center, FDC shall cooperate with any administrative or criminal investigative efforts arising from the incident.
9. FDC has established procedure which includes provisions for any staff member to accept reports of sexual abuse or assault from detainees or any individual or entity whether verbally, in writing, anonymously, and from third parties and to promptly document such reports. Examples of reporting under the above circumstance with specific emphasis on third party reporting include the following:
 - a) Incoming telephone calls made to the facility, which are recorded;
 - b) Detainee visitors, attorneys, legal representatives, counselor officials, or CAIR who make a report during their visit;
 - c) Incoming mail addressed to the facility. FDC's website provides the public with this contact information and additionally educates the public with information on how to report sexual abuse on behalf of a detainee, including the facility's protocols pertaining to responding to allegations of sexual abuse, http://ica-farmville.com/?page_id=159; and
 - d) Reporting from YWCA Sexual Assault Response Program

D. Detainee Reporting

1. FDC has policies and procedures that ensure detainees have multiple ways to privately report sexual abuse, retaliation for reporting sexual abuse, or staff neglect or violations of responsibilities that may have contributed to such incidents. These procedures also provide instructions on how detainees may contact their consular official, the DHS Office of the Inspector General, the Joint Intake Center, and other designated entities outlined in the 2011 ICE PBNDS and DHS PREA Standards, to confidentially and, if desired, anonymously, report these incidents.
2. Under FDC's Sexual Abuse and Assault Prevention and Intervention Program detainees who are victims of sexual abuse or assault also possess the option to report an incident or situation to the program coordinator, the mental health counselor, or any staff member, either verbally or in writing. The name and contact information for the Sexual Abuse and Assault Prevention and Intervention Program

Coordinator is posted in all housing areas and Processing. Additionally, the detainee handbook, SAAPI awareness notice posted in all housing units, the new arrival orientation videos, and the back of detainee's badges educates and provides multiple pathways to report incidents of sexual harassment, abuse, and assault.

3. FDC also provides detainees of a way to report sexual abuse to a public or private entity that is not part of or affiliated with the facility, and that is able to receive and immediately forward detainee reports of sexual abuse to facility officials, allowing the detainee to remain anonymous upon request. The YWCA Sexual Assault Response Program is the designated private entity the facility has a cooperative agreement with to fulfill the obligations of this component of the DHS PREA Standards.

E. Reporting Through the Detainee Grievance System

1. FDC permits a detainee to file a formal grievance related to sexual abuse at any time during, after, or in lieu of lodging an informal grievance or complaint.
2. Likewise, FDC shall not impose a time limit on when a detainee may submit a grievance regarding an allegation of sexual abuse.
3. Under the facility's Grievance Policy, FDC has developed written procedures for identifying and handling time-sensitive grievances that involve an immediate threat to detainee health, safety, or welfare related to sexual abuse. The detainee handbook educates detainees and explains these procedures.
4. FDC staff shall bring medical emergencies to the immediate attention of proper medical personnel for further assessment.
5. In accordance with the facility's Grievance Policy, FDC shall issue a decision on the grievance within five days of receipt and shall respond to an appeal of the grievance decision within 30 days.
6. Additionally, FDC shall send all grievances related to sexual abuse and the facility's decisions with respect to such grievances to the ICE Field Office Director at the end of the grievance process.
7. To prepare a grievance, a detainee may obtain assistance from another detainee, 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.

F. Detainee Access to Outside Confidential Support Services

1. FDC has a Cooperative Agreement (See Appendix C) with the YWCA Sexual Assault Response Program which provides expertise and support services for immigrant victims of crime including 24-hour crisis intervention, victim advocacy, group and individual counseling, legal assistance, and many other victim support services. In accordance with the 2011 ICE PBNDS, FDC shall also attempt to make these victim services available for any detainee identified as having experienced sexual victimization prior to entering DHS custody or if a detainee experienced sexual victimization elsewhere in ICE custody.
2. The emotional support services provided by the YWCA Sexual Assault Response Program are confidential and shall not be used to the detriment of any detainee seeking or requesting such access to this organization.
3. Following an incident of sexual abuse or assault, a detainee victim shall be provided a YWCA Sexual Assault Response Program brochure or if the detainee is not English or Spanish proficient will be notified using language line concerning information about the services offered by this organization.
4. Upon a detainee's consent, the YWCA Sexual Assault Response Program shall be contacted to assist with the facility's sexual abuse prevention and intervention protocols to include the presence of the victim advocate for support during any forensic exam or investigatory interview with the agreement of the detainee victim.
5. FDC has made available to detainees information concerning the YWCA Sexual Assault Response Program in the detainee handbook and this information is also posted in all detainee housing units and is on the back of each detainee's identification badge. Information about the YWCA Sexual Assault Response Program also includes this organization's mailing address, telephone number, and toll-free speed dial hotline number.
6. FDC allows for reasonable communication between detainees and the YWCA Sexual Assault Response Program in a private manner and has safeguarded this process by informing detainees that all calls to the YWCA Sexual Assault Response Program are anonymous, are not recorded by the facility, and are confidential to the extent to which reports of sexual abuse must be forwarded to authorities under mandatory reporting laws.
7. FDC has an agreement with the Farmville Police Department who has the responsibility for conducting all criminal investigations pertaining to sexual abuse and assault of detainees.

8. The Commonwealth Attorney's Office for Prince Edward County has the responsibility for the prosecution of sexual abuse perpetrators.
9. If the circumstances dictate, detainee victims of sexual abuse or assault will be transported to Centra Lynchburg General Hospital for a forensic medical examination conducted by a Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner. The HSA and PSA Compliance Manager have confirmed that this hospital has medical staff certified and trained to perform these specific types of exams.

G. Program Coordinator

The Prevention of Sexual Assault Compliance Manager (PSA Compliance Manager) is designated as the Sexual Abuse and Assault Prevention and Intervention Program Coordinator with the following duties:

1. Assist with the development and updating of written policies and procedures for the Sexual Abuse and Assault Prevention and Intervention Program, as specified above in this SOP. FDC's written policy and policies are required to be reviewed and approved by ICE Field Office Director.
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 incidents of sexual abuse or assault, as detailed in Section S: Data Collection and Tracking Incidents of Sexual Abuse and Assault Tracking in this SOP. Furthermore, the PSA Compliance Manager shall ensure that FDC cooperates with all ICE audits and monitoring of facility compliance with sexual abuse and assault policies and standards.
5. Review the results of every investigation of sexual abuse or assault along with incident reviews and conduct an annual review of all investigations of sexual abuse or assault at the facility in compliance with the Privacy Act to assess and improve intervention, prevention, and response efforts. The annual review will be documented in a report and submitted to the Director for presentation to the Field Office Director and ICE/ERO Headquarters. If FDC does not have any reports of sexual abuse during the annual reporting period, then a negative report shall still be submitted.
6. Conduct a sexual abuse incident review at the conclusion of every investigation of sexual abuse and, where the allegation was not determined to be unfounded, prepare a written report within 30 days of the conclusion of the investigation recommending whether the allegation or investigation indicates that a change in policy or practice

could better prevent, detect, or respond to sexual abuse. Staff assigned to the sexual abuse incident review committee shall implement recommendations for improvement or shall document its reasons for not doing so in a written response. Both the report and response shall be forwarded to the Field Office Director, for transmission to the ICE PSA Coordinator. Additionally, the review committee shall consider:

- a) 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 facility.
 - b) Whether any staff neglect, or violation of responsibilities and policy may have contributed to an incident or retaliation.
7. Monitor to ensure that any staff, contractor, or volunteer does not retaliate against any person, including a detainee, who reports, complains about, or participates in an investigation into an allegation of sexual abuse, or for participating in sexual activity as a result of force, coercion, threats, or fear of force.
- a) For at least 90 days following a report of sexual abuse, FDC shall monitor to see if there are facts that may suggest possible retaliation by detainees or staff and shall act promptly to remedy any such retaliation. This procedure for monitoring applies to criminal investigations conducted by the Farmville Police Department and facility conducted administrative investigations. Items the facility should monitor include any detainee disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The facility shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
 - b) The PSA Compliance Manager, Facility Chaplains, and Mental Health staff are the primary individuals assigned to conduct monitoring for retaliation and shall document compliance with this provision of the DHS PREA Standards. When monitoring for retaliation, FDC shall employ multiple protection measures, such as housing changes, removal of alleged staff or detainee abusers from contact with victims, and emotional support services for detainees or staff who fear retaliation for reporting sexual abuse or for cooperating with investigation. Emotional support services for detainees and staff are contingent on individuals consenting to such services. Additional monitoring also includes periodic interviews with detainees or staff,

reviewing detainee disciplinary reports, program changes, or negative performance reviews or reassignment of staff.

8. Review facility practices to ensure required levels of confidentiality are maintained.
9. Ensure FDC is in operational compliance with all components found in the DHS PREA standards.
10. The Director of Detention has designated and authorized the PSA Compliance Manager sufficient time and authority to oversee FDC's efforts to comply with facility sexual abuse prevention and intervention policies and procedures.

H. Staff Training

Training on FDC's Sexual Abuse and Assault Prevention and Intervention Program will be included in basic training for all employees, volunteers, and contract personnel and will also be included in annual refresher training. When educating volunteers and other contractors who have contact with detainees, FDC shall ensure these individuals have been 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 detainees; however, all volunteers and contractors who have any contact with detainees must be notified of the facility's zero-tolerance policy and informed how to report such incidents. 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 facility. The Training Manager will maintain written documentation verifying employee, volunteer, and contractor training.

Training will include:

1. Definitions and examples of prohibited and illegal sexual behavior;
2. Knowledge and awareness that the Farmville Detention Center has a strict zero-tolerance policy for all forms of sexual abuse;
3. The right of detainees and staff to be free from sexual abuse, and the prohibition from retaliation for reporting sexual abuse;
4. Instruction that sexual abuse and assault is never an acceptable consequence of detention;
5. Recognition of situations where sexual abuse and assault may occur;

6. Recognition of the physical, behavioral and emotional signs of sexual abuse and assault and methods of preventing and responding to such occurrences;
7. How to avoid inappropriate relationships with detainees;
8. The requirement to limit reporting of sexual abuse and assault to personnel with a need-to-know in order to make decisions concerning the detainee victim's welfare, and for law enforcement investigative purposes;
9. The investigation process and how to ensure that evidence is not destroyed;
10. Prevention, recognition, and appropriate response to allegations or suspicions of sexual assault involving detainees with mental or physical disabilities;
11. Instruction on reporting knowledge or suspicion of sexual abuse and assault and making intervention referrals to the facility's Sexual Abuse and Assault Prevention and Intervention program;
12. Instruction on documentation and referral procedures of all allegations or suspicion of sexual abuse and assault;
13. How to communicate effectively and interact professionally with detainees with specific emphasis on detainees identified as lesbian, gay, bisexual, transgender, intersex, or gender nonconforming (LGBTI);
14. The requirement that facility staff assigned to the FDC shall not search or physically examine a detainee for the sole purposes of determining the detainee's genital characteristics;
15. Recognition that pat-down searches shall be conducted in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and FDC policy, including consideration of officer safety. Furthermore, security staff shall receive training in the proper procedure for conducting pat-down searches of detainees including transgender and intersex detainees; and
16. The requirement to provide medical and crisis intervention services to every detainee after a sexual abuse allegation is made.

I. Cross-Gender Viewing and Searches

1. ICE standards and FDC policy permit searches of detainees as a necessary means to ensure the safety of officers, civilians, and

detainees; to detect and secure evidence of criminal activity; and to promote security, safety, and related interests at the facility. Security staff shall receive training in the proper procedure for conducting pat-down searches of detainees including transgender and intersex detainees.

2. Cross-gender pat searches are strictly prohibited, and Detention Officers are only authorized to conduct pat searches of detainees that are of the same gender as the staff member. Although FDC policy strictly prohibits cross-gender pat searches, the facility shall adhere to the requirements of the DHS PREA standards and shall document a cross-gender pat search if an exigent circumstance arises.
3. In the event the facility houses a transgender detainee the decision on the sex of the security staff member who conducts a pat search will be decided on a case-by-case basis upon concurrence by the Director, HSA, and Mental Health.
4. Cross-gender strip searches are strictly prohibited, and visual body cavity searches shall not be conducted except when performed by medical practitioners.
5. All strip searches and visual body cavity searches shall be documented.
 - a) The Shift Commander may authorize a Strip search **only** upon approval from the Director and when reasonable suspicion exists that contraband may be concealed on a detainee or when there is reasonable suspicion that a good opportunity for concealment has occurred.
 - b) In the event that the Director has authorized a Strip search **at least two** Detention Officers of the same sex as the detainee must be present to conduct the search and all Strip searches will be recorded on ICA Form 1025: Record of Search for placement in the detainee's Detention File.
6. FDC has implemented policies and procedures that enable detainees 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.
7. Additionally, FDC policy requires staff of the opposite gender to announce their presence when entering an area where detainees are likely to be showering, performing bodily functions, or changing clothing. These procedures are clearly outlined in section 3 of all

security post assignments under the Detention Officer Post Orders and are further detailed in Appendix E of this policy.

8. Facility staff assigned to the FDC shall not search or physically examine a detainee for the sole purposes of determining the detainee's genital characteristics. If the detainee's gender is unknown, it will be determined during conversations with the detainee, by reviewing medical records, or, if necessary, learning that information as part of a standard medical examination that all detainees must undergo as part of intake or other processing procedure conducted in private, by a medical practitioner. All facility staff shall receive training on the above stipulations and requirements of this subpart of DHS PREA standard 115.15.
9. 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 FDC policy, including consideration of officer safety.

J. Detainee Notification, Orientation, Instruction, and Education

The Director will ensure that the orientation program, required by the detention standard on Admission and Release and the handbook required by the detention standard on detainee handbook, notifies and informs detainees about the FDC's zero tolerance policy for all forms of sexual abuse and assault and how to report such incidents.

Following the intake process, the facility will provide instruction to detainees on the facility's Sexual Abuse and Assault Prevention and Intervention Program and ensure that such instruction includes:

1. The facility's zero tolerance policy for all forms of sexual abuse or assault;
2. Prevention and intervention strategies;
3. Definitions and examples of detainee-on-detainee sexual abuse, staff-on-detainee sexual abuse and coercive sexual activity;
4. Explanation of methods for reporting sexual abuse or assault to any staff member or outside entities, including a staff member other than an immediate point of contact Detention Officer such as the PSA Compliance Manager, Mental Health Specialist, Medical staff, Investigators, on site ICE Officials, Chaplains, the DHS Office of Inspector General, ICE Joint Intake Center, ICE Detention Reporting and Information Line, and the ICE/OPR for investigation purposes and processes;

5. Information about self-protection and indicators of sexual abuse;
6. Prohibition against retaliation, including an explanation that reporting an assault shall not negatively impact the detainee's immigration proceedings; and
7. Right of a detainee who has been subjected to sexual abuse or assault to receive treatment and counseling.

The ICE/ERO provided sexual assault awareness notice will be posted in every housing unit, and the ICE "Sexual Assault Awareness Information" pamphlet will be distributed during initial intake. The Sexual Assault Awareness notice, Appendix B in this policy, will also be posted in every housing unit along with the name of the Prevention of Sexual Assault Compliance Manager (PSA Compliance Manager) and contact information for the YWCA Sexual Assault Response Program which provides numerous victim support services for detainees who have been victims of sexual assault. Information about reporting sexual abuse is also included in the FDC detainee handbook and as well as on the back of all detainee identification badges.

Detainee notification, orientation and instruction will be in a language or manner that the detainee understands. The facility will maintain documentation of detainee participation in the instruction session. This information will be provided in English and Spanish and to other segments of the detainee population with limited English proficiency, through translations or oral interpretation including education to detainees who are deaf, visually impaired, or otherwise disabled, and detainees possessing limited reading skills.

K. Accommodating Detainees with Disabilities and Who are Limited English Proficient

1. Where practicable, provisions for written translation will be made for other significant segments of the population with limited English proficiency. Oral interpretation or assistance will be provided to any detainee who speaks another language in which written material has not been translated or who is illiterate. The following provisions of DHS PREA standard 115.16 shall be implemented to accommodate detainees with disabilities and detainees who are limited English proficient.
 - a) FDC shall ensure that detainees with disabilities (including, for example, detainees 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. These

steps and measures include effective communication with detainees who are deaf or hard of hearing, providing access to in-person, telephonic language line communication services, or video interpretive services that enable effective, accurate, and impartial interpretation, both receptively and expressively, using any necessary specialized vocabulary.

- b) Additionally, FDC shall ensure that any written materials related to sexual abuse are provided in formats or through methods that ensure effective communication with detainees with disabilities, including detainees who have intellectual disabilities, limited reading skills, or who are blind or have low vision. FDC shall also abide by the conditions and regulations promulgated under title II of the Americans with Disabilities Act, 28 CFR 35.164.
- c) Likewise, FDC shall take steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse to detainees who are limited English proficient, including steps to provide in-person or telephonic language line interpretive services that enable effective, accurate, and impartial interpretation, both receptively and expressively, using any necessary specialized vocabulary.
- d) In matters relating to allegations of sexual abuse, FDC shall provide in-person or telephonic language line interpretation services that enable effective, accurate, and impartial interpretation, by someone other than another detainee, unless the detainee expresses a preference for another detainee to provide interpretation, and the Director of Detention determines that such interpretation is appropriate and consistent with DHS policy and the 2011 ICE PBNDS.
- e) In matters relating to allegations of sexual abuse, FDC policy prohibits minors, alleged abusers, detainees who witnessed the alleged abuse, or detainees who have a significant relationship with the alleged abuser from providing interpreter services.

L. Initial Detainee Assessment for Risk of Victimization and Abusiveness

- 1. In accordance with the SOP's on Admission and Release and Custody Classification System: each new arrival will be kept separate from the general population until he or she is classified and may be housed accordingly. Detainees who have been identified as being at risk for sexual victimization shall be immediately referred to a qualified

Mental Health professional for further assessment, treatment and/or counseling.

2. Detainees who are considered at risk will be placed in the least restrictive housing that is available and appropriate in order to mitigate any dangers identified during the risk assessment to prevent sexual abuse. If appropriate custodial options are not available at FDC, the Director will consult with the Field Office Director to determine what assistance ICE can provide.
3. As a part of the intake process, an initial assessment will be conducted to determine if the detainee is a victim or potential victim of sexual assault or battery or at risk of committing sexual assault or battery. The assessment shall include the following:
 - a) Completion of an initial Medical/Mental Health Screening by intake personnel. If the detainee provides a “yes” response to any question on the form, the detainee shall be immediately referred to a qualified Mental Health professional for further assessment, treatment and/or counseling.
 - b) A review of any available information indicating the potential for vulnerabilities or tendencies of acting out in a sexually aggressive manner.
4. During the classification process and intake interviews, the following criteria shall also be utilized to identify and assess for risk of victimization and abusiveness:
 - a) Completion of ICA Form 74: PREA Assessment Tool for Risk of Victimization and Abusiveness, which contains all required screening informational questions and data collection criteria found in DHS PREA Standard 115.41 (See Appendix F).
 - b) The initial 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 facility, in assessing detainees for risk of being sexually abusive.
 - c) Detainees shall not be disciplined for refusing to answer, or for not disclosing complete information in response to questions A), G), H), and I) asked on ICA Form 74.
 - d) Responses to questions and material collected on ICA Form 74 are considered sensitive information and therefore staff have an obligation to keep this data confidential. Staff shall only disseminate information captured on ICA Form 74 on a need-to-know basis to prevent the exploitation of material to a

detainee's detriment by staff or other detainees.

- e) Security staff will immediately forward ICA Form 74 to Medical for any detainee in category of Known Victim Designation or Known Sexual Aggressor category to follow DHS PREA Standard 115.81. Immediate referral allows for qualified medical and mental health practitioners to conduct as appropriate medical and/or mental health services.
 - f) When a medical referral is initiated, the detainee shall receive a health evaluation no later than two working days from the date of the assessment. Likewise, when a referral for mental health follow-up is initiated, the detainee shall receive a mental health evaluation no later than 72 hours after the referral.
5. FDC shall reassess each detainee's risk of victimization or abusiveness between 60 to 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.

M. Use of Assessment Information

- 1. FDC shall use the information from ICA Form 74 for the purpose of determining and making an informed assignment of detainees to housing, recreation and other activities, and voluntary work. Individualized determinations shall be made on a case-by-case basis to ensure the safety of each detainee.
- 2. When making assessment and housing decisions for a transgender or intersex detainee, FDC shall consider the following criteria protocols:
 - a) Detainee's gender self-identification and an assessment of the effects of placement on the detainee's health and safety. An interview shall be conducted on any transgender or intersex detainee to take into consideration detainee's health and safety needs.
 - b) Consultation with medical and mental health as soon as practicable on this assessment.
 - c) Assemble a multi-disciplinary committee consisting of key facility leadership, medical and mental health staff, and ICE personnel to convene and document FDC's decision on housing and other mitigating factors to best meet the safety and security needs of the detainee.
 - d) FDC shall not base placement decisions of transgender or

intersex detainees solely on the identity documents or physical anatomy of the detainee; a detainee's self-identification of gender and self-assessment of safety needs shall always be taken into consideration as well.

- e) The placement of a transgender or intersex detainee shall be consistent with the safety and security considerations of the facility, and placement and programming assignments for each transgender or intersex detainee shall be reassessed in accordance with FDC's Transgender Care policy.
 - f) FDC has procedures in place which allow for transgender and intersex detainees the opportunity to shower separately from other detainees.
3. For a more thorough and comprehensive explanation of facility protocols regarding detainees that identify as transgender, please reference FDC's policy on Transgender Care.

N. Protective Custody for Detainees Vulnerable to Sexual Abuse or Assault

- 1. FDC has policies and procedures in accordance with the 2011 ICE PBNDS that govern the management of the facility's administrative segregation unit. These procedures have been developed in consultation with ICE/ERO Field Office Director and document detailed reasons for placement of an individual in administrative segregation on the basis of a vulnerability to sexual abuse or assault.
- 2. Use of administrative segregation by FDC to protect detainees vulnerable to sexual abuse or assault shall be restricted to those instances where reasonable efforts have been made to provide appropriate housing and shall be made for the least amount of time practicable, and when no other viable housing options exist, as a last resort.
- 3. FDC shall only assign detainees vulnerable to sexual abuse or assault to administrative segregation for their protection until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.
- 4. In the event FDC places vulnerable detainees in administrative segregation for Protective Custody, the facility shall provide these detainees access to programs, visitation, counsel, and other services available to the general population to the maximum extent practicable.

5. FDC has written policies and procedures which mandate for the regular review of all vulnerable detainees placed in administrative segregation for their protection, as follows:
 - a) The Chief of Security shall conduct a review within 72 hours of the detainee's placement in administrative segregation to determine whether segregation is still warranted;
 - b) The Chief of Security shall conduct, at a minimum, an identical review after the detainee has spent seven days in administrative segregation, and every week thereafter for the first 30 days, and every 10 days thereafter; and
 - c) The Director of Detention, Deputy Director of Operations, or the Chief of Security shall notify the ICE Field Office Director no later than 72 hours after the initial placement into segregation, whenever a detainee has been placed in administrative segregation on the basis of a vulnerability to sexual abuse or assault.
- O. Post-Allegation Protective Custody
 1. FDC shall take care to place detainee victims of sexual abuse in a supportive environment that represents the least restrictive housing option possible (e.g., protective custody).
 2. Detainee victims shall not be held for longer than five days in any type of administrative segregation, except in highly unusual circumstances or at the request of the detainee.
 3. A detainee 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 detainee as a result of the sexual abuse.
 4. FDC shall notify the appropriate ICE Field Office Director whenever a detainee victim has been held in administrative segregation for 72 hours.
- P. Policies to Ensure Investigation of Allegations and Appropriate FDC Oversight for Criminal and Administrative Investigations
 1. In accordance with the reporting requirements under DHS PREA Standard 115.22 paragraphs 5 and 6, the Director of Detention shall promptly notify the ICE Field Office Director or Assistant Field Office Director of a sexual abuse or assault incident involving either a

detainee or staff, contractor, or volunteer perpetrator with an alleged detainee victim.

- a) During this notification, the Director of Detention will also remind the individual contacted that provisions in the standards require that the incident of sexual abuse or assault needs to be promptly reported to the Joint Intake Center, the ICE Office of Professional Responsibility or the DHS Office of Inspector General.
- b) This communication will also include notification that the incident was referred to the Farmville Police Department because circumstances and facts reveal the case involved criminal actions or potentially criminal actions.
- c) Notification will also be made to the Town of Farmville for any sexual abuse or assault case involving an alleged staff member, contractor, or volunteer as the perpetrator.

- 2. FDC protocol requires that each allegation of sexual abuse or assault be investigated through the initiation of an internal administrative investigation. Facility policy requires that the security staff member who conducts the investigation be qualified and has received specialized investigative training on sexual abuse and effective cross-agency coordination as stipulated under the conditions of DHS PREA Standard 115.34. At a minimum, this specialized investigative training shall cover:

- a) Interviewing sexual abuse and assault victims;
- b) Sexual abuse and assault evidence collection in confinement settings;
- c) The criteria and evidence required for administrative action or prosecutorial referral and;
- d) Information about effective cross-agency coordination in the investigation process.

FDC will maintain written documentation verifying specialized training provided to investigators.

- 3. All internal administrative investigations into alleged sexual abuse shall be prompt, thorough, objective, and conducted by specially trained, qualified investigators. Furthermore, internal administrative investigations procedures shall consider the following stipulations if present or applicable:

- a) Preservation of direct and circumstantial evidence, including

- any available physical and DNA evidence and any available electronic monitoring data;
 - b) Interviewing alleged victims, suspected perpetrators, and witnesses;
 - c) Reviewing prior complaints and reports of sexual abuse involving the suspected perpetrator;
 - d) An assessment of the credibility of an alleged victim, suspect, or witness, without regard to the individual's status as detainee, staff, or employee, and without requiring any detainee who alleges sexual abuse to submit to a polygraph;
 - e) A concerted effort to determine whether actions or failures to act at the facility contributed to the abuse;
 - f) Documentation of each investigation by written report, which shall include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings; and
 - g) FDC shall stipulate the retention of such reports for as long as the alleged abuser is detained or employed by the agency or facility, plus five years.
- 4. If the allegation is criminal or potentially criminal in nature, FDC shall promptly refer the incident to the Farmville Police Department.
 - 5. FDC shall suspend the internal administrative investigation until the conclusion of the Farmville Police Department's criminal investigation as to not compromise or interfere with their investigation. At all stages of the investigation process, FDC will maintain coordination and communication with the ICE Office of Professional Responsibility and the Farmville Police Department.
 - 6. Regardless of whether the Farmville Police Department's criminal investigation into an allegation of sexual abuse or assault is substantiated, unsubstantiated, or unfounded FDC shall conduct an internal administrative investigation and request copies of all relevant investigative reports and documents from this law enforcement agency.
 - a) All documentation collected and obtained from the criminal investigation by the Farmville Police Department and internal administrative investigation by FDC shall be maintained for at least five years, which includes all reports and referrals on allegations of sexual abuse.

- b) FDC shall retain all reports and documentation on the alleged abuser while he or she is detained at FDC or employed by FDC, plus five years.
- 7. FDC administrative investigations shall be conducted after consultation with ICE and for any incident referred to the Farmville Police Department. The Farmville Police Department will also be notified that the facility intends to conduct an internal administrative investigation.
- 8. FDC policy and protocol dictates the following responsibilities the facility shall adhere to when the Farmville Police Department is contacted for an allegation of sexual abuse or assault of a detainee:
 - a) Cooperate and provide a detailed comprehensive timeline and briefing on all available information relating to the incident of sexual abuse or assault at all stages of investigation when requested or when information becomes available and does not compromise or interfere with the Farmville Police Department's criminal investigation.
 - b) The alleged victim and abuser have been separated from each other.
 - c) The alleged victim has been under the constant supervision and monitoring by a staff member or medical staff person who has not been suspected of facilitating the sexual abuse or was negligent in their responsibilities in reporting the incident or may have contributed to the incident, including allowing for retaliation to take place.
 - d) Description of crime scene(s), if existent or if a possible crime scene exists for the collection of any evidence, and steps taken by staff to preserve direct and circumstantial evidence, including any available physical and DNA evidence available at the time of the incident. Upon consultation and agreement with the Farmville Police Department, FDC security staff's sole responsibility is to preserve any known or possible crime scene from being tampered with which would allow for this law enforcement agency to follow the guidelines set forth in their uniform evidence protocols for evidence collection. This includes information whether:
 - (1) The abuse occurred within a time period that still allows for the collection of physical evidence, request the alleged victim did 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

- (2) If the sexual abuse occurred within a time period that still allows for the collection of physical evidence, staff shall ensure the alleged abuser did not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
- e) Access to electronic video monitoring data and facility monitoring capabilities to review of archived camera footage. FDC will also cooperate and allow the usage of any facility issued equipment or property deemed necessary for the Farmville Police Department's criminal investigation.
 - f) Access to a private consultation room to conduct interviews with victim or victims; witness or witnesses; and known perpetrator or perpetrators be it a staff member, contractor, volunteer, or detainee.
 - g) Access to all areas of the facility to conduct the criminal investigation.
 - h) Copies of all Sozo medical assessments and mental health evaluations.
 - i) If the alleged detainee victim consents and when evidentiary or medically appropriate, at no cost to the detainee, FDC shall facilitate the arrangement for the alleged victim detainee to undergo a forensic medical examination by a qualified health care personnel, including a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) at Centra Lynchburg General Hospital. The results of any forensic medical examination and collected physical evidence shall be provided to the Farmville Police Department.
 - j) The right of the alleged detainee victim, under the DHS PREA Standard, when requested or upon consent, to have an outside victim advocate, including any available victim advocacy services offered by a hospital conducting a forensic exam, present for support during a forensic exam and investigatory interviews.
 - k) Any other pertinent information or documents requested by the Farmville Police Department, to include:

- (1) Availability to review all prior complaints and reports of sexual abuse involving the suspected perpetrator;
 - (2) The ability to assess the credibility of an alleged victim, suspect, or witness, without regard to the individual's status as detainee, staff, or employee, and without requiring any detainee who alleges sexual abuse to submit to a polygraph;
 - (3) All documentation and records to determine as to whether actions or failures to act at the facility contributed to the abuse;
 - (4) Documentation or Incident reports, which includes a description of any initial physical or testimonial evidence obtained by facility staff upon an incident of sexual abuse being reported or discovered; and
 - (5) The requirement of FDC to retain all reports for as long as the alleged abuser is detained or employed by the FDC, plus five years.
- l) Since FDC is not responsible for conducting criminal or potential criminal investigations into allegations of sexual abuse, the facility will request that the Farmville Police Department follow the requirements and stipulations set forth in this policy, the 2011 ICE PBNDS, and DHS PREA Standards.
9. The Director of Detention shall review and approve the Farmville Detention Center's procedures for coordination of internal administrative investigations with the Farmville Police Department to ensure non-interference with any criminal investigation. Furthermore, the Director of Detention will ensure that the departure of the alleged abuser or victim from employment or custodial control of FDC shall not provide a basis for terminating an investigation.

Q. Medical Assessment of Victim by Health Services Staff

1. Detainee victims of sexual abuse shall have timely, unimpeded access to emergency medical treatment and crisis intervention services, including emergency contraception and sexually transmitted prophylaxis, in accordance with professionally accepted standards of care. Treatment services, including any emergency medical treatment services, shall be provided to detainee victims without financial cost and regardless of whether the detainee victim names the abuser or cooperates with any investigation arising out of the incident.

2. Sozo medical staff shall provide and render immediate emergency treatment and mental health services and fully document the results of any examination, treatment, or assessment for inclusion in the detainee's medical records.
3. When determining the extent of injuries on a detainee victim, Sozo medical staff will ascertain the degree of sexual contact or trauma, for example oral, anal, or vaginal if applicable and preserve to the greatest extent possible any physical evidence present. Any injuries shall be photographically recorded, and the results of the evaluation shall be placed in the detainee's medical record, with copies to be distributed to the Director of Detention, Farmville Police Department, ICE Officials, and Centra Lynchburg General Hospital in the event transportation to the hospital is required.
4. Where evidentiarily and medically appropriate as deemed necessary by Sozo medical staff or upon consultation with the assigned facility physician, FDC shall arrange for the transportation of the detainee victim for further outside medical consultation and evidence collection at Centra Lynchburg General Hospital. Under the DHS PREA Standards, the detainee victim must consent to undergo a forensic medical examination by a qualified external health care professional such as a Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner.
5. Transportation of an alleged victim for emergency care or other services provided off-site shall be arranged in a manner that considers the special needs of victimized detainees.
6. Sozo medical staff will notify staff at Centra Lynchburg General Hospital and alert them on the detainee's condition in order to prepare for a comprehensive clinical examination for further assessing physical injuries and collecting any physical evidence of sexual abuse or assault.
 - a) At all times staff shall treat the detainee victim in a supportive and non-judgmental way; and
 - b) Information about the assault is confidential and shall be given only to those directly involved in the investigation and/or treatment of the victim.
 - c) Once the transfer to Central Lynchburg General Hospital has taken place, a report will be made to the Director to confirm that the victim has been separated from his or her assailant. Transfers will consider safety and security concerns and the special needs of the victimized detainee.

7. The detainee victim will be informed of the right and availability of crisis counseling, emotional support assistance, and mental health services. If medically and time appropriate and not at the compromise of the detainee's life safety, FDC shall, to the fullest extent possible, contact the YWCA Sexual Assault Response Program and provide comprehensive notification of the incident along with the detainee's request and consent for outside advocate support services provided by this organization. The YWCA Sexual Assault Response Program is a recognized rape crisis center, which provides victim advocates to victims of sexual abuse.
- R. Ongoing Medical and Mental Health Care for Sexual Abuse Victims and Abusers
1. FDC in cooperation with Sozo Medical shall offer medical and mental health evaluation services and, as appropriate, treatment to all detainees who have been victimized by sexual abuse while in immigration detention.
 - a) If a detainee victim chooses to continue to pursue treatment, the Director will contact the Field Office Director for direction regarding appropriate treatment or referral to an appropriate treatment option, including individual therapy, group therapy, further psychological assessment, assignment to a mental health counselor or facility, referral to a psychiatrist, or other treatment options.
 - b) Pending referral, mental health services shall continue unabated. If a detainee victim chooses to decline further treatment services, he or she shall be asked to sign a statement to that effect.
 2. The evaluation and treatment of such victims shall include, as appropriate, follow-up services, crisis intervention, treatment plans, and, when necessary, referrals for continued care following a detainee victim transfer to, or placement in, other facilities, or release from custody.
 - a) The findings of the initial crisis evaluation session shall be summarized in writing within one week of the initial session, and shall be placed in the appropriate treatment record, with a copy provided to the Health Services Administrator, the Director, and other staff responsible for oversight of sexual abuse or assault prevention and intervention procedures.
 - b) Additional psychological or psychiatric treatment, as well as continued assessment of mental health status and treatment needs, shall be provided as needed, with the victim's full

consent and collaboration. Decisions regarding the need for continued assessment and treatment shall be made by the HSA, the facility physician, and the Mental Health Counselor according to established professional standards and shall be made with awareness that a victim of sexual abuse or assault commonly experiences both immediate and delayed psychiatric or emotional symptoms.

3. The medical and mental health services provided to detainee victims of sexual abuse and assault shall be consistent with the services and care offered at the community level.
 - a) Should a detainee victim be released from FDC during treatment, the detainee victim shall be advised of community mental health resources in his or her area.
 4. In the event FDC houses female detainees, victims of sexually abusive vaginal penetration by a male abuser shall be offered pregnancy tests. If pregnancy results from an instance of sexual abuse, the detainee victim shall receive timely and comprehensive information about lawful pregnancy-related medical services and timely access to all lawful pregnancy-related medical services.
 5. Detainee victims of sexual abuse while detained shall be offered tests for sexually transmitted infections and HIV testing as medically appropriate. Medical staff shall arrange for appropriate medications and provide routine examination follow-up when necessary.
 6. Treatment services, including any emergency medical treatment services, shall be provided to detainee victims without financial cost and regardless of whether the detainee victim names the abuser or cooperates with any investigation arising out of the incident.
 7. FDC in cooperation with Sozo Medical shall attempt to conduct a mental health evaluation of all known detainee-on-detainee abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.
- S. Data Collection and Tracking Incidents of Sexual Abuse and Assault if available or applicable in investigation.
1. All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment, if necessary, and/or counseling will be maintained in appropriate files in accordance with applicable FDC policies, and retained in accordance with established schedules.

2. Particularly applicable to the storage, confidentiality and release of case records are the requirements of the “Confidentiality and Release of Medical Records” section of the SOP on Medical Care and the requirements of the SOP on Detention Files, especially regarding the Privacy Act of 1974. Because of the very sensitive nature of information about victims and their medical condition, including infectious disease testing, staff must be particularly vigilant about maintaining confidentiality and releasing information only for legitimate need-to-know reasons.
3. FDC shall maintain in a secure area all case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment, if necessary, and/or counseling in accordance with the DHS PREA Standards, the 2011 ICE PBNDS, and FDC policy.
4. Monitoring and evaluation are essential for assessing both the rate of occurrence of sexual assault and facility effectiveness in reducing sexually abusive behavior. The PSA Compliance Manager is responsible for an annual review of aggregate data (omitting personally identifying information) and shall document the annual review in a report that the Director who will present the findings to the Field Office Director and ICE/ERO headquarters for use in determining changes to existing policies and practices to determine whether changes are needed to further the goal of eliminating sexual abuse. Accordingly, the Director will maintain two types of files.
5. General files include:
 - a) The victim(s) and assailant(s) of a sexual assault;
 - b) Crime characteristics (date, time, location, and nature of the incident;
 - c) The demographic background of the victim and perpetrator
(including 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 individuals who reported the incident and received the report of sexual assault, date, and time the report was received, and steps taken to communicate the report up the chain of command;
 - e) Any injuries sustained by the victim; and

- f) All formal and/or informal action taken, including all post-report follow up response taken by the facility (e.g., housing placement, custody classification, medical examination, mental health counseling, etc.);
- 6. Administrative investigative files include:
 - a) All reports;
 - b) Medical forms;
 - c) Supporting memos and videotapes, if any;
 - d) Any sanctions imposed on the perpetrator; and
 - e) Any other evidentiary materials pertaining to the allegation.
- 7. The Director shall designate where to maintain these files chronologically in a secure location. Additionally, the Director will ensure a list is maintained of the names of sexual assault victims and assailants, along with the dates and locations of all sexual assault incidents occurring within the facility, for computerized incident reporting system tracking. Such information will be maintained on a need-to-know basis in accordance with the SOP's on Medical Care and Detention Files, which includes protection of electronic files from unauthorized access. At no time may law enforcement sensitive documents or evidence be stored at the facility. Access to this designation will be limited to those staff involved in the treatment of the victim or the investigation of the incident.

T. Documentation:

At a minimum, FDC will collect and maintain the following types of documentation and/or evidence, as appropriate and applicable, for any allegation of sexual assault or sexual abuse:

- 1. Medical Records
 - a) Sick Call documentation
 - b) Health assessments/evaluations
 - c) Mental health assessments/evaluations
 - d) Medical treatment
 - e) Counseling
 - f) Crisis intervention

- g) Post-release follow-up or treatment
 - h) Forensic medical documentation
 - i) Intake screening
 - j) Medical records from previous facility, if transfer
2. All Required Documents Specified for Placement in a Detainee's Detention File under the 2011 ICE PBNDS:
- a) Relevant information on the alleged victim and alleged assailant(s);
 - b) Steps taken or changes in housing or custody of victim to ensure the safety and security of the victim;
 - c) Related grievances (except medical grievances which are maintained in the medical file), complaints and their disposition and;
 - d) Any privacy waivers, including release-of-information consent forms.
3. Investigative File:
- a) Notification of allegation, with relevant details;
 - b) Copies of any Significant Event Notifications (SENs) or notifications to the ICE Joint Intake Center (JIC) or DHS Office of Inspector General (OIG), if provided by the ICE to the facility;
 - c) Facility incident reports;
 - d) Documentation of any steps taken to preserve the crime scene and safeguard information;
 - e) Referrals to any law enforcement agencies;
 - f) Preliminary actions taken during pendency of the investigation, including any action against alleged assailant(s);
 - g) Reports of investigation, including internal investigation, local law enforcement investigation and/or ICE shared investigations, if provided;
 - h) Follow-up actions by facility, including any actions that resulted in changes of policy or procedure;
 - i) Case disposition or outcome of investigation (both internal and

external investigations);

- j) Supporting memorandum and videotapes, if any;
- k) Other evidentiary materials pertaining to the allegation and;
- l) Relevant statistical information regarding facility incidences of abuse or assault and possible trends.

4. Sharing Data:

On an ongoing basis, the FDC PSA Compliance Manager and Director of Detention will work with the Field Office and ICE PSA Coordinator to share data regarding sexual abuse incidents and response.

U. Facility Audits

- 1. FDC shall cooperate with all DHS audits of the facility's compliance with this standard, including by making available relevant documents, records, and other information as requested (including available videotapes and other electronically available data). Upon request, FDC shall also provide to DHS the results of any audits conducted of the facility against the DOJ "National Standards to Prevent, Detect, and Respond to Prison Rape."
- 2. FDC shall permit auditors access to all areas of the facility and shall make available space suitable for interviews of detainees and staff. Detainees shall be permitted to have private interviews with auditors, and to send confidential information or correspondence to the auditor.

V. Additional Provisions and Requirements

A. Hiring and Promotion Decisions

- 1. FDC shall not hire or promote anyone who may have contact with detainees, and shall not enlist the services of any contractor or volunteer who may have contact with detainees, who has engaged in sexual abuse in a prison, jail, holding facility, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); who has been convicted of engaging or attempting to engage in sexual activity facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or who has been civilly or administratively adjudicated to have engaged in such activity.
- 2. When considering the hiring or promotion of staff, FDC shall ask all applicants who may have contact with detainees directly about previous misconduct described in the above paragraph, in written

applications or interviews for hiring or promotions and during annual PREA training review of current employees. Additionally, FDC shall also require and impose upon employees a continuing affirmative duty to disclose any such misconduct. The Human Resource Manager, consistent with law, shall make its best efforts to contact all prior institutional employers of an applicant for employment, to obtain information on substantiated allegations of sexual abuse or any resignation during a pending investigation of alleged sexual abuse.

3. Before hiring new staff, who may have contact with detainees, FDC shall conduct a background investigation to determine whether the candidate for hire is suitable for employment with the facility, including a criminal background records check.
4. The Human Resource Manager shall maintain any written or electronic documentation provided by the ICE Contracting Officer's Representative (COR) showing the conclusions of each staff member's background check.
5. Contingent upon the approval and cooperation with ICE, FDC shall request an updated background investigation every five year for employees who may have contact with detainees and who work in immigration-only detention facilities.
6. FDC shall also perform a background investigation before enlisting the services of any contractor or volunteer who may have contact with detainees. The Human Resource Manager shall maintain any written or electronic documentation provided by the ICE Contracting Officer's Representative (COR) showing the conclusions of each contractor's background check.
7. Written documentation shall be maintained showing the detailed elements and conclusions of each contractor's background check.
8. Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination or withdrawal of an offer of employment, as appropriate.
9. Unless prohibited by law, FDC shall provide information on substantiated allegations of sexual abuse involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

B. Disciplinary Sanctions for Staff & Corrective Action for Contractors/Volunteers

1. Staff shall be subject to disciplinary or adverse action up to and including removal from their position for substantiated allegations of

sexual abuse or for violating FDC's Sexual Abuse and Assault Prevention and Intervention policy or Standards of Conduct policy.

2. The Director of Detention, Chief of Security, and Human Resource Manager shall review and approve facility policies and procedures regarding disciplinary or adverse actions for staff and shall ensure that the facility policy and procedures specify disciplinary or adverse actions for staff, up to and including removal from their position, when there is a substantiated allegation of sexual abuse, or when there has been a violation of facility's sexual abuse rules, policies, or standards.
3. Removal from their position is the presumptive disciplinary sanction for staff who have engaged in or attempted or threatened to engage in sexual abuse, as defined under the definition of sexual abuse of a detainee by a staff member, contractor, or volunteer.
4. FDC shall report all removals or resignations in lieu of removal for violations of the facility sexual abuse policies to appropriate law enforcement agencies unless the activity was clearly not criminal.
5. FDC shall make reasonable efforts to report removals or resignations in lieu of removal for violations of the facility sexual abuse policies to any relevant licensing bodies, to the extent known.
6. Any contractor or volunteer who has engaged in sexual abuse shall be prohibited from contact with detainees. FDC shall make reasonable efforts to report to any relevant licensing body, to the extent known, incidents of substantiated sexual abuse by a contractor or volunteer. Such incidents shall also be reported to law enforcement agencies unless the activity was clearly not criminal.
7. Staff, contractors, and volunteers suspected of perpetrating sexual abuse shall be removed from all duties requiring detainee contact pending the outcome of an investigation.
8. FDC shall take appropriate remedial measures and shall consider whether to prohibit further contact with detainees by contractors or volunteers who have not engaged in sexual abuse but have violated other provisions of facility policies.

C. Disciplinary Sanctions for Detainees

1. FDC shall subject a detainee to disciplinary sanctions pursuant to a formal disciplinary process outlined in the 2011 ICE PBNDS following an administrative or criminal finding that the detainee engaged in sexual abuse.

2. At all steps in the disciplinary process any sanctions imposed upon a detainee perpetrator shall be commensurate with the severity of the committed prohibited act and with the intent to encourage the detainee to conform with rules and regulations in the future.
3. Under the provisions of the 2011 ICE PBNDS, FDC has enacted a detainee disciplinary system with progressive levels of reviews, appeals, procedures, and documentation procedures.
4. FDC's disciplinary process shall consider whether a detainee's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.
5. FDC shall not discipline a detainee for sexual contact with staff unless there is a finding that the staff member did not consent to such contact.
6. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

D. Upgrades to Facilities and Technologies

1. When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, FDC shall consider the effect of the design, acquisition, expansion, or modification upon their ability to protect detainees from sexual abuse.
2. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology FDC shall consider how such technology may enhance their ability to protect detainees from sexual abuse.

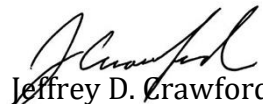
E. Reporting to Other Confinement Facilities

1. Upon receiving an allegation that a detainee was sexually abused while confined at another facility, the Director shall notify the ICE Field Office and the administrator of the facility where the alleged abuse occurred.
2. This notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation and the Director of Detention shall document that it, he has provided such notification.
3. If FDC receives notification from another confinement facility that a detainee claims sexual abuse while detained at FDC, an investigation shall be conducted in accordance with the provisions and stipulations

of the DHS PREA Standards and the incident shall be reported to the ICE Field Office Director.

F. Ensuring Sufficient Detainee Supervision and Monitoring

1. FDC shall ensure that it maintains sufficient supervision of detainees, including through appropriate staffing levels and, where applicable, video monitoring, to protect detainees against sexual abuse.
2. FDC shall develop and document comprehensive detainee supervision guidelines to determine and meet the facility's detainee supervision needs and shall review those guidelines at least annually. The Director of Detention and PSA Compliance Manager will be involved in this annual review of supervision and monitoring guidelines.
3. In determining adequate levels of detainee supervision and determining the need for video monitoring, FDC shall take into consideration generally accepted detention and correctional practices, any judicial findings of inadequacy, the physical layout of each facility, the composition of the detainee population, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, the findings and recommendations of sexual abuse incident review reports, and any other relevant factors, including but not limited to the length of time detainees spend in agency custody.


Jeffrey D. Crawford
Director of Detention
Farmville Detention Center

Appendix A: Resources

The National Institute of Corrections (NIC) offers:

- A. Training and technical assistance
- B. Copies of the video, including “Facing Prison Rape,” and accompanying facilitator’s guides.
- C. A bibliography of reference material. National Institute of Corrections: www.nicic.gov other resource links:
 - 1. NIC/WCL Project on Addressing Prison Rape: www.wcl.american.edu/nic
 - 2. Bureau of Justice Assistance: www.ojp.usdoj.gov/BJA
 - 3. Bureau of Justice Statistics: www.ojp.usdoj.gov/bjs
 - 4. The Moss Group: www.mossgroup.us
 - 5. Just Detention International: www.justdetention.org
 - 6. Center for Innovative Policies, Inc.: www.cipp.org

Appendix B: Sexual Assault Awareness Notice

While detained by the Department of Homeland Security, Immigration and Customs Enforcement, Office of Enforcement and Removal, you have a right to be safe and free from sexual harassment and sexual assault. Report all attempted assaults and assaults to your housing unit officer, a supervisor, the Officer in Charge, directly to the DHS Office of the Inspector General (OIG) or the ICE Office of Professional Responsibility (OPR), Joint Intake Center.

Definitions Detainee-on-detainee Sexual Abuse/Assault

One or more detainees, by force, coercion or intimidation, engaging in or attempting to engage in: contact between the penis and the vagina or anus; contact between the mouth and the penis, vagina, or anus; penetration of the anal or genital opening of another person by a hand, finger or any object; 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; or the use of threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to engage in a sexual act.

Staff-on-detainee Sexual Abuse/Assault

One or more staff member(s), volunteer(s), or contract personnel engaging in or attempting to engage in: contact between the penis and the vagina or anus; contact between the mouth and the penis, vagina, or anus; penetration of the anal or genital opening of another person by a hand, finger or any object; touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, except in the context of proper searches and medical examinations; the use of threats, intimidation, harassment, indecent, profane or abusive language, or other actions (including unnecessary visual surveillance) or communications aimed at coercing or pressuring a detainee to engage in a sexual act; or repeated verbal statements or comments of a sexual nature to a detainee, including demeaning references to gender, derogatory comments about body or clothing, or profane or obscene language or gestures. Sexual conduct of any type between staff and detainees amounts to sexual abuse, regardless of whether consent exists.

Sexual abuse/assault of detainees by staff or other detainees is an inappropriate use of power and is prohibited by ICE policy and the law.

Prohibited Acts

Sexual abuse/assault is a crime, and this facility has a zero-tolerance policy for sexual assault and abuse. A detainee or staff member who commits sexual assault shall be punished administratively and may be subject to criminal prosecution.

A detainee who engages in such behavior can be charged with the following Prohibited Acts under the Detainee Disciplinary Policy:

- Code 101: Sexual Assault
- Code 207: Making a Sexual Proposal
- Code 404: Using Abusive or Obscene Language
- Code 206: Engaging in a Sex Act
- Code 300: Indecent Exposure or Language

Victimized detainees should not be subject to disciplinary action for reporting sexual abuse or for participating in sexual activity as a result of force, coercion, threats, or fear of force.

In addition, consensual sexual conduct between detainees is also prohibited and subject to administrative and disciplinary sanctions.

Detention as a Safe Environment

While you are detained, no one has the right to pressure you to engage in sexual acts or engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Regardless of your sexual orientation or gender identity, you have the right to be safe from unwanted sexual advances and acts.

Confidentiality

Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have the need-to-know to make decisions concerning the detainee victim's welfare and for law enforcement/ investigative purposes.

Avoiding Sexual Assault

Sexual assault is never the victim's fault. Knowing the warning signs and red flags can help you stay alert and aware:

1. Carry yourself in a confident manner. Many attackers choose victims who look like they would not fight back or who they think are emotionally weak.
2. Do not accept gifts or favors from others. Most gifts or favors come with special demands or limits that the giver expects you to accept.
3. Do not accept an offer from another detainee to be your protector.
4. Find a staff member with whom you feel comfortable discussing your fears and concerns. Report concerns!
5. Do not use drugs or alcohol; these can weaken your ability to stay alert and make good judgments.
6. Be clear, direct, and firm. Do not be afraid to say "no" or "stop it now."
7. Choose your associates wisely. Look for people who are involved in positive activities like educational programs, work opportunities or counseling groups. Get yourself involved in these activities.
8. If you suspect another detainee is being sexually abused, report it to a staff member you trust or to the DHS/OIG at 1-800-323-8603 speed dial 518#. Additional ways of reporting include contacting ICE's Detention Reporting and Information Line at 1-888-351-4024 speed dial 9116# or ICE/OPR, Joint Intake Center at 1-877-246-8253 speed dial 5663#. Detainees with hearing impairments can request facility staff to provide a TDD (Telecommunications Device for the Deaf)/TTY machine and contact DHS/OIG at TTY 1-844-889-4357. To make calls to the above entities or other organizations anonymously, you can use the detainee phone system and follow the below directions:
 - Press 0 and select appropriate language when prompted.
 - To make an anonymous call to DRIL, Please Press 1 Now.
 - To make an anonymous call to OIG Hotline, Please Press 2 Now.
 - To make an anonymous call to Joint Intake Center, Please Press 3 Now.
 - To make an anonymous call to National Rape Hotline, Please Press 4 Now.
 - To make an anonymous call to Sexual Assault Response Program, Please Press 5 Now.

9. Trust your instincts. Be aware of situations that make you feel uncomfortable. If it does not feel right or safe, leave the situation or seek assistance. If you fear for your safety, report your concerns to staff.

Report All Assaults

If you become a victim of a sexual assault, report the incident immediately to any staff person you trust, to include housing officers, deportation officers, chaplains, medical staff, or supervisors. Staff members keep the reported information confidential and only discuss it with the appropriate officials on a need-to-know basis. If you are not comfortable reporting the assault to staff, you have other options:

1. Write a letter reporting the sexual misconduct to the Officer in Charge, Assistant Field Office Director, or Field Office Director. To ensure confidentiality, use special mail procedures
2. File an emergency detainee grievance. If you decide your complaint is too sensitive to file with the Officer in Charge, you can file your grievance directly with the Field Office Director. You can get the forms from your housing unit officer, deportation staff or a facility supervisor.
3. Call the ICE Office of Professional Responsibility, Joint Intake Center 24 hours a day at 1-877-246-8253 speed dial 5663#.
4. Write to the OIG, which investigates allegations of staff misconduct. The address is: DHS Office of Inspector General/MAIL STOP 0305, Attention: Office of Investigations – Hotline, 245 Murray Lane SW, Washington, DC 20528-0305.
5. Call, at no expense to you, the DHS/OIG hotline or ICE's Detention Reporting and Information Line or the ICE/OPR, Joint Intake Center. The phone numbers for the OIG and ICE's Detention Reporting and Information Line are posted in your housing unit.

Individuals who sexually abuse or assault detainees can only be disciplined or prosecuted if the abuse is reported.

Next Steps after Reporting a Sexual Assault or Attempted Sexual Assault

You will be offered immediate protection from the assailant, and you will be referred for medical examination and clinical assessment. You do not have to name the detainee(s) or staff member who assaulted you for you to receive assistance, but specific information may make it easier for staff to help you. You will continue to receive protection from the assailant, whether or not you have identified your attacker or agree to testify against them. It is important that you do not shower, wash, drink, change clothing or use the bathroom until evidence can be collected.

The Medical Exam

Medical staff shall examine you for injuries, which may or may not be readily apparent to you and shall gather physical evidence of assault. Bring with you to the medical exam the clothes and underwear that you had on at the time of the assault. You shall be checked for the presence of physical evidence, which supports your allegation. With your consent, a medical professional shall perform a pelvic and/or rectal examination to obtain samples of/or document the existence of physical evidence such as hair, body fluids, tears, or abrasions that remain after the assault. This

physical evidence is critical in corroborating that the sexual assault occurred and in identifying the assailant; trained personnel shall conduct the exam privately and professionally.

Understanding the Investigative Process

Once the misconduct is reported, the appropriate law enforcement agency shall conduct an investigation. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement during the investigation. If criminal charges are filed, you may be asked to testify during the criminal proceedings. Any detainee who alleges that he/she has been sexually assaulted will be offered immediate protection and will be referred for a medical examination.

The Emotional Consequences of Sexual Assaults

It is common for victims of sexual assault to have feelings of embarrassment, anger, guilt, panic, depression and fear several months or even years after the attack. Other common reactions include loss of appetite, nausea or stomach aches, headaches, loss of memory and/or trouble concentrating, and changes in sleep patterns. Emotional support is available from the facility's mental health and medical staff, and from the chaplains. Also, many detainees who are at high risk of sexually assaulting others have often been sexually abused themselves. Mental health services are available to them also so that they can control their actions and heal from their own abuse.

Sexual assaults can happen to anyone: any gender, age, race, ethnic group, socio-economic status and to an individual with any sexual orientation or disability. Sexual assault is not about sex; it is about Power and control. All reports are taken seriously.

Your safety and the safety of others is the most important concern. For everyone's safety, all incidents, threats, or assaults must be reported.

Report all attempted assaults and assaults to your housing unit officer, a supervisor, the Officer in Charge, or directly to the DHS/OIG or ICE/OPR, Joint Intake Center.

The Prevention of Sexual Assault Program Coordinator for the facility's Sexual Abuse and Assault Prevention and Intervention Program is the PSA Compliance Manager.

The YWCA Sexual Assault Response Program provides sexual abuse/assault support for victims. Contact number 434-947-7422 or Dial 0 on detainee phone system, select language, and Please Press 5 Now to make an anonymous call to YWCA Sexual Assault Response program (TTY: 434-947-5823) or write YWCA of Central Virginia, Attention: SARP, 626 Church Street, Lynchburg, VA 24504. All calls made to the YWCA Sexual Assault Response Program are ANONYMOUS, CANNOT BE TRACKED, and are NOT RECORDED by the facility. Services provided by the YWCA Sexual Assault Response Program operate under strict Confidentiality and this organization does not have mandatory reporting laws. However, the Farmville Detention Center does operate under mandatory reporting laws and is obligated to forward information concerning sexual harassment, abuse, and assault to ICE and to the Farmville Police Department for incidents determined to be criminal or potentially criminal in nature.

Appendix C: Cooperative Agreement – YWCA Sexual Assault Response Program



Cooperative Agreement Between
YWCA Sexual Assault Response Program
And
Farmville Detention Center

This agreement is based on the principle of mutual concern for the safety and individual needs of detainee victims of sexual violence residing at the Farmville Detention Center. This agreement is a demonstration of intent to collaborate to provide better services to detainee sexual violence victims.

Description of Partner Agencies: YWCA Sexual Assault Response Program

The YWCA Sexual Assault Response Program exist to support and empower survivors of sexual violence, stalking, and human trafficking by providing opportunities and resources for them to recover from physical and psychological trauma.

Description of Partner Agencies: Farmville Detention Center

It is the mission of the Farmville Detention Center to provide a safe, humane, and appropriately secure civil detention environment that offers an appealing alternative to the standard method of detention for federal immigrants while they navigate the immigration process. The Farmville Detention Center will articulate and adhere to a standard of zero tolerance for incidents of sexual abuse or assault that may occur in the facility. Sexual assault or abuse of detainees by other staff, volunteers, or contract personnel is prohibited and subject to administrative, disciplinary, and criminal sanctions.

Roles and Responsibilities

YWCA Sexual Assault Response Program agrees to the following:

- Coordinate services with the Prevention of Sexual Assault (PSA) Compliance Manager.
- Work with the designated Farmville Detention Center contact to return calls received on the 24-hour hotline services to all primary and secondary victims of sexual violence.
- Provide crisis intervention and/or referrals as needed.
- Provide follow-up services to sexual violence victims detained/incarcerated at the Farmville Detention Center, as resources allow, which may include:
 - Sending a rape crisis counselor as needed to provide face-to-face counseling to primary and secondary victims of sexual violence who are detained/incarcerated at the Farmville Detention Center. When needed, these sessions will occur Monday through Friday during regular business hours.

- Providing victims as needed with case management and advocacy.
- Providing victims accompaniment services (e.g., accompaniment to forensic sexual assault exams and criminal and/or civil legal proceedings – protective order hearings, preliminary hearings, sentencing hearings, and other relevant legal proceedings related to sexual victimization).
- Providing short-term, individual counseling to detained/incarcerated victims of sexual violence as needed about their victimization and subsequent trauma symptoms.
- Providing short-term, group counseling and psychoeducation to detained/incarcerated victims of sexual violence as needed about their victimization and subsequent trauma symptoms as requested by the Farmville Detention Center.
- Will follow all Farmville Detention Center guidelines for safety and security as necessary, to include:
 - Providing photo identification, YWCA credentials and vehicle information to security staff upon arrival.
 - Carrying into the facility minimal items that are standard for service provision (e.g., paper, pen, treatment book). YWCA staff will not bring electronic devices into the facility unless necessary and specifically arranged with the PSA Compliance Manager and authorized the Chief of Security.
- Maintain confidentiality as outlined in the YWCA informed consent form.
- Maintain open and appropriate channels of communication with the Farmville Detention Center, communicate in a timely manner any updates to YWCA contact information, and communicate in a timely manner any required changes in appointments with detainee clients.
- Report all services provided to detained/incarcerated persons sexual violence victims to an assigned point of contact at the Farmville Detention Center.
- Provide outreach, information brochures/posters, and education/training, to include:
 - Collaborating with the Farmville Detention Center on community-based projects and training opportunities, as necessary and appropriate.
 - If requested by the Farmville Detention Center, provide annual training to facility personnel on sexual violence, post-traumatic stress, and services available to victims in coordination with the PSA Compliance Manager.
- Provide consultation on the Farmville Detention Center's sexual violence policy and protocols when requested.
- YWCA will determine the need of a victim to receive advocacy, accompaniment, and counseling and reserves the right to not serve a detainee if YWCA staff experience safety concerns, to include sexual harassment.

The Farmville Detention Center agrees to the following:

- Make involvement of YWCA counselors and advocates a component of the standard response to a report of sexual violence and/or request for help from a survivor of sexual violence, regardless of when or where the sexual violence occurred and regardless of whether the individual is a detainee or staff member, to include:
 - Notifying YWCA of requests for services and when detainees are being transported to the hospital for a forensic sexual assault exam.

- To educate staff members about YWCA services available to them and provide any staff members who report sexual violence with a referral to YWCA for services.
- To educate detainees on the availability of services for victims of sexual violence and facilitate the placement of informational posters with information about YWCA services and instructions on how to access the YWCA hotline in areas visible to detainees.
- Provide for logistical needs, to include:
 - Providing detainees with confidential, 24-hour access to YWCA's hotline, at no cost.
 - Providing security clearance for designated YWCA personnel.
 - Providing private, confidential meeting space for individual and/or group counseling sessions.
 - Providing a translator or Language Line for sessions if needed.
 - Facilitating follow-up and on-ongoing contact between the client and rape crisis counselor by mail, phone, and/or in-person counseling sessions, as deemed appropriate by the rape crisis counselor. This will be done without regard to the presence or status of an investigation.
 - Organizing training for Farmville Detention Center staff by YWCA on sexual violence and post-traumatic stress.
 - Maintaining open, appropriate, and timely channels of communications with YWCA, to include:
 - Communicating any updates to security practices that would affect YWCA personnel.
 - Communicating any required changes in appointments to YWCA personnel.
 - Communicating the name and security level of detainee requesting services. This information will not prohibit services but may impact YWCA decisions on which provider will meet with the client.
- Respect the confidential nature of communication between rape crisis counselors and clients detained/incarcerated at the Farmville Detention Center.
- Collaborate with YWCA on community-based projects and training opportunities, as necessary and appropriate.
- Provide and document referrals to YWCA and notify YWCA of the annual number of individuals reporting sexual abuse.
- Provide orientation and/or volunteer training for new YWCA personnel.

Commitment to Partnership

Nothing in this Memorandum of Understanding (MOU) is intended to conflict with current laws or regulations of the United States of America, Commonwealth of Virginia, or local government. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this MOU shall remain in full force and effect.

This agreement will remain in force until either party terminates the agreement with thirty (30) day written notice. Renewal of this agreement will be requested when necessary or agreed upon by both entities. This agreement may be amended, modified, expanded, etc. as mutually agreed upon in writing by both parties.

We, the undersigned, approve and agree to the terms and conditions as outlined in this Cooperative Agreement.

Linda Ellis-Williams
Linda Ellis-Williams
Director of Victim Services
YWCA Sexual Assault Response Team


Signature

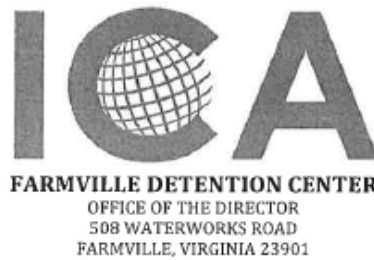
2-17-2023
Date

JEFFREY D. CRAWFORD
Jeffrey Crawford
Director of Detention
Farmville Detention Center


Signature

2/17/2023
Date

Appendix D: Cooperative Agreement – Farmville Police Department



January 2, 2020

Memorandum for Record

Subject: Collaboration for Conducting Sexual Abuse Investigations

This cooperative agreement between the Farmville Police Department and Farmville Detention Center establishes clear lines of responsibility and steps the facility shall take to assist law enforcement officials in responding to and investigating an incident of sexual abuse or assault on a detainee. The Farmville Detention Center (FDC) operated by Immigrations Centers of America agrees to the following:

1. FDC shall promptly report to the Farmville Police Department an incident or allegation of sexual abuse that is criminal or potentially criminal in nature.
2. FDC shall cooperate and provide a detailed comprehensive timeline and briefing on all available information relating to an incident of sexual abuse at all stages of an investigation when requested by the Farmville Police Department or when any information becomes available.
3. FDC shall separate the alleged victim from the abuser and maintain constant supervision of the victim by a staff member who has not been suspected of facilitating the sexual abuse or was negligent in their responsibilities in reporting the incident or may have contributed to the incident, including allowing for retaliation to occur.
4. FDC shall provide a description of any crime scene for the collection of evidence and steps taken by staff to preserve direct and circumstantial evidence, including any available physical and DNA evidence. This includes the following safeguards:
 - If the abuse occurred within a period that still allows for the collection of physical evidence, a request will be made that 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.

- If the sexual abuse occurred within a period that still allows for the collection of physical evidence, staff shall ensure that 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.
5. FDC shall allow access to electronic video monitoring capabilities for the review of archived camera footage.
 6. FDC shall provide access to a private consultation room to conduct interviews with the victim, any witnesses, and perpetrator or perpetrators be it a staff member, contractor, volunteer, or detainee.
 7. FDC shall provide copies of all Armor Health Care medical assessments and mental health evaluations upon request.
 8. If the alleged detainee victim consents and when evidentiary or medically appropriate, at no cost to the detainee, FDC shall facilitate the arrangement for the detainee victim to undergo a forensic medical examination by an external qualified health care personnel, including a Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner at Centra Lynchburg General Hospital.
 9. FDC shall inform law enforcement officials from the Farmville Police Department that a detainee victim upon request or consent has the right to have an outside victim advocate, including any available victim advocacy services offered by the hospital conducting a forensic exam, present for support during the exam and during investigatory interviews.
 10. FDC shall provide any other pertinent information or documents requested by the Farmville Police Department, to include:
 - Availability to review all prior complaints and reports of sexual abuse involving the suspected perpetrator and any documentation necessary to determine if actions or failure by FDC staff contributed to the abuse;
 - Ability to assess the credibility of an alleged victim, suspect, or witness, without regard to the individual's status as detainee, staff, or employee, and without requiring any detainee who alleges sexual abuse to submit to a polygraph;
 11. FDC shall suspend conducting any internal administrative investigation into an incident or allegation of sexual abuse until the conclusion of the Farmville Police Department's criminal investigation as to not compromise or interfere with its investigation.

- Regardless of whether the Farmville Police Department's criminal investigation is determined to be substantiated, unsubstantiated, or unfounded, FDC shall request copies of all investigative reports and documents for the purpose of completing an internal administrative investigation. Furthermore, FDC will notify the Farmville Police Department of the facility's intent to conduct an internal investigation.
 - The departure of the alleged abuser or victim from employment or custodial control of the Farmville Detention Center shall not provide a basis for terminating an investigation.
 - Documentation from the criminal investigation and internal administrative investigation shall be maintained by FDC for at least five years, which includes all reports and referrals.
12. Since the Farmville Detention Center does not have the legal authority or jurisdiction to conduct criminal or potential criminal investigations into allegations of sexual abuse, the facility requests the Farmville Police Department follow the requirements and conditions set forth in this cooperative agreement.

This agreement will remain in effect until either party terminates the agreement with 30 days written notice. This agreement may be amended, modified, or expanded as mutually agreed upon in writing by both parties.

Authorizing Agent for the Farmville Police Department

Signature [Signature]

Title Chief of Police

Date 2/20/20

Authorizing Agent for the Farmville Detention Center

Signature [Signature]

Title Director of Detention

Date 1/2/2020

Appendix E:

Limits to Cross Gender Viewing and Searches and Procedures Which Enable Detainees to Shower, Perform Bodily Functions, and Change Clothing without being viewed by Staff of Opposite Gender.

1. General Population: Shower curtains have been installed and are present at every shower stall in the general population housing units. Detainees are expected to use the shower curtains to prevent any staff member from viewing their genitalia, buttocks, or breasts. Each housing unit has a cinder block half wall approximately 4 feet in height that provides a barrier separating the bathroom toilets and shower area from the rest of the dormitory. Staff of the opposite gender will announce their presence upon entering detainee living areas and this announcement will be recorded in the Officer's Daily Log. Facility cameras covering the toilets in general population have pixel distortion coverage that prevents voyeurism or inappropriate visual surveillance of a detainee for reasons unrelated to official duties. The FDC detainee handbook stipulates that undergarments may be worn without outer garments only while inside the sleeping quarters or the restrooms and detainees will not leave the sleeping quarters without being clothed. Detainees are expected to abide by the facility's dress code to prevent staff of the opposite gender from viewing the changing of clothing.
2. Restricted Housing Unit: Only male officers are authorized to work in the Restricted Housing Unit. The Restricted Housing Unit officer shall inform any staff member of the opposite gender that a detainee is in the shower prior to allowing them entrance into the RHU. Once access is gained into the RHU, all female staff members will clearly announce their presence for notifying detainees that an individual of the opposite gender is in the RHU. There is no camera coverage of the RHU shower and therefore procedures are in place that prevents staff from viewing this area using the facility's surveillance system. Furthermore, facility cameras covering the toilets in RHU cells have been adjusted in such a manner as to prevent voyeurism or inappropriate visual surveillance of a detainee for reasons unrelated to official duties. Staff of the opposite gender will announce their presence when entering the RHU to conduct routine cell checks or a health care medical check to prevent incidental viewing of detainees performing bodily function or changing clothing. Additionally, all staff are required to log their name into a bound ledger at the front of the RHU. This procedure safeguards and provides detainees advanced notification that a staff member of the opposite gender is about to make a round in the RHU and therefore will be viewing them in their cell for a required health, welfare, and/or safety check. Finally, The FDC detainee handbook stipulates that undergarments may be worn without outer garments only while a detainee is directly inside their assigned sleeping quarter/bunk. Detainees are expected to abide by the facility's dress code to prevent staff of the opposite gender from viewing the changing of clothing or seeing them undressed or partially undressed.

3. Protective Custody Housing Unit: In the event a female officer is assigned to work in the Protective Custody Housing Unit, PCHU, she shall make an initial opposite gender announcement to the detainee population that she is assigned to work this security post and shall record this announcement in the Officer's Daily Log. When a male officer is assigned to the PCHU, the male officer shall inform any staff member of the opposite gender that a detainee is in the shower prior to allowing them access into the PCHU. Once access is gained into the PCHU, all female staff members will clearly announce their presence for notifying detainees that an individual of the opposite gender is in the PCHU and this event will be annotated in the Officer's Daily Log. There is no camera coverage of the PCHU shower and therefore procedures are in place that prevents staff from viewing this area using the facility's surveillance system. Furthermore, facility cameras covering the toilets in the PCHU cells have been adjusted in such a manner as to prevent voyeurism or inappropriate visual surveillance of a detainee for reasons unrelated to official duties. All staff are required to log their name into a bound ledger at the sally port entrance to the PCHU. This procedure safeguards and provides detainees advanced notification that a staff member of the opposite gender is about to make a round in the housing unit and therefore will be viewing them in their cell for a required health, welfare, and/or safety check. Finally, The FDC detainee handbook stipulates that undergarments may be worn without outer garments only while a detainee is directly inside their assigned sleeping quarter/bunk. Detainees are expected to abide by the facility's dress code to prevent staff of the opposite gender from viewing the changing of clothing or seeing them undressed or partially undressed.
4. Medical Base: There is no camera coverage of the Medical Base shower and therefore procedures are in place that prevents staff from viewing this area using the facility's surveillance system. Female staff will be notified whenever a detainee is using the Medical Base shower and furthermore will announce their presence when coming in close proximity to the Medical Base shower. Facility cameras covering the toilets in each of the Medical Base detainee living quarters have been adjusted in such a manner as to prevent voyeurism or inappropriate visual surveillance of a detainee for reasons unrelated to official duties. Detainees placed in the direct observation/suicide watch room are required to be under constant watch or supervision by a security staff member because health care and mental health staff have determined the detainee possess the capacity of committing significant self-harm towards themselves. A detainee placed on direct observation/suicide watch maintains privacy when performing bodily functions because this individual is provided a protective gown which completely obscures and covers the genitals and buttocks while using the toilet. Staff of the opposite gender will announce their presence when entering Medical Base to prevent incidental viewing of detainees performing bodily functions or changing clothing.
5. Processing: Shower curtains are present at the entrance to the 4 individual detainee shower stalls located on the east side of Processing and the 3 individual detainee shower stalls located on the west side of Processing. Detainees are expected to use the shower curtains to prevent any staff member from viewing their genitalia,

buttocks, or breasts. Female staff will clearly announce their presence when coming in close proximity to the Processing showers during the performance of their duties to prevent incidental viewing of showering or the changing of clothing. There is no camera coverage of the Processing showers and therefore procedures are in place that prevents staff from viewing this area using the facility's surveillance system. Each Processing hold room has a cinder block half wall approximately 4 feet in height that provides a barrier separating the bathroom toilets from the rest of the hold room area. This barrier prevents staff from viewing detainees performing bodily functions and facility cameras covering the toilets in the Processing hold cells have been adjusted in such a manner as to prevent voyeurism or inappropriate visual surveillance of a detainee for reasons unrelated to official duties.

Appendix F:

ICA Form 74 PREA Assessment Tool for Risk of Victimization and Abusiveness

ICA FORM 74 PREA Assessment Tool for Risk of Victimization and Abusiveness******* SECTION 1. BASIC INFORMATION *******

Date of Assessment:	Initial Assessment <input type="checkbox"/>	60 to 90 Day Reassessment <input type="checkbox"/>	Special Reassessment <input type="checkbox"/>
Officer Conducting Assessment Items B, C, D, E, F, G, and I:		Signature of Officer:	
Medical Staff Conducting Assessment Items A and H:		Signature of Medical Staff:	
Assessment Language:		Yes or No (Check for Yes, or leave blank for No)	
Detainee Most Proficient Language:		Limited reading skills _____ Limited English proficiency _____	
Detainee Last Name, First Name:		Alien Number:	

******* SECTION 2. SCREENING INSTRUMENT *******

Completed by Medical: Sozo Form DIS and Sozo Form MH-INTAKE	YES	NO	Refused to Answer
A) Does detainee have a mental, physical, or developmental disability to include deaf, hearing impaired, low vision or blind, or speech disability. If the answer is YES please annotate below.			
Completed by Medical: Sozo Form DIS and Sozo Form MH-INTAKE	YES	NO	Refused to Answer
H) Does detainee self-identify as having previously experienced sexual victimization?			
Completed by Processing Officer: Determined by Information Provided by ICE			
B) Age of detainee:			
Completed by Processing Officer: Assessment of Detainee			
C) Physical Build and Appearance of detainee:	YES	NO	
Non-muscular/small physical stature?			
Completed by Processing Officer: See I-213, I-831, and other ICE Forms			
D) Is this the 1 st time detainee has been incarcerated or detained?			
E) Nature of detainee's criminal history	YES	NO	
Does the detainee's criminal history consist exclusively of convictions for non-violent offenses?			
Completed by Processing Officer: See I-213, I-831, and other ICE Forms			
F) (1) Any convictions for sex offenses against an adult or child?			N/A (Unavailable)
F) (2) Does the detainee have a history of prior institutional sexual abuse or violence? If information not provided in ICE documents annotate N/A			
Completed by Processing Officer in Secure, Private, and Confidential Location			
G) (1) Do you self-identify as being gay, lesbian, or bisexual? If the answer is YES please annotate self-identification below.	YES	NO	Refused to Answer
G) (2) Do you self-identify as transgender, intersex, or gender non-conforming? If the answer is YES please annotate self-identification below.			

Completed by Processing Officer in Secure, Private, and Confidential Location			
1) Detainee's own concerns about his or her physical safety	YES	NO	Refused to Answer
Do you have fears, issues, or concerns about your safety right now? If answer is YES please provide answer.			

***** SECTION 3: RISK ASSESSMENT ANALYSIS *****

Victimization Designation Process:	YES	
Known Victim Designation (Yes to item H) * V Designation in Offender Management System *		
Potential Victim Designation (No to item H and Yes to 5 or more items)		
Non-Victim Designation (No to item H and Yes to fewer than 5 items)		
Abusiveness Designation Process:	YES	
Known Sexual Aggressor (Yes to item F) (1) * P Designation in Offender Management System *		
No Current Indication of Sexual Aggressor (No to Item F) (1)		

***** SECTION 4: HOUSING DETAINEES to PREVENT SEXUAL ABUSE & STEPS TO MITIGATE DANGER *****

FDC security staff shall use the information from this risk assessment to inform assignment of detainees to housing, recreation and other activities, and voluntary work.		
Approval and Signature of Shift Commander or Higher Authority NOT REQUIRED for detainees designated as NON-VICTIM DESIGNATION or NO CURRENT INDICATION OF SEXUAL AGGRESSION and Processing/Classification staff are authorized to make individualized general population housing determinations based off this assessment tool and documents provided by ICE.		
Any detainee identified as a KNOWN VICTIM DESIGNATION or KNOWN SEXUAL AGGRESSOR DESIGNATION requires the APPROVAL and SIGNATURE of Shift Commander or Higher Authority authorizing a detainee's housing assignment.		
Prior to authorizing this detainee's housing assignment, I acknowledge that I have reviewed the information contained in the above assessment along with the information captured in FDC's Offender Management System to ensure steps were taken to prevent sexual abuse and mitigate any such danger.		
<div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p style="text-align: center;">Examples of Mitigating Steps:</p> <p>** Separate Dorm Assignment of V Designation from P Designation</p> <p>** Top Bunk for V Designation</p> <p>** Bunk Near Officer Station for V Designation</p> <p>** Bunk Assignment of V Designation Distant from P Designation</p> </div>		
Printed Name & Signature Shift Commander or Higher Authority		
General Population: Initial Housing Assignment from Assessment Tool. <u>Dorm 1 2 3 4 5 6 7 8 9</u>		
BUNK #		
Restricted Housing (Requires Observation Report, Administrative Segregation Order, and Shift Commander or Higher Approval)		
Medical Observation (Health Care Approval)		
		YES NO
Was Housing Assignment based on PREA Assessment Tool for Risk of Victimization and Abusiveness?		

♦ In accordance with DHS PREA Standard 115.41 (g) responses to questions and sensitive information obtained from this form is confidential and will not be exploited to the detainee's detriment by staff or other detainees or inmates.

♦ Processing will forward this form to Medical for any detainee in category of Known Victim Designation or Known Sexual Aggressor category to be in compliance with DHS PREA Standard 115.81

Appendix G: Response Protocols

PREA / SAAP RESPONSE TIMELINE AND CHECKLIST*** Shift Commander Responsible for Completing All Below Information. Annotate N/A if Not Applicable***

1. Date Report Made:
2. Date & Time Abuse Occurred:
3. Name of Detainee Victim:
4. Name of Staff Receiving Report:
5. Time Report Made:
6. Location of Incident:
7. A Number:
8. Method Report Was Received
(Verbally, Written, 3rd Party):
9. Type of Abuse Detainee Victim Communicated to Staff (Record Precisely what Detainee Stated):
10. Name of Detainee Perpetrator and A Number or Name of Staff, Contractor, or Volunteer:
11. If Perpetrator was Staff, Contractor, or Volunteer Time Individual was Removed from Contact with Detainees:
12. Time Detainee Victim was Separated from Detainee Perpetrator:
13. Did Detainee Victim Report Any Witnesses to Incident (Yes or No) If Yes Names and A Number:
14. Possible Crime Scene Identified (Yes or No)
If Yes Location:
15. Time Crime Scene Secured and Name of Staff
Member Assigned to Preserve Scene:
16. Time and Name of Staff that Advised Detainee Victim NOT to Take Any Actions that Could Destroy Physical Evidence:
17. Time and Name of Staff Responsible for Ensuring Alleged Abuser DOES NOT Take Any Actions that Could Destroy Physical Evidence:
18. Time Detainee Victim Escorted to Medical:
19. Name of Staff that Escorted Detainee to Medical:
20. Did Detainee Consent to Evaluation (Yes or No):
21. Name of Medical Staff Performing Evaluation:
22. Time Detainee Informed of Victim Support Services and Given ICE SAAP and YWCA Brochures:
23. Name of Staff Providing Detainee Notification:
24. English or Spanish Brochures Provided or was
Language Line Used to Communicate Victim Support
Services:
25. Time Detainee Informed of Victim Support Services and Given ICE SAAP and YWCA Brochures:
26. Did All Staff Involved in Response Complete Detailed Incident Report (Yes or No):

ICA



Immigration Centers of America - Farmville

ICA Farmville provides a reporting hotline for employees to anonymously report any of the following incidents:

Ethical Violations	Internal Controls
Unsafe Working Conditions	Vandalism and Sabotage
Quality of Service	Improper Conduct
Theft	Conduct Violations
Alcohol and Substance Abuse	Threats
Fraud	Bribery and Kickbacks
Conflict of Interest	Misuse of Company Property
Theft and Embezzlement	Violation of Company Policy
Violation of the Law	Falsification of Contract, Reports or Records

Regular business issues and matters not requiring anonymity should be directed to the employee's supervisor or HR department.

ANONYMOUS REPORTING HOTLINE

All calls are confidential and the identity of the caller will remain anonymous.

CALL 877-472-2110

or

www.lighthouse-services.com/ica-farmville

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Confidentiality Commitment

Lighthouse is a worldwide, anonymous reporting provider that helps companies identify improper behavior. We are committed to protecting the confidentiality and anonymity of employees who use our system. You may make a report anonymously if you choose to do so. Please note that the information provided by you may be the basis of an internal and/or external investigation into the issue you are reporting and your anonymity will be protected to the extent possible by law. However, your identity may become known during the course of the investigation because of the information you have provided. Reports are submitted by Lighthouse to your employer or employer's designee, and may or may not be investigated at the sole discretion of your employer.

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