

**VOLUNTEERS OF AMERICA OF GREATER NEW ORLEANS, INC.
2929 Saint Anthony Street, New Orleans, LA 70122**

SECTION

PREVENTION PLANNING

SUBJECT:

**ZERO TOLERANCE OF SEXUAL ABUSE
AND SEXUAL HARASSMENT/PREA
COORDINATOR**

PREA:

POLICY:

Volunteers of America Greater New Orleans RRC (VOAGNO RRC) has zero tolerance toward all forms of sexual abuse and sexual harassment in its facility. VOAGNO RRC will develop and implement an approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The program director is the VOAGNO RRC designated PREA coordinator. This designated agency-wide PREA coordinator (program director) is an upper-level management and has sufficient time and authority to develop, implement and oversee VOAGNO RRC efforts to comply with PREA standards. VOAGNO RRC will prevent any verbal or physical conduct of a sexual nature directed towards an inmate by another inmate, staff members, agents or volunteers of the Volunteers of America/Residential Re-Entry Center (VOA/RRC).

The program director will provide appropriate procedures for inmates to report any attempted and/or actual sexual abuse and sexual harassment. The program director shall ensure that inmate's who has been sexually abused or harassed immediately receive medical examination, treatment and counseling for victims of such misconduct. The program director will develop a written facility plan. This written facility plan will be used to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

PROCEDURES:

1. VOAGNO RRC will maintain full compliance with the PREA federal guidelines and standards, utilizing the definitions and outcomes for agency purposes.
2. PREA identifies three types of behavior that are prohibited under the law.
 - a. Sexual abuse:
 - i. Anytime a resident sexually touches the sexual parts of another residents' body, forces them to touch the sexual parts of their body, has sex with the resident without consent, or forces the resident to have sex with someone else without consent, it is against the law.
 - ii. Anytime a staff member makes sexual advances or comments, sexually touches a resident, or has sex with a resident, it is against the law. Even if the resident wanted or invited it, the staff person is not allowed to respond. This does not include routine searches or touching for certain medical procedures.
 - iii. Anytime a resident sexually touches a staff member or forces the resident to touch the staff member, it is against the law.
 - b. Sexual harassment:
 - i. Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another; and
 - ii. Repeated verbal comments or gestures of a sexual nature to a resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
 - c. Voyeurism
 - i. the invasion of privacy of a resident by staff for reasons unrelated to official duties, such as peering at an resident who is using a toilet in his or her cell to perform bodily functions;
 - ii. Requiring a resident to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a resident's naked body or of a resident performing bodily functions.
3. The PREA Coordinator's responsibilities include:
 - a. The point of contact and reporting for a client allegation of sexual assault or abuse and coordinating with staff trained to complete investigations.
 - b. Working with staff development and clinical services staff to develop and implement a training plan that fulfills the PREA training standards.

- c. Monitoring defendant/offender screening procedures and investigations according to the PREA standards.
 - d. Overseeing internal audits of the agency's compliance with PREA standards.
 - e. Provide access to records to external auditors monitoring PREA compliance.
4. The PREA coordinator will work with Sexual Abuse Response Teams to analyze abuse data, conduct sexual abuse incident reviews and make recommendations for improvements.
 5. The PREA coordinator will ensure that data is forwarded to marketing department office for updates to the website.

PREVENTION OF SEXUAL ABUSE AND SEXUAL HARRASSMENT

Volunteers of America Greater New Orleans RRC (RRC) will ensure that all employees, volunteers, interns, and contractors comply with the provisions of the Prison Rape Elimination Act.

1. It is the responsibility of VOAGNO employees to make every effort to provide all residents with a safe, humane and secure environment, free from the threat of sexual abuse, sexual misconduct, and sexual harassment.
2. VOAGNO RRC employees must make every effort to ensure that community service providers to whom VOAGNO residents are referred provide clients with a safe, humane and secure environment, free from the threat of sexual abuse, sexual misconduct, and sexual harassment.
3. VOAGNO RRC employees, volunteers, interns, and or contractors will not sexually abuse, sexually harass residents who reside at the RRC. VOAGNO RRC employees shall not tolerate any level of incidents of sexual abuse, sexual harassment, and sexual misconduct directed toward residents. VOAGNO RRC employees who fail to address these behaviors as mandated by PREA and this policy will result in disciplinary action up to and including dismissal.
4. VOAGNO RRC employees, volunteers, interns, and contractors alleged to have perpetrated sexual abuse, harassment, and misconduct will be prohibited from contact with the victim. These acts of sexual abuse or harassment will immediately be reported to the appropriate authority, including PREA coordinator, and local law enforcement agencies pending an investigation.

5. VOAGNO RRC employees, volunteers, interns and/or contractors are prohibited from any form of retaliation against an offender or fellow employee member who makes an allegation of sexual abuse. Retaliatory behavior will result in disciplinary action up to and including dismissal.
6. VOAGNO RRC employees, volunteers, interns and/or contractors must report any incidents of sexual abuse, sexual misconduct or sexual harassment immediately.
7. VOAGNO RRC employees are prohibited from correspondence or conversations of a romantic or sexual nature with residents.
8. Information and reporting regarding a sexual assault or sexual misconduct/harassment must follow data practices legislation and VOAGNO RRC policy: "PREA, Institutional Reporting and Responding to Maltreatment and Sexual Abuse."
9. VOAGNO RRC employees, volunteers, interns and contractual Staff must complete all PREA training as directed by the training coordinator.
10. VOAGNO RRC facility will adopt and comply with the PREA standards. This facility site will be audited for compliance.
11. VOAGNO RRC will conduct initial employee training on sexual abuse and sexual harassment for all new employees prior to working at the RRC.
12. VOAGNO will conduct annual training for all employee, volunteers, and contractors on sexual abuse and sexual harassment.
13. VOAGNO RRC will have video monitoring and staff (male and female) supervision to prevent blind spots of sexual abuse and sexual harassment.
14. VOAGNO RRC provides separate shower for disabled residents. VOAGNO RRC also will make provision for cross gender resident to shower at different times.
15. VOAGNO RRC employees, volunteers, interns, and or contractors of the opposite sex must announce their presence when entering male, female dorms, male and female bathrooms.
16. VOAGNO RRC will collaborate with outside agencies that will interpret for residents with deaf or hard of hearing. VOAGNO will also collaborate with professional staff that has expertise in people with disabilities.

17. VOAGNO RRC will ensure that all residents must be fully clothed at all times.
18. Men and women are not allowed in the opposite sex dorms or television rooms at no time for any reason. VOAGNO RRC enforces the **SIX FEET SEPARATION RULE** when residents are in the cafeteria and recreation yard.
19. VOAGNO RRC employees will not conduct strip searches or visual body cavity searches (anal or genital opening).
20. Residents will be allowed to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is during required security rounds.
21. Staff will announce “Male on the Floor” or “Female on the Floor” anytime the opposite gender enters a resident’s sleeping area.

DETECTION OF SEXUAL ABUSE AND SEXUAL HARRASSMENT.

1. VOAGNO RRC will assess all residents for risk of victimization and abusiveness. This screening will be conducted within 72 days of inmates’ arrival to the facility. VOAGNO will also reassess inmates within 30 days after their arrival to the facility. See policy on Intake (PREA 115.241)
2. VOAGNO RRC will provide staff coverage (male and female) appropriate to meet program needs at all times, including the safety of all residents. VOAGNO RRC will provide a safe and secure environment for clients and staff. Staff will conduct a building check and client count to verify that all clients are accounted for, safe and to determine if there is any violation of policies and procedures. VOAGNO RRC will develop, document, and make the best efforts to comply on a regular basis with its staffing plan that provides adequate levels of staffing to protect residents against sexual abuse. See policy on staff coverage and round.
3. VOAGNO RRC will provide video monitoring in common areas only.
4. VOAGNO RRC will ensure that residents, as part of their orientation process, are provided with information defining sexual abuse, sexual misconduct and sexual harassment, and how to report these incidents.

5. VOAGNO RRC case managers will meet residents on weekly and biweekly to discuss matters or activities relating to their programming needs that occurred within and outside the facility.
6. Supervisors will conduct unannounced supervisory rounds of the facility daily to identify and deter staff sexual abuse and sexual harassment.
7. Staff is prohibited from alerting other staff members when a Supervisor is conducting supervisory rounds. Any violations will result in disciplinary actions.
8. VOAGNO RRC will consider the RRC's ability to protect residents from sexual abuse during any planned expansions, modifications, or video equipment updates to the facility.
9. VOAGNO RRC will ensure safety, stabilize the situation, securing the scene, separate the victims of sexual abuse or sexual harassment, ask questions, and report incident to a PREA coordinator.
10. VOAGNO RRC will instruct its staff to avoid inappropriate relationships with residents.
 - a. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or other nonconforming residents.
 - b. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

RESPONDING TO SEXUAL ABUSE AND SEXUAL HARASSMENT.

- A. VOAGNO RRC will respond to sexual abuse and sexual harassment incidents if the incidents of sexual abuse and sexual harassment occur in the facility. Upon learning or becoming aware of an allegation that an inmate was sexually abused, the first security staff or any other staff member to respond to the report shall be required to:**
 1. Separate the alleged victim and abuser. Locations include staff office, or the conference room. The victim and abuser would be placed under staff supervision until law enforcement officers arrive, if needed.
 2. Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence by law enforcement.
 3. If sexual abuse or harassment occurs 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.

4. If sexual abuse or harassment occurs within a time period that still allows for the collection of physical evidence, ensure the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.
5. If the first responder is not a security staff member, the responder shall be required to request the alleged victim not to take actions that could destroy physical evidence, and then notify security staff.
6. The first responder who is not a security staff shall notify security staff of the above action taken and report the incident immediately to the Program Director/PREA Coordinator. The program director will immediately notify the BOP and law enforcement officials.
7. If the Program Director is unavailable, report the incident to the on call supervisor (assistant director or chief of security). The supervisor who received the report will notify the BOP and law enforcement officials:
 - a. The reporting supervisor will document the referral for investigation to the above agencies.
 - b. The program director will follow up with BOP and local police department to obtain outcome of the local police department investigation
 - c. The supervisor who received the report will convey the incident report to the PREA Coordinator.
8. Offer the victim of sexual abuse access to a forensic medical examination.
9. VOAGNO RRC will provide victim advocate to any resident who request for such victim advocate. The victim advocate will be from a rape crisis center but if none are available a qualified staff member from the community based organization or qualified staff member of Volunteers of America Greater New Orleans (VOAGNO) staff member will be the victim advocate.
10. If requested by the victim, the victim advocate, qualified staff member of VOAGNO, or qualified community-based organization staff member will accompany and support the victim through the forensic medical examination process and investigatory interviews and will provide emotional support, crisis intervention, information and referrals.
11. Monitor the resident who reported sexual abuse for 90 days following the report.
12. VOAGNO has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse among first staff responders, investigators, and

facility leadership.

B. VOAGNO RRC will response to sexual abuse and sexual harassment incidents if the incidents of sexual abuse and sexual harassment occurs outside the facility:

1. Report the allegation to the Program Director/PREA Coordinator. If the Program Director is unavailable, report the allegation to the assistant director.
2. The assistant director who received the report will notify the Program Director as soon as possible.
3. The Program Director will immediately notify the head of the facility or appropriate office of the agency (BOP RRM) where the alleged abuse occurred within 72 hours of the allegation being reported to agency staff.
4. The program director will immediately, within 72 hours, notify the BOP-Residential Reentry Manager (RRM) upon receipt of allegation that a new resident has been sexually abused while he or she was confined at the transferring institution/facility. This notification shall be made verbally and in writing.
5. The RRC program director will ensure that BOP conducts investigation of allegation of sexual abuse or sexual harassment of a new resident (prior to arriving at the RRC), which occurred while this new resident was confined at the transferring institution/facility.
6. The program Director will document notification of the outside facility head and forward the report to the sponsoring agency (Bureau of prison and local law enforcement agencies). This notification shall be made verbally and in writing.
7. The program director will initiate VOAGNO RRC response strategy that are stated in paragraphs 6 to 12 of ‘**VOAGNO RRC will response to sexual abuse and sexual harassment incidents if the incidents of sexual abuse and sexual harassment occurs in the facility**’

Definitions of prohibited behaviors regarding sexual abuse and sexual harassment.

- A. **Gender nonconforming:** A person whose appearance or manner does not conform to traditional societal gender expectations.
- B. **Intersex:** A person who’s sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female.

C. **Transgender:** A person whose gender identity (internal sense of feeling male or female) is different from the person's assigned sex at birth.

D. **Sexual Abuse:** Abuse by another resident or a staff member, contractor, or volunteer when the victim does not consent and is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse.

1. Sexual Abuse by another resident includes:

- a. Contact between the penis and the vulva or the penis and the anus, including penetrations, however slight.
- b. Contact between the mouth and penis, vulva, or anus.
- c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
- d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

2. Sexual Abuse by a staff member, contractor, or volunteer includes:

a. Sexual touching by a staff member, contractor, or volunteer which includes:

- I. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight.
 - II. Contact between the mouth and the penis, vulva, or anus, penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
 - III. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, with the intent to abuse, arouse, or gratify sexual desire.
- b. Any attempted, threatened, or requested sexual touching by a staff member, contractor, or volunteer.
 - c. Indecent exposure by a staff member, contractor, or volunteer includes, displays by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of any resident.
 - d. Voyeurism by a staff member, contractor, or volunteer that involves an invasion of an

resident's privacy by staff for reasons unrelated to official duties such as:

- Peering at any resident who is using a toilet in his or her stall to perform bodily functions.
 - Requiring an resident to expose their buttocks, genitals or breast or taking images of all or part of an resident's naked body or of an resident performing bodily functions, regardless of what the staff member does with the images afterwards.
- e. **Sexual Harassment:** Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident toward another and repeated verbal comments or gestures of a sexual nature to a resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- f. **PREA Coordinator:** An upper-level, agency-wide person with sufficient time and authority to develop, implement, and oversee RRC efforts to comply with the PREA standards within the facility.

Discipline -sanctions for those found to have participated in prohibited behaviors.

1. VOAGNO RRC staff will be subject to disciplinary sanctions up to and including termination for violating the sexual abuse and sexual harassment policies.
2. Staff that has engaged in sexual abuse or sexual harassment will be terminated from VOAGNO. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse or sexual harassment.
3. Disciplinary sanctions for violations of VOAGNO RRC policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with:
 - a. The nature and circumstances of the acts committed;
 - b. The staff member's disciplinary history;
 - c. The sanctions imposed for similar offenses by other staff with similar histories.
4. All terminations for violations of VOAGNO RRC sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation will be reported to the BOP, other law enforcement agencies (New Orleans

Police Department) unless the activity was clearly not criminal, and to any relevant licensing bodies.

5. Any contractor, volunteers, or an intern who engages in sexual abuse is prohibited from contact with residents.
6. Any contractor or volunteer who engages in sexual abuse will be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.
7. VOAGNO RRC will take appropriate remedial measures and considers whether to prohibit further contact with residents in the case of any other violation of VOAGNO RRC sexual abuse or sexual harassment policies by a contractor or volunteer (VOAGNO RRC will prohibit further contact with residents).
8. Residents will be subject to disciplinary sanctions pursuant to a formal disciplinary process following:
 - a. An administrative finding that the resident engaged in Resident-on-Resident sexual abuse.
 - b. A criminal finding of guilt for Resident-on-Resident sexual abuse.
 - c. Findings that a resident engaged in resident-on staff sexual abuse or harassment.
 - d. Following a criminal finding of guilt for resident-on-staff sexual abuse or harassment.
9. Resident disciplinary sanctions shall be commensurate with:
 - a. The nature and circumstances of the abuse committed;
 - b. The resident's disciplinary history; and
 - c. The sanctions imposed for comparable or similar offenses by other residents with similar histories.
10. The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, to impose.

11. VOAGNO will offer therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. This therapy, counseling, or other interventions will be provided by BOP community treatment provider.
12. If the VOAGNO RRC offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, VOAGNO RRC will consider whether to require the offending resident to participate in such interventions as a condition of access to programming or other benefits.
13. VOAGNO RRC will discipline a resident for sexual contact or conduct with staff only upon a finding that the staff member did not consent to such contact or conduct.
14. For the purpose of disciplinary action, a residents' report of sexual abuse made in good faith and based on reasonable belief that an alleged conduct occurred will not be disciplined for falsely reporting an incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation.
15. VOAGNO RRC may discipline a resident for filing a grievance related to alleged sexual abuse if the allegation is made in bad faith (deliberately lying).
16. VOAGNO RRC prohibits all sexual activities between residents and will discipline residents for such activities. VOAGNO RRC will deem such activity as sexual abuse only if it determines that the activity is coerced.