

- Standing too close to an offender
- Taking up an offender's cause or grievance
- Changing duty assignments of a particular offender
- Getting into conflicts with co-workers over an offender
- Bringing things into the facility for the offender
- Doing favors for an offender's family
- Feeling the effects of major life changes (divorce, etc)
- Believing an offender is indispensable



Other Things to Consider

Your personal and professional reputation may be jeopardized because of unprofessional conduct. Your career, and even your family can also be negatively impacted or destroyed.

Amorous or sexual relationships with an offender are seldom a secret. Such behavior will subject you to disrespect and manipulation from other offenders that may be aware of your situation.

Once in a relationship, professional judgment becomes clouded and the normal defenses that exist to protect you will be compromised. When acting on emotions, you may take actions that would otherwise be considered inappropriate in a correctional environment (either in custody or in the community).

Amorous or sexual relationships are inappropriate and illegal when they occur between an offender and any staff member, contractor, vendor or volunteer. Offenders depend upon staff to provide for their board and care, ensure their safety, address their health care needs, supervise their work and conduct, and act as role models for socially acceptable conduct.

Your conduct and the decisions you make reflect not only on your own reputation, but also on that of your peers and the agency you represent.

Duty to Report

As a valued agent of this Office, you have a duty to report incidences where staff, contract staff, agents of the department, or volunteers are sexually involved with or sexually harassing an offender/inmate.

Some forms of reporting include but are not limited to:

- Jail or Division Administrator
- Jail Supervisor
- Contact person with the Agency
- PREA Coordinator at (503) 722-6631
- Confidential reports may be made at the Sheriff's Office website:

<http://www.clackamas.us/sheriff/forms/prea.html>

Maintaining Appropriate Boundaries

Most staff/offender sexual misconduct occurs only after seemingly innocent professional boundaries have been crossed. The following behaviors will assist you in maintaining appropriate boundaries:

- Maintain professional distance
- Focus behavior on duties and assignments
- Do not become overly close with any particular offenders
- Do not share your own or other staff person's personal information with or around offenders
- When speaking to offenders about other staff refer to the staff by their title or as Ms. or Mr.
- When speaking to offenders refer to them as Ms. or Mr. and their last name
- Do not accept gifts or favors from offenders
- Be knowledgeable of Departmental policy and procedure, rules of conduct and laws regarding sexual misconduct and sexual harassment.

CLACKAMAS COUNTY SHERIFF'S OFFICE JAIL DIVISION

A Guide to the Prevention and Reporting of Sexual Misconduct with Offenders



**FOR CONTRACTORS, VENDORS,
AND VOLUNTEERS OF THE
CLACKAMAS COUNTY
SHERIFF'S OFFICE**

Remember



**You have a duty
to report
offender/inmate
sexual abuse!!!**

Objective

This pamphlet is written to train and educate you on the Prison Rape Elimination Act of 2003 (PREA), and the agency's standard concerning offender/inmate sexual abuse. It is also intended to provide information on maintaining professional boundaries with offenders/inmates and your duty to report incidents of offender/inmate sexual abuse.

PREA

The Prison Rape Elimination Act of 2003 (PREA) is a Federal law established to address the elimination and prevention of sexual assault and rape in correctional systems. PREA applies to all federal, state, and local prisons, jails, police lock-ups, private facilities, and community settings such as residential facilities.

In response to PREA, the Clackamas County Jail has committed to a standard of **zero tolerance** of sexual abuse of offenders either by staff, other offenders/inmates, volunteers, contracted agents, or individuals having custody of or responsibility for the safety, security, care, and/or treatment of offenders/inmates. Volunteers and Agents must be aware that unprofessional relationships will not be tolerated and these relationships are criminal and may be prosecuted under state and federal statutes.

Sexual Misconduct

Clackamas County Jail policy CCJ.090 specifically forbids any activity associated with or that promotes acts of sexual conduct, including sexual harassment between offenders and staff. In this definition, "staff" includes: contractors, vendors and volunteers of the jail as well as staff from other federal, state, or local jurisdictions. An "offender" means someone incarcerated in a correctional facility or under supervision in the community.

Forms of sexual misconduct include, but are not limited to:

1. Any behavior of a sexual nature directed toward an offender by a Department staff, contract staff, or volunteer.
2. Inappropriate touching between offenders and staff.
3. All completed, attempted, threatened, or requested sexual acts between Department staff and the offender.
4. Sexual comments and conversations with sexually suggestive innuendos or double meanings.
5. Display or transmittal of sexually suggestive posters, objects, or messages.

Depending on the investigation findings of an alleged incident, the outcome may result in the loss of your job/assignment and the possibility of criminal charges. In addition, persons accused of sexual harassment in civil or criminal proceedings may be held personally liable for damages to the person harassed.

History of Victimization

Some staff don't think of offenders as 'victims' of staff sexual misconduct, especially when the offender appears to be a willing participant or even initiated the sexual or 'romantic' interactions with a staff member. The offender is always the victim because of the imbalance of power. The consent or willingness of an offender to participate may be a survival strategy or a learned response to previous or current victimization.

Many offenders have a history of victimization (physical and/or sexual abuse), which may make them especially vulnerable to the sexual overtures of persons in positions of

authority. Their perception of affection/love may be skewed by this background of abuse, making it impossible for them to refuse advances of a staff member. In some instances, particularly for female offenders, their survival in the community has been directly related to using their sexuality to obtain the means to survive. Coupled with low self-esteem, this carries over into their conduct in prison and while under community supervision.

As the person in authority, it is your responsibility to discourage, refuse and report any overtures as well as maintain professional boundaries at all times.

Boundaries in relationships can be difficult. If you question your professional boundaries with an offender or feel uncomfortable with his/her actions or advances toward you, talk to another person you respect and/or bring this matter to the attention of a jail employee before it gets out of control.

Red Flags:

The following are behaviors or 'red flags' that may signal you or someone you work with is in danger of engaging in sexual misconduct with an offender:

- Spending a lot of time with a particular offender
- Change in appearance of an offender or staff member
- Deviating from agency policy for the benefit of a particular offender
- Sharing personal information with an offender
- Horseplay
- Overlooking infractions of a particular offender
- Doing favors for an offender
- Consistently volunteering for a particular assignment or shift
- Coming to work early/staying at work late
- Flirting with an offender