Zero Tolerance Policy

It is the policy of the PA Board of Probation and Parole (Board) and the Department of Corrections (DOC) to prohibit any form of sexual abuse and/or sexual harassment of an inmate/parolee. The Board and DOC have zero tolerance for sexual abuse or sexual harassment of any individual under the supervision of the DOC. Anyone who engages in, fails to report, or knowingly condones sexual abuse or sexual harassment of an inmate/parolee shall be subject to disciplinary action, up to and including termination, and may be subject to criminal prosecution. An inmate/parolee, employee, contractor, or volunteer of the DOC is subject to disciplinary action and/or sanctions, including possible dismissal and termination of contracts and/or services, if he/she is found to have engaged in sexual abuse or sexual harassment of an inmate. A claim of consent will not be accepted as an affirmative defense for engaging in sexual abuse or sexual harassment of an inmate/parolee.

What Is Sexual Abuse?

Sexual Abuse: As defined by the National Standards to Prevent, Detect, and Respond to Prison Rape includes sexual abuse of an inmate by another inmate, detainee, or resident by another inmate, detainee, or resident; and sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

1. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
   - Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
   - 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; and
   - Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

2. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without the consent of the inmate, detainee, or resident:
   - Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
   - Contact between the mouth and the penis, vulva, or anus;
   - Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above in paragraphs (a)-(e) of this section;

- Any display by a staff member, contractor, or volunteer of his/her uncovered genitalia, buttocks, or breast in the presence of an inmate; and

- Voyeurism by staff member, contractor, or volunteer.

**What Is Sexual Harassment?**

**Sexual Harassment:** As defined by the National Standards to Prevent, Detect, and Respond to Prison Rape:

- Repeated and unwelcome sexual advances, requests for sexual favors or verbal comments, gestures, or actions of a derogatory or offensive sexual nature, by one inmate, detainee, or resident directed toward another; and

- Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or 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.

**Tips for Avoiding Sexual Abuse**

A victim is never to blame for being attacked. These tips may help you lower your risk of being abused.

1. Carry yourself in a confident manner at all times.
2. Pay attention to your surroundings.
3. Do not permit your emotions (fear/anxiety) to be obvious to others.
4. Do not accept gifts or favors from others. They usually come with strings attached.
5. Do not accept an offer from another inmate/parolee to be your protector or "friend."
6. Tell any staff member to immediately report the incident.
7. **Be Alert!** Do not use contraband such as drugs or alcohol as they will weaken your ability to stay alert and make good judgments.
8. Be direct and firm when others ask you to do things that you don't want to do.
9. Stay in well-lit areas.
10. Choose your associates wisely.

**If I am a victim of sexual assault or rape by another inmate or institutional staff while I’m in prison, how may I report this safely? What do I do if I have been sexually abused?**

After being sexually abused, it can be difficult to know what to do or feel. It is normal to have a lot of different feelings. It is important to know that this is not your fault and you are not alone. But, there are a few things you can do after being sexually abused to be safe.

1. Tell any staff member as soon as possible to immediately report the incident and maximize the potential for preservation of evidence.
2. Although it may be difficult, seek medical attention **BEFORE** you shower, eat, drink, change clothing, brush your teeth, or use the bathroom. This is to preserve evidence.
3. Save any other evidence of the abuse.
4. Give as much information as possible to the questions you are asked. Share any concerns for your
safety with staff, including threats of retaliation.
5. Use outside rape crisis center services for counseling and support.

Victims of sexual abuse have access to support services free of charge. Write to:

Pennsylvania Coalition Against Rape (PCAR) | P.O. Box 400 | Enola, PA 17025

You may also contact your facility’s PREA Compliance Manager to arrange for access to this service
with the facility’s local rape crisis center.

How You Can Report Sexual Abuse or Sexual Harassment
1. Tell any staff member to immediately report the incident.
2. Tell any supervisor or manager to immediately report the incident.
3. Make a written request to any staff member, supervisor, or manager.
4. Send a written a report to the third-party reporting address established with the Pennsylvania State
Police (PSP):
   PSP BCI/PREA Coordinator | 1800 Elmerton Avenue | Harrisburg, PA 17110
5. Have your family call to notify the facility or contact PSP.

Reports can be made anonymously and by third parties. NOTE: written reports require processing time
and may not prompt immediate action. If you need immediate attention, please notify a staff member
or have your family contact the facility or PSP.

In The Community, What To Do If You Have Been Sexually Abused?
1. Report the incident as soon as possible to your parole agent or local law enforcement.
2. Seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth or use the
bathroom.
3. Give as much information as possible to the questions you are asked.

How Can You Report Sexual Abuse or Sexual Harassment?
1. Tell any PA Board of Probation and Parole staff member that you trust.
2. Make a written request to any staff member.
3. Call the PBPP toll free number at 1.844.532.1995 to make a report. Your call can be anonymous.
   Please leave a RECORDED message. These messages are monitored internally.
   • You can find this number posted in the lobby of the parole office and other locations within the
   facility.
4. Write to request more information at:
   Pennsylvania Coalition Against Rape (PCAR) | P.O. Box 400 | Enola, PA 17025

The Board and the DOC are committed to zero tolerance of any form of sexual abuse and
sexual harassment in facilities they operate directly or with which it holds contracts for the
confinement of inmates/parolees. Sexual abuse of an inmate/parolee and sexual harassment
of an inmate/parolee are prohibited.