

PREA Juvenile Offender Orientation for Newly Committed Juvenile Offenders

Introduction: The Kansas Juvenile Justice Authority (JJA) is committed to your safety and the safety of staff. You have the right to serve your sentence with dignity and free from sexual abuse, sexual harassment, and retaliation. The JJA has zero tolerance regarding sexual abuse and sexual harassment within its facilities. This means we DO NOT tolerate any level of sexual harassment, misconduct, or assault in the facilities. EVERY effort will be made to prevent sexual abuse and harassment from occurring, EVERY allegation will be investigated, EVERY perpetrator punished, and EVERY victim offered services.

There is a federal law against sexual assault inside correctional systems called the Prison Rape Elimination Act (PREA). This law covers male and female individuals incarcerated in any type of correctional facility, as well as offenders on community supervision. This law also covers any form of sexual relationship between staff and offenders, even if they both consent to the relationship. We also have laws against custodial sexual misconduct. This is when a staff member becomes sexually involved with an offender. All of these types of offenses are felonies and any allegation shown to be true will be referred to law enforcement for prosecution.

When you first arrive here, you may want to find comfort and want to develop relationships with others. All of this is normal, but there are a variety of relationships that might be harmful. Most staff are here to help you and most offenders want to do their time, like you, without feeling pressure from other offenders. Not all offenders will try to sexually abuse or sexually harass you. We will work with you to do everything we can to ensure you remain safe.

What is sexual abuse?: There are two categories of sexual abuse – juvenile offender and juvenile offender or staff and juvenile offender. In either of these cases, it is not your fault if you were sexually abused or sexually harassed. These definitions are outlined in the Guide to Preventing and Reporting Sexual Misconduct that you have received. If after you read through it and have any other questions, you can ask any staff member for assistance or complete an Offender Request to Staff Member form.

During you stay at a JJA correctional facility, consensual sexual relationships are prohibited. Consensual sexual relationships between juvenile offenders are against policy. Offenders who engage in these relationships will be charged with a major infraction with appropriate sanctions. Even though these types of relationships may be something that is desired by both people, they present medical and psychological issues which compromise your safety and the safety of other offenders and staff. The spread of sexually transmitted diseases, jealousy between participants and from other offenders, fear of homosexuality and other issues make consensual sex a threat to everyone's safety.

Prevention: How to prevent sexual abuse / harassment – Pay attention to where you are, situations that make you feel uncomfortable, special attention that someone may be giving you, who you tell private information to, accepting loans, offers of protection and do not let manners get in the way of keeping yourself safe. Everyone is vulnerable in these kinds of situations but they are less likely to happen if you follow some of the common sense rules outlined in the Guide under Prevention Strategies.

Staff are trained to look for behaviors of offenders which may indicate that some form of sexual abuse / sexual harassment may be occurring or offenders who are at risk for sexual victimization. Some of these include: Changes in routine, mood or behavior, to include eating, hygiene, and sleeping habits; avoiding

staff members or staying too close to staff; staying out of the dining hall, yard or shower areas; irritability or mood swings; requesting housing changes; one offender getting lots of attention from other offenders, particular a younger or weaker offender; never having canteen items; and suicide attempts or threats.

Reporting and Investigations: What to do if you've been assaulted or if sexual misconduct has occurred. Offenders can participate in an investigation in many ways, including being the alleged victim, suspect, reporter, or witness. Reporting can be done several ways:

1. Report it to any staff member;
2. Report by calling the Kansas Protection Report Center at 1-800-922-5330; or,
3. Complete an Offender Grievance.

If you are the victim, request immediate medical attention. Do not shower, brush your teeth, use the restroom or change your clothing. You may destroy valuable physical evidence.

JJA will ensure that an administrative or criminal investigation is completed on **ALL** allegations of sexual abuse and sexual harassment. Information gathered during the internal inquiry and investigation will be limited to those individuals on a need to know basis.

Retaliation against offenders who participate in PREA investigations can take many forms, including threats, harassment, infractions, loss of privileges, or asking others to harass or intimidate the offender. Retaliation by staff or other offenders due to reporting an allegation or participating in an investigation is prohibited and will also be investigated.

Those individuals who fail or refuse to cooperate (except victim) or those who otherwise takes action to obstruct an investigation, including providing false or misleading information may be subject to disciplinary actions. Making false allegations hurts the process and those offenders who have been victimized. Also lying during an investigation doesn't allow the investigators to get to the truth, minimizing our ability to hold people who have engaged in misconduct accountable or provide services to those who have been victimized.

What to expect: We will work with you to keep you safe. If the allegation is substantiated, we will keep you separated from the perpetrator throughout your stay, either by unit or facility separation.

All staff are required to report the allegation / incident to the superintendent, which will start the investigation process. This includes the medical and mental health providers.

An investigation may include: a medical exam, a mental health referral and evidence collection. We will do our best to keep the information you report as confidential as we can while conducting the investigation. We expect the same of all juvenile offenders involved in the investigation (alleged victim, suspects and witnesses). We will also ensure that victims receive a referral to mental health services for treatment and counseling. It is common for victims of sexual abuse to have feelings of embarrassment, anger, guilt, panic, depression, and fear for several months or years after the incident. Other common reactions include loss of appetite, nausea or stomach aches, headaches, loss of memory and/or trouble concentrating and changes in sleep patterns. Seek medical support or support from a counselor or other staff person if you need help managing any of these or other reactions.

Summary:

Did you know?

- Sexual assault usually does not happen spontaneously.
- Sex assault is a deliberate action against the victim.
- Sexual assault has nothing to do with the victim's present or future sexual orientation.

We want this facility to be a safe environment for staff and juvenile offenders. Correctional staff are trained in what to do if you report a sexual threat or assault. Each report is taken seriously. We will make every attempt to protect sexual assault victims from further harm. We will do everything we can to make sure all sexual aggressors are prosecuted.

Remember, we have zero tolerance regarding sexual abuse / sexual harassment within our facilities. This means that we do not tolerate any level of sexual harassment, sexual misconduct, or sexual assault. Every effort will be made to prevent sexual abuse / harassment from occurring. Every allegation will be investigated. Every perpetrator prosecuted and every victim will be provided services.