

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Sexual Assault Committee	PAGE <u> 1 </u> OF <u> 3 </u> NUMBER: 79-ISA-02
RULE/CODE REFERENCE: Public Law 108-79/Prison Rape Elimination Act	SUPERSEDES: NONE
RELATED ACA STANDARDS: 4-4281-1 through 4-4281-8	EFFECTIVE DATE: July 1, 2005
RELATED AUDIT STANDARDS:	APPROVED: <i>Reginald Q. Wilkinson</i>

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Ohio Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to provide procedural guidelines for the management of inmates who have been sexually assaulted or are considered to be at risk of sexual victimization.

III. APPLICABILITY

This policy shall be applicable to all persons employed by or under contract with the Department who are involved directly or indirectly, in the care and custody of inmates who have been or are at risk of being sexually assaulted.

IV. DEFINITIONS

Sexual Assault Victim – An inmate who has been sexually assaulted by another inmate, through the use of force or threat of force. For the purposes of this policy only, the threat of or attempt to sexually assault an inmate shall be construed to be the same as an assault.

Institutional Sexual Assault Committee (SAC) – A team of employees, appointed by the Warden, to evaluate and recommend a course of action for the inmate victim or potential victim of an attempted or completed sexual assault.

Safe Housing Environment – A housing environment for the victim or potential victim of an attempted or completed sexual assault, where the victim is accorded, to the extent possible, the same level of privileges they were entitled to immediately prior to the attempted or completed sexual assault.

V. POLICY

It is the policy of the Department of Rehabilitation and Correction to monitor and properly manage any inmate who appears at high risk of sexual assault or who has been the victim of an attempted or

completed sexual assault. In an effort to reduce the chances of harm or additional harm to the inmate, special attention shall be paid to their housing and other assignments.

VI. **PROCEDURES**

A. Institutional Sexual Assault Committee (SAC)

1. Each Warden shall designate a Sexual Assault Committee (SAC) to make recommendations for inmates who have been sexually assaulted or have otherwise been referred by the warden due to a significant concern they are at risk of sexual victimization. The SAC shall, at a minimum, consist of:

- a. Deputy Warden of Operations - Chair
- b. Institutional Investigator
- c. Designated victim support person
- d. Deputy Warden of Special Services
- e. Any other staff that may have relevant input, such as unit staff, as designated by the Warden.

- B. The SAC committee shall be responsible for reviewing and recommending to the warden how the institution should proceed to manage an inmate that has been sexually assaulted or appears at high risk of being sexually assaulted.

C. SAC Procedures Following the Report of an Attempted or Completed Sexual Assault:

1. Upon the report of an attempted or completed sexual assault, the victim shall be housed in a designated safe housing environment of the institution until evaluated by the SAC.
2. By the end of the next business day following the report of an attempted or completed sexual assault, the designated victim support person who is a member of the SAC, shall meet with the victim to conduct a preliminary assessment of the inmate's current safety needs. The victim support person shall also review the privilege levels afforded the inmate while in the Safe Housing Environment to assure they are as consistent with the inmate's prior privilege level as possible. The Designated victim support person shall further review the needs of the inmate in the following areas:
 - a. Housing
 - b. Medical
 - c. Mental Health
 - d. Threat of harm from alleged aggressor or other inmates

- e. Any other area of concern that is raised by the inmate or staff relevant to future administrative/management decisions affecting the inmate.
3. The SAC Chair shall, within seven calendar days, convene a meeting of the SAC to evaluate all relevant documentation, information and reports of those who interviewed the victim.
 4. The SAC shall make a written recommendation, using DRC FORM 4404, to the Warden within eight (8) calendar days of the original allegation. The report shall detail what action the SAC recommends be taken with regard to the housing, program assignment, follow-up, and overall management of the victim.
 5. The Warden shall make the final decision of the long term placement and care of the victim.

D. SAC Procedures Following a Referral By the Warden:

1. Upon the receipt of the referral the SAC chair shall promptly take any action deemed necessary to provide for the referred inmate's immediate safety needs, if this has not already been done.
2. Thereafter, all relevant procedures described in section VI(C) Shall apply, based upon the date the chair received the referral.

E. Privileges In A Safe Housing Environment

1. In as much as possible the privileges afforded an inmate housed in a safe housing environment should be consistent with the privileges enjoyed prior to placement in the safe housing environment.

ATTACHED FORMS:

DRC4404