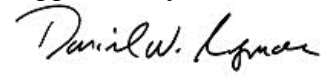


Connecticut Junior Republic

**Sexual Assault and Harassment Prevention**

Initiated 2013

Approved by:



Executive Director

**Policy**

It is the policy of the Connecticut Junior Republic to create and maintain a physically and emotionally safe environment for clients. Ensuring that clients, staff, interns, educators, contractors, and volunteers are educated about sexual assault and sexual harassment issues is a necessary part of this process. CJR has a zero tolerance policy toward all forms of sexual assault and harassment. The Prison Rape Elimination Act (PREA) standards are to be met, in accordance with all State and Federal laws, in all CJR residential programs.

**Procedure**

It is the ultimate responsibility of all CJR employees to ensure that all clients remain safe in regard to sexual assault and harassment. To facilitate this, the Program Director will:

- Coordinate and oversee monitoring for clients that are identified as at risk for such abuse or harassment
- Refer all identified at-risk clients for appropriate services
- Immediately refer clients at CJR who are alleged victims of sexual assault or harassment for treatment
- Refer all allegations of sexual assault and sexual harassment for investigation
- Minimize the medical and psychological trauma of sexual assault through prompt and appropriate health interventions
- Provide all clients admitted to a CJR-run, Court Support Services (CSSD)-funded residential program with information, both written and oral, about sexual assault and harassment which includes, but is not limited to:
  - Definitions
    - Rape A crime in which someone forces, coerces, or manipulates another person to have sexual intercourse. Rape includes vaginal, anal, or oral penetration by any object
    - Sexual Assault Any non-consensual sexual contact characterized by the use or threat of force, or coercion
    - Sexual Contact Any intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of any person with the intent to abuse arouse or gratify sexual desire
    - Sexual Harassment Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures or actions of a derogatory or sexual nature by one client directed to another client and repeated verbal comments or gestures of a sexual nature to a client 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
    - Statutory Rape Consensual sexual contact between two individuals where there is a greater than two year age difference and at least one of the persons is under the age of 16, or consensual sexual contact with someone under the age of 18, if the older person is in a position of authority

## Sexual Assault and Harassment Prevention, page 2

- Education for clients during intake when all clients will be provided with information from a staff member including, but not limited to:
  - CJR's zero tolerance policy and how to report incidents or suspicions of sexual assault and harassment
  - *A Sexual Assault Pamphlet* which is included in the client handbook in both English and Spanish
    - Clients will sign off that they have received the handbook which included the sexual assault information
  - *A Sexual Assault Handbook* for clients who have been identified to be at risk, or as being the victim of sexual assault or harassment; the Sexual Assault Handbook is available in English and Spanish
    - Both the Sexual Assault Pamphlet and the Sexual Assault Handbook will address issues related to sexual assault and harassment, which includes, but is not limited, to:
      - Prevention/Intervention
      - Self-Protection
      - Reporting sexual abuse/assault
      - Accessing medical and mental health treatment for sexual assault
  - Review of Clients' Rights, including the right to be free from sexual abuse and harassment and the right to be free from retaliation for reporting such incidents
  - Review of CJR's policies and procedures for responding to such incidents
  - Staff will convey all written information to clients who have limited reading skills or who are visually impaired
  - Accommodations will be made for clients with Limited English Proficiency (LEP), those who are deaf, or clients with disabilities to report any sexual abuse through:
    - Staff directly
    - Interpretive technology
    - Non-resident interpreters
- Provide all staff, interns, volunteers, contractors, and educators who have contact with clients admitted to a CJR-run, Court Support Services (CSSD)-funded residential program with information, both written and oral, about sexual assault and harassment through Pre-Employment training before hire, and through annual trainings thereafter; information conveyed will include, but not be limited to:
  - Sexual assault, sexual harassment, and PREA standards
  - CJR's zero tolerance policy for sexual assault and sexual harassment
    - CJR will maintain documentation of such trainings, including the PREA curriculum utilized, names and positions of staff in attendance, and individual staff declarations that they understood the training
  - Explanation of *high risk* classification, monitoring protocols, room assignments, and the importance of communication between clinical and non-clinical staff for clients who have:
    - a history of prior victimizations revealed through intake reports, assessments, screening tools, or other reports
    - received threats
    - compromised cognitive abilities
    - other indicators of risk for victimization

## Sexual Assault and Harassment Prevention, page 3

- Ensure that all *reporting protocols* are understood and followed by all staff; these protocols include, but are not limited to:
  - Immediate reporting of any knowledge, suspicion, or information regarding any incident of sexual assault or sexual harassment that occurred either in program or in the community
  - Mandated reporters will follow all reporting guidelines in accordance with the CJR *Child Abuse and Neglect/Mandated Reporting* policy, as well as Special Incident Reporting
    - All verbal, written, and anonymous reports are accepted from any source; including third parties
  - Apart from reporting to designated supervisors, officials, and designated state or local service agencies, staff will not reveal any information related to a sexual assault report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions
- Ensure that all *response protocols* are understood and followed by all staff; these protocols include, but are not limited to:
  - Sexual harassment allegations against staff will be handled in accordance with CJR's Sexual Harassment policy
  - The Program Director, acting as PREA Compliance Manager, will initiate an operational investigation into all juvenile on juvenile sexual harassment allegations and complete an incident report
  - The Director of Residential Services, acting as PREA Coordinator, will be notified
  - If a client reports that he/she was allegedly sexually assaulted prior to admission to a CJR program, the staff will immediately notify the Shift Supervisor who will ensure the Program Director and all appropriate parties are notified
    - The need for emergency medical treatment and crisis counseling services will be determined by medical and clinical staff members
  - In the event staff gains knowledge, has suspicion, or receives information of an alleged sexual assault that occurred while in a CJR program, the Program Director will coordinate all actions taken in response to the allegation; the Program Director will:
    - Immediately notify the Director of Residential Services, acting as the PREA Coordinator, and the Executive Director
    - Follow reporting procedures as outlined in CJR's Child Abuse, Neglect and Mandated Reporting and Special Incident Reporting policies
    - Upon the direction of the Director of Residential Services or his/her designee, immediately notify the Connecticut State Police and the juvenile's parent/legal guardian
    - If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence including, showering, washing, eating, drinking, or using the bathroom if possible, until seen by an appropriate medical provider
    - If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged perpetrator does not take any actions that could destroy physical evidence including, showering, washing, eating, drinking, or using the bathroom until seen by an appropriate medical provider
    - Immediately ensure the area where the alleged assault took place is sealed off, allowing no one access until the police arrive, and that all linens used by the alleged victim and alleged perpetrator are secured

## Sexual Assault and Harassment Prevention, page 4

- Ensure that the alleged victim and alleged perpetrator are physically separated and have no further contact
- Complete a Special Incident Report in accordance with CJR Policy
- Refer immediately to the local emergency department in accordance with CJR's Emergency Medical Procedures policy
- Make an immediate referral to a licensed mental health professional, and/or any outside support services to assess for crisis intervention, potential for suicide, the presence of stress or anxiety disorders, and long-term follow up
- Offer clients who experience sexual abuse access to qualified victim advocate services
- Ensure that the DCF Careline has been contacted and a 136 report has been filed in accordance with CSSD Policy and Procedure 5.10, Reporting of Abuse, Neglect and Injury
- Notify the juvenile's attorney or other legal representative within 24 hours
- Ensure that both staff and clients who report sexual abuse or harassment; and those who cooperate with sexual assault or sexual harassment investigations, are protected against retaliation; multiple protection measures that will be employed include, but are not limited to:
  - Implementing changes in housing for juveniles
  - Removing alleged staff abuser pending investigation
  - Transferring client abusers
  - Providing support services for residents or staff who fear retaliation
  - For at least 90 days following a report of sexual abuse or harassment, the Director of Residential Services, acting as PREA Coordinator, will monitor the conduct or treatment of staff or juveniles who filed the report; this monitoring period may be extended if issues arise
    - Monitoring for juveniles will include any disciplinary reports, housing, or programming changes
    - Monitoring for staff will include negative performance reviews or reassignments
- Ensure that all investigations of sexual abuse or harassment include the following elements:
  - All allegations against staff will be investigated
  - Facility staff will cooperate with outside investigative agencies and remain informed about the process of the investigation
  - The Director of Residential Services will ensure that all reports are obtained from the investigating agency or agencies
  - The Program Director, in coordination with the Director of Residential Services, will inform the client of the outcome of the investigation; and whether the allegation has been substantiated, unsubstantiated, or unfounded
  - When the allegation of sexual abuse against a staff member is substantiated or unsubstantiated, the Program Director, in coordination with the Director of Residential Services, will inform the juvenile when:
    - The staff member is no longer employed at the facility
    - The staff member has been indicted on a charge related to facility sexual abuse
    - The staff member has been convicted of a similar charge
  - When the allegation of sexual abuse against another juvenile is substantiated or unsubstantiated, the Program Director, in coordination with the Director of Residential Services, will inform the juvenile when:
    - The juvenile is indicted on a charge of facility sexual abuse
    - The juvenile is convicted of a similar charge

## Sexual Assault and Harassment Prevention, page 5

- If the client is discharged from the program, there is no obligation to inform the victim of the outcome of the investigation
- Ensure that appropriate discipline is administered in response to substantiated allegations of sexual abuse or harassment within the scope of CJR's ability as follows:
  - Volunteers, interns or contractors will be immediately removed from contact with clients for any alleged sexual abuse and/or sexual harassment
  - Clients will be disciplined in accordance with the Behavior Motivation Policy; the disciplinary process will consider whether a client's mental disabilities or mental illness contributed to their behavior when determining what type of sanction, if any, will be imposed
    - Discipline for clients who engage in sexual behavior with staff will only be imposed if the investigation establishes the staff member did not consent
    - Discipline for staff will be conducted in accordance with CJR's *Employee Code of Conduct, Sexual Harassment, and Child Abuse and Neglect/Mandated Reporting* policies
- Ensure that all reports and incidents of incidents of sexual abuse and harassment are reviewed thoroughly through the following process:
  - The Director of Residential Services, acting as PREA Coordinator, in collaboration with the CJR's Risk Assessment Committee, will complete a sexual abuse incident review at the conclusion of every sexual abuse investigation regardless of whether the report was substantiated or unsubstantiated
    - The sexual abuse incident review will occur within 30 days of the conclusion of the investigation
  - The Risk Assessment Committee will include facility administrators, supervisors, investigators, healthcare staff, and the CQI contractor and will:
    - Consider whether the allegation or investigation indicates a need to revise policy or practice to better prevent, detect, or respond to sexual abuse
    - Consider whether the allegation or incident was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics in the program
    - Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse
    - Assess the adequacy of staffing levels in that area during different shifts
    - Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff
    - Prepare a report of its findings, and any recommendations for improvement; this report will be submitted to the Director of Residential Services, acting as PREA Coordinator, and the Executive Director
    - The Executive Director or designee will implement the recommendations for improvement, or document reasons for not doing so

## Sexual Assault and Harassment Prevention, page 6

- Acting as PREA Compliance Manager, and in collaboration with the Director of Residential Services, acting as PREA Coordinator, assess, determine, and document, at each Residential Program, whether adjustments are needed to:
  - Staffing plans to provide adequate levels of staffing to protect clients against sexual abuse
  - Prevailing staffing patterns
  - The deployment or upgrade of video monitoring systems and other monitoring technologies
  - The resources the facility has available to commit to ensure adherence to the staffing plan
  - Collect, review and aggregate – at least annually – data for every allegation of sexual abuse at programs, and utilize all data collected to answer the questions from the Department of Justice Survey of Sexual Violence
  - Utilize results of data analysis to further assess and improve the effectiveness of CJR’s sexual abuse prevention, detection, and response policies, practices, and training, including, but not limited to:
    - Identifying problem areas
    - Taking ongoing corrective action
    - Preparing an annual report of its findings and corrective actions for each facility, and the agency as a whole