



# Becker County Jail

## Overview: Prison Rape Elimination Act (PREA) Zero Tolerance Policy Sexual Assault/Harassment 3<sup>rd</sup> Party Reporting Guidelines

### PREA Overview

The Prison Rape Elimination Act of 2003 is a federal mandate, enacted by Congress and signed into law by President George W. Bush in 2003. The main purpose of PREA is to protect the Eighth Amendment rights of those who are under the supervision of Federal, State and local correction facilities and to address the need to protect these individuals from any form of sexual abuse and/or sexual harassment.

PREA established the requirement for Zero-Tolerance for acts of Sexual Abuse and/or Sexual Harassment in confinement facilities. The law also required the creation of compliance standards with the goal of eliminating these acts.

The PREA standards seek to eliminate sexual assaults and sexual misconduct in of incarcerated persons correctional facilities; making PREA a top priority with the development and implementation of national standards for the detection, prevention, reduction and punishment of sexual misconduct and sexual assaults in prisons, police lockups, local jails and juvenile detention facilities. PREA also increases accountability for administrators who fail to prevent, reduce and punish such misconduct. Custodial and non-custodial staff are required to report any witnessed violations of PREA.

### Becker County Jail PREA Policy

*The Becker County Jail is committed to compliance toward a Zero-Tolerance standard; that any form of sexual abuse and/or sexual harassment of inmates by other inmates, or by custodial and non-custodial staff; to include professional visitors, contractors, vendors and volunteers in its facility.*

*The Becker County Jail strives to cultivate an environment where employees as well as inmates, regardless of age, race, gender, or sex are both safe and free from any type of sexual related misconduct. Sexual misconduct is strictly prohibited even if it is consensual between the involved persons.*

*Under PREA, The Becker County Jail and the Becker County Sheriff's Office Investigative Division will enforce all federal, state, and local laws pertaining to inmate sexual misconduct and have established uniform methods for prompt reporting, investigation of allegations of sex-related offenses or threats, identification of predators, protection of victims, and prescribing sanctions for substantiated sexual offenses, as well as false allegations, regardless of the source. This standard is directed to all sexual acts relating to inmate to inmate, inmate to staff and staff to inmate. Treatment & counseling will be offered to those who have been a victim of sexual abuse or harassment. The Becker County Jail will ensure that all victims, staff, contractors, volunteers, legal professionals and probationers are free from retaliation for reporting occurrences of sexual abuse or sexual harassment.*

You are specifically advised that:

- The Becker County Jail Facility enforces zero tolerance for sexual activities and behaviors of any kind from sexual harassment to sexual abuse between offenders, or offenders and those that meet or work with those in custody in the Becker County Jail in a professional or voluntary capacity. This includes jail staff, those contracted to work in the jail, those that are allowed entry to the jail to meet with offenders; including attorneys, bonding agencies, human services, assessors, contractors, vendors, volunteers or anyone that enters the jail to meet or work with offenders in the jail in a professional or voluntary capacity.
- Whether it is consensual or non-consensual or initiated by the offender; those that work with inmates in a professional or voluntary capacity who are found to have engaged in any form of sexual misconduct with offenders will be disciplined and referred for criminal prosecution when applicable.
- Offenders who have consensual sexual contact with another offender will be disciplined.
- Offenders who have non-consensual sexual contact with another offender, will be disciplined and referred for criminal prosecution.
- False reporting of a PREA violation is a crime and can be punished under the law and will not be tolerated.

**All instances of sexual abuse or harassment need to be reported immediately.** If you suspect that an offender is the victim of sexual assault/harassment, it can be reported in one of the following ways:

- Offenders who are currently being sexually assaulted are encouraged to talk to a staff member. This will allow for the quickest response.
- The report can be made anonymously through a sealed letter to staff.
- Offenders may report in person, through written offender communication, or through the grievance system.
- Call the Becker County Jail and request to speak with a Shift Supervisor to make a report at 218-847-2939.
- Contact the Becker County Jail Administration Office during regular business hours at 218-847-2939 and you will be directed to someone who can take the information.
- You can make a report to the Becker County Sheriff's Office at (218) 847-2661 during regular business hours and you will be directed to someone who can take the information.
- You can also make a third party report through Lakes Crisis & Resource Center (877) 754-9683 or (218) 847-7446, which is located outside the facility. This number is in our jail phone system and is a free call to those incarcerated.
- You can also remain anonymous upon request.

In accordance with the Prison Rape Elimination Act, the Becker County Jail is required to undergo a PREA audit every 3 years. We are required to post a copy of the *Final Report* once the audit is completed. The next audit will be in 2023.

### **PREA Complaints for 2023**

| <b>Inmate on Inmate Complaint</b> | <b>Sexual Abuse</b> | <b>Sexual Harassment</b> |
|-----------------------------------|---------------------|--------------------------|
| Unfounded Allegations             | 0                   | 0                        |
| Unsubstantiated Allegations       | 0                   | 0                        |
| Substantiated Allegations         | 0                   | 0                        |
|                                   |                     |                          |
| <b>Staff on Inmate Complaint</b>  | <b>Sexual Abuse</b> | <b>Sexual Harassment</b> |
| Unfounded Allegations             | 1                   | 0                        |
| Unsubstantiated Allegations       | 0                   | 0                        |
| Substantiated Allegations         | 0                   | 0                        |