

The Vermont Department of Corrections is committed to the prevention of sexual victimization (abuse & harassment), and the promotion of safety and security for all inmates/offenders and staff.

PRISON RAPE ELIMINATION ACT (PREA)

The goal of the Prison Rape Elimination Act of 2003 (PREA), Public Law No: 108-79, is the prevention, detection, reduction, and punishment of sexual victimization in confinement facilities.

- PREA applies to ALL individuals under the Department's supervision
- PREA applies to anyone working with, or for, the Department
- PREA mandates apply to all institutional settings such as VT correctional facilities, work camps, out of state facilities, etc.
- PREA applies to all community placements such as community corrections offices, residential placements, rehab, etc.
- Vermont has a zero-tolerance policy for sexual victimization;
- This zero-tolerance policy is reinforced at all levels within the Vermont Department of Corrections
- All incidents of a sexual nature are investigated! Even if they are reported as, or appear to be, mutual.
- It is against the law for staff to ask for or participate in sexual or romantic acts with inmates

Incidents of a sexual nature that fall under PREA include:

Sexualized Behavior: requested, suggested or carried out sexual contact committed by an inmate including, but not limited to, kissing or touching another person, (excluding all examples listed under abusive sexual contacts) which causes or is intended to cause stimulation or gratification where force is not used. Some examples: massages, indecent exposure, showering under the same shower head with another inmate and touching yourself in front of others.

Sexual Victimization: using debt, threats of physical harm, peer pressure, lying, favors, or authority to force or influence sexual favors from someone, including abusive sexual contacts, nonconsensual sexual acts and/or sexual harassment.

Inmate-on-Inmate Sexual Victimization:

1. Sexual Harassment: repeated and unwelcome sexual advances, asking for sexual favors, comments about sexual orientation, or gestures or actions of a derogatory or offensive sexual nature by one inmate towards another.
2. Abusive Sexual Contact: intentional touching, directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, not including accidental touching during a fight
3. Nonconsensual Sexual Act: penetration of the vulva, anus, and mouth; however slight, by a penis, hand, finger or other object or instrument.

Staff Sexual Misconduct:

1. Sexual Harassment: repeated and unwelcome sexual advances, asking for sexual favors, comments about sexual orientation, or gestures or actions of a derogatory or offensive sexual nature by a staff member towards an inmate/offender.
2. Voyeurism: an invasion of an inmate's privacy by staff for reasons unrelated to official duties such as peering at an inmate who is using a toilet in their cell to perform bodily functions; requiring an inmate to expose their buttocks, genitals, or breasts; taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.
3. Indecent Exposure: the display by a staff member of his or her uncovered genitalia, buttocks or breast in the presence of an inmate.
4. Abusive Sexual Contact: intentional touching, directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of another person, which is unrelated to the official duties.
5. Nonconsensual Sexual Act: penetration of the vulva, anus, and mouth; however slight, by a penis, hand, finger or other object or instrument.

Offenders are never able to legally consent to sexual activity with staff.

Safety tips include:

- Stay in populated or open areas and within eyesight of correctional staff when possible
- Be aware of your body language – walk with your head up and eyes straight ahead
- Use your own possessions – do not accept food, tobacco, clothing or other items from other inmates
- Avoid gambling and do not go into debt in any manner as individuals may be expected to repay debts with sexual favors and/or sexual acts
- Beware of inmates that say they will protect you – protection frequently has a cost
- Buy small amounts of commissary to avoid the impression of having money available to you
- Talk about subjects other than sex and avoid casual nudity

Serving time is not easy and being a victim of sexual victimization only makes it more difficult. Deciding whether or not to formally report sexual victimization can be difficult. It is important that you have support. Inmates are encouraged to report incidents of a sexual nature to someone they trust or by following the department reporting protocols – examples:

- Report to any staff member
- Write a letter to the Facility Superintendent
- Use the Department’s Grievance Process
- Tell a family member and ask them to report on your behalf
 - Call or write the facility
 - E-mail or call the anonymous tip line
- Use the Offender Reporting Line
- VT Network Against Domestic & Sexual Violence – **There are multiple programs in the Vermont Network that serve every area of the state** - Ask your case worker to help you call the local sexual assault program, add the local sexual assault program number to your PIN, write a letter to the sexual assault program at the address provided on the back page of the yellow You Have The Right To Be Safe flyer.

Support Phone Numbers & Addresses:

Offender Reporting Line - Unit Phone

Press #1 English or #2 Spanish
Press #0
Then dial 88888123456789
Then dial 555-555-5555

NOTE: All calls from unit phones are recorded and may be monitored.

ACLU National Prison Project

1875 Connecticut Ave. NW, Suite 410
Washington, DC 20009
(202) 234-4830

Rape and Incest National Network (RAINN)

1220 L Street, NW Suite 505
Washington, DC 20005
phone: 202.544.3064
1-800-656-HOPE

Disability Rights Vermont

141 Main St., Ste.7
Montpelier, VT 05602
Toll Free 1-800-834-7890

VT DOC PREA Office

Vermont Department of Corrections
103 South Main Street Waterbury, VT 05671-1001

VT DOC Victim Services Office

Vermont Department of Corrections
103 South Main Street Waterbury, VT 05671-1001

Prisoners' Rights Office

6 Baldwin Street, 4th Floor
Montpelier, VT 05633-3301
(802) 828-3194

Staff members are required to immediately report all allegations of sexual victimization to a supervisor or above.

The Vermont Department of Corrections investigates all reports of sexual victimization & sexual activities.

- If you report an incident, an investigator will talk to you (you do not have to identify the perpetrator(s))
- You may be referred to mental health for evaluation and/or support
- You may be referred to medical for evaluation and/or medications that can help if you have come in contact with sexually transmitted infections (STI's)
- If the assault happened recently – within the past 96 hours – you may choose to have a sexual assault examination at the hospital.
- If you choose to speak with a victim advocate, one will be available to you

You have access to medical, mental health, and victim advocate services whether or not you report the incident or cooperate with the investigation. These services are available with or without naming the perpetrators(s).

Anyone intentionally providing a false statement of sexual victimization will be held accountable through DOC policy and procedures and may be charged criminally.