

RIGHT TO REPORT

If you, or someone you know, is experiencing sexual abuse or sexual harassment, report it as soon as you feel safe to do so.

What to Do If You Have Been Sexually Abused

- ▶ Tell a staff member as soon as possible.
- ▶ Seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth, or use the bathroom.
- ▶ Share as much information as possible when answering questions to assist with the investigation.

How to Report

There are multiple ways to report sexual abuse and sexual harassment:

- ▶ Report to any staff member or volunteer.
- ▶ Submit a grievance or sick call.
- ▶ Report to your Unit Safe Prisons Program/ PREA Compliance Manager.
- ▶ Report to the TDCJ PREA **Ombudsman Office**: P.O. Box 99, Huntsville, TX 77342-0099 or call (936) 437-2133.
- ▶ Report to the **Office of Inspector General (OIG)**: P.O. Box 4003, Huntsville, TX 77342-4003 or call (936) 437-5030.

You can also contact **TAASA** by calling (512) 474-7190 ext. 19 or writing to:

TAASA, Chris Kaiser, General Counsel
6200 LaCalma, Suite 110, Austin, TX 78752

This resource is located outside the facility, and can be sent **LEGAL** mail. You can remain anonymous upon request.

IF YOU ARE ABUSED

TDCJ must provide you with access to outside victim advocates for emotional support services by providing access to mailing addresses and telephone numbers for local rape crisis organizations. These will be available from your unit safe prisons manager.

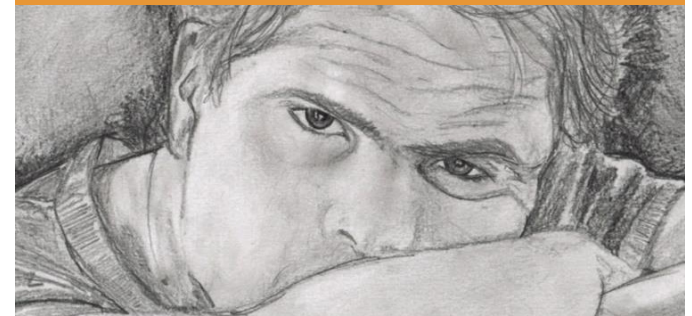
TDCJ STAFF RESPONSIBILITIES

TDCJ staff have the responsibility of keeping you safe from sexual abuse and for reporting instances of abuse. They must:

- ▶ **Protect you from retaliation for reporting abuse.** For 90 days after reporting abuse, TDCJ must monitor the treatment of the victim by staff and other inmates to ensure no retaliation is taking place.
- ▶ **Protect prisoners** they believe have a substantial risk of imminent sexual abuse.
- ▶ **Separate the alleged victim and abuser** and preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
- ▶ **Gather and preserve evidence**, and interview victims, perpetrators, and witnesses.
- ▶ **Determine whether staff actions** or failures to act contributed to the abuse.
- ▶ **Continue an investigation** of sexual abuse even if the abuser is transferred from the facility or a staff member is fired.

END THE SILENCE

Zero Tolerance for Sexual Abuse and Sexual Harassment:
Prison Rape Elimination Act (PREA)



Write to:
6200 LaCalma, Suite 110
Austin, TX 78752

Or, call:
(512) 474-7190

ZERO TOLERANCE

TDCJ has a zero-tolerance policy for sexual abuse and sexual harassment. What does this really mean? It means that YOU have the right to be free from sexual abuse and sexual harassment by anyone at the facility, including an inmate, staff member, or volunteer. No one has the right to sexually abuse or sexually harass you. No one.

What Is Sexual Harassment?

- ▶ Repeated and unwelcome comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- ▶ Repeated and unwelcome sexual advances; requests for sexual favors; or verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

What Is Sexual Abuse?

- ▶ Forced or coerced sexual intercourse or sexual contact when the victim does not consent or is unable to consent or refuse. This may include the use of fear or threat of physical violence, psychological intimidation, bullying, and physical force.
- ▶ Sexual abuse also can include incidents of penetration by a foreign object.

What is staff voyeurism?

An invasion of privacy of an inmate by a staff member, contractor, or volunteer for reasons unrelated to official duties.

Examples of Staff Voyeurism

- ▶ Watching an inmate use the toilet, shower, or change clothes.
- ▶ Requiring an inmate to show their buttocks, genitals, or breasts.
- ▶ Taking pictures of an inmate's naked body or toilet use.

Your Rights Under the Prison Rape Elimination Act (PREA)

PREA was passed by Congress in 2003 and applies to people in all forms of detention. No one deserves to be sexually abused, and if you are sexually abused or sexually harassed while incarcerated, you have rights under PREA.

You have the right to...

- ▶ Privately report sexual abuse by staff or other inmates in a variety of ways.
- ▶ A prompt, thorough, and objective investigation by specially trained staff.
- ▶ Submit a grievance privately even after standard time limits have expired.
- ▶ A forensic medical exam at no cost. Exams will be performed by qualified Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).
- ▶ Have a victim advocate accompany and support you through the forensic medical examination process and investigatory interviews.
- ▶ Timely, unimpeded access to emergency medical treatment and crisis intervention services.
- ▶ Be tested for sexually transmitted infections.

NO
MEANS
NO

Protections for Transgender Prisoners

Prisoners who are transgender are at a higher risk of sexual abuse. Due to that, PREA has specific standards that help protect them.

- ▶ Cross-gender strip searches or cross-gender visual body cavity searches are not permitted except in exigent circumstances.
- ▶ A physical examination of a transgender inmate for the sole purpose of determining the inmate's genital status is not permitted.
- ▶ Transgender inmates must be given the opportunity to shower separately from others.
- ▶ Placement and programming assignments for each transgender inmate shall be reassessed at least twice a year to review any threats to safety experienced by the inmate.
- ▶ A transgender inmate's own views with respect to his or her own safety shall be given serious consideration.