

\_\_\_\_\_ COUNTY DETENTION CENTER  
POLICIES AND PROCEDURES

<b>Chapter</b>	<b>15</b>	<b>IPREA</b>	<b>Policy # 15.8</b>
<b>Subject</b>	<b>8</b>	<b>Discipline</b>	
<b>Effective Date:</b>		<b>Revision Date:</b>	
<b>Sheriff's Approval:</b>			

**Policy:**

The \_\_\_\_\_ County Detention Center shall ensure that staff, contractors, volunteers and inmates are appropriately disciplined for violating the facility's policies and procedures on sexual abuse or sexual harassment or for engaging in sexual abuse of inmates.

**Purpose:**

With this policy, the \_\_\_\_\_ County Detention Center has established practices that will ensure that the policies and procedures of the facility are adhered to for the smooth operation of the facility and inmates are protected from sexual abuse from staff, contractors, volunteers, and other inmates while incarcerated in the facility.

**References:**

Idaho Jail Standards, Chapter 12  
IPREA Standards §115.76 to §115.78

**Procedures:**

**§115.76 – Disciplinary Sanctions For Staff**

Staff of the \_\_\_\_\_ Detention Center shall be subject to disciplinary sanctions up to and including termination for violating facility sexual abuse or sexual harassment policies.

All disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the employee's disciplinary history, and the sanctions imposed for comparable offenses by other members with similar histories.

Termination shall be the presumptive disciplinary sanction for all \_\_\_\_\_ Sheriff's Office employees who have engaged in sexual abuse.

All employees terminated for sexual abuse, or who resign from employment with the \_\_\_\_\_ Sheriff's Office, who would have been terminated if not for their resignation, shall be subject to criminal investigation unless the activity was clearly not criminal. In addition, reports will be made to Idaho P.O.S.T.

#### **§ 115.77 – Corrective Action for Contractors and Volunteers**

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies unless the activity was clearly not criminal. In addition to internal and criminal actions, reports will be made to any relevant licensing bodies.

The \_\_\_\_\_ Sheriff's Office shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates, termination of services and/or contracts, subsequent to a sustained finding after an allegation of sexual abuse.

#### **§115.78 – Disciplinary Sanctions for Inmates**

Inmates in the \_\_\_\_\_ Detention Center shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

Prior to imposing disciplinary sanctions, the hearing officers shall consider if mental illness or mental disabilities contributed to his/her behavior.

If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to offer the offending inmate the opportunity to participate in such interventions as a condition of access to programming or other benefits. (Only put this in your policies and procedures if you offer this therapy, counseling or other interventions)

Inmates will not be disciplined for sexual contact with staff unless it is determined that the staff person did not consent.

An inmate may be disciplined for knowingly making or soliciting a false report of sexual misconduct or sexual harassment or otherwise knowingly making or soliciting a false statement related to a report of sexual misconduct or sexual harassment. A statement made or solicited in good faith shall not constitute making a false statement, even if an investigation does not establish evidence sufficient to substantiate the statement.

The \_\_\_\_\_ Detention Center prohibits all sexual activity between inmates and may discipline inmates for such activity. However, the sexual activity does not constitute sexual abuse if the activity was not coerced.