

DATE ISSUED: 02/27/2022	Somerset County Sheriff's Office Sheriff Darrin J. Russo Corrections Division	POLICY NUMBER: 29:04
LAST UPDATED:		ANNUAL REVIEW:
DATE EFFECTIVE: Immediately		PAGE: 1 of 4
REFERENCE: PREA – Prison Rape Elimination Act	SUBJECT: PREA – Employee Screening and Training	
ISSUED BY: Chief Frank J. Apisa	APPROVED BY: Warden Paul Kaminsky	

Purpose: The purpose of this policy is to establish the Somerset County Jail as a “zero tolerance” facility that prohibits harassment and sexual abuse in an effort to provide staff with key definitions, prohibited acts and general information regarding the prevention, detection and investigation of sexual harassment and sexual abuse in the facility.

Policy: The Somerset County Jail is a correctional facility with a “zero tolerance” for harassment and sexual abuse in accordance with the Prison Rape Elimination Act (PREA) of 2003 and the final PREA Standards adopted by the U.S. Attorney General in 2012. As part of these policies, the Somerset County Sheriff’s Office – Corrections Division have implemented policies and procedures concerning the screening of new employees, promotion of current employees, and have set training standards that all staff members, contractors and volunteers must have prior to having any contact with inmates.

Procedure:

I. Screening of New Employees

- A. The Somerset County Sheriff’s Office - Corrections Division shall not hire or promote anyone who may have contact with inmates and shall not enlist the services of any contractor who may have contact with inmates who: **(115.17)**
1. Has engaged in sexual abuse in a prison, jail, lockup or other “institution” as defined in 42 U.S.C. 1997(1), more commonly referred to as the Civil Rights of Institutionalized Persons Act (CRIPA);
 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or,
 3. Who has been civilly or administratively adjudicated to have engaged in the activity described in this policy (*above 2 points*)
 4. Incidents of sexual harassment shall be considered when determining to hire or promote within the Somerset County Jail or to enlist the services of any contractor who may have contact with inmates.
 5. For the purposes of this section, our SOP will be utilized for the selection process of sworn and non-sworn candidates for the Correctional Division.

- B. Before hiring any new employees who may have contact with inmates, including, but not limited to officers or contractors, the Office of the Sheriff shall: **(115.17)**
 - 1. Perform a criminal records background check consistent with criminal records databases; and
 - 2. Consistent with Federal, State and Local laws, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- C. The Somerset County Sheriff's Office shall conduct criminal records background checks or use another system as a means of capturing information at least every five (5) years for current employees and contractors who may have contact with inmates in order to evaluate whether or not those employees may continue to have contact with inmates. **(115.17)**
- D. All applicants and employees who may have contact with inmates shall be asked directly about any previous misconduct described above in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of the Somerset County Jail's policy on employee evaluations or reviews. **(115.17)**
- E. Material omissions, or the provision of material false information, shall be grounds for termination. **(115.17)**
- F. Unless prohibited by law, the Somerset County Jail shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work. **(115.17)**

II. Training of New Employees and In-Service Training of All Employees

- A. The Somerset County Jail (S.C.J.) shall conduct training for all employees who may have contact with inmates including but not limited to the following: **(115.31)**
 - 1. Its zero-tolerance policy on sexual abuse and sexual harassment;
 - 2. How to fulfill their responsibilities under sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
 - 3. Inmates' rights to be free from sexual abuse and sexual harassment;
 - 4. The right of inmates and staff to be free from retaliation for reporting sexual abuse and sexual harassment;

5. The dynamics of sexual abuse and sexual harassment in confinement;
 6. The common reactions of sexual abuse and sexual harassment victims;
 7. How to detect and respond to signs of threatened and actual sexual abuse;
 8. How to avoid inappropriate relationships with inmates;
 9. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender non-conforming inmates; and
 10. Mandatory reporting requirements of sexual abuse and sexual harassment.
- B. Once all training has been implemented for all current employees within a timely manner, a record of all training will be kept on a database accessed and updated by the PREA Coordinator. The Somerset County Jail will provide annual training to ensure that all employees know the Division's current sexual abuse policies and procedures.
- C. The Somerset County Jail will comply with any trainings and directives from the Division of Criminal Justice, the Attorney General's Office, and the County Prosecutor's Office.

III. LGTBQ+ Training

- A. The Somerset County Jail shall develop LGTBQ+ related training that all S.C.J. employees, volunteers and contractors shall complete.
- B. Training Content
1. The mission and core values of the S.C.J. as they relate to the LGTBQ+ population;
 2. Basic information about the LGTBQ+ population;
 3. S.C.J. zero-tolerance policy for sexual abuse, sexual harassment, the failure to report incidents of sexual abuse, sexual contact, or sexual harassment of inmate-on-inmate, or staff-on-inmate and the available sanction's for violations of this policy;
 4. Professional boundaries and avoidance of inappropriate relationships;
 5. How to communicate effectively and professionally with LGTBQ+ inmates in a respectful and non-discriminatory manner;
 6. Confidentiality responsibilities;
 7. Detection, response and prevention of sexual abuse, sexual misconduct and victimization of LGTBQ+ inmates by other inmates; and
 8. Resources available to LGTBQ+ persons.

IV. Orientation of Contract and Volunteer Staff

- A. All volunteers and contract staff who have contact with inmates shall be trained on their responsibilities under the department's sexual abuse and sexual harassment prevention, detection and response policies and procedures. **(115.32)**
- B. The level and type of training provided to volunteers and contract staff shall be based on the services they provide and the level of contact they have with inmates. Training shall minimally consist of all volunteers and contract staff receiving written notification of, and adhering to, the department's zero-tolerance policy regarding sexual abuse and sexual harassment and be informed of how to report such incidents. **(115.32)**
- C. The Somerset County Jail shall maintain a record of the training given, as well as documentation confirming that volunteers and contract staff understand the training they have received. **(115.32)**

IV. Medical and Mental Health Care (115.35)

- A. The Somerset County Jail shall ensure that all full and part time medical and mental health care practitioners who work regularly in its facility have been trained in:
 - 1. How to detect and assess signs of sexual abuse and sexual harassment;
 - 2. How to preserve physical evidence of sexual abuse;
 - 3. How to respond effectively and professionally to victim of sexual abuse and sexual harassment; and
 - 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.
- B. Medical and mental health care practitioners shall also receive the training mandated for employees under **PREA standard 115.31** or for contactors and volunteers under **PREA standard 115.32**, depending upon the practitioner's status at the agency.