

42-41A

Prison Rape Elimination Act: It is the mission and intent of the Hardin County Correctional Center to aid in the protection of detainees in custody from sexual misconduct resulting from contact with either facility staff or other detainees. Hardin County Correctional Center maintains a zero-tolerance policy for all forms of sexual abuse or assault. The following offers advice to detainees on methods of self-protection, definitions of sexual misconduct, detainee rights in the event of sexual misconduct, reporting mechanisms, investigative procedures, and recovery following an event.

Sexual misconduct is one or more offenders engaging in, or attempting to engage in sexual acts. Attempts to coerce or pressure another to participate in a sexual act, including threats, intimidation, and inappropriate touching inclusive. Physical sexual misconduct is unwanted sex acts, touching, pinching, or grabbing private body parts. Verbal sexual misconduct is harassment, sexually suggestive conversations or requests for sex. Visual sexual misconduct is flashing or mooning, writings of sexually explicit nature, sexually explicit pictures, and pornography. Voyeurism is being forced to watch a person undress or have sex. Facility staff, in any capacity is prohibited from sexual misconduct in any form with a detainee, even if the act is wanted or welcome. Any report of sexual misconduct by a detainee will be fully investigated by the facility's PREA officer and the report will be turned over to the Sheriff's Office for an impartial and comprehensive investigation by that division. Founded violations of this section will result in the suspension and possible termination of the employee affected along with applicable criminal prosecution. Offenders are prohibited from sexual misconduct towards facility staff. Any staff member experiencing sexual misconduct from a detainee shall report it immediately in writing to either the PREA officer or Jail Administrator. Likewise, an investigation as described above will take place to include disciplinary action and applicable prosecution.

Ways to Report Sexual Misconduct: Detainees should tell a staff member as soon as possible after the incident. Detainees may also send a kite to the jail administrator. If the detainee wishes, they may write to either or both of the following; Victim and Restorative Justice Coordinator Iowa Department of Corrections 510 East 12th Street Des Moines, IA 50319 or Office of Citizen's Aid/Ombudsman Ola Babcock Miller Building 1112 East Grand Des Moines, IA 50319.

Detainee Rights: Following a report, if the incident was recent, you may need to be seen by medical staff. Do not shower, wash, drink, change clothing, or use the bathroom. You will be taken to a local hospital for medical care including a check for sexually transmitted diseases. You have the right to refuse medical services. Medical information gathered during treatment is confidential. You have the right to receive additional support services.

Ways to Keep Yourself Safe: Choose friends and contacts who are positive in activities. Avoid being alone. Do not accept gifts, loans, or favors from others when strings are attached. Do not borrow from others as paybacks will be expected. Always carry yourself with confidence. If you feel threatened or anxious try to not let it show, go to a counselor. If you are asked to participate in something you feel is not positive, say no and stay firm. Stay in well-lit areas. Trust your instincts. Let an officer know if you do not feel safe.

Recovering from Sexual Assault: Any form of coerced sexual activity is degrading and may cause distress. Offenders who have been sexually victimized are encouraged to seek assistance in recovering from this kind of trauma. Mental health staff is available to help victims recover from the emotional impact of sexual assault. There are other groups and therapy sessions available in the area.

42-41B Sexual Abuse and Assault Prevention and Intervention Program Policy

I. Zero Tolerance Policy

The Hardin County Correctional Center maintains a zero-tolerance policy for all forms of sexual abuse or assault.

It is the policy of the Hardin County Correctional Center to provide a safe and secure environment for all detainees, employees, contractors, and volunteers, free from the threat of sexual abuse or assault, by maintaining a Sexual Abuse and Assault Prevention and Intervention program that ensures effective procedures for preventing, reporting, responding to, investigating, and tracking incidents or allegations of sexual abuse or assault.

Sexual assault or abuse of detainees by other detainees or by employees, contractors, or volunteers is prohibited and subject to administrative, disciplinary, and criminal sanctions.

II. Program Coordinator

The Hardin County Correctional Center has a compliance manager who is responsible for overseeing all aspects of the facility's efforts to comply with this zero tolerance policy, including by;

1. Assisting with keeping current these written policies and procedures for the Sexual Abuse and Assault Prevention and Intervention Program;
2. Assisting with the development of initial and ongoing training protocols;
3. Serving as a liaison with other agencies;
4. Coordinating the gathering of statistics and reports on incidents of sexual abuse or assault;
5. Reviewing the results of every investigation of sexual abuse and conducting an annual review of all investigations to assess and improve prevention and response efforts;
6. Reviewing facility practices to ensure required levels of confidentiality are maintained;
7. Collect reports of sexual abuse or assault and referring them to investigations for a complete and thorough impartial investigation;
8. Follow up with the investigative process throughout the investigation to ensure a timely and appropriate response;

9. Continue training and education for both the coordinator and the staff by attending training sessions, workshops, and web based opportunities to maintain the most current level of understanding possible.

III. Definitions

For the purposes of this policy, the following definitions apply;

Detainee-on-detainee Sexual Abuse or Assault: One or more detainees, by force, coercion, or intimidation, engaging in or attempting to engage in:

- (a) Contact between the penis and the vagina or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
- (b) Contact between the mouth and penis, vagina or anus;
- (c) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object;
- (d) Touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person; or
- (e) Threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to engage in a sexual act.

Staff-on-detainee Sexual Abuse and/or Assault: One or more staff member(s), volunteer(s), or contract personnel engaging in or attempted to engage in:

- (a) Contact between the penis and the vagina or anus and, for purposes of this subparagraph, contact involving the penis upon penetration, however slight;
- (b) Contact between the mouth and the penis, vagina or anus;
- (c) Penetration, however slight, of the anal or genital opening of another person by a hand or finger or by any object.
- (d) Except in the context of proper searches and medical examinations, touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing;
- (e) Threats, intimidation, harassment, indecent, profane or abusing language, or other actions (including unnecessary visual surveillance) or communications aimed at coercing or pressuring a detainee to engage in a sexual act; or

- (f) Repeated verbal statements or comments of a sexual nature to a detainee, including demeaning references to gender, derogatory comments about body or clothing, or profane or obscene language or gestures.

IV. Prevention

All staff (employees, volunteers, and contractors) are responsible for being alert to signs of potential sexual abuse or assault, and to situations in which sexual assaults might occur.

A. Screening and Classification

1. Screening and Classification Requirements

- (a) All detainees shall be screened upon arrival at the facility for potential risk of sexual victimization or sexually abusive behavior, and shall be housed to prevent sexual abuse or assault.
- (b) Each new detainee shall be kept separate from the general population until he/she has been classified and may be housed accordingly.
- (c) Detainees identified as having a history of sexually assaultive behavior or at risk for sexual victimization shall be assessed by and mental health or other qualified health care professional, and monitored and counseled as determined by the professional.
- (d) Detainees considered at risk for sexual victimization shall be placed in the least restrictive housing that is available and appropriate. If appropriate custodial options may not be available at the facility, the Hardin County Correctional Center will consult with the ICE Field Office Director to determine if ICE can provide additional assistance.

2. Screening and Classification Procedures

- (a) All detainees arriving at the facility will be interviewed by intake staff, in a general booking procedure. The intake staff shall prepare a classification card, keeping in mind the history of the detainee, previous housing issues, information provided by ICE at intake, and responses to questioning.
- (b) An appropriate housing assignment is determined by using this classification tool, which is then passed on to Behavioral Health Services. BHS meets with the detainee as soon as possible after arrival. A more thorough detailed history is taken with an emphasis on mental health and unusual behavior.

- (c) A determination is made if the detainee will become a client of BHS or will be placed in general population without follow up. If the detainee becomes a client of BHS, that department continues to monitor and visit the detainee on a regular basis throughout incarceration.
- (d) At a point, shortly after arrival and intake the detainee is required to see the nurse. This is a comprehensive interview with regard to the detainee's general health with an emphasis on medical conditions, including but not limited to trauma. The medical director then provides necessary care, on a case by case basis as necessary with the information learned through this mechanism.
- (e) The doctor then sees the detainee, generally within a week after arrival for a physical, at which time, the detainee is free to discuss any medical, mental health, or behavioral need.

B. *Staff Training*

1. Staff Training Requirements

- (a) Training on the facility's Sexual Abuse and Assault Prevention and Intervention Program shall be included in initial and annual refresher training for all employees, volunteers, and contract personnel.
- (b) Personnel from investigations shall be responsible for conducting sexual abuse or assault investigations and shall receive specialized training in conducting such investigations in confinement settings, which includes techniques for interviewing sexual abuse victims, sexual abuse evidence collection in confinement settings, and the criteria and evidence required for administrative action or prosecutorial referral.
- (c) All full- and part-time medical and mental health care practitioners who work regularly in the facility shall receive specialized training in detecting and assessing signs of sexual abuse and assault, preserving physical evidence or sexual abuse, responding effectively to victims or sexual abuse and assault, and reporting allegations or suspicions of sexual abuse or assault.
- (d) The Facility Program Coordinator shall maintain documentation verifying employee, volunteer and contractor training.

2. Staff Training Procedures

- (a) The Facility Program Coordinator, Deborah Mesch, in conjunction with Teama McGregor, a specialized contract instructor shall be responsible for all staff training activities.

- (b) The Facility Program Coordinator, Deborah Mesch, in conjunction with Teama McGregor, a specialized contract instructor and Nick Whitmore, the facility OIC shall be responsible for ensuring that all staff are appropriately trained, and respond in a coordinated and appropriate fashion to detainee reports of sexual abuse or assault.
- (c) Facility staff shall undergo, at minimum a refresher course on sexual abuse and assault annually, either by local specialized training or that provided by the Iowa State Sheriff's and Deputies Association or the Iowa Law Enforcement Academy.

C. *Detainee Education*

1. Detainee Education Requirements

- (a) Upon admission to the Hardin County Correctional Center, all detainees shall be notified of the facility's zero-tolerance policy for all forms of sexual abuse and assault through the orientation program and detainee handbook, and provided with information about the facility's Sexual Abuse and Assault Prevention and Intervention Program. Such information shall include, at minimum;
 - The facility's zero tolerance policy for all forms of sexual abuse or assault;
 - The name of the facility Sexual Abuse and Assault Prevention and Intervention Program Coordinator, and information about how to contact him or her;
 - Prevention and intervention strategies;
 - Definitions and examples of detainee-on-detainee sexual abuse, staff-on-detainee sexual abuse and coercive sexual activity;
 - Explanation of methods for reporting sexual abuse or assault, including the DHS/OIG and the ICE/OPR investigation processes, and right of detainees to report an incident or allegation of sexual abuse, assault, or intimidation to any staff member at the facility and to ICE/DHS;
 - Information about self-protection and indicators of sexual abuse;
 - Prohibition against retaliation, including an explanation that reporting an assault shall not negatively impact the detainee's immigration proceedings; and
 - Right of a detainee who has been subject to sexual abuse or assault to receive treatment and counseling.

- (b) Detainee notification, orientation, and instruction must be in a language or manner that the detainee understands.
- (c) The facility shall maintain documentation of detainee participation in the instruction session.

2. Detainee Education Procedures

The Hardin County Correctional Center will provide information and education on the Sexual Abuse and Assault Prevention Program to the detainees through several different methods.

- Comprehensive information shall be provided in the detainee handbook.
- Information shall be provided through handouts.
- Information shall be provided through the orientation video.
- Continued information shall be provided through cell postings and digital signage.

D. Limits on Cross-Gender Viewing and Searches

1. *Cross-Gender Viewing and Search Requirements*

- (a) Staff may not visually observe detainees while changing clothing or showering, but shall be present immediately outside the room with the door ajar to hear what transpires inside.
- (b) Staff of the opposite gender must also announce their presence upon entering detainee living area.
- (c) Staff of the same gender as the detainee should perform a pat search of a female detainee.
- (d) All strip searches shall be performed by staff of the same gender as the detainee. In the case of an emergency, a staff member of the same gender as the detainee shall be present to observe a strip search performed by an officer of the opposite gender.
- (e) Special care should be taken to ensure a strip search of a transgender detainee be performed in private.

2. Cross-Gender Viewing and Search Procedures

(a) See Section 20 of the General Policies "Search Policy".

V. Detainee Reporting Procedures

A. Detainee Reporting Requirements

1. Detainees shall be encouraged to promptly report signs or incidents of sexual abuse and assault, and may not be punished for reporting.
2. Staff shall take seriously all statements from detainees claiming to be victims of sexual assaults, and shall respond supportively and non-judgmentally.
3. Any detainee may report acts of sexual abuse or assault to any employee, contractor, or volunteer.
4. If a detainee is not comfortable with making the report to immediate point-of-contact line staff, he/she shall be allowed to make the report to a staff person with whom he/she is comfortable in speaking about the allegations.

B. Detainee Reporting Procedure

Detainee reports of sexual abuse or assault may be made using any available methods of communication including but not limited to:

Reports to the Facility:

- (a) Verbal reports to a staff member (including the Sexual Abuse and Assault Prevention and Intervention Program Coordinator or medical staff).
- (b) Written informal or formal requests or grievances to the facility. This shall be done by sending a letter, grievance, or kite to the Jail Administrator or the Sexual Abuse Prevention Coordinator. The correspondence should be marked privileged and urgent if possible.
- (c) Sick call requests.
- (d) Detainees can make any report regarding sexual abuse or assault on the inmate telephone system. Simply call the designated number and follow the directions. This report will be sent directly to the Sexual Abuse and Assault Prevention and Intervention Program Coordinator, who will immediately take protective measures and begin the investigative process.

Reports to Family Members, Friends, or Other Outside Entities

Detainees may make reports to an individual or organization outside the facility who can contact facility staff. The Jail Administrator, Officer in Charge, or Sexual Abuse and Assault Prevention and Intervention Program Coordinator would be a proper contact for outside family members, friends, or other outside entities to make contact with.

- (a) Detainees can make any report regarding sexual abuse or assault to the Victim and restorative Justice Coordinator at the Iowa Department of Corrections 510 East 12th Street Des Moines, IA 50319.
- (b) Detainees can make any report regarding sexual abuse or assault to the Office of Citizen's Aid/Ombudsman Ola Babcock Miller Building 1112 East Grand Des Moines, IA 50319.
- (c) Detainees can make any report regarding conditions of confinement to the OIG Hotline as posted in the cell.

Reports to DHS/ICE

- (a) Written informal or formal requests or grievances (including emergency grievances) to ICE.
- (b) Requests to speak to ICE forms "green sheets" to be send to ICE.
- (c) Telephone calls or written reports to the DHS/OIG or ICE/OPR.

VI. Effective Communication with Detainees

In compliance with Federal law and DSH policy, the Hardin County Correctional Center takes reasonable steps to provide meaningful access to the facility's Sexual Abuse and Assault Prevention and Intervention Program for detainees with Limited English Proficiency (LEP).

Hardin County Correctional Center has interpretation services available for detainees wishing to make a complaint to the officer in charge or the Sexual Abuse and Assault Prevention and Intervention Program Coordinator and does provide interpretation services throughout the investigation, post incident components, and to fulfill all aspects of the facility's zero tolerance policy.

To obtain accommodations for a detainee with a disability, facility staff should contact the jail administrator for assistance.

VII. Staff Notification and Reporting

A. Staff Notification and Reporting Requirements

1. All staff must immediately report any known or suspected incidents or allegations of sexual abuse or assault through the facility's chain of command. All reports should be made to the jail administrator as soon as reasonably possible.
2. The facility administrator shall promptly report the incident to the ICE Field Office Director, and refer all cases that appear potentially to support criminal prosecution to the appropriate law enforcement agency having jurisdiction for investigation. The Hardin County Sheriff's Office Investigation Section is responsible for all jail investigations unless transferred to the Iowa Division of Criminal Investigation.
3. If an employee, contractor, or volunteer is alleged to be the perpetrator of detainee sexual abuse or assault, the facility administrator shall also notify the local government entity or contractor that operates the facility. The Hardin County Sheriff's Office is the oversight entity for the Correctional Center.
4. Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need-to-know in order to make decisions concerning the victim's welfare, and for law enforcement/investigative purposes.
5. Upon receiving an allegation that a detainee was sexually abused while confined at another facility, the facility administrator shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred as soon as possible, or no later than 72 hours after receiving the allegation. The facility administrator shall notify the detainee in advance of such reporting.

B. Staff Notification and Reporting Procedures

1. Any line officer believing that a sexual assault or abuse has occurred or who has received a report of such abuse or assault shall contact their supervisor immediately. The sergeant or assistant administrator shall make the jail administrator aware of the alleged incident as soon as possible, in person, by telephone, or by pager. The jail administrator shall inform the Sheriff of the allegation and the Sheriff shall set the investigation into motion by assigned a Sheriff's Office investigator to the case. The jail administrator will also notify the Sexual Abuse and Assault Prevention and Intervention Program Coordinator for a response to the incident. The jail administrator shall report the allegation to the ICE Field Office Director upon receipt.

2. The jail administrator, sheriff, investigator, Field Office Director, and Field Office Director shall remain in close contact throughout the receipt, investigation, and prosecution of such matters, if applicable.
3. Any documents, reports, written notes, or verbal communication shall be preserved to the best of the staff's ability and given to the investigator upon arrival.

VIII. Response

A. First Responders

1. First Responder Requirements

- (a) Staff shall take immediate action to separate any detainee who alleges that he/she has been sexually assaulted from the alleged assailant, and shall refer the detainee for a medical examination and/or clinical assessment for potential negative symptoms.
- (b) Staff suspected of perpetrating sexual abuse or assault shall be removed from all duties requiring detainee contact pending the outcome of an investigation.
- (c) When possible and feasible, staff shall immediately preserve the crime scene, and safeguard information and evidence consistent with the facility's evidence-gathering and evidence-processing procedures.

2. First Responder Procedures

- (a) Line staff receiving a report of or suspecting detainee sexual abuse or mis-conduct shall remove the detainee victim from the cell and others. Holding is the initial designated area until the notifications and response can be made. Initial responders should be supportive and non-judgmental. Assure the detainee victim that assistance is on the way and that they did the right thing by making a report.
- (b) At the same time, line staff shall secure the jail where the reported or suspected abuse allegedly occurred. This is accomplished by locking down the areas, ensuring that no one enters the area until cleared by the investigator, and that nothing be removed, discarded, or destroyed until cleared by the investigator.

B. Specialized Responders

1. Specialized Responder Requirements

- (a) Staff must use a coordinated, multi-disciplinary team approach to responding to sexual abuse. This includes a medical practitioner, a mental health practitioner, a security staff member, and an investigator from the assigned investigative entity, as well as representatives from outside entities that provide relevant services and expertise. Once jail medical has been notified and upon direction of the investigator, the detainee victim shall be transported to Grundy Memorial Hospital for a comprehensive evaluation. This location is a safe location off-site and away from the alleged abuse. The nurse and mental health should accompany the victim detainee if at all possible. The jail administrator or his designee should also accompany if possible.
- (b) Care must be taken not to punish a confirmed or alleged sexual assault victim either for reporting sexual abuse or for participating in sexual activity as a result of force, coercion, threats, or fear of force.
- (c) The victim shall be housed in a supportive environment that represents the least restrictive housing option possible, and that will, to the extent possible, permit the victim the same level of privileges he/she was permitted immediately prior to the sexual assault.
- (d) Victims may not be held for longer than five days in any type of administrative segregation for protective purposes, except in highly unusual circumstances or at the request of the victim.
- (e) If any of these requirements cannot be met, the Hardin County Correctional Center will consult with the ICE Field Office Director to determine if ICE can provide additional assistance.

2. Specialized Responder Procedures

- (a) Following the medical examination and all medical procedures determined necessary for the preservation of health and safety, the detainee may be returned to the facility. Alternate housing assignments are necessary and a no-contact status shall be determined with the alleged assailant. The jail administrator or housing supervisor shall make a determination as to the safest housing assignment for the alleged victim, while keeping the detainee's wishes in mind. A, B, C, and D are all small units with constant observation available. A review regarding classification of other detainees in the cell shall occur and appropriate steps shall be taken to ensure that the detainee is not transferred to an area with in-appropriate classification.

(b) Behavioral Health services shall be highly involved in the detainee's on-going care. Referrals may be made to recommended outside entities for support, counseling, mental health treatment, etc.

(c) Medical staff shall remain highly involved in the detainee's on-going care. Special attention to changes in diet, weight, strength, and general health.

IX. Health Care Services

A. Health Care Services Requirements

1. Victims shall be provided emergency and ongoing medical and mental health services as needed. If adequate health care services may not be available, the Hardin County Correctional Center will consult with the ICE Field Office Director to determine if ICE can provide additional assistance.
2. All facility medical staff responsible for examination or treatment of sexual abuse or assault victims shall be specially trained or certified in such procedures.

B. Health Care Services Procedures

1. Upon identification of a victim of sexual assault in jail, the victim shall be initially screened by the Hardin County Jail Nurse and Behavior Services for baseline status documentation. Arrangements have been made with Wheaton Franciscan Health/Covenant Medical Center in Waterloo, Iowa for appropriate treatment of such cases as that facility is capable of all forms of treatment, both physical and mental as required in these types of cases. The victim shall be transported as soon as possible to Covenant Medical Center Emergency Department for appropriate treatment. This shall include an initial emergency examination, prophylactic treatment, emergency contraception and forensic medical examinations, upon the victim's consent, testing and treatment for sexually transmitted diseases, mental health examination and treatment as needed, and any other medical or psychological treatment determined necessary by the facility's health care administrator. The victim shall remain in-patient status as long as the facility deems appropriate.
2. Jail medical personnel and administration shall be familiar with the PREA standards through annual continuing education, especially in recognizing and identifying victims of sexual assault. Jail medical personnel shall, without hesitation refer any person suspected as a victim of sexual assault to Covenant Medical Center for follow up.

X. Investigation

A. Investigation Requirements

1. A prompt, thorough, objective, and fair investigation shall be conducted by qualified investigators for every incident or allegation of sexual abuse or assault.
2. The Hardin County Correctional Center shall ensure that all allegations of sexual abuse or assault involving potentially criminal behavior are referred for investigation by an agency with the legal authority to conduct criminal investigations, and shall document such referrals.
3. The facility administrator shall coordinate as necessary with the ICE Office of Professional Responsibility (OPR) and/or criminal investigative entities responsible for investigation of the incident.
4. At no cost to the detainee, the facility administrator shall arrange for the victim to undergo a forensic medical examination. All collected forensic evidence must be secured and processed according to the facility's established plan for maintaining the chain of custody for criminal evidence. A written summary of all medical evidence and findings shall be completed and maintained in the detainee's medical record.
5. If any one of these requirements cannot be met, the Hardin County Correctional Center will consult with the ICE Field Office Director to determine if ICE can provide additional assistance.

B. Investigative Procedures

1. Upon identification of a sexual assault victim, the jail administrator and PREA coordinator shall be immediately notified. The jail administrator and/or PREA coordinator shall make a referral to jail medical for a baseline screening. The administrator and/or PREA coordinator shall then contact the Sheriff or Chief Deputy and advise them of the incident, who will assign an investigator to the incident. That investigator shall work with the PREA coordinator while investigating the incident in whole to determine if criminal charges are appropriate and to ensure that as much evidence as possible is collected, including forensic evidence by hospital personnel.
2. The investigator shall follow established investigative protocol in securing and maintaining evidence for prosecution.
3. The ICE Field Office shall be included in all phases necessary of the investigation and shall be apprised of any new developments as requested.

4. The Iowa Division of Criminal Investigation shall be contacted when appropriate.
5. The investigator and PREA coordinator shall work closely with hospital personnel in the continued treatment and well-being of the detainee as described in Section IX (B).
6. If any investigative requirement cannot be met or may be better met utilizing federal resources, the investigator shall contact the ICE Field Office for assistance.

XI. Disciplinary Sanctions

A. Disciplinary Sanction Requirements

1. All perpetrators of sexual abuse or assault shall be disciplined and referred for criminal prosecution as appropriate.
2. Staff determined to have perpetrated sexual abuse or assault or to have failed to comply with the requirements established by this policy shall be subject to the following disciplinary sanctions:

B. Disciplinary Sanctions Procedures

1. Detainees identified as a sexual assault perpetrator shall be disciplined to the fullest extent allowed by disciplinary policy. The detainee perpetrator shall be removed from general population and segregated for the safety of that detainee as well as the rest of the population. The facility disciplinary shall be followed, identifying appropriate infractions while enforcing appropriate sanctions.
2. Any staff member involved in a sexual abuse investigation shall be suspended with or without pay for the duration of the investigation. Any staff member involved in a sexual assault investigation shall not have any contact with the detained population at any time throughout the investigation. Upon the conclusion of the investigation, said staff member, if determined at fault, shall be immediately terminated and subject to criminal charges upon referral of the Hardin County Attorney and/or Iowa Division of Criminal Investigation.

XII. Sexual Abuse Incident Reviews

A. Sexual Abuse Incident Review Requirements

1. The facility Sexual Abuse and Assault Prevention and Intervention Program Coordinator shall, together with upper-level management officials, conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation to assess and improve the prevention and response efforts.
2. Such review shall ordinarily occur within 30 days of the conclusion of the investigation.
3. In conducting the review, the Program coordinator shall seek input from line supervisors, investigators, and medical or mental health practitioners.
4. The reviewer shall:
 - (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
 - (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
 - (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
 - (d) Assess the adequacy of staffing levels in that area during different shifts;
 - (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and
 - (f) Prepare a report of findings and any recommendations for improvement and submit such report to the facility administrator.

B. Sexual Abuse Incident Review Procedures

1. As soon as possible and not more than 30 days following the conclusion of any sexual assault investigation, the PREA Officer, Jail Administrator, Sheriff, Investigator, and if applicable the Hardin County Attorney shall review the response, policy, investigation, and prevention practices to assess and improve the prevention and response efforts. The PREA officer shall then solicit information from the line officers and medical staff for ideas to improve the response and prevention.
2. The review team shall consider and attempt to make a determination if a policy change is appropriate and also if the assault was motivated by any personal characteristics such as race, ethnicity, gender identity, gang affiliation, etc.

3. The review team shall consider where the event took place to determine if any physical or building barriers aided in the assault and if changes may be appropriate.
4. The review team shall assess staffing levels and supervision to determine if additional security would be appropriate, necessary, or beneficial.
5. The review team shall review supervision documentation and monitoring technology and attempt to determine if any enhancement may have beneficial effects.
6. The review team shall prepare a written report as to their findings, changes initiated, and improvements completed to become a part of the permanent record.

XIII. Data Collection and Reporting

A. Data Collection and Reporting Requirements and Procedures

1. All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling, shall be maintained in Hardin County Correctional Center Medical Records.
2. The facility administrator shall maintain two types of files regarding incidents of sexual abuse:
 - (a) General files include:
 - Information about the victim(s) and assailant(s) of a sexual assault (including the race, nationality, age, and gender of the individuals).
 - Crime characteristics (including the date, time, location, and nature of the incident).
 - Detailed reporting timeline, including the name of the staff member receiving the report of sexual assault, date and time the report was received, and steps taken to communicate the report up the chain of command.
 - All formal and/or informal action taken (including housing/custody placements, health care referrals, etc).
 - (b) Administrative investigative files include:
 - All reports

- Medical forms (including documentation of any injuries sustained, and examinations, testing, or treatment administered).
 - Supporting memos and videotapes, if any.
 - Any other evidentiary materials pertaining to the allegation.
3. All information shall be shared only on a need-to-know basis with staff involved in the treatment of the victim or the investigation of the incident.

The Sexual Abuse and Assault Prevention and Intervention Program Coordinator shall review aggregate data on an annual basis, and present the findings to the ICE Field Office Director and ICE/ERO headquarters for use in determining whether changes may be needed to existing policies and practices in order to further the goal of eliminating sexual abuse.