What facilities are included in this data collection?

All confinement facilities operated by the Federal Bureau of Prisons.

- INCLUDE prisons, penitentiaries, and correctional institutions; boot camps; community correction facilities; halfway houses; prison farms; reception, diagnostic, and classification centers; road camps; forestry and conservation camps; vocational training facilities; prison hospitals; and drug and alcohol treatment facilities for prisoners.
- EXCLUDE privately-operated facilities. (These facilities will be contacted directly for data on sexual violence.)

What inmates and incidents are included in this data collection?


- INCLUDE incidents involving inmates under the authority, custody, or care of your confinement or community-based facilities or staff.
- EXCLUDE incidents involving inmates held in local jails and facilities in other jurisdictions.

Burden statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 90 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.
Section I — INMATE-ON-INMATE SEXUAL VIOLENCE

REPORTING INSTRUCTIONS

- If the answer to a question is "not available" or "unknown," write "DK" (do not know) in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," mark box (X) provided.

DEFINITIONS OF SEXUAL VIOLENCE

The definition of "rape" as required under the Prison Rape Elimination Act of 2003 will be operationalized by disaggregating sexual assault into two categories of inmate-on-inmate SEXUAL VIOLENCE. These categories reflect uniform definitions formulated by the National Center for Injury Prevention and Control, in "Sexual Violence Surveillance: Uniform Definitions and Recommended Data Elements," Center for Disease Control and Prevention. The categories of inmate-on-inmate SEXUAL VIOLENCE are:

NON-CONSENSUAL SEXUAL ACTS:
Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND
- Contact between the penis and the vagina or the penis and the anus including penetration, however slight;

OR
- Contact between the mouth and the penis, vagina, or anus;

OR
- Penetration of the anal or genital opening of another person by a hand, finger, or other object.

ABUSIVE SEXUAL CONTACTS:
Contact of any person without his or her consent, or of a person who is unable to consent or refuse;

AND
- Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

1. Is the Federal Bureau of Prisons responsible for investigating allegations of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS?

01 □ Yes
02 □ No → a. What agency or office is responsible for investigating these allegations?

01 □ Internal Affairs
02 □ Inspector General
03 □ Federal Bureau of Investigation
04 □ State Police
05 □ Sheriff’s Department/Local Police
06 □ Other – Specify:

b. Is the Federal Bureau of Prisons notified of the final determination of each investigation?

01 □ Yes
02 □ No → Please contact the agency or office responsible for investigating these allegations in order to fully complete this form.

2. Does the Federal Bureau of Prisons record allegations of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS?

01 □ Yes ➔ a. Do you record all reported occurrences, or only substantiated ones?

01 □ All
02 □ Substantiated only

b. Do you record attempted NON-CONSENSUAL SEXUAL ACTS or only completed ones?

01 □ Both attempted and completed
02 □ Completed only

02 □ No ➔ Please provide the definition used by the Federal Bureau of Prisons for inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 3 through 7 and Items 13 through 16.
3. Between January 1, 2004, and December 31, 2004, how many allegations of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS were reported?

<table>
<thead>
<tr>
<th>Number reported</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- If an allegation involved multiple victimizations, count only once.

→ If Item 3 is "None," skip to Item 8.

4. Of the allegations reported in Item 3, how many were —

<table>
<thead>
<tr>
<th>a. Substantiated</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- The event was investigated and determined to have occurred.

<table>
<thead>
<tr>
<th>b. Unsubstantiated</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- Evidence was insufficient to make a final determination that the event occurred.

<table>
<thead>
<tr>
<th>c. Unfounded</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- The event was determined NOT to have occurred.

<table>
<thead>
<tr>
<th>d. Investigation ongoing</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- A final determination has not yet been made as to whether the event occurred.

<table>
<thead>
<tr>
<th>e. TOTAL (Sum of Items 4a through 4d)</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

→ If Item 4a is "None," skip to Item 8.

5. Of the substantiated occurrences of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS reported in Item 4a, how many were —

<table>
<thead>
<tr>
<th>a. Completed</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- Count each occurrence. If an allegation involved multiple occurrences, count each separate occurrence.

<table>
<thead>
<tr>
<th>b. Attempted</th>
<th>□ None</th>
<th>□ Not recorded</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
<td>□ Not recorded</td>
</tr>
</tbody>
</table>

6. How many unique victims were involved in the substantiated occurrences of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS reported in Item 4a?

<table>
<thead>
<tr>
<th>a. Males</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- Count victims involved in all occurrences. If an occurrence involved multiple victims, count each victim.

- If the same inmate was victimized more than once during the 12-month period, count only once.

<table>
<thead>
<tr>
<th>b. Females</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

7. How many unique perpetrators were involved in the substantiated occurrences of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS reported in Item 4a?

<table>
<thead>
<tr>
<th>a. Males</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

- Count perpetrators involved in all occurrences. If an occurrence involved multiple perpetrators, count each perpetrator.

- If the same inmate was a perpetrator of more than one occurrence during the 12-month period, count only once.

<table>
<thead>
<tr>
<th>b. Females</th>
<th>□ None</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>□ None</td>
</tr>
</tbody>
</table>

8. Does the Federal Bureau of Prisons record allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACTS?

(See definitions on page 2.)

01 □ Yes → Can these be counted separately from allegations of NON-CONSENSUAL SEXUAL ACTS?

<table>
<thead>
<tr>
<th>01</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>02</td>
<td>No</td>
</tr>
</tbody>
</table>

→ Skip to Item 13.

02 □ No → Please provide an explanation in the space below and then skip to Item 13.
9. Between January 1, 2004, and December 31, 2004, how many allegations of inmate-on-inmate ABUSIVE SEXUAL CONTACTS were reported?

| Number reported | None |

- If an allegation involved multiple victimizations, count only once.

→ If Item 9 is "None," skip to Item 13.

10. Of the allegations reported in Item 9, how many were —

- Substantiated
- Unsubstantiated
- Unfounded
- Investigation ongoing

None

→ If Item 10 is "None," skip to Item 13.

11. How many unique victims were involved in the substantiated occurrences of inmate-on-inmate ABUSIVE SEXUAL CONTACTS reported in Item 10a?

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td></td>
</tr>
<tr>
<td>Females</td>
<td></td>
</tr>
</tbody>
</table>

- Count victims involved in all occurrences. If an occurrence involved multiple victims, count each victim.
- If the same inmate was victimized more than once during the 12-month period, count only once.

12. How many unique perpetrators were involved in the substantiated occurrences of inmate-on-inmate ABUSIVE SEXUAL CONTACTS reported in Item 10a?

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td></td>
</tr>
<tr>
<td>Females</td>
<td></td>
</tr>
</tbody>
</table>

- Count perpetrators involved in all occurrences. If an occurrence involved multiple perpetrators, count each perpetrator.
- If the same inmate was a perpetrator of more than one occurrence during the 12-month period, count only once.

Questions 13 – 16 refer to occurrences of inmate-on-inmate SEXUAL VIOLENCE, which include all substantiated occurrences of NON-CONSENSUAL SEXUAL ACTS and ABUSIVE SEXUAL CONTACTS.

13. Does the Federal Bureau of Prisons record the following information on occurrences of inmate-on-inmate SEXUAL VIOLENCE? Mark (X) "Yes" or "No" for each.

<table>
<thead>
<tr>
<th>Information</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of occurrence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date occurrence was reported</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Injuries sustained by victim(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HIV/AIDS status of victim(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical treatment/counseling provided</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HIV/AIDS status of perpetrator(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of perpetrator(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gang involvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disciplinary action/sanction imposed</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

14. Between January 1, 2004, and December 31, 2004, what sanctions were imposed on perpetrators of inmate-on-inmate SEXUAL VIOLENCE? Mark (X) all that apply.

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solitary confinement or segregation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confinement to own cell or quarters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Higher custody level within same facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transferred to another facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loss of &quot;good/gain&quot; time or increase in &quot;bad&quot; time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Given extra work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loss of privileges</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arrested</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Referred for prosecution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Given new sentence</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
15. Are data collected on where occurrences of inmate-on-inmate SEXUAL VIOLENCE happen?

- Yes □ No □

Between January 1, 2004, and December 31, 2004, how many occurrences of SEXUAL VIOLENCE happened —

a. In the victim’s cell/room □
   If the victim and perpetrator share a cell/room, count as the victim’s cell/room.

b. In the perpetrator’s cell/room □

c. In a dormitory or other multiple housing or living area □

d. In a common area within a cell block (shower, dayroom) □

e. In a temporary holding cell within the facility □

f. In a program service area (yard, gym, library, or clinic) □

g. In another common area within the facility (commissary, kitchen, storage, laundry, cafeteria, workshop, or hallway) □

h. Outside the facility or while in transit (while on work release or work detail, under community supervision, or in transit to or from court) □

i. Other — Specify □

j. TOTAL (Sum of Items 15a to 15i should equal sum of Items 4a and 10a.) □

02 □ No

16. Does the Federal Bureau of Prisons offer an HIV/AIDS test for persons involved in occurrences of inmate-on-inmate SEXUAL VIOLENCE?

Mark ( ☑ ) all that apply.

- Yes □ No □

Under what circumstances?

- ☑ Mandatory testing for victim
- ☑ Testing for victim upon request
- ☑ Mandatory testing for perpetrator
- ☑ Testing for perpetrator upon request by victim
- ☑ Other — Specify □

02 □ No

Section II — STAFF SEXUAL MISCONDUCT

DEFINITION OF STAFF SEXUAL MISCONDUCT

The definition of STAFF SEXUAL MISCONDUCT is based on “Training for Investigators of Staff Sexual Misconduct,” prepared by the National Institute of Corrections. STAFF SEXUAL MISCONDUCT includes any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, official visitor, or agency representative. Romantic relationships between staff and inmates are included in this definition.

Consensual or non-consensual sexual acts including:

- Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire;

  OR

- Completed, attempted, threatened, or requested sexual acts;

  OR

- Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.

DEFINITION OF STAFF SEXUAL HARASSMENT

The definition of STAFF SEXUAL HARASSMENT was also developed by the National Institute of Corrections. STAFF SEXUAL HARASSMENT includes repeated verbal statements or comments of a sexual nature to an inmate by an employee, volunteer, official visitor, or agency representative.

- Demeaning references to gender or derogatory comments about body or clothing;

  OR

- Profane or obscene language or gestures.

17. Is the Federal Bureau of Prisons responsible for investigating allegations of STAFF SEXUAL MISCONDUCT?

- Yes □ No □

   a. What agency or office is responsible for investigating these allegations?

   01 □ Internal Affairs
   02 □ Inspector General
   03 □ State Police
   04 □ Federal Bureau of Investigation
   05 □ Sheriff’s Department/Local Police
   06 □ Other — Specify □

   b. Is the Federal Bureau of Prisons notified of the final determination of each investigation?

   01 □ Yes □ No

   Please contact the agency or office responsible for investigating these allegations in order to fully complete this form.
19. Between January 1, 2004, and December 31, 2004, how many allegations of STAFF SEXUAL MISCONDUCT were reported?

Number reported

- If an allegation involved multiple victims or staff, count only once.

20. Of the allegations reported in Item 19, how many were —

a. Substantiated
b. Unsubstantiated
c. Unfounded
d. Investigation ongoing

21. How many unique victims were involved in the substantiated occurrences of STAFF SEXUAL MISCONDUCT reported in Item 20a?

   a. Males
   b. Females

22. How many unique staff were involved in the substantiated occurrences of STAFF SEXUAL MISCONDUCT reported in Item 20a?

   a. Males
   b. Females

23. Between January 1, 2004, and December 31, 2004, how many staff were disciplined for the substantiated occurrences of STAFF SEXUAL MISCONDUCT?

   a. Number of staff discharged
   b. Number of staff disciplined but not discharged
   c. Number of staff referred for prosecution
24. Does the Federal Bureau of Prisons record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 5.)

01 ☐ Yes ➔ Can these allegations be counted separately from allegations of STAFF SEXUAL MISCONDUCT?

01 ☐ Yes
02 ☐ No ➔ End of questionnaire.

02 ☐ No ➔ Please provide an explanation in the space below. End of questionnaire.

25. Between January 1, 2004, and December 31, 2004, how many allegations of STAFF SEXUAL HARASSMENT were reported?

Number reported: [ ] None

☐ If an allegation involved multiple victims or staff, count only once.

26. Of the allegations reported in Item 25, how many were —

☐ a. Substantiated
☐ b. Unsubstantiated
☐ c. Unfounded
☐ d. Investigation ongoing

If Item 26a is "None," end of questionnaire.

27. How many unique victims were involved in the substantiated occurrences of STAFF SEXUAL HARASSMENT reported in Item 26a?

a. Males: [ ] None
b. Females: [ ] None

☐ Count victims involved in all occurrences. If an occurrence involved multiple victims, count each victim.

☐ If the same inmate was victimized more than once during the 12-month period, count only once.

28. How many staff were involved in the substantiated occurrences of STAFF SEXUAL HARASSMENT reported in Item 26a?

☐ a. Males: [ ] None
☐ b. Females: [ ] None

☐ If an occurrence involved multiple staff members, count each only once.

☐ If the same staff member was a perpetrator of more than one occurrence during the 12-month period, count only once.

29. Between January 1, 2004, and December 31, 2004, how many staff were disciplined for the substantiated occurrences of STAFF SEXUAL HARASSMENT?

☐ a. Number of staff discharged:
☐ b. Number of staff disciplined but not discharged:
☐ c. Number of staff referred for prosecution:

End of questionnaire.

01
02
01
02