

FORM **SSV-4**
(1-12-2005)

SURVEY ON SEXUAL VIOLENCE, 2004 — Other Correctional Facilities

U.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
AND ACTING AS COLLECTION AGENT
U.S. DEPT. OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

DATA SUPPLIED BY

Name	Title				
OFFICIAL ADDRESS	Number and street or P.O. Box/Route Number		City	State	ZIP Code
	TELEPHONE	Area code	Number	FAX NUMBER	Area Code
E-MAIL ADDRESS					

(Please correct any error in name, mailing address, and ZIP Code)

GENERAL INFORMATION

- If you need assistance, call **Lisa McNelis** of the **U.S. Census Bureau** toll-free at **1-800-253-2078**, or e-mail **govs.ssv@census.gov**.
- **Please return your completed questionnaire by February 28, 2005.** Return all pages by either **MAIL or FAX**.
MAIL TO: U.S. Census Bureau, Governments Division, Washington Plaza, Bldg. 2, Room 509, Washington, DC 20233-6800
FAX (TOLL FREE): 1-888-891-2099.

What facilities are included in this data collection?

- **MULTI-JURISDICTIONAL FACILITIES:** Facilities including detention centers, jails, community-based facilities, and other correctional facilities administered by two or more governments (or a board composed of representatives from two or more governments) that are intended for adults but sometimes hold juveniles.
- **PRIVATELY OPERATED FACILITIES:** All privately owned or operated confinement facilities including prisons, jails, detention centers, community-based facilities, and other correctional facilities that are intended for adults but sometimes hold juveniles.
- **FACILITIES OPERATED BY OR FOR THE UNITED STATES MILITARY OR BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT**
- **FACILITIES OPERATED BY TRIBAL AUTHORITIES OR THE BUREAU OF INDIAN AFFAIRS**

What inmates and incidents are included in this data collection?

Inmates under your custody between January 1, 2004, and December 31, 2004.

- **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 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 — GENERAL INFORMATION

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 () provided.
- When exact numeric answers are not available, provide estimates and mark () in the box beside each figure.

1. How many persons under the supervision of your facility were –

a. CONFINED on December 31, 2004?

- INCLUDE persons on transfer to treatment facilities but who remain under your jurisdiction.
- INCLUDE persons out to court while under your jurisdiction.
- INCLUDE persons held for other jurisdictions.
- EXCLUDE inmates on AWOL, escape, or long-term transfer to other jurisdictions.
- EXCLUDE all persons in non-residential community-based programs run by your facility (e.g., electronic monitoring, house arrest, community service, day reporting, work programs).

	Male		Female
Inmates on December 31, 2004 . . .	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

b. ADMITTED to your facility during 2004?

- INCLUDE new admissions only, i.e., persons officially booked into and housed in your facility by formal legal document and by the authority of the courts or some other official agency.
- INCLUDE repeat offenders booked on new charges.
- EXCLUDE returns from escape, work release, medical appointments/treatment facilities, and bail or court appearances.

	Male		Female
New admissions during 2004	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

2. Between January 1, 2004, and December 31, 2004, what was the average daily population of your confinement facility?

- To calculate the average daily population, add the number of persons for each day during the period January 1, 2004, through December 31, 2004, and divide the result by 366 (2004 was a leap year).

	Male		Female
Average daily population	<input type="text"/>	<input type="checkbox"/>	<input type="text"/>

Section II — INMATE-ON-INMATE SEXUAL VIOLENCE

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.

3. Is your facility 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 State Police
- 04 Sheriff's Department/Local Police
- 05 Other – Specify ↗

b. Is your facility 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.

4. Does your facility 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 your facility for inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS in the space below. Use that definition to complete Items 5 through 9 and Items 15 through 18.

5. Between January 1, 2004, and December 31, 2004, how many allegations of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS were reported?

Number reported None

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

→ If Item 5 is "None," skip to Item 10.

6. Of the allegations reported in Item 5, how many were —

a. Substantiated None

- The event was investigated and determined to have occurred.

b. Unsubstantiated None

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

c. Unfounded None

- The event was determined NOT to have occurred.

d. Investigation ongoing None

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

e. TOTAL (Sum of Items 6a through 6d) None

→ If Item 6a is "None," skip to Item 10.

7. Of the substantiated occurrences of inmate-on-inmate NON-CONSENSUAL SEXUAL ACTS reported in Item 6a, how many were —

a. Completed None

b. Attempted None Not recorded

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

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

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.

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

a. Males None

b. Females None

- 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.

10. Does your facility 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?**

01 Yes

02 No → Skip to Item 15.

02 No → Please provide an explanation in the space below and then skip to Item 15.

11. 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 11 is "None," skip to Item 15.

12. Of the allegations reported in Item 11, how many were —

a. Substantiated None

b. Unsubstantiated None

c. Unfounded None

d. Investigation ongoing None

e. TOTAL (Sum of Items 12a through 12d) None

→ If Item 12a is "None," skip to Item 15.

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

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.

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

a. Males None

b. Females None

- 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 15 – 18 refer to occurrences of inmate-on-inmate SEXUAL VIOLENCE, which include all substantiated occurrences of NON-CONSENSUAL SEXUAL ACTS and ABUSIVE SEXUAL CONTACTS.

15. Does your facility record the following information on occurrences of inmate-on-inmate SEXUAL VIOLENCE?

Mark () "Yes" or "No" for each.

- a. Date of occurrence 01 Yes 02 No
- b. Date occurrence was reported 01 Yes 02 No
- c. Injuries sustained by victim(s) 01 Yes 02 No
- d. HIV/AIDS status of victim(s) 01 Yes 02 No
- e. Medical treatment/ counseling provided 01 Yes 02 No
- f. HIV/AIDS status of perpetrator(s) 01 Yes 02 No
- g. Name of perpetrator(s) 01 Yes 02 No
- h. Gang involvement 01 Yes 02 No
- i. Disciplinary action/sanction imposed 01 Yes 02 No

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

- 01 Solitary confinement or segregation
- 02 Confinement to own cell or quarters
- 03 Higher custody level within same facility
- 04 Transferred to another facility
- 05 Loss of "good/gain" time or increase in "bad" time
- 06 Given extra work
- 07 Loss of privileges
- 08 Arrested
- 09 Referred for prosecution
- 10 Given new sentence

17. Are data collected on where occurrences of inmate-on-inmate SEXUAL VIOLENCE happen?

01 Yes → **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 17a to 17i should equal sum of Items 6a and 12a.)

02 No

18. Does your facility offer an HIV/AIDS test for persons involved in occurrences of inmate-on-inmate SEXUAL VIOLENCE?

Mark () all that apply.

01 Yes → **Under what circumstances?**

- 01 Mandatory testing for victim
- 02 Testing for victim upon request
- 03 Mandatory testing for perpetrator
- 04 Testing for perpetrator upon request by victim
- 05 Other – Specify ↴

02 No

Section III — 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.

19. Is your facility responsible for investigating allegations of STAFF SEXUAL MISCONDUCT?

01 Yes

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

- 01 Internal Affairs
- 02 Inspector General
- 03 State Police
- 04 Sheriff's Department/Local Police
- 05 Other – *Specify* ↘

b. Is your facility 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.*

20. Does your facility record allegations of STAFF SEXUAL MISCONDUCT?

01 Yes → **Do you record all reported occurrences, or only substantiated ones?**

01 All

02 Substantiated only

02 No → *Please provide an explanation in the space below and then skip to Item 26.*

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

Number reported None

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

→ *If Item 21 is "None," skip to Item 26.*

22. Of the allegations reported in Item 21, how many were —

a. Substantiated None

b. Unsubstantiated None

c. Unfounded None

d. Investigation ongoing None

e. TOTAL (Sum of Items 22a through 22d) None

→ *If Item 22a is "None," skip to Item 26.*

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

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.

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

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.

25. 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

26. Does your facility record allegations of STAFF SEXUAL HARASSMENT? (See definitions on page 6.)

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.*

27. 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.

28. Of the allegations reported in Item 27, how many were —

a. Substantiated None

b. Unsubstantiated None

c. Unfounded None

d. Investigation ongoing None

e. **TOTAL** (Sum of Items 28a through 28d) None

→ *If Item 28a is "None," end of questionnaire.*

29. How many unique victims were involved in the substantiated occurrences of STAFF SEXUAL HARASSMENT reported in Item 28a?

a. Males None

b. Females . . None

- Count all 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.

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

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.

31. 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