



COMMONWEALTH of VIRGINIA

Board of Juvenile Justice

POLICY

GOVERNING THE OPERATION OF PROGRAMS AND FACILITIES

NUMBER: 05-010

TITLE: THE PRISON RAPE ELIMINATION ACT

The Prison Rape Elimination Act of 2003 (PREA) requires, and it is the policy of the Board to mandate, zero tolerance toward any incident involving the sexual assault, sexual harassment, or rape of a resident and the Department to make preventing, detecting, and responding to such incidents a priority in all facilities housing committed juveniles.

It is the policy of the Board to ensure that any sexual activity between juveniles and staff, volunteers, or contract personnel is prohibited and any staff, volunteers, or contract personnel who engage in such acts should be subject to disciplinary action and criminal sanctions, as applicable.

In addition, it is the policy of the Board that the Department strictly adheres to the mandatory child abuse reporting laws in the Commonwealth and any employee who witnesses or has knowledge of any sexual activity, assault, harassment, or rape shall immediately report it to the facility superintendent or director or designee. Furthermore, it is the policy of the Board that the Department addresses any employee's knowing failure to report such sexual activity through the Department's Code of Conduct and the Department of Human Resource Management's Standards of Conduct. Finally, it is the policy of the Board that retaliation against any employee or resident for reporting an allegation of sexual activity or assault is prohibited.

EFFECTIVE: November 14, 2012

REPLACES/REVISES: None

BOARD APPROVED: November 14, 2012

REFERENCES: The Prison Rape Elimination Act of 2003, 42 U.S.C. 15601 et seq.
The Prison Rape Elimination Act National Standards, Subpart D, Standards for Juvenile Facilities