

Category: Prison Rape Elimination Act (PREA)
Policy #: 17.4
Subject: Screening for Risk of Sexual Victimization and Abusiveness
Purpose: To establish guidelines for obtaining information from juveniles to help keep residents safe in the Juvenile Detention Center.

I. Obtaining Information from Residents

1. Within 72 hours of the resident's arrival at the Fort Bend County Juvenile Detention Center's leadership academy (POST) or secure (PRE), and periodically throughout a resident's detention, the FBCJDC shall obtain and use information about each resident's personal history and behavior to reduce the risk of sexual abuse by or upon a resident.
2. An objective screening instrument approved by TJJD shall be used for conducting assessments.
3. The FBCJDC shall attempt to ascertain information about:
 - A. Prior sexual victimization or abusiveness;
 - B. Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore be vulnerable to sexual abuse;
 - C. Current charges and offense history;
 - D. Age;
 - E. Level of emotional and cognitive development;
 - F. Physical size and stature;
 - G. Mental illness or mental disabilities;
 - H. Intellectual or developmental disabilities;
 - I. Physical disabilities;
 - J. The resident's own perception of vulnerability; and
 - K. Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents.
4. This information shall be ascertained through conversations with the resident during the intake process and medical and mental health screenings; during classification assessments; and by reviewing court records, case files, facility behavioral records, and other relevant documentation from the resident's files.

5. FBCJPD shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents. Information obtained shall be kept in the juvenile's medical file and stored in the nurse's office.

II. Placement of residents in housing, bed, program, education, and work assignments

1. FBCJDC shall use all information obtained at screening to make housing, bed, program, education, and work assignments for residents with the goal of keeping all residents safe and free from sexual abuse.

2. Residents will be isolated from others only as a last resort when less restrictive measures are inadequate to keep them and other residents safe, and then only until an alternative means of keeping all residents safe can be arranged. During any period of isolation, FBCJPC shall not deny residents daily large-muscle exercise and any legally required educational programming or special education services. Residents in isolation shall receive daily visits from a medical or mental health care clinician. Residents shall also have access to other programs and work opportunities to the extent possible.

3. Lesbian, gay, bisexual, transgender, or intersex residents shall not be placed in particular housing, bed, or other assignments solely on the basis of such identification or status, nor shall FBCJDC consider lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator of likelihood of being sexually abusive.

4. In deciding whether to assign a transgender or intersex resident to a facility for male or female residents, and in making other housing and programming assignments, the FBCJDC shall consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems.

5. Placement and programming assignments for each transgender or intersex resident shall be reassessed at least twice each year to review any threats to safety experienced by the resident.

6. A transgender or intersex resident's own views with respect to his or her own safety shall be given serious consideration.

7. Transgender and intersex residents shall be given the opportunity to shower separately from other residents.

8. If a resident is isolated pursuant to paragraph (2) of this section, the facility shall clearly document:

A. The basis for the facility's concern for the resident's safety; and

B. The reason why no alternative means of separation can be arranged.

9. Every 30 days, the FBCJDC shall afford each resident described in paragraph (3) of this section a review to determine whether there is a continuing need for separation from the general population.

Revised: 04/01/2015
Date

Reviewed by County Attorney's Office: 5/27/2015
Date

Adopted by the Juvenile Board: 6/10/2015
Date