



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Christina K. Daly, Interim Secretary

## PRISON RAPE ELIMINATION ACT ACKNOWLEDGEMENT

**By signing this form, you are stating that you are aware of the sexual abuse/sexual assault policies governed by the Florida Department of Juvenile Justice and the United States Department of Justice Prison Rape Elimination Act of 2003.**

In accordance with the 2003 Prison Rape Elimination Act, the Florida Department of Juvenile Justice (FDJJ) has a **zero tolerance policy** for sexual assault or sexual harassment of any youth in our custody (FDJJ policy 1919). The Department will have all reported incidents of sexual assaults investigated; will address the safety and treatment needs of any youth who is sexually assaulted; and will discipline and prosecute those who sexually assault a youth.

**ANY** employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher **can and will accept** any information from a youth regarding sexual abuse, sexual assault or sexual harassment. Such information must be immediately reported to one of the following:

- a facility staff member;
- local law enforcement;
- the Sexual Abuse Hotline 1-800-962-2873;
- the DJJ Incident Hotline 1-800-355-2280; or
- the Florida Abuse Hotline 1-800-962-2873.

A youth may feel more comfortable reporting sexual abuse or sexual assault to someone other than a staff member and all individuals are legally bound to report immediately the information for further actions, including medical and mental health treatment, segregation from the suspect, collection of evidence, criminal investigation, and other necessary procedures.

### ***Time is of the essence in reporting sexual abuse and sexual assault.***

The definition of sexual abuse or sexual assault is engaging in, or attempting to engage in, a sexual act with any youth or the intentional touching of a youth's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse or gratify the sexual desire of any person. Sexual acts or contacts between a youth and a staff member, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher—even when no objections are raised—always are illegal. By law, these acts are considered non-consensual.

**Sexual abuse by a youth** includes any of the following acts if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

1. Contact between the penis and the vulva or between the penis and the anus, including penetration however slight;
2. Contact between the mouth and the penis, vulva or anus;
3. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument; and
4. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, where the youth has the intent to abuse, to arouse, or to gratify sexual desire—excluding contact that is incidental to a physical altercation.

*(continued)*

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850  
<http://www.djj.state.fl.us>

*The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.*

**Sexual abuse by an employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher** includes any of the following acts, with or without consent of the youth:

1. Contact between the penis and the vulva or between the penis and the anus, including penetration however slight;
2. Contact between the mouth and the penis, vulva, or anus;
3. Contact between the mouth and any body part where the employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher has the intent to abuse, to arouse, or to gratify sexual desire;
4. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher has the intent to abuse, to arouse, or to gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher has the intent to abuse, to arouse, or to gratify sexual desire;
6. Any attempt, threat, or request by an employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher to engage in the activities described in paragraphs (1)-(5) of this section;
7. Any display by an employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher of his or her uncovered genitalia, buttocks, or breast in the presence of a youth; and
8. Voyeurism by an employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher.

**Sexual harassment** includes:

1. Repeated or unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one youth directed toward another; and
2. Repeated or unwelcome verbal comments or gestures of a sexual nature to a youth by an employee, contractor/contracted provider's employee, vendor, volunteer, mentor, intern, or researcher, including demeaning references to gender or sexual orientation; making sexually suggestive or derogatory comments about one's body or clothing; or the use of obscene language or gestures.

**Sexual Misconduct** includes any act of sexual abuse or sexual harassment as defined herein.

*For further clarification please request a copy of the Department's policy FDJJ 1919.*

**By signing below, I acknowledge that I have read and understand the sexual abuse/sexual assault policies governed by the Florida Department of Juvenile Justice and the United States Department of Justice Prison Rape Elimination Act of 2003:**

<b>Signature</b>	<b>Printed Name</b>	<b>Date</b>
<b>Witness Signature</b>	<b>Printed Name</b>	<b>Title</b>