



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE

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## PRISON RAPE ELIMINATION ACT ACKNOWLEDGEMENT

**By signing this form, you are stating that you are aware of our sexual abuse / 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 Department of Juvenile Justice (DJJ) has a zero tolerance policy for sexual assault or sexual harassment to any youth in our custody (FDJJ policy 1919). The Department will have all reported incidents of sexual assaults investigated, and will address the safety and treatment needs of youths who have been sexually assaulted, and will discipline and prosecute those who sexually assault youths.

**ANY** employee, volunteer, contractor, or vendor can and will accept any information from a youth regarding sexual abuse, sexual assault or sexual harassment and will immediately report the information to one of the following; a facility staff member, the Sexual Abuse Hotline 1-800-962-2873 or 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 immediately report 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 / assault is engaging in, or attempting to engage in, a sexual act with any youth or the intentional touching of an 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, even when no objections are raised, are always illegal, and by law, 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 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 their 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, arouse, or gratify sexual desire and excluding contact incidental to a physical altercation.

**Sexual abuse by a staff member, contractor, or volunteer** - Includes any of the following acts, with or without consent of the youth:

1. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
2. Contact between the mouth and the penis, vulva, or anus;

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*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.*

3. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or 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 staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
5. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
6. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)-(5) of this section;
7. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of a youth, and
8. Voyeurism by a staff member, contractor, or volunteer.

**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 a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

**Sexual Misconduct** – Any act of sexual abuse and/or sexual harassment as defined herein.

For further clarification please request a copy of the Department of Juvenile Justice policy FDDJ 1919.

I have read and understood the Sexual Abuse / Assault policy:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Title