



PREA Definitions for Pioneer Human Services

Staff: For purposes of this policy, staff includes PHS employees, contract service providers, and volunteers.

Sexual Victimization—includes any of the following:

- **Nonconsensual Sexual Acts / Assault:**
 - Sexual 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 vulva or the penis and the anus including penetration, however slight; **OR** contact between the mouth and the penis, vulva, or anus; **OR**
 - Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.
- **Abusive Sexual Contact (less severe):**
 - Sexual 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.
 - **EXCLUDE** incidents in which the contact was incidental to a physical altercation.
- **Sexual Harassment by Another Resident:**
 - Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another.
- **Staff Sexual Misconduct:**
 - Any behavior or act of a sexual nature directed toward an resident by an employee, volunteer, contractor, official visitor or other agency representative (exclude family, friends or other visitors).

Sexual relationships of a romantic nature between staff and residents are included in this definition. Consensual or nonconsensual sexual acts include:

Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks that is unrelated to official duties or 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 reasons unrelated to official duties or for sexual gratification.
- **Staff Sexual Harassment:**
 - Repeated verbal comments or gestures of a sexual nature to an resident by an employee, volunteer, contractor, official visitor, or other agency representative (excludes family, friends, or other visitors). Include demeaning references to

gender; or sexually suggestive or derogatory comments about body or clothing;

OR

- Repeated profane or obscene language or gestures.

Agency PREA Coordinator: An administrator responsible for the development, implementation, and oversight of the PHS' compliance with the PREA standards in all of PHS facilities.

Appointing Authority: The contracting agency, including but not limited to Department of Corrections, Federal Bureau of Prisons and Juvenile Justice Rehabilitation Administration.

Gender Nonconforming: A person whose appearance or manner does not conform to traditional societal gender expectations.

Intersex: A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Investigative Agency: Appointing authority (see definition above) or law enforcement agency.

PREA Compliance Manager: A management staff person designated by the PREA coordinator to coordinate communication with the alleged victim and aggressor and to coordinate follow-up to incidents of resident sexual abuse and sexual harassment within that facility. The PREA compliance manager will serve as the team lead for all PREA incident reviews.

Substantiated Allegation: An allegation that was investigated and determined to have occurred.

Transgender: A person whose gender identity (i.e., internal sense of feeling male or female) is different from a person's assigned sex at birth.

Unfounded Allegation: An allegation that was investigated and determined not to have occurred.

Unsubstantiated Allegation: An allegation that was investigated and produced insufficient evidence to make a final determination as to whether or not the event occurred.