

Prison Rape Elimination Act Report Definitions

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

Unsubstantiated: based on the evidence, it isn't clear one way or the other on how to rule on the allegation

Unfounded: evidence shows that the incident did not happen

Non-consensual sexual acts: Contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND/OR Contact between the mouth and the penis, vagina, or Anus OR Penetration of the anal or genital opening of another person by a hand, finger, or other object.

ABUSIVE SEXUAL CONTACTS: 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 intent of the sexual contact is to harm or debilitate rather than to sexually exploit.

Sexual misconduct: Intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire; this includes any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (exclude inmate family, friends, or other visitors). Sexual relationships of a romantic nature between staff and inmates are included in this definition. Consensual or nonconsensual sexual acts including: OR Completed, attempted, threatened, or requested sexual acts; OR Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.

Sexual harassment: repeated verbal statements or comments of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (exclude inmate family, friends, or other visitors). Demeaning references to gender or derogatory comments about body or clothing; OR Repeated profane or obscene language or gestures.