

## **PRISON RAPE ELIMINATION ACT OF 2003**

**Prison Rape Elimination Act of 2003** – The federal law establishing a zero tolerance approach to prison rape which makes identification, prosecution and elimination of prison rape a top priority of state correctional agencies across the nation.

It is the policy of the Mississippi Department of Corrections (MDOC) to maintain a safe and secure environment for all offenders and to maintain zero tolerance for prison rape and other forms of sexual assault in all MDOC facilities.

**If an offender is being pressured by another offender for money, property, or sexual favors, the offender should immediately contact the Case Manager, Unit Administrator, or any staff member with whom they feel comfortable.**

### **Sexual misconduct can be defined as:**

- Requests for sexual favors by another offender or staff member, agent or volunteer of the corrections department.
- Any sexual advance by another offender, staff member, agent or volunteer of the correction department and/or
- Verbal or physical conduct of a sexual nature in prison toward a prisoner by another prisoner, staff member, agent or volunteer of a correction department.

### **Examples of Sexual Misconduct are:**

- A prison guard walks in on you while you are changing your clothes and tells you that you are “what he likes.”
- The food service contract employee tells you he can get you cigarettes if you “flash” him.
- You fall in love with a staff member and agree to get married as soon as you are released. You begin a sexual relationship with her while in prison.
- The chaplain comforts you when you receive bad news from home. She keeps asking you to come by and see her even when nothing is wrong. She begins to write you letters telling you how much she loves you.
- You were an exotic dancer before being incarcerated. Three officers on the midnight shift pay you to dance for them.
- A correctional officer locks you in a storage room and rapes you.

### **Sexual misconduct does not have to be sex, it can include:**

- Touching
- Kissing
- Inappropriate body or cavity searches not justified by a legitimate institution security need
- Inappropriate comments about your personal appearance
- Language of a sexual nature
- Another offender or staff member showing you his or her body or requiring you to show your body to him or her

## **Rape and Sexual Assault**

If you have been raped or sexually assaulted, you must get medical attention immediately. You should request to be taken to a hospital where a rape kit can be performed. During a rape kit examination, the doctor performs an examination and takes samples of hair, semen and other fluids which the perpetrator may have left on your body during the assault. These samples often provide crucial evidence in proving a sexual assault occurred and in identifying the perpetrator. That is why it is especially important that you have a rape kit in a hospital where the medical staff is accustomed to performing it.

Although it may be difficult, it is important that you do not shower after the assault. Showering may wash off the hair, semen and other evidence. Also, bring the clothes and underwear that you had on at the time of the assault to the hospital with you along with any other items that may have come into contact with the perpetrator's bodily fluids—blood, semen or saliva. This includes any towels the perpetrator may have used to wipe himself, herself or you, and condoms if they were worn during the assault. The doctors may be able to take hair and semen samples from all of these items. Technology is such that even small traces of blood, semen, vaginal fluids or saliva can yield information that can identify the source of these fluids.

If you have been raped or sexually assaulted, you should always be tested for pregnancy, HIV and other sexually transmitted diseases. Even if you test negative for HIV you should request that you be re-tested six months later, since it may take that long for a test to detect the HIV antibodies in your blood.

## **Sexually Transmitted Diseases**

A sexually transmitted disease, if left untreated, can have very serious consequences. It can cause sterility or otherwise negatively affect your health. HIV infection, for which there is no cure, decrease the body's ability to fight infection and makes a person susceptible to a large number of illnesses. While there is no cure for HIV, there are new medical treatments that can greatly increase both the quality and length of the lives of those infected with the proper medical care can, in some cases, cure a sexually transmitted disease. If no cure is available, it can often reduce the effects of the disease. Therefore, it is very important to get medical care as soon as possible.

## **Counseling**

If you have been subject to sexual misconduct, you may want to seek professional counseling or mental health advice whether or not you decide to seek medical help for injuries resulting from the conduct. Many prisons offer mental health services for victims of sexual abuse, and some offer counseling sessions. There are also community-based counseling services such as local rape crisis centers. If you cannot obtain mental health services, talk about your experiences with a trusted friend, relative or spiritual advisor. Talking with someone helps you explore your feelings about the incident and is an important step in gaining control over your life.