

RIGHT TO REPORT

If you, or someone you know, are experiencing sexual abuse or sexual harassment, San Bernardino County Probation wants to know. We want you to report right away! Why?

- We want to keep you and our youth safe. It is our job! It is everyone's right to be free from sexual abuse and sexual harassment.
- We want to conduct an investigation of the reported incident.
- We want to hold the perpetrator accountable for their actions.
- We want to provide you and our youth with relevant information and support services.

HOW TO REPORT

San Bernardino County Probation offers multiple ways to report sexual abuse and sexual harassment.

If you witness or overhear prohibited Communications/Behavior:

- Tell the individuals involved to stop.
- Immediately inform a Probation Supervisor.

If a youth discloses information to you:

- Immediately inform a Probation Supervisor.
- Mandated reporters: follow the regular Child Abuse reporting requirements.

Additional ways to report:

- Report to the PREA Coordinator.
- Report to any staff.
- Write a letter to the San Bernardino County Probation Department.
- You can submit a report on someone's behalf, or someone at the facility can file a report for you.
- Report to San Bernardino Sexual Assault Services.
- Report to the External Ombudsman.

Central Valley JDAC

900 East Gilbert Street
San Bernardino, CA 92415
(909) 383-1769

Gateway Program

740 East Gilbert Street
San Bernardino, CA 92415
(909) 387-6933

PREA Coordinator

175 West Fifth Street, 4th Floor
San Bernardino, CA 92415-0460
(909) 387-6002

San Bernardino Sexual Assault Services (SBSAS)

444 North Arrowhead Avenue, Suite 101
San Bernardino, CA 92401-1221
24-hour Hotline (800) 656-4673
or (909) 885-8884

External Ombudsman

784 East Hospitality Lane
San Bernardino, CA 92415
(909) 534-8044



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A GUIDE TO THE PREVENTION OF SEXUAL MISCONDUCT WITH PROBATION YOUTH

For Contractors, Vendors and Volunteers of the
San Bernardino County Probation Department



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ZERO TOLERANCE

San Bernardino County Probation Department has a zero tolerance for any activity associated with or that promotes acts of sexual misconduct, including sexual harassment between probation youth and staff.

In this definition, “staff” includes: Probation and County employees, contractors, vendors, and volunteers, as well as staff from other Federal, State and Local jurisdictions. A “probation youth” is someone detained in a correctional facility.

San Bernardino County Probation Department follows the National Standards for the Prevention, Detection and Response to Sexual Abuse in Juvenile Facilities in accordance with the Prison Rape Elimination Act (PREA). Forms of sexual misconduct include, but are not limited to:

- Any behavior of a sexual nature directed toward a probation youth by any staff.
- Inappropriate touching between probation youth and staff.
- All attempted, threatened, requested or engaging in sexual acts between staff and a probation youth.
- Sexual comments and conversations including sexual innuendos.
- Display or transmittal of sexually suggestive posters, objects, or messages.

All allegations of sexual misconduct, harassment, and abuse are investigated. Depending on the investigation findings of an alleged incident, the outcome may result in the loss of your contract and the possibility of criminal charges. In addition, persons accused of sexual harassment in civil or criminal proceedings may be held personally liable for damages to the person harassed.

HOW TO MAINTAIN APPROPRIATE BOUNDARIES:

Most staff sexual misconduct occurs only after seemingly innocent professional boundaries have been crossed. The following behaviors will assist you in maintaining appropriate boundaries:

- Maintain professional distance.
- Focus behavior on duties and assignments.
- Do not become overly close with any particular probation youth.
- Do not share your own or other staff’s personal information with or around youth.
- When speaking to probation youth about other staff refer to the staff by their title or as Ms. or Mr.
- When speaking to probation youth refer to them as Ms. or Mr. and their last name.
- Don’t accept gifts or favors from probation youth.
- Be knowledgeable of departmental policy and procedure, rules of conduct and laws regarding sexual misconduct and sexual harassment.

AN ABUSE OF POWER

Due to the imbalance of power between probation youth and staff in correctional settings, sexual interactions between staff and probation youth is illegal, unprofessional, and unethical.

Some probation youth may become sexually involved with staff in an effort to equalize the imbalance of power. Occasionally a probation youth may try to use sex to improve his/her standing or circumstances (e.g., better job, avoid disciplinary action, affect a release plan, gain privileges, etc.).

Because of the imbalance of power, there can never be a consensual relationship between staff and probation youth. In fact, the law states ‘consent’ is not a defense to prosecution.

RED FLAGS

The following are behaviors or ‘red flags’ that may signal you or someone you work with is in danger of engaging in sexual misconduct with a youth:

- Spending a lot of time with a particular youth.
- Change in appearance of a youth or staff member.
- Deviating from agency policy for the benefit of a particular youth.
- Sharing personal information with a youth.
- Horseplay.
- Staff doing favors for a youth.
- Youth doing favors for staff.
- Consistently volunteering for a particular assignment or shift.
- Coming to work early/staying at work late.
- Flirting with a youth.
- Overlooking infractions of a particular youth.

DUTY TO REPORT

Staff must report any inappropriate staff/offender behavior immediately. The presence of illegal and unethical behavior by staff compromises the security and safety of the agency. Staff that fail to report such behavior will be held accountable and may be sanctioned through dismissal. All efforts will be made to ensure the confidentiality of the reporting staff. You must report any staff who you see is involved in sexual misconduct or sexually harassing a youth. As a person of authority, it is your responsibility to discourage, refuse and report any overtures as well as maintain professional boundaries at all time. If you question your’s or another staff’s professional boundaries with a youth or feel uncomfortable with a youth’s actions or advances toward you, bring it to the attention of a probation employee before it gets out of control.

