



SURVEY OF SEXUAL VICTIMIZATION: 2023

Substantiated Incident Form (Adult)

U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS and ACTING AS COLLECTION AGENT U.S. DEPT. OF COMMERCE U.S. CENSUS BUREAU

Incident Number ___ out of ___

1. Did the incident include repeated behaviors? 1. Did the incident include repeated behaviors? 1. Did the incident include repeated behaviors?	4. Did the incident take place in an area subject to video monitoring? (Mark all that apply.)
If "Yes" → a. On approximately, how many different dates did it occur?	01 ☐ Yes 03 ☐ Unknown 02 ☑ No
→ b. On what date did the most recent incident occur? Month Day Year	5. What time did the incident occur? (Mark all that apply.) o1 Morning (6 a.m. to 11:59 a.m.) o2 Afternoon (noon to 5:59 p.m.) o3 Evening (6 p.m. to 11:59 p.m.) o4 Overnight (midnight to 5:59 a.m.)
occur? Month Day Year	05 🗆 Time unknown
<u>11</u> <u>28</u> <u>2 0 2 3</u>	6. Who reported the incident? (Mark all that apply.)
2. In what facility did the incident occur? Name START	01 ☐ Victim 02 ☑ Another inmate (nonvictim) 03 ☐ Victim's family, friend, or legal guardian
	04 ☐ Correctional officer or front-line staff 05 ☐ Administrative staff
City State Anaconda MT	06 Medical, healthcare, or mental health staff
3. Where did the incident occur? (Mark all that apply.) o1 □ In the victim's cell or room (If the victim and perpetrator share a cell or room, count as the victim's cell) o2 ☑ In the perpetrator's cell or room o3 □ In a dormitory or other multiple housing unit o4 □ In a common area (e.g., shower, dayroom, bathroom) o5 □ In a temporary holding cell or intake area within the facility o6 □ In a program service area (e.g., commissary, kitchen, storage, laundry, cafeteria, workshop, hallway)	o7 ☐ Instructor, teacher, or counselor o8 ☐ Other staff (e.g., kitchen worker, maintenance staff) o9 ☐ Chaplain or other religion official 10 ☐ Perpetrator 11 ☐ Perpetrator's family, friend, or legal guardian 12 ☐ Grievance coordinator, grievance process, or ombuds 13 ☐ Attorney (victim's or perpetrator's) 14 ☐ Confidential informant, anonymous tip, hotline, or through monitoring (e.g., camera, telephone, or mail) 15 ☐ Other – Specify Other → Specify
07 In an instructional area (e.g., classroom, school, library, conference room)	
08 In a recreation area (e.g., yard, courtyard, gymnasium)	7. What was the type of sexual victimization incident? (See definitions on page 9.)
09 In a medical area (e.g., infirmary, health clinic)	o1 ■ Inmate-on-inmate sexual abuse
10 🔲 In a staff area (e.g., office, break room, counselor's office)	→ Complete sections A and B
11 ☐ Off-site or while in transit 12 ☐ Other – Specify	 02 ☐ Inmate-on-inmate sexual harassment → Complete sections A and B 03 ☐ Staff-on-inmate sexual abuse → Complete sections A and C
13 Location unknown 14 Location not applicable (e.g., involved written, phone, or virtual communication)	04 ☐ Staff-on-inmate sexual harassment → Complete sections A and C

Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The burden of this collection is estimated to average 30 minutes per response, including reviewing instructions, searching existing data sources, gathering necessary data, and completing and reviewing this form. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. Do not send your completed form to this address.

Section A VICTIMS OF SEXUAL VICTIMIZATION

8.	How many victims were involved in the incident?	14.	Victim #1: Was the victim identified as having any of the following disabilities at the time of the incident? (Mark all that apply.)
	Number of victims ○ □ → If more than two victims were involved, please complete this form online.		Disability is defined as (a) A physical or mental impairment that substantially limits one or more of the major life activities of [an] individual, (b) a record of such an
9.	Victim #1: What was the victim's sex assigned at birth?		impairment, or (c) being regarded as having such an impairment.
	<u>Sex</u> is a multidimensional construct based on a cluster of anatomical and physiological traits that include external genitalia, secondary sex characteristics, gonads, chromosomes, and hormones.		o1 A serious and persistent mental illness (e.g., bipolar disorder, major depression, obsessive compulsive disorder, post-traumatic stress disorder, schizophrenia, etc.)
	on Male		02 A cognitive impairment or intellectual disability (e.g.,
	02 Female		ADHĎ, autism spectrum disorder, dementia, á learning disability, etc.)
10.	Victim #1: What was the victim's gender identity? Gender identity is a person's core internal understanding or sense of who they are regardless of sex assigned at		os A physical impairment or disability (e.g., back or spinal injury, blindness or low vision, deafness or hearing loss, diabetes, epilepsy, heart disease, mobility impairments, etc.)
	birth.	4.5	Winter #4 Bills of the state of
	01 Male	15.	Victim #1: Did the victim sustain any physical injury during the incident?
	02 🗌 Female		01 ☐ Yes 02 ■ No 03 ☐ Unknown
	os Transgender (A person whose gender identity is different from the person's sex assigned at birth.)		If "Yes" → a. What injuries occurred?
	04 Intersex (A person whose sexual or reproductive		(Mark all that apply.)
	anatomy or chromosomal pattern does not seem		01 ☐ Bruises, black eye, sprains, cuts,
	to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as		_ scratches, swelling, welts
	differences in sex development.)		02 Bites
	: [1] (12.11) [1] 14 (1) (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1] (1) [1]		03 🔲 Burns
	os Gender nonconforming (A person whose gender identity does not conform to traditional societal		04 Chipped or knocked out teeth
	gender expectations.)		05 Anal or vaginal tearing
	genacionoly		06 ☐ Knocked unconscious
	06 Other - Specify		07 ☐ Broken bones
	or □ Unknown		08 Knife or stab wounds
	07 □ Unknown		09 ☐ Internal injuries
			10 ☐ Other – Specify ∠
11.	Victim #1: What was the victim's age at the time of the incident?		10 □ Other – Specify Z
	23 years		
			→ b. Did the victim receive medical
12.	Victim #1: What was the victim's race or		treatment for these injuries?
	ethnicity? (Mark all that apply.)		01 ☐ Yes 02 🔳 No 03 ☐ Unknown
	01 White	46	
	02 Black or African American	16.	Victim #1: After the incident was reported, was the victim – (Mark all that apply.)
	03 Hispanic or Latino		was the victim - (Mark all that apply.)
	04 🔲 American Indian or Alaska Native		01 Provided with counseling or mental health treatment
	05 🔲 Asian		02 Given a medical examination
	06 Native Hawaiian or Pacific Islander		03 Administered a sexual assault kit
	07 Middle Eastern or North African		o4 Given post-exposure prophylaxis (PEP) and/or emergency contraception
	08 Other racial category in your information system -		and/or emergency contraception
	Specify 📈		05 ☐ Given a pregnancy test
		# - TY	06 ☐ Tested for HIV/AIDS
	경화 , 		07 Tested for other sexually transmitted infections
13.	Victim #1: What was the victim's citizenship?		08 Offered but declined testing or treatment and/or counseling
	o₁ 🔳 A U.S. citizen		og ☐ Already released/discharged
	02 ☐ Not a U.S. citizen		10 ☐ None of the above
	03 Of unknown citizenship status		IN LA INOTITE OF LITE ADDIVE

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Section A VICTIMS OF SEXUAL VICTIMIZATION

17. Victim #1: After the incident was reported, was the victim – (Mark all that apply.)	22. Victim #2: What was the victim's citizenship?
on ✓ Separated from perpetrator	01 ☐ A U.S. citizen
02 Confined to own cell or room	02 Not a U.S. citizen
03 — Placed in or returned to restrictive housing	03 ☐ Of unknown citizenship status
	00 W
04 Placed in a medical unit, ward, or hospital	23. Victim #2: Was the victim identified as having any of the following disabilities at the time
os Placed in camera room, under close surveillance, or increased supervision	of the incident? (Mark all that apply.)
of ransferred to another housing unit or dorm, or given a single room or cell	on A serious and persistent mental illness (e.g., bipolar disorder, major depression, obsessive compulsive
or ☐ Given a higher custody level or different unit within the facility	disorder, post-traumatic stress disorder, schizophrenia, etc.)
08 Transferred to another facility	02 A cognitive impairment or intellectual disability (e.g.,
09 Issued disciplinary report or loss of privileges	ADHD, autism spectrum disorder, dementia, a learning disability, etc.)
10 ☐ Other – Specify ⊋	o3 A physical impairment or disability (e.g., back or spinal injury, blindness or low vision, deafness or hearing loss, diabetes, epilepsy, heart disease, mobility impairments.
11 None of the above	etc.)
→ If there were no other victims, please skip	24. Victim #2: Did the victim sustain any physical injury during the incident?
to Section B on pages 4-5 if the incident involved an inmate perpetrator or Section C	01 ☐ Yes 02 ☐ No 03 ☐ Unknown
on pages 6-7 if the incident involved a staff	If "Yes" → a. What injuries occurred?
perpetrator.	(Mark all that apply.)
18. Victim #2: What was the victim's sex assigned	01 Bruises, black eye, sprains, cuts,
at birth?	scratches, swelling, welts
o1 ☐ Male	02 Bites 03 Burns
02 ☐ Female	04 Chipped or knocked out teeth
	05 Anal or vaginal tearing
19. Victim #2: What was the victim's gender	06 _ Knocked unconscious
identity?	or ☐ Broken bones
01 ☐ Male 05 ☐ Gender nonconforming	08 L Knife or stab wounds
02 ☐ Female 06 ☐ Other - Specify ₹	09 Internal injuries
03 ☐ Transgender	10 │ Other – Specify 📈
04 ☐ Intersex 07 ☐ Unknown	 B. Bright, A. S. Stein, S. Stein,
20. Victim #2: What was the victim's age at the time of the incident?	→ b. Did the victim receive medical treatment for these injuries?
	01 ☐ Yes 02 ☐ No 03 ☐ Unknown
L_ years	
21. Victim #2: What was the victim's race or ethnicity? (Mark all that apply.)	25. Victim #2: After the incident was reported, was the victim – (Mark all that apply.)
그는 이번 보고 있다면 하면 하면 되었다면 하는 사람들이 가장 없는 것이 되면 어떻게 되고 있다.	01 Provided with counseling or mental health treatment
01 White	02 Given a medical examination
02 . Black or African American	03 ☐ Administered a sexual assault kit
03 Hispanic or Latino	04 🗌 Given post-exposure prophylaxis (PEP)
04 American Indian or Alaska Native	and/or emergency contraception
- 1 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	05 Given a pregnancy test
of Native Hawaiian or Pacific Islander Middle Eastern or North African	06 Tested for HIV/AIDS
08 Other racial category in your information system –	07 Tested for other sexually transmitted infections
Specify Z	 Offered but declined testing or treatment and/or counseling
요. 10 - 15 - 15 - 15 - 15 - 15 - 15 - 15 -	os Already released/discharged
[1] [1] [2] [2] [3] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	10 None of the above
공항 생물에 가는 가장 아이들 때문에 가는 사람이다.	

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26.	Victim #2: After the incident was reported, was the victim – (Mark all that apply.)	28.	What types of pressure, coercion, or force occurred as part of the incident? (Mark all that apply.)
	01 Separated from perpetrator		
	02 Confined to own cell or room		on ☐ Persuasion or talked into sexual activity
	03 Placed in or returned to restrictive housing		02 Bribery or blackmail
	04 Placed in a medical unit, ward, or hospital	Mar.	03 Gave the victim drugs or alcohol
	05 Placed in camera room, under close surveillance,		04 Offered protection from other inmates
	or increased supervision of Transferred to another housing unit or dorm, or		of Threats made (e.g., threatened harm to victim or victim's family, threatened with a weapon)
	given a single room or cell or Given a higher custody level or different unit within		of ☐ Unwanted touching, grabbing, or groping of the victim by surprise or while the victim was asleep or incapacitated
	the facility os Transferred to another facility		of Physically held victim down or restrained in some way, including having other inmates restrain the victim
	09 Issued disciplinary report or loss of privileges		08 Physical harm or injury
	10 ☐ Other – Specify ⊋		09 ☐ Other – Specify ⊋
	11 None of the above		None of the above
		29.	How many inmate perpetrators were involved
	Section B INMATE PERPETRATORS OF		in the incident? Number of inmate perpetrators 02
	SEXUAL VICTIMIZATION		- Traines of Hilling Perpetrations
	→ If the perpetrator was a staff member, go to Section C on pages 6-7.		→ If more than two inmate perpetrators were involved, please complete this form online.
27.	What was the nature of the incident?	30.	Perpetrator #1: What was the inmate perpetrator's sex assigned at birth?
	(Mark all that apply.) o1 ☐ Repeated verbal comments or gestures of a		Sex is a multidimensional construct based on a cluster of anatomical and physiological traits that include external genitalia, secondary sex characteristics, gonads,
	derogatory or offensive sexual nature 02 Repeated and unwelcome sexual advances or		chromosomes, and hormones. □ □ Male
	requests for sexual favors os Indecent exposure, masturbation, voyeurism, or		02 Female
	other actions of a derogatory sexual nature	31.	Perpetrator #1: What was the inmate perpetrator's
	04 Intentional and nonconsensual or coerced touching of the genitalia, anus, groin, breast, inner thigh, or the buttocks		gender identity? Gender identity is a person's core internal understanding
	05 Nonconsensual sexual act that resulted from		or sense of who they are regardless of sex assigned at birth.
	pressure or coercion (without force)		01 Male
	of Monconsensual sexual act that resulted from physical force (or the threat of force)		02 ☐ Female
(or ☐ Other – Specify 🖟		os Transgender (A person whose gender identity is different from the person's sex assigned at birth.)
			o4 ☐ 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 differences in sex development.)
			os Gender nonconforming (A person whose gender identity does not conform to traditional societal gender expectations.)
			06 Other - Specify
			07 Unknown
	50일 시민 왕석 : '' '' '' 경우 '' 도부를 하겠습니다. 그는 그는 그는 그를 받는데 되었다. - '' '' - '' - '' - '' - '' - '' - ''		

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32.	Perpetrator #1: What was the inmate perpetrator's age at the time of the incident?	36.	Perpetrator #2: What was the inmate perpetrator's gender identity? (See definitions on page 9.)			
7	33 years					
33.	Perpetrator #1: What was the inmate perpetrator's race or ethnicity?		경영하다 경영			
	(Mark all that apply.)		03 Transgender			
	01 White		04 ☐ Intersex 07 ☐ Unknown			
	02 🗆 Black or African American					
	03 Hispanic or Latino					
	04 American Indian or Alaska Native	37.	Perpetrator #2: What was the inmate perpetrator's age at the time of the incident?			
	05 Asian		2d years			
	oe ☐ Native Hawaiian or Pacific Islander or ☐ Middle Eastern or North African		years years			
	os ☐ Other racial category in your information system –	20	Powertester #2: What was the investe			
	Specify	38. Perpetrator #2: What was the inmate perpetrator's race or ethnicity? (Mark all that apply.)				
	4. 198 1 		01 ☑ White			
			02 ☐ Black or African American			
34.	Perpetrator #1: After the incident, was the		03 Hispanic or Latino			
	inmate perpetrator – (Mark all that apply.)		04 American Indian or Alaska Native			
	01 Confined to own cell or room		05 ☐ Asian			
	02 Placed in or returned to restrictive housing		06 Native Hawaiian or Pacific Islander			
	os Placed in higher custody level, restricted unit or program, within the same facility		07 ☐ Middle Eastern or North African 08 ☐ Other racial category in your information system —			
	04 Transferred to other unit/cell or separated from victim		Specify 🗸			
	05 Transferred to another facility					
	06 Sent to counseling or mental health treatment					
	or Given medical treatment or testing (e.g., post-exposure prophylaxis (PEP), HIV/AIDS)	39.	Perpetrator #2: After the incident, was the inmat perpetrator – (Mark all that apply.)			
	08 Loss of "good/gain" time, increase in "bad" time or delayed release		of Confined to own cell or room			
	09 Given extra work		02 Placed in or returned to restrictive housing			
	10 Loss of privileges, disciplinary report or conduct violation, or other reprimand		os Placed in higher custody level, restricted unit or program, within the same facility			
	11 Arrested or referred to law enforcement agency		04 Transferred to other unit/cell or separated from victim			
	12 Referred for prosecution or indicted		05 Transferred to another facility			
	13 Convicted, plead guilty, given new sentence, or fined		06 Sent to counseling or mental health treatment			
	14 ☑ Awaiting a legal outcome 15 ☑ Other – <i>Specify</i> ☑		o7 Given medical treatment or testing (e.g., post-exposure prophylaxis (PEP), HIV/AIDS)			
			08 Loss of "good/gain" time, increase in "bad" time or delayed release			
			09 Given extra work			
	→ If there were no other perpetrators, please		10 Loss of privileges, disciplinary report or conduct violation, or other reprimand			
	skip to Notes on page 8 (if applicable) or submit form.		11 Arrested or referred to law enforcement agency			
		(A)	12 Referred for prosecution or indicted			
5.	Perpetrator #2: What was the inmate		13 Convicted, plead guilty, given new sentence, or fined			
	perpetrator's sex assigned at birth?	CHARLES AND	14 🗹 Awaiting a legal outcome			
	o1 🔳 Male		¹⁵ ☐ Other – <i>Specify</i> ▼			
	02 🗆 Female					

Section C STAFF PERPETRATORS OF SEXUAL VICTIMIZATION 45. Staff #1: Was the staff perpetrator involved in the incident -01 Full- or part-time paid employee → If the perpetrator was an inmate, go to 02 Contract employee or vendor Section B on pages 4-5. 03 Volunteer or intern 04 ☐ Other - Specify Z 40. What was the nature of the incident? (Mark all that apply.) o1 Repeated suggestive, derogatory, or obscene verbal comments or gestures of a sexual nature 46. Staff #1: What was the primary position 02 Wrote letters, showed pictures, talked on the phone, or description of the staff perpetrator involved in through video conferencing the incident? 03 Exhibited grooming or manipulative behaviors such of Correctional officer, supervisory or security staff, or as providing gifts, special privileges, or favors to direct care staff inmates Maintenance and other facility support staff. 04 LI Indecent exposure, invasion of privacy, or voyeurism including groundskeepers, janitors, cooks, and 05 Any attempt, threat, or request related to abusive drivers sexual contact or sexual acts 03 Medical or healthcare staff, including counselors, 06 Any touching or kissing for sexual gratification doctors, dentists, psychologists, psychiatrists, social workers, nurses, and medical assistants 07 Pressure or abuse of power resulting in a sexual act 04 Education staff, including instructors, teachers, 08 Physical force resulting in a sexual act librarians, and education assistants 09 ☐ Other - Specify ¬ 05 Member of the clergy or chaplaincy of Administrator, including wardens, superintendents, assistants and others in administrative positions 07 Clerical staff including secretaries, clerks, receptionists, and other administrative support 41. How many staff perpetrators were involved in the incident? 08 Other program staff 09 U Volunteers or interns Number of staff 10 ☐ Other staff – Specify ⊋ → If more than two staff were involved, please complete this form online. 47. Staff #1: At the time of the incident, how long 42. Staff #1: What was the staff perpetrator's had the staff perpetrator worked at the gender? facility? 01 Male 01 Less than 6 months 02 Female 02 6 months to 1 year 03 1 to 5 years 43. Staff #1: What was the staff perpetrator's age 04 0 6 to 10 years at the time of the incident? 05 11 or more years years 48. Staff #1: After the incident, was the staff perpetrator - (Mark all that apply.) 44. Staff #1: What was the staff perpetrator's race 01 Sent to training or counseling or ethnicity? (Mark all that apply.) 02 Reprimanded or disciplined 01 White 03 Transferred to another facility or unit 02 Black or African American 04 Demoted, diminished responsibilities, suspended 03 Hispanic or Latino temporarily, or placed on administrative leave 04 American Indian or Alaska Native 05 Discharged, terminated, or contract not renewed 05 Asian of Staff resigned (prior to completion of investigation) 06 Native Hawaiian or Pacific Islander o7 ☐ Staff resigned (after investigation was completed) 07 Middle Eastern or North African 08 Arrested or referred to law enforcement agency 08 Other racial category in your information system -09 Referred for prosecution or indicted Specify Z 10 Convicted, plead guilty, sentenced, or fined 11 Awaiting a legal outcome 12 ☐ Other – Specify ¬ 13 No action taken

	→ If there were no other staff perpetrators involved, please skip to Notes on page 8 (if applicable) or submit form.	53. Staff #2: What was the primary position description of the staff perpetrator involved in the incident?
49.	Staff #2: What was the staff perpetrator's gender?	 On Correctional officer, supervisory or security staff, or direct care staff Maintenance and other facility support staff,
	o1 Male	including groundskeepers, janitors, cooks, and drivers
	02 🗌 Female	os Medical or healthcare staff, including counselors, doctors, dentists, psychologists, psychiatrists, social workers, nurses, and medical assistants
50.	Staff #2: What was the staff perpetrator's age at the time of the incident?	04 Education staff, including instructors, teachers, librarians, and education assistants
	years	05 Member of the clergy or chaplaincy
		06 Administrator, including wardens, superintendents, assistants and others in administrative positions
51.	Staff #2: What was the staff perpetrator's race or ethnicity? (Mark all that apply.)	or ☐ Clerical staff including secretaries, clerks, receptionists, and other administrative support
	01 White	08 Other program staff
	02 Black or African American	09 Volunteers or interns
	03 ☐ Hispanic or Latino 04 ☐ American Indian or Alaska Native 05 ☐ Asian	10 ☐ Other staff – Specify ⊋
	06 Native Hawaiian or Pacific Islander	
	 07 ☐ Middle Eastern or North African 08 ☐ Other racial category in your information system – Specify ∠ 	54. Staff #2: At the time of the incident, how long had the staff perpetrator worked at the facility?
	and the property of the second supplication of the second	01 Less than 6 months
	4 14 <u></u>	o₂ ☐ 6 months to 1 year
		03 ☐ 1 to 5 years
52	Staff #2: Was the staff perpetrator involved in	04 🗌 6 to 10 years
J.	the incident –	05 ☐ 11 or more years
	o1 Full- or part-time paid employee 02 Contract employee or vendor	55. Staff #2: After the incident, was the staff perpetrator – (Mark all that apply.)
	03 Volunteer or intern	01 ☐ Sent to training or counseling
	04 ☐ Other – Specify 🖟	02☐ Reprimanded or disciplined
		03 ☐ Transferred to another facility or unit
		04 Demoted, diminished responsibilities, or suspended temporarily, or placed on administrative leave
		05 Discharged, terminated, or contract not renewed
		06 ☐ Staff resigned (prior to completion of investigation)
		07 Staff resigned (after investigation was completed)
		08 ☐ Arrested or referred to law enforcement agency
		op ☐ Referred for prosecution or indicted
		10 Convicted, plead guilty, sentenced, or fined
		11 Awaiting a legal outcome
		12 ☐ Other – Specify ⊋
		13 ☐ No action taken
	가 마니 그리다는 이 때문에서 있다면서 가르면서는 '이 얼마에게 되지 않다. 점점 보이라는 기계에서	[선생 조진 사람들 회원보안 50 전 10 시간 10 시간 10 전 10

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DEFINITIONS

Sexual victimization

Inmate-on-inmate sexual abuse: Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident 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 other 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, excluding contact incidental to a physical altercation.

Inmate-on-inmate sexual harassment: Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another.

Staff-on-inmate sexual abuse: Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- 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;
- 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;
- 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 an inmate, detainee, or resident, and
- 8) Voyeurism by a staff member, contractor, or volunteer.

Staff-on-inmate sexual harassment: Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident 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.

Sex and gender identity

Sex: A multidimensional construct based on a cluster of anatomical and physiological traits that include external genitalia, secondary sex characteristics, gonads, chromosomes, and hormones.

Gender identity: A person's core internal understanding or sense of who they are regardless of sex assigned at birth.

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 differences in sex development (DSD).

Gender nonconforming: A person whose gender indentity does not conform to traditional societal gender expectations.

Transgender: A person whose gender identity is different from the person's sex assigned at birth.

Disability

Disability: A (1) physical or mental impairment that substantially limits one or more of the major life activities of [an] individual, (2) a record of such an impairment, or (3) being regarded as having such an impairment.