

PREA GLOSSARY TERMS

Agency

The unit of a State, local, corporate, or nonprofit authority, or of the Department of Justice, with direct responsibility for the operation of any facility that confines inmates, detainees, or residents, including the implementation of policy as set by the governing, corporate, or nonprofit authority. (PREA 115.5)

Code of silence

An informal institutional or organizational culture that says members of the group will not inform on or give evidence or testimony against other members of the group, even though actions of the other members may involve breaches of policy or even the criminal law. Also referred to as the “Code of Blue.” (PREA Resource Center)

Confinement facility

A community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community correctional facility (including residential re-entry centers), other than a juvenile facility, in which individuals reside as part of a term of imprisonment or as a condition of pre-trial release or post-release supervision, while participating in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during nonresidential hours. (PREA 115.5)

Coerce

To compel to an action or choice or to achieve a result by force or threat. (Merriam-Webster)

Contractor

A person who provides services on a recurring basis pursuant to a contractual agreement with the agency. (PREA 115.5)

Detainee

Any person detained in a lockup, regardless of adjudication status. (PREA 115.5)

Direct staff supervision

Security staff are in the same room with, and within reasonable hearing distance of, the resident or inmate. (PREA 115.5)

Employee

A person who works directly for the agency or facility. (PREA 115.5)

Evidence

Any physical (for example: bedding, weapons) or biological evidence (for example: bodily fluid, hair) that is presented for the purpose of proving a crime. (Current Micro 6, screen 5 and legalmatch.com)

Exigent circumstances

Any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the security or institutional order of a facility. (PREA 115.5)

Facility

A place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals. (PREA 115.5)

Full compliance

Compliance with all material requirements of each standard except for de minimis violations, or discrete and temporary violations during otherwise sustained periods of compliance. (PREA 115.5)

Inmate

Any person incarcerated or detained in a prison or jail. (PREA 115.5)

Jail

A confinement facility of a Federal, State, or local law enforcement agency whose primary use is to hold persons pending adjudication of criminal charges, persons committed to confinement after adjudication of criminal charges for sentences of one year or less, or persons adjudicated guilty who are awaiting transfer to a correctional facility. (PREA 115.5)

Juvenile

Any person under the age of 18, unless under adult court supervision and confined or detained in a prison or jail. (PREA 115.5)

Juvenile facility

A facility primarily used for the confinement of juveniles pursuant to the juvenile justice system or criminal justice system. (PREA 115.5)

Medical practitioner

A health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified medical practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims. (PREA 115.5)

Mental health practitioner

A mental health professional who, by virtue of education, credentials, and experience, is permitted by law to evaluate and care for patients within the scope of his or her professional practice. A “qualified mental health practitioner” refers to such a professional who has also successfully completed specialized training for treating sexual abuse victims. (PREA 115.5)

Offender

The perpetrator of a crime. This term usually applies to crimes involving contact between the victim and the offender. (bjs.gov)

Pat-down search

Running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband. (PREA 115.5)

Perpetrate to bring about or carry out something, such as a crime or deception. (Merriam-Webster)

Prison

An institution under Federal or State jurisdiction whose primary use is for the confinement of individuals convicted of a serious crime, usually in excess of one year in length, or a felony. (PREA 115.5)

Post-traumatic stress disorder (PTSD)

Post-traumatic stress disorder (PTSD) is a mental health condition that's triggered by a terrifying event — either experiencing it or witnessing it. Symptoms may include flashbacks, nightmares and severe anxiety, as well as uncontrollable thoughts about the event. (Mayo Clinic)

Reporting

Agencies shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. (PREA Resource Center)

Resident

Any person confined or detained in a juvenile facility or in a community confinement facility. (PREA 115.5)

Retaliation

Retaliation occurs when an inmate or staff injures, harms, or intimidates a person who has reported sexual abuse and assault — or attempts to do so — in response to the report. (PREA Resource Center)

Secure juvenile facility

A juvenile facility in which the movements and activities of individual residents may be restricted or subject to control through the use of physical barriers or intensive staff supervision. A facility that allows residents access to the community to achieve treatment or correctional objectives, such as through educational or employment programs, typically will not be considered to be a secure juvenile facility. (PREA 115.5)

Security staff

Employees primarily responsible for the supervision and control of inmates, detainees, or residents in housing units, recreational areas, dining areas, and other program areas of the facility. (PREA 115.5)

Sexual abuse

Includes—

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

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.

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;
- (3) 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;
- (6) 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.
Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions. (PREA 115.6)

Sexual harassment

Includes—

- (1) 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; and

(2) 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. (PREA 115.6)

Sexual victimization

All types of nonconsensual sexual activity with other inmates (that involves contact with the penis and the vagina or anus; contact between the mouth and the penis, vagina, or anus; penetration of the anal or vaginal opening of another person by a hand, finger, or other object; and rubbing of another person's penis or vagina by a hand), abusive sexual contacts with other inmates, and both willing and unwilling sexual activity with staff. (PREA Resource Center)

Shiv

A shiv is a knife, especially a switchblade. It is most often used to refer to improvised blades made in prison and the act of stabbing inmates with them. (Dictionary.com)

Staff sexual misconduct

All incidents of willing and unwilling sexual contact with facility staff, and all incidents of sexual activity that involved oral, anal or vaginal penetration. (PREA Resource Center)

Staff

Employees. (PREA 115.5)

Strip search means a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person's breasts, buttocks, or genitalia. (PREA 115.5)

Substantiated allegation

An allegation that was investigated and determined to have occurred. (PREA 115.5)

Trauma

Trauma, as defined by the National Association of State Mental Health Program Directors, is the experience of violence and victimization including sexual abuse, physical abuse, severe neglect, loss, domestic violence and/or the witnessing of violence, terrorism or disasters. (PREA Resource Center)

Unfounded allegation

An allegation that was investigated and determined not to have occurred. (PREA 115.5)

Unsubstantiated allegation

An allegation that was investigated, and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred. (PREA 115.5)

Victim

The recipient of a criminal act, usually used in relation to personal crimes. (bjs.gov)

Volunteer

An individual who donates time and effort on a recurring basis to enhance the activities and programs of the agency. (PREA 115.5)

Voyeurism

An invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions. (PREA Resource Center)

Youthful inmate

Any person under the age of 18 who is under adult court supervision and incarcerated or detained in a prison or jail. (PREA 115.5)

Warden

The chief administrative officer in charge of a prison. (Merriam-Webster)