

- Coming to work early/staying at work late;
- Flirting with a youth;
- Standing too close to a youth;
- Getting into conflicts with co-workers over a youth; and
- Feeling the effects of major life changes (divorce, etc.).

Your personal and professional reputation may be jeopardized because of unprofessional conduct. Your career and even your family can also be negatively impacted or destroyed.

### Some Other Things to Consider

Amorous or sexual relationships with a youth are seldom a secret. Such behavior will subject you to disrespect and manipulation from other youth that may be aware of your situation.

Once in a relationship, professional judgment becomes clouded and the normal defenses that exist to protect you will be compromised. When acting on emotions, you may take actions that would otherwise be considered inappropriate in a residential environment.

Amorous or sexual relationships are inappropriate and illegal when they occur between a youth and any staff member, intern, contractor, vendor or volunteer. Youth depend upon staff to provide for their board and care, ensure their safety, address their health care needs, supervise their work and conduct, and act as role models for socially acceptable behavior.

Your conduct and the decisions you make reflect not only on your own reputation, but also on that of your peers and the agency you represent.

### How to Maintain Appropriate Boundaries:

Most staff/youth 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 youth;
- Do not share your own or other staff person's personal information with or around youth;
- When speaking to youth about other staff, refer to the staff by their title or as Ms. or Mr.
- When speaking to youth refer to them as Ms. or Mr. and their last name;
- Do not accept gifts or favors from youth;
- Be knowledgeable of Departmental policy and procedure, rules of conduct and laws regarding sexual misconduct and sexual harassment.

### A Duty to Report

Any one with knowledge or suspicion of any inappropriate staff/youth behavior MUST report immediately. The presence of illegal and unethical behavior by staff compromises the security and safety of the agency. Staff who fail to report such behavior will be held accountable and sanctioned through dismissal. All efforts will be made to ensure the confidentiality of the reporting staff member.

You must file an incident report to the appropriate authority if you see or know of any staff, contract staff, intern, vendor, or volunteer sexually involved with or sexually harassing a youth. You may also make a 3rd party report by requesting a form or calling DCYF Central Intake at **1-800-894-5533**.

Form 2497

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## A Guide to the Prevention and Reporting of Sexual Abuse For Interns, Contractors, Vendors, and Volunteers.



### PREA: WHAT YOU NEED TO KNOW

NH Department of Health and Human Services  
Division for Children, Youth and Families  
[www.dhhs.nh.gov/dcyf](http://www.dhhs.nh.gov/dcyf)

## What is PREA

The Prison Rape Elimination Act (PREA) of 2003 is a federal law established to address the elimination and prevention of sexual abuse and rape in correctional and juvenile justice systems. PREA applies to all federal, state, and local prisons, jails, police lock-ups and community settings such as residential facilities.

## How Does PREA Apply?

PREA seeks to ensure that these residential settings have a zero tolerance for sexual abuse, and that they protect youth from sexual abuse, sexual harassment, "consensual sex" with staff, and youth - on - youth sexual abuse.

## Definitions:

**Staff** means interns, contractors, vendors, and volunteers as well as staff from federal, state, or local jurisdictions.

**Youth** means children committed or detained in any facility who are accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary programs.



## An Abuse of Power

Due to the imbalance of power between youth and staff in facilities, sexual interactions between staff (who have power) and youth (who lack power) are unprofessional and illegal.

Some youth who lack power may attempt to become sexually involved with staff in an effort to equalize the imbalance of power. Occasionally a youth may try to use sex to improve their standing or circumstances (e.g., avoid disciplinary action, gain privileges etc.)

As a contractor, intern, vendor or volunteer, your designated assignment places you in a position of authority over the youth with whom you interact in a professional capacity. It is not possible to have a relationship as equals because you have a responsibility to maintain custody, evaluate work performance, and/or provide input to issues that affect the privileges and possibly release dates, or other sanctions. Because of the imbalance of power between youth and staff, vendors, interns, contractors, and volunteers, there can never be a consensual relationship between staff and youth.

## History of Victimization

Some staff don't think of youth as 'victims' of staff sexual misconduct, especially when the youth appears to be a willing participant or even initiated the sexual or 'romantic' interactions with a staff member. The youth is always the victim because of the imbalance of power. The consent or willingness of a youth to participate may be a survival strategy or a learned response to previous or current victimization.

Many youth have a history of victimization (physical and/or sexual abuse), which may make them especially vulnerable to the sexual overtures of persons in positions of authority. Their perception of affection/

love may be skewed by this background of abuse, making it impossible for them to refuse advances of a staff member. In some instances, particularly for female youths, their survival in the community has been directly related to using their sexuality to obtain the means to survive. Coupled with low self-esteem, this carries over into their conduct in residential care and while under community supervision.

As the person in authority, it is your responsibility to discourage, refuse and report any overtures as well as maintain professional boundaries at all times. Boundaries in relationships can be difficult. If you question your professional boundaries with a youth or feel uncomfortable with his/her actions or advances toward you, talk to another person you respect and/or bring this matter to the attention of an agency employee before it gets out of control.

## 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;
- Overlooking infractions of a particular youth;
- Doing favors for a youth;
- Consistently volunteering for a particular assignment or shift;