

Department of Public Safety & Corrections
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR

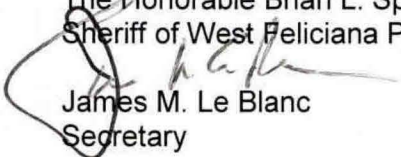


JAMES M. LE BLANC
SECRETARY

September 1, 2023

MEMORANDUM

TO: The Honorable Brian L. Spillman
Sheriff of West Feliciana Parish

FROM: 
James M. Le Blanc
Secretary

RE: "Basic Jail Guidelines" Monitoring Report

Please see the attached monitoring report regarding the Basic Jail Guidelines (BJG) annual inspection that was conducted at West Feliciana Parish Detention Center on July 10, 2023. The facility continues to provide a secure, safe, and stable environment for DOC offenders in their custody. At this time DPS&C will continue with annual monitoring visits.

Thank you for your support of the BJD process.

JML/mwk

Attachment

c: Mike Ranatza, Executive Director, Louisiana Sheriffs' Association
Grady Gagnard, Warden, West Feliciana Parish Detention Center
Seth Smith, Chief of Operations
Timothy Hooper, Warden, LSP
Elisabeth Roblin, BJD Team Leader



BJG MONITORING REPORT

Annual

Rev. 08/01/2022 mwk

Facility Name: W. Feliciana Parish Detention Center
BJG Team Leader & Monitors: Libby Roblin, Team Leader; Amber Vittorio, Monitor; Keairra Smith, Monitor
Facility Warden & Email Address: Grady Gagnard / ggagnard@wfpso.org
Facility Staff: Erin Foster, Veronica Templeton
BJG Inspection Date: July 10, 2023
Previous BJJ Inspection Date: November 7, 2022
Operational Capacity: 39
Count on Day of Visit: 28

Concerns or Issues from the previous BJJ Monitoring Inspection: NONE

	# MALE	# FEMALE	TOTAL
Number of DOC Offenders	7	0	7
Number of Local Offenders	21	0	21
Number of Out of State Offenders	0	0	0
Number of Federal Offenders	0	0	0
Number of ICE Detainees	0	0	0
TOTAL	28	0	28

Number of DOC Offenders that are:

Single Bunked 0
Double Bunked 0
Triple Bunked 0
Total 0

Number of DOC Offenders that are in Restricted Housing:

Single Bunked 1
Double Bunked 6
Triple Bunked 0
Total 7

ASSAULTS: (Please list monthly since the previous BJJ monitoring visit.)

Month/Year	Off/Off	Off/Off w/sig inj	Offender/Staff	Off/Staff w/sig inj
November 2022	0	0	0	0
December 2022	0	0	0	0
January 2023	0	0	0	0
February 2023	0	0	0	0
March 2023	0	0	0	0
April 2023	0	0	0	0
May 2023	0	0	0	0
June 2023	0	0	0	0

SEIZURE FINDINGS: (Please list monthly since the previous BJJ monitoring visit.)

Month/Year	Illicit Substance	Alcohol	Weapon	Cell Phone	Other
November 2022	0	0	0	0	3
December 2022	0	0	1	0	20
January 2023	0	0	0	0	12
February 2023	0	0	0	0	3
March 2023	0	0	0	0	6
April 2023	0	0	0	0	5
May 2023	1	0	1	0	6
June 2023	1	0	1	0	15

GENERAL APPEARANCE, CLEANLINESS, AND COMMENTS OF THE FACILITY:

The facility is an older jail with two tiers of cells for housing.

- **Dorms:** N/A
- **Cell Block:** Overall appearance was very clean, clutter free, and well maintained on date of monitoring visit.

Culinary/Dining: Facility receives meals from West Feliciana TWP, and meals are delivered to housing areas.

Bathrooms: Each cell area has its own shower, toilet and sink. Overall appearance was clean and in appropriate working order on date of visit.

Yard Areas: Offenders have access to outdoor recreation (basketball, weight lifting equipment), which was well maintained and secure on date of monitoring visit. Yard area is secured by facility perimeter fence-12' high fencing with a single strand of barbed/razor wire. Anytime an offender is out of their cell, they are under direct constant supervision. Area was clean and secure on date of visit.

Maintenance: Maintenance shop is outside of secure perimeter. Area was clean and organized on date of visit. Tools and chemicals spot checked and no discrepancies were found.

REVIEW AND COMMENT ON THE FOLLOWING BASIC JAIL GUIDELINES: (Compliant or Non-Compliant)

I-A-001 Safety/Sanitation/Inspections (MANDATORY): Compliant
Inspection checklists and water temperature logs are being updated according to the guidelines. The State Fire Marshal came and inspected the facility on 1/23/23, no deficiencies were found. The Department of Public Health came and inspected the facility on 1/10/23, no deficiencies were found.

- I-C-001 Emergency Plan (MANDATORY): Compliant**
 Facility has an emergency plan in place. Did suggest that on their training documentation they list the lesson titles to show all subjects are being taught according to the guidelines.
- I-C-003 Fire Safety/Code Conformance (MANDATORY): Compliant**
 The State Fire Marshal found no deficiencies during their annual inspection on 1/23/23. The facilities policies show there are procedures in place for addressing any deficiencies found.
- II-A-006 Staff Log (MANDATORY): Compliant**
 All file documentation shows the facility is in compliance with the guideline.
- II-A-007 Counts (MANDATORY): Compliant**
- How many formal counts are conducted each shift?
 Four during day shift (5am – 5pm) and seven during night shift (5pm – 5am)
 - How many counts are conducted each day?
 Eleven
 - **Stick outs counts**
 - How does the facility accomplish this?
 All offender movement shall cease prior to the beginning of the count, and remain suspended until the count is clear. If there is any doubt about the correctness of the count, a re-count shall be conducted. All offenders shall be visually seen during a count. The tier officer shall conduct the counts at the designated times, and turn the count into the control room officer who shall call dispatch to turn in the count.
 - Does this process ensure accountability and safe/secure operation of the facility?
 Yes
- II-A-016 Photo Identification (MANDATORY): Compliant**
 All inmate IDs include DOC#, DOB, name, and intake date.
- II-A-018 Offender Drug Testing (MANDATORY): Compliant**
- | Month/Year | # DOC Tested | Total DOC Pop | % Tested | # Positive |
|---------------|--------------|---------------|----------|------------|
| November 2022 | 3 | 3 | 100.00% | 0 |
| December 2022 | 3 | 7 | 42.86% | 0 |
| January 2023 | 3 | 7 | 42.86% | 0 |
| February 2023 | 3 | 7 | 42.86% | 0 |
| March 2023 | 3 | 10 | 30.00% | 0 |
| April 2023 | 3 | 6 | 50.00% | 0 |
| May 2023 | 3 | 6 | 50.00% | 0 |
| June 2023 | 3 | 4 | 75.00% | 0 |
- II-A-020 Cell Checks (MANDATORY): Compliant**
- II-D-001 Key, Tool, and Utensil Control (MANDATORY): Compliant**
 All logs are complete. Keys and tools are marked, stored and inventoried according to guideline. All spot checked completed found no discrepancies.
- III-A-001 Rules and Discipline (MANDATORY): Compliant**
- Does the facility's offender orientation include the application process for applying for restoration of good time? Yes
 - What is their restoration of good time application process for the offender population?

It is handled during the offenders' orientation, they are explained the process and steps to take.

- Does their restoration of good time application process meet DPS&C, Corrections Services' criteria? Yes

- IV-A-003 Food/Dietary Allowances (MANDATORY): Compliant**
File documentation shows the facility is following the guideline.
- IV-A-006 Food Services Management (MANDATORY): Compliant**
File documentation shows what was served for each meal and the time each meal was served. Three hot meals.
- IV-B-001 Plumbing Fixtures – Toilets & Washbasins (MANDATORY): Compliant**
Facility inspection by DHH on 1/10/23, shows all plumbing was in order, as well as, hot and cold water was available. The same findings were found on the day of the monitoring visit.
- IV-B-002 Plumbing Fixtures – Showers (MANDATORY): Compliant**
Facility inspection by DHH on 1/10/23, shows all plumbing was in order, as well as, hot and cold water was available. The same findings were found on the day of the monitoring visit.
- IV-B-005 Personal Hygiene (MANDATORY): Compliant**
- IV-C-001 Access to Care/Clinical Services (MANDATORY) Compliant, with Plan of Action**
The file documentation shows that all inmates have access to care and clinical services. The facility is in the process of updating the policy and the initial intake procedure paperwork to show the new reduced copay amounts of \$1.00 and \$2.00, as well as, Posted Policy 32.
- IV-C-002 Adequate Equipment and Supplies (MANDATORY): Compliant**
All AEDs and First Aid Kits on site are strategically placed and valid. No expired medications were noted.
- IV-C-003 Provision of Treatment (MANDATORY): Compliant**
License verification for medical staff documented in the file.
- IV-C-005 24 Hour Care (MANDATORY): Compliant**
West Feliciana Hospital provides 24-hour medical services when needed.
- IV-C-006-1 Pregnancy Management (MANDATORY): Compliant**
Females are housed in the facility no longer than 72-hours.
- IV-C-009 Chronic Care Program (MANDATORY): Compliant**
- IV-C-012 Access to Sick Call (MANDATORY): Compliant**
- IV-C-014 Suicide Prevention and Intervention (MANDATORY): Compliant**
- IV-C-015 Offender Deaths (MANDATORY): Compliant**
File documentation shows that the facility policies, procedures and actions are all in accordance to the guideline.
- IV-D-001 Healthcare Quarterly Meetings (MANDATORY): Compliant**
File documentation shows that the facility is holding quarterly meetings as stated in the guideline.

- IV-D-006-1 Emergency Assessment for Intoxication or Suspected Intoxication (MANDATORY): Compliant** – File documentation stated there have been no intoxications in 2023.
- IV-D-007 Internal Review/Quality Assurance (MANDATORY): Compliant**
File documentation shows that Dr. Chaillie Daniels, the Health Authority handles all major events.
- V-A-005 Exercise & Recreation Access (MANDATORY): Compliant with a Plan of Action**
Facility allows inmates yard and exercise time at least three times a week. File documentation shows the facility still has library and classes suspended due to COVID. Explained to the facility this is no longer a valid practice, all library and class privileges must be reinstated.
- VI-B-002 Grievance Process (MANDATORY): Compliant**
- Does grievance process include at least two levels of review?
Yes
 - Who is the designee at each level of review?
1st Level – Warden 2nd Level – Sheriff
 - What is the specified time period for response at each level?
1st Level – 30 Days 2nd Level – 30 Days

STAFF COMMENTS/MORALE/GENERAL OBSERVATIONS:

Staff morale on the date of the visit was perceived as well. Every time my team members and I visit this facility, the staff are extremely professional and very knowledgeable of their duties and the policies in place at the facility.

OFFENDER COMMENTS/MORALE/QUALITY OF LIFE:

No offenders on the date of the visit expressed any complaints or concerns. All expressed that their medical needs are addressed and handled in a prompt manner. Their meals are always good and their laundry is always taken care of timely.

RECOMMENDATION:

At this time, I recommend continued annual monitoring visits.



John Bel Edwards
GOVERNOR

Office of State Fire Marshal

8181 Independence Blvd. Baton Rouge, LA 70806
(225) 925-4911 (800) 256-5452 Fax (225) 925-4241



Daniel H. Wallis
FIRE MARSHAL

Inspection Report

Report # CB-22-036794-1

No Deficient/Cautionary Codes cited.

Location Information					
Inspection Type	Compliance Building Inspection		Inspection Date	1/23/2023 11:37:00 AM	
Structure ID	I40719	No. of Buildings	3	Facility Code	J301
Capacity	39	Year Built	1972	Construction Type	Type IIIB / (200)
Building/Trade Name			Address		
WEST FELICIANA DETENTION			4834 FELICIANA ST., SAINT FRANCISVILLE, LA 70775		
Owner Information					
Owner Type	Name	Contact Phone	Contact Email		
Private Project	WEST FELICIANA DETENTION	(225) 635-3241	GGAGNARD@WFPSO.ORG		
Address					
1844 FELICIANA ST., SAINT FRANCISVILLE, LA 70775					
Tenant Information					
Name	Suite Number	Floor Number	Square Footage		
Occupancy Details					
Occupancy Type	Details				
Institutional	INSTITUTIONAL BUILDING TYPE: GROUP I-3 (DETENTION/CORRECTION); DETENTION/CORRECTION FACILITY TYPE: CONDITION 2				
Comments					
# OF INMATES: 32 NO APPARENT DEFICIENCIES FOUND AT THE TIME OF INSPECTION. FACILITY IS IN COMPLIANCE.					
Inspector Information					
Name: Kelly Davis	Badge Number: 713	Inspector Signature:			
Person to whom requirements were explained					
Name: Austin Miller	Title: Lieutenant	Signature:			

For questions regarding the contents of this report, please call: (225) 925 4911

R. S. 40: 1621 Whoever fails to comply with any order issued by the Fire Marshal or his authorized representative under any provision of Part III, Chapter 7, Title 40 of the Louisiana Revised Statutes of 1950, R.S. 40:1569 excepted, shall be fined not more than five hundred dollars or imprisoned, for more than six months or both. Each day's violation of an order constitutes a separate offense and may be punished as such at the discretion of court.



John Bel Edwards
GOVERNOR

Office of State Fire Marshal

8181 Independence Blvd. Baton Rouge, LA 70806
(225) 925-4911 (800) 256-5452 Fax (225) 925-4241

Inspection Report

Report # CB-22-036794-1

No Deficient/Cautionary Codes cited.

L.R.S. 40:1577 APPEAL FROM ORDER



Daniel H. Wallis
FIRE MARSHAL

When an order is made by one of the deputies or representatives of the Fire Marshal, the owner or occupant of the building or premises may, within three days, appeal to the Fire Marshal. The Fire Marshal shall, within five days, review the order and advise the owner or occupant of his decision thereon. The owner or occupant may, within five days after the making of affirming of any such order of the Fire Marshal, file an application with the Board of Review.

RULES FOR APPEALING TO THE FIRE MARSHAL BOARD OF REVIEW

- I. Any application to the Board of Review shall contain the following basic information set off in organized fashion with captions indicating that the paragraph in question contains the following basic information.
 1. The name of the applicant.
 2. A brief description of the facts.
 3. A copy of the order of the Fire Marshal which is being appealed.
 4. A reference to the section of the law or code being reviewed.
 5. A brief description of why the applicant feels the requirements of the Fire Marshal is not within the Fire Marshal's authority, or brief description of why the interpretation of the Fire Marshal is incorrect or what specific relief is required by the applicant.
 6. A list of the individuals who will be appearing before the Board, and a brief description of the testimony or information they will be providing the Board.
 7. A list of all the documents which will be introduced or provided to the Board along with a brief description of the documents, and if possible, a copy of said documents.
 8. A list of each exhibit except for documents, and a brief description of the exhibit.
- II. Whenever possible, a notice of the meeting, date and place, and the agenda will be recorded in the Louisiana Register, however, whenever that is not possible, a copy of the meeting notice including the date, time and place, and agenda of the meeting of the Board will be published in the official notices of the official state journal; furthermore, a press release containing the same information will be mailed to the official journals of the cities of Shreveport, Monroe, Lafayette, Lake Charles, Alexandria, New Orleans, and Baton Rouge and any city or town in which the meeting of the Board is to be held if it is not one of the aforementioned major cities; and the same information shall be mailed to each individual who has notified the Fire Marshal of his desire to receive a notice of such appeal.
- III. A copy of the determination of the Board as prepared by the Chairman will be mailed to each individual who requests a copy of that specific determination as well as to the applicant.
- IV. The time delays for filing an appeal shall be those specified in R.S.40:1577 and 40:1578 1 D.



**STATE OF LOUISIANA
DEPARTMENT OF HEALTH
OFFICE OF PUBLIC HEALTH**

**Detention or Incarceration
Notice of Violations**

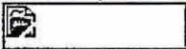
Routine/Renewal

Permit Number 63-02-224	Permit Name West Feliciana Parish Jail-224		
Name of Establishment West Feliciana Parish Jail-224		Owner Name	
Address 4834 Feliciana ST St. Francisville, LA 70775		Date 01/10/2023	Time 11:15 AM

LAC TITLE 51 PART XVIII

Comments:

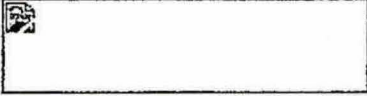
FOOD IS PREPARED AND BROUGHT FROM WEST FELICIANA WORK RELEASE CENTER.
ALL PLUMBING FIXTURES IN WORKING ORDER AT TIME OF INSPECTION.
FACILITY STRUCTURALLY SOUND.
VERBAL ACKNOWLEDGEMENT BY: GRADY GAGNARD
COPY OF REPORT EMAILED TO: ggagnard@wfpso.org

Number Licensed For	Number in Attendance	License Anniversary
	28	01/31/2023
Sanitarian Name/Print Joy Acklen-raymond	Phone # 225-342-7535	Sanitarian Signature 
		R.S. # 1571

The above mentioned violations were called to my attention and were explained to me in detail. I hereby agree to

Correct Critical Violations by

Correct Non-Critical Violations by

Name/Title GRADY GAGNARD, WARDEN	Signature of Recipient 
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STATE OF LOUISIANA
DEPARTMENT OF HEALTH
OFFICE OF PUBLIC HEALTH

INSTITUTION REPORT

Agency License No. N/A	Anniversary Month FEBRUARY
Name of Establishment WEST FELICIANA PARISH JAIL-224	Mailing Address
Address 4834 FELICIANA ST	
City, state, Zip Code ST. FRANCISVILLE LA 70775	
Type of Facility JAILS 25	
Parish West Feliciana	Date Inspected 01/26/2022

The above establishment has been inspected by a representative of this section, and:

- License is Recommended;
- License is **Not** Recommended;
- License is Pending Reinspection;

from the standpoint of sanitation

DENISE STEVENSON

1 9 7 8



STATE OF LOUISIANA
DEPARTMENT OF HEALTH
OFFICE OF PUBLIC HEALTH

Detention or Incarceration
Notice of Violations

Routine/Renewal

Permit Number 63-02-224	Permit Name West Feliciana Parish Jail-224	
Name of Establishment West Feliciana Parish Jail-224	Owner Name	
Address 4834 Feliciana ST St. Francisville, LA 70775	Date 01/26/2022	Time 12:10 PM

LAC TITLE 51 PART XVIII

Comments:

Routine Inspection

Jail Capacity: 39

Air Gap installed for ice machine - discharge line open air
No pest concerns noted
Hot & cold water provided

"verbal acknowledgment of report provided by Warden Gagnard"
"Copy of reports emailed to ggagnard@wfpso.org, efoster@wfpso.org"

Number Licensed For	Number in Attendance	License Anniversary	
	25	02/28/2022	
Sanitarian Name/Print	Phone #	Sanitarian Signature	R.S. #
Denise Stevenson	225-242-4870		1978

The above mentioned violations were called to my attention and were explained to me in detail. I hereby agree to
Correct Critical Violations by _____ Correct Non-Critical Violations by _____

Signature of Recipient
Name/Title
Warden Gagnard

Facility Information-

Name of Facility: Nest Feliciana Detention Center

Physical Address: 4834 Feliciana Street

City, State, Zip: St. Francisville, LA 70775

Warden: Grady Gagnard

Current Population of Facility: 29

Which population(s) does the facility hold? Females Males Both Females and Males

Number of staff currently employed by the facility who may have contact with inmates: 21

Number of contracts with contractors who may have contact with inmates: 2

Number of volunteers who have contact with inmates: 0

In housing units, does the facility maintain sight and sound separation between youthful (18 and under) inmates and adult inmates? Yes

Does the facility have a video monitoring system, electronic surveillance system, or other monitoring technology? Yes

Does the facility have medical and mental health services onsite? If no, provide offsite facility designated for services?

Medical - Dr. Daniel. Mental - AKM Primary Care

Facility Requirements

Attach example of practice

BJG Guideline: Unit must have a written policy outlining a zero tolerance policy for sexual abuse, assault, and harassment, to include the following provisions:

- Procedure for screening new hires relative to a history of sexual abuse convictions.
- Procedure for screening prisoners for risk of sexual victimization/abusiveness.
- Training of staff, volunteers and prisoners in the policy.
- Requirement for reporting resource to be posted in congregate setting areas (i.e. housing units and food services).
- The process for privately reporting sexual abuse, assault, and/or harassment incidents.
- Regular unannounced rounds by supervisors to monitor for sexual assault included in policy.
- Sight and sound separation between prisoners under the age of 18 and prisoners over the age of 18 or alternatively continuous supervision of these populations when they are together.
- A practice for announcing cross gender rounds in housing areas.
- Prohibition of cross-gender strip searches.
- Provision of privacy in bathroom and shower areas with visual barriers, shower curtains, etc.
- Resources that will be provided for disabled (hearing impaired, visually impaired, cognitive impaired and physical impaired) individuals to receive information regarding the reporting mechanisms for sexual assault
- Facility response plan to allegation of sexually abuse/assault, either at the facility or at another facility. This shall include notification/inquiry made to the facility where the alleged abuse occurred.
- Designation of hospital for prisoner forensic exam upon claims of sexual assault.
- Provision of mental health services would be offered to a victim of sexual assault (either through appointment with local mh center, onsite practitioner, or volunteer).

BJG Guideline: Unit must report instances of sexual abuse, assault, and harassment, involving any DOC offender to DPS&C Headquarters within 24 hours of the claim being made.



WEST FELICIANA PARISH SHERIFF'S OFFICE

#WFP IV-E-001

01 OCTOBER 2022

ALLEGED AND SUBSTANTIATED SEXUAL ASSAULTS

POLICY #: WFP IV-E-001 (Mandatory - Annual Review)

REFERENCE: BJJ IV-E-001

DATE: October 1, 2022

PURPOSE:

The purpose of this policy is for the West Feliciana Parish Sheriff's Office to establish guidelines for the West Feliciana Detention Center/West Feliciana Transitional Work Program regarding sexual assaults at the facility.

POLICY:

It is the policy of the West Feliciana Parish Sheriff's Office to provide for the prevention, detection, response, reporting and investigating of alleged and substantiated sexual assaults of offenders housed at the West Feliciana Detention Center/West Feliciana Transitional Work Program.

PROCEDURE:

PREA (Prison Rape Elimination Act) Information provided to the offender about sexual assault/sexual abuse including the following:

1. Prevention/intervention;
2. Self-protection;
3. Reporting sexual abuse/assault;
4. Treatment and counseling;
5. Multiple channels of reporting sexual assault and sexual misconduct;
6. Protection from retaliation; and
7. DPS&C zero tolerance for sexual assault and sexual misconduct.

When the occurrence/allegation of sexual assault or threat involves a Department of Public Safety & Corrections Offender, the facility shall report the incident to the Department of Public Safety & Corrections immediately as outlined in BJJ I-C-001.

An investigation shall be conducted and documented whenever a sexual assault or threat is reported. Investigative reports, that involve Department of Public Safety & Corrections offenders, shall be submitted to the appropriate Department of Public Safety & Corrections Regional Team Leader on Form OP-A-15-e "Standardized Case Report Form."

Victims of sexual assault are referred under appropriate security provisions to a community facility for treatment and gathering of evidence.

DEFINITIONS

1. Abusive Sexual Contact: contact without a person's consent or when a person was unable to consent or refuse; intentional touching, either directly or through the clothing, of the genitalia anus, groin, breast, inner thigh or buttocks of the victim. It does not include kicking, grabbing, or punching genitals where the intent is a harm or debilitate rather than sexually exploit.
2. Sexual Assault: nonconsensual sexual acts and abusive sexual contact by staff, civilians or offenders.
3. Sexual Misconduct: nonconsensual contact/harassment.
4. Sexual Coercion: for the purpose of this regulation, includes staff, civilians or offenders that use force or threats to persuade another person to perform sexual acts, sexual contact or sexual favors which they are unwilling to do.
5. Aggressor: A staff member, civilian or offender committing a sexual assault against another staff member, civilian or offender.
6. Staff/Other Person (Staff): Individuals who are employed by the West Feliciana Parish Sheriff's Office on a full-time, part-time or contractual basis. Other persons are defined as official visitors to the facility and representatives of other state, local or federal agencies (excludes offender's family, friends or other visitors).
7. Forensic Evidence: Evidence collected or evaluated by scientific means such as ballistic or medical evidence for use in legal proceedings.
8. PREA Screening Checklist (Checklist): An assessment tool utilized to assess an offender's probability of being a high-risk sexual predator or high-risk sexual victim.
9. High Risk Sexual Predator (HSRP): Based on the Checklist, any offender within the custody of the West Feliciana Detention Center/Transitional Work Program who has been identified as an individual who has been confirmed as an individual with the propensity to sexually assault others.
10. High Risk Sexual Victim (HRSV): Based on the Checklist, any offender within the custody of the West Feliciana Detention Center/Transitional Work Program who has been identified as an individual who has been confirmed as a sexual victim or appears to be at high risk for sexual predation.
11. Potential Predator: Any offender within the custody of the West Feliciana Detention Center/Transitional Work Program and "YES" is checked for two or more items on the Checklist, other than item #1.
12. Potential Victim: Any offender within the custody of the West Feliciana Detention Center/Transitional Work Program and "YES" is checked for two or more items on the Checklist, other than #1.
13. Victim Support Person (VSP): A mental health professional or person trained in critical incident stress debriefing.
14. Civilian: Individuals who are not paid directly by the West Feliciana Parish Sheriff's Office. This may include vendors, visitors, volunteers, interns, truck drivers, service personnel repairing equipment, construction workers employed by contractors and consultants and/or researchers who collect data and conduct interviews for government agencies or others and who have been approved by the Warden to be on the grounds of the unit.

CATEGORIES OF CONDUCT

1. Sexual Contact between Staff, Civilians and Offenders
 - a. There is no consensual sex in a custodial or supervisory relationship. Any sexual assault, sexual misconduct, or sexual coercion between staff, civilians, and offenders is inconsistent with professional, ethical principles and Department Regulations. Allegations of sexual coercion will be investigated.

- b. Acts of sexual assault, sexual misconduct or sexual coercion by staff or civilians against offenders or retaliation against offenders who refuse to submit to sexual activity or intimidation of a witness may be a crime. Retaliation against individuals because of their involvement in the reporting or investigation of sexual assault, sexual misconduct or sexual coercion is strictly prohibited.
 - c. Cases involving sexual assault, sexual misconduct or sexual coercion will be formally investigated and, if appropriate, will be referred to the appropriate District Attorney for prosecution.
 - d. All incidents of sexual assault, sexual misconduct or sexual coercion may result in corrective and/or disciplinary action, up to and including termination. Failure of staff to report such incidents may result in disciplinary action, up to and including termination. In addition, if an investigation is warranted, the case will be referred to the appropriate District Attorney for prosecution.
2. Staff-on-Offender Sexual Misconduct
- a. Any behavior of a sexual nature directed toward an offender by a staff member.
 - b. Intentional touching of the genitalia, anus, groin, breast, inner thigh or buttocks with the intent to coerce, abuse, arouse or gratify sexual desire. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
 - c. All completed, attempted, threatened or requested sexual acts between staff and offenders.
 - d. Incidents of indecent exposure, invasion of privacy or staff voyeurism for sexual gratification.
 - e. Sexual relationships of a romantic nature between staff and an offender.
3. Staff-on-Offender Sexual Harassment
- a. Repeated written or verbal statements or comments of a sexual nature to an offender by staff
 - b. Demeaning references to gender or derogatory comments about body or clothing.
 - c. Profane or obscene language or gestures.
4. Civilian-on-Offender Sexual Misconduct
- a. Any behavior of a sexual nature directed toward an offender by a civilian.
 - b. Intentional touching of the genitalia, anus, groin, breast, inner thigh or buttocks with the intent to abuse, arouse or gratify sexual desire. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
 - c. All completed, attempted, threaten or requested sexual acts between a civilian and an offender.
 - d. Incidents of indecent exposure or invasion of privacy for sexual gratification.
 - e. Sexual relationships of a romantic nature between a civilian and an offender.
5. Civilian-on-Offender Sexual Harassment
- a. Repeated verbal statements or comments of a sexual nature to an offender by a civilian.
 - b. Incidents involving demeaning references to gender or derogatory comments about body or clothing.
 - c. Profane or obscene language or gestures.
6. Offender-on-Staff and Offender-on-Offender Nonconsensual Sexual Acts
- a. Contact of a person without the person's consent or of a person who is unable to consent or refuse or through coercion.
 - b. Contact between the penis and the vagina or the penis and the anus including penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
 - c. Contact between the mouth and genitalia, anus, groin, breast, inner thigh or buttocks.

d. Penetration of the genitalia and/or anal opening of another person by a hand, finger or body part or object.

7. Offender-on-Offender Abusive Contact

a. Contact of any person without consent or of a person who is unable to consent or refuse or through coercion such as, but not limited to, intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any person. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than sexually exploit.

8. Offender-on-Staff and Offender on Offender Attempted Sexual Misconduct

- a. An incident in which attempted contact occurred without the person's consent or of a person who is unable to consent or refuse or through coercion
- b. Attempted contact between the penis and the vagina or the penis and anus including penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than sexually exploit.
- c. Attempted contact between the mouth and the penis, vagina or anus.
- d. Attempted penetration of the genitalia and/or anal opening of another person by a hand, finger or other body part or object.

COORDINATION OF PREA RELATED ISSUES

The Warden shall have oversight of all activities and functions of the West Feliciana Detention Center/Transitional Work Program's initiative to prevent sexual assault and sexual misconduct pursuant to the provisions of this policy. The Warden shall ensure that each requirement of this policy including verification that all training, screening, assessments, reporting and monitoring is accomplished in a timely manner.

TRAINING, EDUCATION, AND SCREENING

All current staff and new hires shall sign the West Feliciana Parish Sheriff's Office Acknowledgement and Consent Form. This form shall be maintained in the employee's personnel file.

All staff shall receive instruction related to the prevention, detection, response, reporting and investigation of sexual assault and sexual misconduct.

1. All new hires and probationary employees will receive this training as part of their pre-service orientation.
2. All other staff shall receive refresher training as part of their annual in-service training.
3. All volunteers shall receive instruction on the West Feliciana Detention Center/Transitional Work Program policy relating to appropriate sexual behavior, detention, response and reporting of Sexual Assault and Sexual Misconduct. All volunteers must sign the Civilian Acknowledgement Form C stating that they understand that any violation will result in their disbarment from the West Feliciana Detention Center/Transitional Work Program and may include filing of criminal charges as warranted. All Civilian Acknowledgement Forms shall be maintained in a file under the direct responsibility of the Warden.
4. Offender Orientation and Education:
 - a. All new offenders shall receive verbal and written information about sexual assault and sexual misconduct during orientation.
 - i. Prevention

- ii. Reporting sexual assault & sexual misconduct
 - iii. Protection from retaliation
 - iv. Treatment and counseling
- b. Provision shall be made as necessary for offenders not fluent in English, for persons with disabilities, and for those with low literary levels to receive orientation and education regarding sexual assault and sexual misconduct.

REPORTING

1. All allegations of sexual assault shall be reported to the West Feliciana Parish Sheriff's Office investigative unit immediately following the initial notification to the Warden. Such allegations shall be treated with discretion and confidentiality.
2. All allegations of sexual assault or sexual misconduct may be reported to any staff member. The staff member who receives such reports, whether verbal or written, shall immediately notify their supervisor who shall ensure that an Unusual Occurrence Report is completed. The appropriate supervisor shall immediately ensure that the alleged victim and aggressor are physically separated.
3. An offender may also use the Administrative Remedy Procedure (ARP) as a means to report an alleged sexual assault or sexual misconduct.
4. In every case where the alleged aggressor is a staff member, there will be no contact between the alleged aggressor and the alleged offender/victim without the approval of the Warden.
5. The staff member receiving the report and/or the appropriate supervisor shall advise the victim not to shower or otherwise hygienically clean or if the assault was oral, not to eat, drink, or brush the teeth or otherwise take any action that could damage or destroy physical evidence pending completion of the gathering of that evidence and/or the initial investigation.
6. If the alleged assault has occurred within the previous 72 hours and evidence is obtainable or other circumstances dictate, arrangements shall immediately be made to have the alleged victim escorted under appropriate security provisions to the hospital for assessment. Testing for sexually transmitted diseases (HIV, gonorrhea, hepatitis, etc.) and other diseases as determined by the attending physician and counseling shall be made available to the alleged victim when appropriate.

INVESTIGATING

1. Investigation of recent sexual assault misconduct within 72 hours – if the alleged sexual assault or sexual misconduct is reported or discovered within 72 hours of the incident, the following steps shall be taken by Warden or his designee.
 - a. The Warden shall be notified an investigation shall be initiated as directed. Based upon the initial inquiry and/or evidence that the allegation represents possible criminal activity, the Warden or designee shall notify local law enforcement. At the initiation of the investigation, alleged victim(s) and alleged aggressor(s) shall be immediately separated.
 - b. In preparation for transporting the alleged victim to the hospital emergency room, the victim shall be instructed to undress over a clean sheet in order to collect any potential forensic evidence that may fall from his person. The sheet, along with the victim's clothing, shall be collected as evidence form attached. Appropriate substitute clothing shall be provided to the victim.
 - c. The alleged victim shall be promptly escorted under appropriate security provisions to the hospital for assessment.

- d. When the alleged victim is an offender and is released from the hospital emergency room, the alleged offender/victim shall be segregated from the alleged aggressor and single-celled until screened by a mental health professional and appropriate referrals are made.
- e. A determination shall be made based upon the amount of time that has passed since the alleged incident occurred and the possibility of evidence still existing, as to whether the alleged aggressor, if known to an offender, should be placed in a dry cell to preserve forensic evidence shall be strip-searched, issued a paper gown and will have all possessions removed. No offender placed in a dry cell shall remain in such status any longer than necessary to determine if any forensic or other evidence can be obtained.
- f. A determination shall be made based upon the amount of time that has passed since the alleged incident and other factors, whether there is a possibility of evidence still existing at the crime scene. If it is determined that evidence may still exist, the alleged crime scene shall be secured and any potential evidence shall remain in place for the investigation. If the alleged crime scene cannot be secured, it shall be photographed and/or videotaped and proper evidence protocols followed.
- g. The only persons allowed to enter a secured crime scene are the assigned investigator(s), medical staff and/or the Warden as needed.
- h. A log shall be maintained to record the name of each person entering the crime scene, the time of entry and the time of departure.
- i. The crime scene shall remain secured until released by the investigator.

INVESTIGATION OF POTENTIAL CRIMINAL ALLEGATIONS

- 1. Incidents involving criminal acts of sexual assault or sexual misconduct shall be investigated by the West Feliciana Parish Sheriff's Office investigative unit.
- 2. Substantiated allegations will be forwarded to District Attorney of West Feliciana Parish for a decision regarding prosecution. Administrative disciplinary action should be initiated on the aggressor (offender or staff).
- 3. Violations of sexual assault shall be referred under appropriate security provisions to a community facility for treatment and gathering of evidence. The facility shall report occurrences or allegations of sexual assaults or threats to state offenders immediately to DPS&C in compliance with the federal Prison Rape Elimination Act (PREA). An investigation is conducted and documented whenever a sexual assault or threat is reported. Investigation reports shall be submitted to Department of Public Safety & Corrections Regional Team Leader on Form OP-A-15-e "Standardized Case Report Form."
- 4. Staff violating this policy may receive disciplinary action up to and including termination.



Health Care Authority



Grady Gagnard, Warden
West Feliciana Detention Center



Brian L. Spillman, Sheriff
West Feliciana Parish



Chad Menzina, Warden
West Feliciana Transitional Work Program