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Sexual Violence Annual Report – Franklin County Jail (FCJ):

Data in this report reflects calendar year 2020: January 1, 2020 to December 31, 2020.

- On December 31, 2020, the daily population was 59 males and 0 females.
- The average daily population for the Franklin County Jail in 2020 was 49.15 males and 1.63 females, averaged at 366 days.
- There were 1,279 commitments to the Franklin County Jail in 2020. This includes 992 males and 287 females.

The following definitions are utilized with discussing sexual violence and PREA:

Allegation – An oral, written or electronic statement that sexual abuse has occurred or might occur, that is provided to a staff member or outside agency.

Substantiated – An allegation investigated and determined to have occurred.

Unfounded – An allegation investigated and determined not to have occurred.

Unsubstantiated – An allegation that was investigated and evidence was insufficient to make a determination of substantiated or unfounded.

Sexual Misconduct – Any act or behavior of a sexual nature directed towards an inmate by any staff member. This includes acts or attempts, including but not limited to, sexual assault, sexual harassment, sexual contact, conduct of a sexual nature and unreasonable or unnecessary invasion of privacy.

Behavior of a Sexual Nature – Includes, but is not limited to, inappropriate remarks or conversations, sexualized name calling, correspondence that suggests a romantic or sexual relationship and physical contact in a sexual manner.

Sexual Assault – Any contact between the sex organ of one person and the sex organ, mouth or anus of another person, or any intrusion of any part of the body of one person, or of any object into the sex organ, mouth or anus of another person, by the use of force or threat by force, against the will of the victim, or under conditions in which the perpetrator knows, or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his/her conduct.

Sexual Victimization/Sexual Violence – All types of sexual activity: oral, anal and vaginal penetration; hand jobs; touching of the inmate's thighs, buttocks, penis, breasts or vagina in a sexual way; abusive sexual contacts; and both willing and unwilling sexual activity with staff.

Abusive Sexual Contact – Unwanted contact with another inmate or any contact with staff that involves touching of the inmate’s buttocks, thighs, penis, breasts or vagina in a sexual way.

Non-consensual Sexual Acts – Unwanted contact with another inmate or any contact with staff that involves oral, anal or vaginal penetration, hand jobs or other sexual acts.

Sexual Harassment – Sexual harassment includes:

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 or detainee directed towards another; **and** Repeated verbal comments or gestures of a sexual nature to an inmate or detainee 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.

The Office of the Sheriff for the County of Franklin policy prohibits ALL SEXUAL ACTIVITY. All allegations of sexual misconduct and/or harassment, whether inmate on inmate, staff on inmate, or inmate on staff is investigated fully and appropriate action taken. All substantiated allegations of conduct that appear to be criminal are reported to the Virginia State Police for further investigation and referral to the Franklin County Commonwealth Attorney’s Office for criminal charges.

During the calendar year January 1, 2020 to December 31, 2020 there were:

- **Zero** allegations of inmate on inmate non-consensual acts.
- **Zero** allegations of inmate on inmate abusive sexual contact.
- **Zero** allegation of inmate on inmate sexual harassment determined to be substantiated. In this case, an inmate had made sexually explicit or inappropriate comments towards another inmate. They were separated from one another and the accused was institutionally charged and sanctioned according to FCJ policies and procedures. The conduct did not rise to the level of criminal conduct; therefore, these allegations were not referred for criminal prosecution.
- **Zero** allegation of staff sexual misconduct or sexual harassment.

Comparison of Previous Year’s Data

| | 2020 | 2019 | 2018 | 2017 | 2016 |
|--|--------------|--------------|--------------|--------------|--------------|
| Population 12/31 | 59 | 44 | 47 | 51 | 54 |
| ADP | 51 | 49 | 52 | 62 | 63 |
| New Commitments | 1,279 | 1,646 | 1,603 | 1,660 | 1,698 |
| Inmate on Inmate Non-Consensual Acts | 0 | 0 | 0 | 0 | 0 |
| Inmate on Inmate Abusive Sexual Acts | 0 | 0 | 0 | 0 | 0 |
| Inmate on Inmate Sexual Harassment | 0 | 1 | 0 | 0 | 0 |
| Allegation of Staff Sexual Misconduct | 0 | 0 | 0 | 0 | 0 |