

Attachments

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Attachment A: The Omnibus Crime Control and Safe Street Act of 1968 as amended
(42 U.S.C. 3732)

TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Section 5(b) of the Act entitled "An Act creating a commission to be known as the Commission on Obscenity and Pornography", approved October 3, 1967 (Public Law 90-100), is amended by striking out "January 31, 1970" and inserting in lieu thereof "July 31, 1970".

This Act may be cited as the "Treasury, Post Office, and Executive Office Appropriation Act, 1969".

Approved June 19, 1968.

Report to President and Congress.
81 Stat. 255.
18 USC 1461 note.

Short title.

Public Law 90-351

AN ACT

June 19, 1968
[H. R. 5037]

To assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Omnibus Crime Control and Safe Streets Act of 1968".

Omnibus Crime Control and Safe Streets Act of 1968.

TITLE I—LAW ENFORCEMENT ASSISTANCE

DECLARATIONS AND PURPOSE

Congress finds that the high incidence of crime in the United States threatens the peace, security, and general welfare of the Nation and its citizens. To prevent crime and to insure the greater safety of the people, law enforcement efforts must be better coordinated, intensified, and made more effective at all levels of government.

Congress finds further that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively.

It is therefore the declared policy of the Congress to assist State and local governments in strengthening and improving law enforcement at every level by national assistance. It is the purpose of this title to (1) encourage States and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement; (2) authorize grants to States and units of local government in order to improve and strengthen law enforcement; and (3) encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals.

PART A—LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

SEC. 101. (a) There is hereby established within the Department of Justice, under the general authority of the Attorney General, a Law Enforcement Assistance Administration (hereafter referred to in this title as "Administration").

(b) The Administration shall be composed of an Administrator of Law Enforcement Assistance and two Associate Administrators of Law Enforcement Assistance, who shall be appointed by the President, by and with the advice and consent of the Senate. No more than two members of the Administration shall be the same political party, and members shall be appointed with due regard to their fitness, knowledge, and experience to perform the functions, powers, and duties vested in the Administration by this title.

(c) It shall be the duty of the Administration to exercise all of the functions, powers, and duties created and established by this title, except as otherwise provided.

PART B—PLANNING GRANTS

917 [SEC. 201. It is the purpose of this part to encourage States and units of general local government to prepare and adopt comprehensive law enforcement plans based on their evaluation of State and local problems of law enforcement.

SEC. 202. The Administration shall make grants to the States for the establishment and operation of State law enforcement planning agencies (hereinafter referred to in this title as "State planning agencies") for the preparation, development, and revision of the State plans required under section 303 of this title. Any State may make application to the Administration for such grants within six months of the date of enactment of this Act.

State planning agencies.

SEC. 203. (a) A grant made under this part to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created or designated by the chief executive of the State and shall be subject to his jurisdiction. The State planning agency shall be representative of law enforcement agencies of the State and of the units of general local government within the State.

(b) The State planning agency shall—

Functions.

(1) develop, in accordance with part C, a comprehensive state-wide plan for the improvement of law enforcement throughout the State;

(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for improvement in law enforcement; and

(3) establish priorities for the improvement in law enforcement throughout the State.

(c) The State planning agency shall make such arrangements as such agency deems necessary to provide that at least 40 per centum of all Federal funds granted to such agency under this part for any fiscal year will be available to units of general local government or combinations of such units to enable such units and combinations of such units to participate in the formulation of the comprehensive State plan required under this part. Any portion of such 40 per centum in any State for any fiscal year not required for the purpose set forth in the preceding sentence shall be available for expenditure by such State agency from time to time on dates during such year as the Administration may fix, for the development by it of the State plan required under this part.

SEC. 204. A Federal grant authorized under this part shall not exceed 90 per centum of the expenses of the establishment and operation of the State planning agency, including the preparation, development, and revision of the plans required by part C. Where Federal grants under this part are made directly to units of general local government as authorized by section 305, the grant shall not exceed 90 per centum of the expenses of local planning, including the preparation, development, and revision of plans required by part C.

SEC. 205. Funds appropriated to make grants under this part for a fiscal year shall be allocated by the Administration among the States for use therein by the State planning agency or units of general local government, as the case may be. The Administration shall allocate \$100,000 to each of the States; and it shall then allocate the remainder of such funds available among the States according to their relative populations.

Allocation of funds.

PART C—GRANTS FOR LAW ENFORCEMENT PURPOSES

SEC. 301. (a) It is the purpose of this part to encourage States and units of general local government to carry out programs and projects to improve and strengthen law enforcement.

(b) The Administration is authorized to make grants to States having comprehensive State plans approved by it under this part, for—

(1) Public protection, including the development, demonstration, evaluation, implementation, and purchase of methods, devices, facilities, and equipment designed to improve and strengthen law enforcement and reduce crime in public and private places.

(2) The recruiting of law enforcement personnel and the training of personnel in law enforcement.

(3) Public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and programs to improve public understanding of and cooperation with law enforcement agencies.

(4) Construction of buildings or other physical facilities which would fulfill or implement the purposes of this section.

(5) The organization, education, and training of special law enforcement units to combat organized crime, including the establishment and development of State organized crime prevention councils, the recruiting and training of special investigative and prosecuting personnel, and the development of systems for collecting, storing, and disseminating information relating to the control of organized crime.

(6) The organization, education, and training of regular law enforcement officers, special law enforcement units, and law enforcement reserve units for the prevention, detection, and control of riots and other violent civil disorders, including the acquisition of riot control equipment.

(7) The recruiting, organization, training and education of community service officers to serve with and assist local and State law enforcement agencies in the discharge of their duties through such activities as recruiting; improvement of police-community relations and grievance resolution mechanisms; community patrol activities; encouragement of neighborhood participation in crime prevention and public safety efforts; and other activities designed to improve police capabilities, public safety and the objectives of this section: *Provided*, That in no case shall a grant be made under this subcategory without the approval of the local government or local law enforcement agency.

Federal grants,
amounts.

(c) The amount of any Federal grant made under paragraph (5) or (6) of subsection (b) of this section may be up to 75 per centum of the cost of the program or project specified in the application for such grant. The amount of any grant made under paragraph (4) of subsection (b) of this section may be up to 50 per centum of the cost of the program or project specified in the application for such grant. The amount of any other grant made under this part may be up to 60 per centum of the cost of the program or project specified in the application for such grant] *Provided*, That no part of any grant for the purpose of construction of buildings or other physical facilities shall be used for land acquisition.

Prohibition.

(d) Not more than one-third of any grant made under this part may be expended for the compensation of personnel. The amount of any such grant expended for the compensation of personnel shall not exceed the amount of State or local funds made available to increase such compensation. The limitations contained in this subsection shall not apply to the compensation of personnel for time engaged in conducting or undergoing training programs.

SEC. 302. Any State desiring to participate in the grant program under this part shall establish a State planning agency as described in part B of this title and shall within six months after approval of a planning grant under part B submit to the Administration through

such State planning agency a comprehensive State plan formulated pursuant to part B of this title.

SEC. 303. The Administration shall make grants under this title to a State planning agency if such agency has on file with the Administration an approved comprehensive State plan (not more than one year in age) which conforms with the purposes and requirements of this title. Each such plan shall—

Comprehensive
State plans, re-
quirements.

(1) provide for the administration of such grants by the State planning agency;

(2) provide that at least 75 per centum of all Federal funds granted to the State planning agency under this part for any fiscal year will be available to units of general local government or combinations of such units for the development and implementation of programs and projects for the improvement of law enforcement;

(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;

(4) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to other relevant State or local law enforcement plans and systems;

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(5) provide for effective utilization of existing facilities and permit and encourage units of general local government to combine or provide for cooperative arrangements with respect to services, facilities, and equipment;

(6) provide for research and development;

(7) provide for appropriate review of procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units;

(8) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this part after a reasonable period of Federal assistance;

(9) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the statewide comprehensive plan and the programs and projects contemplated by units of general local government;

(10) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement;

(11) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this part; and

(12) provide for the submission of such reports in such form and containing such information as the Administration may reasonably require.

Any portion of the 75 per centum to be made available pursuant to paragraph (2) of this section in any State in any fiscal year not required for the purposes set forth in such paragraph (2) shall be available for expenditure by such State agency from time to time on dates during such year as the Administration may fix, for the development and implementation of programs and projects for the improvement of law enforcement and in conformity with the State plan.

SEC. 304. State planning agencies shall receive applications for financial assistance from units of general local government and combinations of such units. When a State planning agency determines that such an application is in accordance with the purposes stated in section 301 and is in conformance with any existing statewide comprehensive law enforcement plan, the State planning agency is authorized to disburse funds to the applicant.

Grants to local government units.

SEC. 305. Where a State fails to make application for a grant to establish a State planning agency pursuant to part B of this title within six months after the date of enactment of this Act, or where a State fails to file a comprehensive plan pursuant to part B within six months after approval of a planning grant to establish a State planning agency, the Administration may make grants under part B and part C of this title to units of general local government or combinations of such units: *Provided, however,* That any such unit or combination of such units must certify that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located. The chief executive shall be given not more than sixty days from date of receipt of the application to submit to the Administration in writing an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans in the State for the development of new approaches to and improvements in law enforcement. If an application is submitted by a combination of units of general local government which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located. No grant under this section to a local unit of general government shall be for an amount in excess of 60 per centum of the cost of the project or program with respect to which it was made.

Project evaluation by State chief executive.

Amount.

Allocation of funds.

SEC. 306. Funds appropriated to make grants under this part for a fiscal year shall be allocated by the Administration among the States for use therein by the State planning agency or units of general local government, as the case may be. Of such funds, 85 per centum shall be allocated among the States according to their respective populations and 15 per centum thereof shall be allocated as the Administration may determine, plus such additional amounts as may be made available by virtue of the application of the provisions of section 509 to the grant to any State.

Priority programs.

SEC. 307. (a) In making grants under this part, the Administration and each State planning agency, as the case may be, shall give special emphasis, where appropriate or feasible, to programs and projects dealing with the prevention, detection, and control of organized crime and of riots and other violent civil disorders.

(b) Notwithstanding the provisions of section 303 of this part, until August 31, 1968, the Administration is authorized to make grants for programs and projects dealing with the prevention, detection, and

control of riots and other violent civil disorders on the basis of applications describing in detail the programs, projects, and costs of the items for which the grants will be used, and the relationship of the programs and projects to the applicant's general program for the improvement of law enforcement.

PART D—TRAINING, EDUCATION, RESEARCH, DEMONSTRATION, AND SPECIAL GRANTS

SEC. 401. It is the purpose of this part to provide for and encourage training, education, research, and development for the purpose of improving law enforcement and developing new methods for the prevention and reduction of crime, and the detection and apprehension of criminals.

SEC. 402. (a) There is established within the Department of Justice a National Institute of Law Enforcement and Criminal Justice (hereafter referred to in this part as "Institute"). The Institute shall be under the general authority of the Administration. It shall be the purpose of the Institute to encourage research and development to improve and strengthen law enforcement.

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National Institute of Law Enforcement and Criminal Justice. Establishment.

(b) The Institute is authorized—

Functions.

(1) to make grants to, or enter into contracts with, public agencies, institutions of higher education, or private organizations to conduct research, demonstrations, or special projects pertaining to the purposes described in this title, including the development of new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement;

ALAN BILL

(2) to make continuing studies and undertake programs of research to develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement, including, but not limited to, the effectiveness of projects or programs carried out under this title;

(3) to carry out programs of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing crime, and to evaluate the success of correctional procedures;

(4) to make recommendations for action which can be taken by Federal, State, and local governments and by private persons and organizations to improve and strengthen law enforcement;

(5) to carry out programs of instructional assistance consisting of research fellowships for the programs provided under this section, and special workshops for the presentation and dissemination of information resulting from research, demonstrations, and special projects authorized by this title.

(6) to carry out a program of collection and dissemination of information obtained by the Institute or other Federal agencies, public agencies, institutions of higher education, or private organizations engaged in projects under this title, including information relating to new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement; and

(7) to establish a research center to carry out the programs described in this section.

SEC. 403. A grant authorized under this part may be up to 100 per centum of the total cost of each project for which such grant is made. The Administration shall require, whenever feasible, as a condition of approval of a grant under this part, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought.

Grants, amount.

Conditions.

F.B.I. law enforcement training programs.

SEC. 404. (a) The Director of the Federal Bureau of Investigation is authorized to—

(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State or unit of local government, training for State and local law enforcement personnel;

(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen law enforcement; and

(3) assist in conducting, at the request of a State or unit of local government, local and regional training programs for the training of State and local law enforcement personnel. Such training shall be provided only for persons actually employed as State police or highway patrol, police of a unit of local government, sheriffs and their deputies, and such other persons as the State or unit may nominate for police training while such persons are actually employed as officers of such State or unit.

(b) In the exercise of the functions, powers, and duties established under this section the Director of the Federal Bureau of Investigation shall be under the general authority of the Attorney General.

SEC. 405. (a) Subject to the provisions of this section, the Law Enforcement Assistance Act of 1965 (79 Stat. 828) is repealed: *Provided, That—*

(1) The Administration, or the Attorney General until such time as the members of the Administration are appointed, is authorized to obligate funds for the continuation of projects approved under the Law Enforcement Assistance Act of 1965 prior to the date of enactment of this Act to the extent that such approval provided for continuation.

(2) Any funds obligated under subsection (1) of this section and all activities necessary or appropriate for the review under subsection (3) of this section may be carried out with funds previously appropriated and funds appropriated pursuant to this title.

(3) Immediately upon establishment of the Administration, it shall be its duty to study, review, and evaluate projects and programs funded under the Law Enforcement Assistance Act of 1965. Continuation of projects and programs under subsections (1) and (2) of this section shall be in the discretion of the Administration.

SEC. 406. (a) Pursuant to the provisions of subsections (b) and (c) of this section, the Administration is authorized, after appropriate consultation with the Commissioner of Education, to carry out programs of academic educational assistance to improve and strengthen law enforcement.

(b) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for loans, not exceeding \$1,800 per academic year to any person, to persons enrolled on a full-time basis in undergraduate or graduate programs approved by the Administration and leading to degrees or certificates in areas directly related to law enforcement or preparing for employment in law enforcement, with special consideration to police or correctional personnel of States or units of general local government on academic leave to earn such degrees or certificates. Loans to persons assisted under this subsection shall be made on such terms and conditions as the Administration and the institution offering such programs may determine, except that the total amount of any such loan, plus interest, shall be canceled for service as a full-time officer or employee of a law enforcement agency at the rate of 25 per centum of the total

Repeal.

18 USC prec. 3001 note.

Continuation of projects.

Academic educational assistance.

Loans.

amount of such loans plus interest for each complete year of such service or its equivalent of such service, as determined under regulations of the Administration.

(c) The Administration is authorized to enter into contracts to make, and make, payments to institutions of higher education for tuition and fees, not exceeding \$200 per academic quarter or \$300 per semester for any person, for officers of any publicly funded law enforcement agency enrolled on a full-time or part-time basis in courses included in an undergraduate or graduate program which is approved by the Administration and which leads to a degree or certificate in an area related to law enforcement or an area suitable for persons employed in law enforcement. Assistance under this subsection may be granted only on behalf of an applicant who enters into an agreement to remain in the service of the law enforcement agency employing such applicant for a period of two years following completion of any course for which payments are provided under this subsection, and in the event such service is not completed, to repay the full amount of such payments on such terms and in such manner as the Administration may prescribe.

Tuition and fees.

Service agreements.

PART E—ADMINISTRATIVE PROVISIONS

SEC. 501. The Administration is authorized, after appropriate consultation with representatives of States and units of general local government, to establish such rules, regulations, and procedures as are necessary to the exercise of its functions, and are consistent with the stated purpose of this title.

SEC. 502. The Administration may delegate to any officer or official of the Administration, or, with the approval of the Attorney General, to any officer of the Department of Justice such functions as it deems appropriate.

SEC. 503. The functions, powers, and duties specified in this title to be carried out by the Administration shall not be transferred elsewhere in the Department of Justice unless specifically hereafter authorized by the Congress.

SEC. 504. In carrying out its functions, the Administration, or upon authorization of the Administration, any member thereof or any hearing examiner assigned to or employed by the Administration, shall have the power to hold hearings, sign and issue subpoenas administer oaths, examine witnesses, and receive evidence at any place in the United States it may designate.

Subpoena power, etc.

SEC. 505. Section 5315 of title 5, United States Code, is amended by adding at the end thereof—

“(90) Administrator of Law Enforcement Assistance.”

80 Stat. 461.

401(b)

SEC. 506. Section 5316 of title 5, United States Code, is amended by adding at the end thereof—

“(126) Associate Administrator of Law Enforcement Assistance.”

SEC. 507. Subject to the civil service and classification laws, the Administration is authorized to select, appoint, employ, and fix compensation of such officers and employees, including hearing examiners, as shall be necessary to carry out its powers and duties under this title.

Officers and employees.

SEC. 508. The Administration is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department of Justice and of other civilian or military agencies and instrumentalities of the Federal Government, and to cooperate with the Department of Justice and such other agencies and instrumentalities in the establishment and

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use of services, equipment, personnel, and facilities of the Administration. The Administration is further authorized to confer with and avail itself of the cooperation, services, records, and facilities of State, municipal, or other local agencies.

Noncompliance,
withholding of
payments.

SEC. 509. Whenever the Administration, after reasonable notice and opportunity for hearing to an applicant or a grantee under this title, finds that, with respect to any payments made or to be made under this title, there is a substantial failure to comply with—

(a) the provisions of this title;

(b) regulations promulgated by the Administration under this title; or

(c) a plan or application submitted in accordance with the provisions of this title;

the Administration shall notify such applicant or grantee that further payments shall not be made (or in its discretion that further payments shall not be made for activities in which there is such failure), until there is no longer such failure.

SEC. 510. (a) In carrying out the functions vested by this title in the Administration, the determination, findings, and conclusions of the Administration shall be final and conclusive upon all applicants, except as hereafter provided.

Notice and
hearing.

(b) If the application has been rejected or an applicant has been denied a grant or has had a grant, or any portion of a grant, discontinued, or has been given a grant in a lesser amount than such applicant believes appropriate under the provisions of this title, the Administration shall notify the applicant or grantee of its action and set forth the reason for the action taken. Whenever an applicant or grantee requests a hearing on action taken by the Administration on an application or a grant the Administration, or any authorized officer thereof, is authorized and directed to hold such hearings or investigations at such times and places as the Administration deems necessary, following appropriate and adequate notice to such applicant; and the findings of fact and determinations made by the Administration with respect thereto shall be final and conclusive, except as otherwise provided herein.

Request for
rehearing.

(c) If such applicant is still dissatisfied with the findings and determinations of the Administration, following the notice and hearing provided for in subsection (b) of this section, a request may be made for rehearing, under such regulations and procedures as the Administration may establish, and such applicant shall be afforded an opportunity to present such additional information as may be deemed appropriate and pertinent to the matter involved. The findings and determinations of the Administration, following such rehearing, shall be final and conclusive upon all parties concerned, except as hereafter provided.

Review action.

SEC. 511. (a) If any applicant or grantee is dissatisfied with the Administration's final action with respect to the approval of its application or plan submitted under this title, or any applicant or grantee is dissatisfied with the Administration's final action under section 509 or section 510, such applicant or grantee may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such applicant or grantee is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Administration. The Administration shall thereupon file in the court the record of the proceedings on which the action of the Administration was based, as provided in section 2112 of title 28, United States Code.

(b) The determinations and the findings of fact by the Administration, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Administration to take further evidence. The Administration may thereupon make new or modified findings of fact and may modify its previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact or determinations shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Administration or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

SEC. 512. Unless otherwise specified in this title, the Administration shall carry out the programs provided for in this title during the fiscal year ending June 30, 1968, and the five succeeding fiscal years.

SEC. 513. To insure that all Federal assistance to State and local programs under this title is carried out in a coordinated manner, the Administration is authorized to request any Federal department or agency to supply such statistics, data, program reports, and other material as the Administration deems necessary to carry out its functions under this title. Each such department or agency is authorized to cooperate with the Administration and, to the extent permitted by law, to furnish such materials to the Administration. Any Federal department or agency engaged in administering programs related to this title shall, to the maximum extent practicable, consult with and seek advice from the Administration to insure fully coordinated efforts, and the Administration shall undertake to coordinate such efforts.

SEC. 514. The Administration may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of its functions under this title.

SEC. 515. The Administration is authorized—

(a) to conduct evaluation studies of the programs and activities assisted under this title;

(b) to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of law enforcement in the several States; and

(c) to cooperate with and render technical assistance to States, units of general local government, combinations of such States or units, or other public or private agencies, organizations, or institutions in matters relating to law enforcement.

SEC. 516. (a) Payments under this title may be made in installments, and in advance or by way of reimbursement, as may be determined by the Administration.

(b) Not more than 12 per centum of the sums appropriated for any fiscal year to carry out the provisions of this title may be used within any one State except that this limitation shall not apply to grants made pursuant to part D.

SEC. 517. The Administration is authorized to appoint such technical or other advisory committees to advise the Administration with respect to the administration of this title as it deems necessary. Members of such committees not otherwise in the employ of the United States, while attending meetings of the committees, shall be entitled to receive compensation at a rate to be fixed by the Administration but not exceeding \$75 per diem, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

62 Stat. 928.
Duration of programs.

Statistics, etc., from other Federal departments.

404

405

406

Restriction.

410 15%

Advisory committees, appointment and compensation.

402

80 Stat. 499.

SEC. 518. (a) Nothing contained in this title or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other law enforcement agency of any State or any political subdivision thereof.

(b) Notwithstanding any other provision of law nothing contained in this title shall be construed to authorize the Administration (1) to require, or condition the availability or amount of a grant upon, the adoption by an applicant or grantee under this title of a percentage ratio, quota system, or other program to achieve racial balance or to eliminate racial imbalance in any law enforcement agency, or (2) to deny or discontinue a grant because of the refusal of an applicant or grantee under this title to adopt such a ratio, system, or other program.

SEC. 519. On or before August 31, 1968, and each year thereafter, the Administration shall report to the President and to the Congress on activities pursuant to the provisions of this title during the preceding fiscal year.

SEC. 520. For the purpose of carrying out this title, there is authorized to be appropriated the sums of \$100,111,000 for the fiscal years ending June 30, 1968, and June 30, 1969, \$300,000,000 for the fiscal year ending June 30, 1970, and for succeeding fiscal years such sums as the Congress might authorize: *Provided, however,* That of the amount appropriated for the fiscal years ending June 30, 1968, and June 30, 1969—

(a) the sum of \$25,000,000 shall be for the purposes of part B;
 (b) the sum of \$50,000,000 shall be for the purposes of part C,
 of which amount—

(1) not more than \$2,500,000 shall be for the purposes of section 302(b)(3);

(2) not more than \$15,000,000 shall be for the purposes of section 302(b)(5), of which not more than \$1,000,000 may be used within any one State;

(3) not more than \$15,000,000 shall be for the purposes of section 302(b)(6); and

(4) not more than \$10,000,000 shall be for the purposes of correction, probation, and parole; and

(c) the sum of \$25,111,000 shall be for the purposes of part D, of which \$5,111,000 shall be for the purposes of section 404, and not more than \$10,000,000 shall be for the purposes of section 406.

SEC. 521. (a) Each recipient of assistance under this Act shall keep such records as the Administration shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Administration and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for purpose of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this title.

SEC. 522. Section 204(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by inserting "law enforcement facilities," immediately after "transportation facilities."

Report to President and Congress.

Appropriations.

Post, p. 638.

Recordkeeping requirements.

PART F—DEFINITIONS

SEC. 601. As used in this title—

(a) "Law enforcement" means all activities pertaining to crime prevention or reduction and enforcement of the criminal law.

(b) "Organized crime" means the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loan sharking, narcotics, labor racketeering, and other unlawful activities of members of such organizations.

(c) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(d) "Unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, or an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior.

(e) "Combination" as applied to States or units of general local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a law enforcement plan.

(f) "Construction" means the erection, acquisition, expansion, or repair (but not including minor remodeling or minor repairs) of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment therefor.

(g) "State organized crime prevention council" means a council composed of not more than seven persons established pursuant to State law or established by the chief executive of the State for the purpose of this title, or an existing agency so designated, which council shall be broadly representative of law enforcement officials within such State and whose members by virtue of their training or experience shall be knowledgeable in the prevention and control of organized crime.

(h) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject, however, to such modifications and extensions as the Administration may determine to be appropriate.

(i) "Public agency" means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing.

(j) "Institution of higher education" means any such institution as defined by section 801(a) of the Higher Education Act of 1965 (79 Stat. 1269; 20 U.S.C. 1141(a)), subject, however, to such modifications and extensions as the Administration may determine to be appropriate.

(k) "Community service officer" means any citizen with the capacity, motivation, integrity, and stability to assist in or perform police work but who may not meet ordinary standards for employment as a regular police officer selected from the immediate locality of the police department of which he is to be a part, and meeting such other qualifications promulgated in regulations pursuant to section 501 as the administration may determine to be appropriate to further the purposes of section 301(b)(7) and this Act.

Post, p. 638.

TITLE II—ADMISSIBILITY OF CONFESSIONS, REVIEWABILITY OF ADMISSION IN EVIDENCE OF CONFESSIONS IN STATE CASES, ADMISSIBILITY IN EVIDENCE OF EYE WITNESS TESTIMONY, AND PROCEDURES IN OBTAINING WRITS OF HABEAS CORPUS

62 Stat. 833;
71 Stat. 595.

SEC. 701. (a) Chapter 223, title 18, United States Code (relating to witnesses and evidence), is amended by adding at the end thereof the following new sections:

“§ 3501. Admissibility of confessions

“(a) In any criminal prosecution brought by the United States or by the District of Columbia, a confession, as defined in subsection (e) hereof, shall be admissible in evidence if it is voluntarily given. Before such confession is received in evidence, the trial judge shall, out of the presence of the jury, determine any issue as to voluntariness. If the trial judge determines that the confession was voluntarily made it shall be admitted in evidence and the trial judge shall permit the jury to hear relevant evidence on the issue of voluntariness and shall instruct the jury to give such weight to the confession as the jury feels it deserves under all the circumstances.

“(b) The trial judge in determining the issue of voluntariness shall take into consideration all the circumstances surrounding the giving of the confession, including (1) the time elapsing between arrest and arraignment of the defendant making the confession, if it was made after arrest and before arraignment, (2) whether such defendant knew the nature of the offense with which he was charged or of which he was suspected at the time of making the confession, (3) whether or not such defendant was advised or knew that he was not required to make any statement and that any such statement could be used against him, (4) whether or not such defendant had been advised prior to questioning of his right to the assistance of counsel; and (5) whether or not such defendant was without the assistance of counsel when questioned and when giving such confession.

“The presence or absence of any of the above-mentioned factors to be taken into consideration by the judge need not be conclusive on the issue of voluntariness of the confession.

“(c) In any criminal prosecution by the United States or by the District of Columbia, a confession made or given by a person who is a defendant therein, while such person was under arrest or other detention in the custody of any law-enforcement officer or law-enforcement agency, shall not be inadmissible solely because of delay in bringing such person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States or of the District of Columbia if such confession is found by the trial judge to have been made voluntarily and if the weight to be given the confession is left to the jury and if such confession was made or given by such person within six hours immediately following his arrest or other detention: *Provided*, That the time limitation contained in this subsection shall not apply in any case in which the delay in bringing such person before such commissioner or other officer beyond such six-hour period is found by the trial judge to be reasonable considering the means of transportation and the distance to be traveled to the nearest available such commissioner or other officer.

“(d) Nothing contained in this section shall bar the admission in evidence of any confession made or given voluntarily by any person to any other person without interrogation by anyone, or at any time at which the person who made or gave such confession was not under arrest or other detention.

“(e) As used in this section, the term ‘confession’ means any confession of guilt of any criminal offense or any self-incriminating statement made or given orally or in writing.

“Confession.”

“§ 3502. Admissibility in evidence of eye witness testimony

“The testimony of a witness that he saw the accused commit or participate in the commission of the crime for which the accused is being tried shall be admissible in evidence in a criminal prosecution in any trial court ordained and established under article III of the Constitution of the United States.”

(b) The section analysis of that chapter is amended by adding at the end thereof the following new items:

“3501. Admissibility of confessions.

“3502. Admissibility in evidence of eye witness testimony.”

**TITLE III—WIRETAPPING AND ELECTRONIC
SURVEILLANCE**

FINDINGS

SEC. 801. On the basis of its own investigations and of published studies, the Congress makes the following findings:

(a) Wire communications are normally conducted through the use of facilities which form part of an interstate network. The same facilities are used for interstate and intrastate communications. There has been extensive wiretapping carried on without legal sanctions, and without the consent of any of the parties to the conversation. Electronic, mechanical, and other intercepting devices are being used to overhear oral conversations made in private, without the consent of any of the parties to such communications. The contents of these communications and evidence derived therefrom are being used by public and private parties as evidence in court and administrative proceedings, and by persons whose activities affect interstate commerce. The possession, manufacture, distribution, advertising, and use of these devices are facilitated by interstate commerce.

(b) In order to protect effectively the privacy of wire and oral communications, to protect the integrity of court and administrative proceedings, and to prevent the obstruction of interstate commerce, it is necessary for Congress to define on a uniform basis the circumstances and conditions under which the interception of wire and oral communications may be authorized, to prohibit any unauthorized interception of such communications, and the use of the contents thereof in evidence in courts and administrative proceedings.

(c) Organized criminals make extensive use of wire and oral communications in their criminal activities. The interception of such communications to obtain evidence of the commission of crimes or to prevent their commission is an indispensable aid to law enforcement and the administration of justice.

(d) To safeguard the privacy of innocent persons, the interception of wire or oral communications where none of the parties to the communication has consented to the interception should be allowed only when authorized by a court of competent jurisdiction and should remain under the control and supervision of the authorizing court. Interception of wire and oral communications should further be limited to certain major types of offenses and specific categories of

crime with assurances that the interception is justified and that the information obtained thereby will not be misused.

SEC. 802. Part I of title 18, United States Code, is amended by adding at the end the following new chapter:

“Chapter 119. WIRE INTERCEPTION AND INTERCEPTION OF ORAL COMMUNICATIONS

“Sec.

“2510. Definitions.

“2511. Interception and disclosure of wire or oral communications prohibited.

“2512. Manufacture, distribution, possession, and advertising of wire or oral communication intercepting devices prohibited.

“2513. Confiscation of wire or oral communication intercepting devices.

“2514. Immunity of witnesses.

“2515. Prohibition of use as evidence of intercepted wire or oral communications.

“2516. Authorization for interception of wire or oral communications.

“2517. Authorization for disclosure and use of intercepted wire or oral communications.

“2518. Procedure for interception of wire or oral communications.

“2519. Reports concerning intercepted wire or oral communications.

“2520. Recovery of civil damages authorized.

“§ 2510. Definitions

“As used in this chapter—

“(1) ‘wire communication’ means any communication made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications;

“(2) ‘oral communication’ means any oral communication uttered by a person exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation;

“(3) ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States;

“(4) ‘intercept’ means the aural acquisition of the contents of any wire or oral communication through the use of any electronic, mechanical, or other device.

“(5) ‘electronic, mechanical, or other device’ means any device or apparatus which can be used to intercept a wire or oral communication other than—

“(a) any telephone or telegraph instrument, equipment or facility, or any component thereof, (i) furnished to the subscriber or user by a communications common carrier in the ordinary course of its business and being used by the subscriber or user in the ordinary course of its business; or (ii) being used by a communications common carrier in the ordinary course of its business, or by an investigative or law enforcement officer in the ordinary course of his duties;

“(b) a hearing aid or similar device being used to correct subnormal hearing to not better than normal;

“(6) ‘person’ means any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation;

“(7) ‘Investigative or law enforcement officer’ means any officer of the United States or of a State or political subdivision thereof, who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter, and any attorney

authorized by law to prosecute or participate in the prosecution of such offenses;

“(8) ‘contents’, when used with respect to any wire or oral communication, includes any information concerning the identity of the parties to such communication or the existence, substance, purport, or meaning of that communication;

“(9) ‘Judge of competent jurisdiction’ means—

“(a) a judge of a United States district court or a United States court of appeals; and

“(b) a judge of any court of general criminal jurisdiction of a State who is authorized by a statute of that State to enter orders authorizing interceptions of wire or oral communications;

“(10) ‘communication common carrier’ shall have the same meaning which is given the term ‘common carrier’ by section 153(h) of title 47 of the United States Code; and

“(11) ‘aggrieved person’ means a person who was a party to any intercepted wire or oral communication or a person against whom the interception was directed.

48 Stat. 1066.

“§ 2511. Interception and disclosure of wire or oral communications prohibited

“(1) Except as otherwise specifically provided in this chapter any person who—

“(a) willfully intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire or oral communication;

“(b) willfully uses, endeavors to use, or procures any other person to use or endeavor to use any electronic, mechanical, or other device to intercept any oral communication when—

“(i) such device is affixed to, or otherwise transmits a signal through, a wire, cable, or other like connection used in wire communication; or

“(ii) such device transmits communications by radio, or interferes with the transmission of such communication; or

“(iii) such person knows, or has reason to know, that such device or any component thereof has been sent through the mail or transported in interstate or foreign commerce; or

“(iv) such use or endeavor to use (A) takes place on the premises of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or (B) obtains or is for the purpose of obtaining information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or

“(v) such person acts in the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;”

“(c) willfully discloses, or endeavors to disclose, to any other person the contents of any wire or oral communication, knowing or having reason to know that the information was obtained through the interception of a wire or oral communication in violation of this subsection; or

“(d) willfully uses, or endeavors to use, the contents of any wire or oral communication, knowing or having reason to know that the information was obtained through the interception of a wire or oral communication in violation of this subsection;

shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Penalty.

“(2) (a) It shall not be unlawful under this chapter for an operator of a switchboard, or an officer, employee, or agent of any communication common carrier, whose facilities are used in the transmission of a wire communication, to intercept, disclose, or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident to the rendition of his service or to the protection of the rights or property of the carrier of such communication: *Provided*, That said communication common carriers shall not utilize service observing or random monitoring except for mechanical or service quality control checks.

48 Stat. 1064.
 1901, 1918, 1934

“(b) It shall not be unlawful under this chapter for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the Commission in the enforcement of chapter 5 of title 47 of the United States Code, to intercept a wire communication, or oral communication transmitted by radio, or to disclose or use the information thereby obtained.

“(c) It shall not be unlawful under this chapter for a person acting under color of law to intercept a wire or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

“(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State or for the purpose of committing any other injurious act.

Post, p. 223.

“(3) Nothing contained in this chapter or in section 605 of the Communications Act of 1934 (48 Stat. 1143; 47 U.S.C. 605) shall limit the constitutional power of the President to take such measures as he deems necessary to protect the Nation against actual or potential attack or other hostile acts of a foreign power, to obtain foreign intelligence information deemed essential to the security of the United States, or to protect national security information against foreign intelligence activities. Nor shall anything contained in this chapter be deemed to limit the constitutional power of the President to take such measures as he deems necessary to protect the United States against the overthrow of the Government by force or other unlawful means, or against any other clear and present danger to the structure or existence of the Government. The contents of any wire or oral communication intercepted by authority of the President in the exercise of the foregoing powers may be received in evidence in any trial hearing, or other proceeding only where such interception was reasonable, and shall not be otherwise used or disclosed except as is necessary to implement that power.

“§ 2512. Manufacture, distribution, possession, and advertising of wire or oral communication intercepting devices prohibited

“(1) Except as otherwise specifically provided in this chapter, any person who willfully—

“(a) sends through the mail, or sends or carries in interstate or foreign commerce, any electronic, mechanical, or other device, knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of wire or oral communications;

“(b) manufactures, assembles, possesses, or sells any electronic, mechanical, or other device, knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of wire or oral communications, and that such device or any component thereof has been or will be sent through the mail or transported in interstate or foreign commerce; or

“(c) places in any newspaper, magazine, handbill, or other publication any advertisement of—

“(i) any electronic, mechanical, or other device knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of wire or oral communications; or

“(ii) any other electronic, mechanical, or other device, where such advertisement promotes the use of such device for the purpose of the surreptitious interception of wire or oral communications,

knowing or having reason to know that such advertisement will be sent through the mail or transported in interstate or foreign commerce,

shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Penalty.

“(2) It shall not be unlawful under this section for—

“(a) a communications common carrier or an officer, agent, or employee of, or a person under contract with, a communications common carrier, in the normal course of the communications common carrier's business, or

“(b) an officer, agent, or employee of, or a person under contract with, the United States, a State, or a political subdivision thereof, in the normal course of the activities of the United States, a State, or a political subdivision thereof, to send through the mail, send or carry in interstate or foreign commerce, or manufacture, assemble, possess, or sell any electronic, mechanical, or other device knowing or having reason to know that the design of such device renders it primarily useful for the purpose of the surreptitious interception of wire or oral communications.

“§ 2513. Confiscation of wire or oral communication intercepting devices

“Any electronic, mechanical, or other device used, sent, carried, manufactured, assembled, possessed, sold, or advertised in violation of section 2511 or section 2512 of this chapter may be seized and forfeited to the United States. All provisions of law relating to (1) the seizure, summary and judicial forfeiture, and condemnation of vessels, vehicles, merchandise, and baggage for violations of the customs laws contained in title 19 of the United States Code, (2) the disposition of such vessels, vehicles, merchandise, and baggage or the proceeds from the sale thereof, (3) the remission or mitigation of such forfeiture, (4) the compromise of claims, and (5) the award of compensation to informers in respect of such forfeitures, shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions of this section; except that such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the provisions of the customs laws contained in title 19 of the United States Code shall be performed with respect to seizure and forfeiture of electronic, mechanical, or other intercepting devices

under this section by such officers, agents, or other persons as may be authorized or designated for that purpose by the Attorney General.

“§ 2514. Immunity of witnesses

“Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving any violation of this chapter or any of the offenses enumerated in section 2516, or any conspiracy to violate this chapter or any of the offenses enumerated in section 2516 is necessary to the public interest, such United States attorney, upon the approval of the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. No such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except in a proceeding described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section.

“§ 2515. Prohibition of use as evidence of intercepted wire or oral communications

“Whenever any wire or oral communication has been intercepted, no part of the contents of such communication and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof if the disclosure of that information would be in violation of this chapter.

“§ 2516. Authorization for interception of wire or oral communications

“(1) The Attorney General, or any Assistant Attorney General specially designated by the Attorney General, may authorize an application to a Federal judge of competent jurisdiction for, and such judge may grant in conformity with section 2518 of this chapter an order authorizing or approving the interception of wire or oral communications by the Federal Bureau of Investigation, or a Federal agency having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of—

“(a) any offense punishable by death or by imprisonment for more than one year under sections 2274 through 2277 of title 42 of the United States Code (relating to the enforcement of the Atomic Energy Act of 1954), or under the following chapters of this title: chapter 37 (relating to espionage), chapter 105 (relating to sabotage), chapter 115 (relating to treason), or chapter 102 (relating to riots);

“(b) a violation of section 186 or section 501(c) of title 29, United States Code (dealing with restrictions on payments and loans to labor organizations), or any offense which involves mur-

68 Stat. 958.

62 Stat. 736;

68 Stat. 1216;

62 Stat. 807;

Ante, p. 75.

61 Stat. 157;

73 Stat. 535, 537.

der, kidnapping, robbery, or extortion, and which is punishable under this title;

“(c) any offense which is punishable under the following sections of this title: section 201 (bribery of public officials and witnesses), section 224 (bribery in sporting contests), section 1084 (transmission of wagering information), section 1503 (influencing or injuring an officer, juror, or witness generally), section 1510 (obstruction of criminal investigations), section 1751 (Presidential assassinations, kidnapping, and assault), section 1951 (interference with commerce by threats or violence), section 1952 (interstate and foreign travel or transportation in aid of racketeering enterprises), section 1954 (offer, acceptance, or solicitation to influence operations of employee benefit plan), section 659 (theft from interstate shipment), section 664 (embezzlement from pension and welfare funds), or sections 2314 and 2315 (interstate transportation of stolen property);

“(d) any offense involving counterfeiting punishable under section 471, 472, or 473 of this title;

“(e) any offense involving bankruptcy fraud or the manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic drugs, marihuana, or other dangerous drugs, punishable under any law of the United States;

“(f) any offense including extortionate credit transactions under sections 892, 893, or 894 of this title; or

“(g) any conspiracy to commit any of the foregoing offenses.

“(2) The principal prosecuting attorney of any State, or the principal prosecuting attorney of any political subdivision thereof, if such attorney is authorized by a statute of that State to make application to a State court judge of competent jurisdiction for an order authorizing or approving the interception of wire or oral communications, may apply to such judge for, and such judge may grant in conformity with section 2518 of this chapter and with the applicable State statute an order authorizing, or approving the interception of wire or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offense as to which the application is made, when such interception may provide or has provided evidence of the commission of the offense of murder, kidnapping, gambling, robbery, bribery, extortion, or dealing in narcotic drugs, marihuana or other dangerous drugs, or other crime dangerous to life, limb, or property, and punishable by imprisonment for more than one year, designated in any applicable State statute authorizing such interception, or any conspiracy to commit any of the foregoing offenses.

“§ 2517. Authorization for disclosure and use of intercepted wire or oral communications

“(1) Any investigative or law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any wire or oral communication, or evidence derived therefrom, may disclose such contents to another investigative or law enforcement officer to the extent that such disclosure is appropriate to the proper performance of the official duties of the officer making or receiving the disclosure.

“(2) Any investigative or law enforcement officer who, by any means authorized by this chapter, has obtained knowledge of the contents of any wire or oral communication or evidence derived therefrom may use such contents to the extent such use is appropriate to the proper performance of his official duties.

“(3) Any person who has received, by any means authorized by this chapter, any information concerning a wire or oral communica-

76 Stat. 1119;
78 Stat. 203;
62 Stat. 769;
81 Stat. 362;
79 Stat. 580;
62 Stat. 793;
75 Stat. 498;
76 Stat. 42;
62 Stat. 729;
76 Stat. 41;
62 Stat. 806.

62 Stat. 705.

Ante, p. 159.

tion, or evidence derived therefrom intercepted in accordance with the provisions of this chapter may disclose the contents of that communication or such derivative evidence while giving testimony under oath or affirmation in any criminal proceeding in any court of the United States or of any State or in any Federal or State grand jury proceeding.

“(4) No otherwise privileged wire or oral communication intercepted in accordance with, or in violation of, the provisions of this chapter shall lose its privileged character.

“(5) When an investigative or law enforcement officer, while engaged in intercepting wire or oral communications in the manner authorized herein, intercepts wire or oral communications relating to offenses other than those specified in the order of authorization or approval, the contents thereof, and evidence derived therefrom, may be disclosed or used as provided in subsections (1) and (2) of this section. Such contents and any evidence derived therefrom may be used under subsection (3) of this section when authorized or approved by a judge of competent jurisdiction where such judge finds on subsequent application that the contents were otherwise intercepted in accordance with the provisions of this chapter. Such application shall be made as soon as practicable.

“§ 2518. Procedure for interception of wire or oral communications

“(1) Each application for an order authorizing or approving the interception of a wire or oral communication shall be made in writing upon oath or affirmation to a judge of competent jurisdiction and shall state the applicant's authority to make such application. Each application shall include the following information:

“(a) the identity of the investigative or law enforcement officer making the application, and the officer authorizing the application;

“(b) a full and complete statement of the facts and circumstances relied upon by the applicant, to justify his belief that an order should be issued, including (i) details as to the particular offense that has been, is being, or is about to be committed, (ii) a particular description of the nature and location of the facilities from which or the place where the communication is to be intercepted, (iii) a particular description of the type of communications sought to be intercepted, (iv) the identity of the person, if known, committing the offense and whose communications are to be intercepted;

“(c) a full and complete statement as to whether or not other investigative procedures have been tried and failed or why they reasonably appear to be unlikely to succeed if tried or to be too dangerous;

“(d) a statement of the period of time for which the interception is required to be maintained. If the nature of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, a particular description of facts establishing probable cause to believe that additional communications of the same type will occur thereafter;

“(e) a full and complete statement of the facts concerning all previous applications known to the individual authorizing and making the application, made to any judge for authorization to intercept, or for approval of interceptions of, wire or oral communications involving any of the same persons, facilities or

places specified in the application, and the action taken by the judge on each such application; and

“(f) where the application is for the extension of an order, a statement setting forth the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain such results.

“(2) The judge may require the applicant to furnish additional testimony or documentary evidence in support of the application.

“(3) Upon such application the judge may enter an ex parte order, as requested or as modified, authorizing or approving interception of wire or oral communications within the territorial jurisdiction of the court in which the judge is sitting, if the judge determines on the basis of the facts submitted by the applicant that—

“(a) there is probable cause for belief that an individual is committing, has committed, or is about to commit a particular offense enumerated in section 2516 of this chapter;

“(b) there is probable cause for belief that particular communications concerning that offense will be obtained through such interception;

“(c) normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous;

“(d) there is probable cause for belief that the facilities from which, or the place where, the wire or oral communications are to be intercepted are being used, or are about to be used, in connection with the commission of such offense, or are leased to, listed in the name of, or commonly used by such person.

“(4) Each order authorizing or approving the interception of any wire or oral communication shall specify—

“(a) the identity of the person, if known, whose communications are to be intercepted;

“(b) the nature and location of the communications facilities as to which, or the place where, authority to intercept is granted;

“(c) a particular description of the type of communication sought to be intercepted, and a statement of the particular offense to which it relates;

“(d) the identity of the agency authorized to intercept the communications, and of the person authorizing the application; and

“(e) the period of time during which such interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained.

“(5) No order entered under this section may authorize or approve the interception of any wire or oral communication for any period longer than is necessary to achieve the objective of the authorization, nor in any event longer than thirty days. Extensions of an order may be granted, but only upon application for an extension made in accordance with subsection (1) of this section and the court making the findings required by subsection (3) of this section. The period of extension shall be no longer than the authorizing judge deems necessary to achieve the purposes for which it was granted and in no event for longer than thirty days. Every order and extension thereof shall contain a provision that the authorization to intercept shall be executed as soon as practicable, shall be conducted in such a way as to minimize the interception of communications not otherwise subject to interception under this chapter, and must terminate upon attainment of the authorized objective, or in any event in thirty days.

“(6) Whenever an order authorizing interception is entered pursuant to this chapter, the order may require reports to be made to the judge who issued the order showing what progress has been made toward achievement of the authorized objective and the need for continued interception. Such reports shall be made at such intervals as the judge may require.

“(7) Notwithstanding any other provision of this chapter, any investigative or law enforcement officer, specially designated by the Attorney General or by the principal prosecuting attorney of any State or subdivision thereof acting pursuant to a statute of that State, who reasonably determines that—

“(a) an emergency situation exists with respect to conspiratorial activities threatening the national security interest or to conspiratorial activities characteristic of organized crime that requires a wire or oral communication to be intercepted before an order authorizing such interception can with due diligence be obtained, and

“(b) there are grounds upon which an order could be entered under this chapter to authorize such interception, may intercept such wire or oral communication if an application for an order approving the interception is made in accordance with this section within forty-eight hours after the interception has occurred, or begins to occur. In the absence of an order, such interception shall immediately terminate when the communication sought is obtained or when the application for the order is denied, whichever is earlier. In the event such application for approval is denied, or in any other case where the interception is terminated without an order having been issued, the contents of any wire or oral communication intercepted shall be treated as having been obtained in violation of this chapter, and an inventory shall be served as provided for in subsection (d) of this section on the person named in the application.

“(8) (a) The contents of any wire or oral communication intercepted by any means authorized by this chapter shall, if possible, be recorded on tape or wire or other comparable device. The recording of the contents of any wire or oral communication under this subsection shall be done in such way as will protect the recording from editing or other alterations. Immediately upon the expiration of the period of the order, or extensions thereof, such recordings shall be made available to the judge issuing such order and sealed under his directions. Custody of the recordings shall be wherever the judge orders. They shall not be destroyed except upon an order of the issuing or denying judge and in any event shall be kept for ten years. Duplicate recordings may be made for use or disclosure pursuant to the provisions of subsections (1) and (2) of section 2517 of this chapter for investigations. The presence of the seal provided for by this subsection, or a satisfactory explanation for the absence thereof, shall be a prerequisite for the use or disclosure of the contents of any wire or oral communication or evidence derived therefrom under subsection (3) of section 2517.

“(b) Applications made and orders granted under this chapter shall be sealed by the judge. Custody of the applications and orders shall be wherever the judge directs. Such applications and orders shall be disclosed only upon a showing of good cause before a judge of competent jurisdiction and shall not be destroyed except on order of the issuing or denying judge, and in any event shall be kept for ten years.

“(c) Any violation of the provisions of this subsection may be punished as contempt of the issuing or denying judge.

“(d) Within a reasonable time but not later than ninety days after the filing of an application for an order of approval under section

2518(7)(b) which is denied or the termination of the period of an order or extensions thereof, the issuing or denying judge shall cause to be served, on the persons named in the order or the application, and such other parties to intercepted communications as the judge may determine in his discretion that is in the interest of justice, an inventory which shall include notice of—

“(1) the fact of the entry of the order or the application;

“(2) the date of the entry and the period of authorized, approved or disapproved interception, or the denial of the application; and

“(3) the fact that during the period wire or oral communications were or were not intercepted.

The judge, upon the filing of a motion, may in his discretion make available to such person or his counsel for inspection such portions of the intercepted communications, applications and orders as the judge determines to be in the interest of justice. On an ex parte showing of good cause to a judge of competent jurisdiction the serving of the inventory required by this subsection may be postponed.

“(9) The contents of any intercepted wire or oral communication or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in a Federal or State court unless each party, not less than ten days before the trial, hearing, or proceeding, has been furnished with a copy of the court order, and accompanying application, under which the interception was authorized or approved. This ten-day period may be waived by the judge if he finds that it was not possible to furnish the party with the above information ten days before the trial, hearing, or proceeding and that the party will not be prejudiced by the delay in receiving such information.

“(10)(a) Any aggrieved person in any trial, hearing, or proceeding in or before any court, department, officer, agency, regulatory body, or other authority of the United States, a State, or a political subdivision thereof, may move to suppress the contents of any intercepted wire or oral communication, or evidence derived therefrom, on the grounds that—

“(i) the communication was unlawfully intercepted;

“(ii) the order of authorization or approval under which it was intercepted is insufficient on its face; or

“(iii) the interception was not made in conformity with the order of authorization or approval.

Such motion shall be made before the trial, hearing, or proceeding unless there was no opportunity to make such motion or the person was not aware of the grounds of the motion. If the motion is granted, the contents of the intercepted wire or oral communication, or evidence derived therefrom, shall be treated as having been obtained in violation of this chapter. The judge, upon the filing of such motion by the aggrieved person, may in his discretion make available to the aggrieved person or his counsel for inspection such portions of the intercepted communication or evidence derived therefrom as the judge determines to be in the interests of justice.

“(b) In addition to any other right to appeal, the United States shall have the right to appeal from an order granting a motion to suppress made under paragraph (a) of this subsection, or the denial of an application for an order of approval, if the United States attorney shall certify to the judge or other official granting such motion or denying such application that the appeal is not taken for purposes of delay. Such appeal shall be taken within thirty days after the date the order was entered and shall be diligently prosecuted.

“§ 2519. Reports concerning intercepted wire or oral communications

“(1) Within thirty days after the expiration of an order (or each extension thereof) entered under section 2518, or the denial of an order approving an interception, the issuing or denying judge shall report to the Administrative Office of the United States Courts—

“(a) the fact that an order or extension was applied for;

“(b) the kind of order or extension applied for;

“(c) the fact that the order or extension was granted as applied for, was modified, or was denied;

“(d) the period of interceptions authorized by the order, and the number and duration of any extensions of the order;

“(e) the offense specified in the order or application, or extension of an order;

“(f) the identity of the applying investigative or law enforcement officer and agency making the application and the person authorizing the application; and

“(g) the nature of the facilities from which or the place where communications were to be intercepted.

“(2) In January of each year the Attorney General, an Assistant Attorney General specially designated by the Attorney General, or the principal prosecuting attorney of a State, or the principal prosecuting attorney for any political subdivision of a State, shall report to the Administrative Office of the United States Courts—

“(a) the information required by paragraphs (a) through (g) of subsection (1) of this section with respect to each application for an order or extension made during the preceding calendar year;

“(b) a general description of the interceptions made under such order or extension, including (i) the approximate nature and frequency of incriminating communications intercepted, (ii) the approximate nature and frequency of other communications intercepted, (iii) the approximate number of persons whose communications were intercepted, and (iv) the approximate nature, amount, and cost of the manpower and other resources used in the interceptions;

“(c) the number of arrests resulting from interceptions made under such order or extension, and the offenses for which arrests were made;

“(d) the number of trials resulting from such interceptions;

“(e) the number of motions to suppress made with respect to such interceptions, and the number granted or denied;

“(f) the number of convictions resulting from such interceptions and the offenses for which the convictions were obtained and a general assessment of the importance of the interceptions; and

“(g) the information required by paragraphs (b) through (f) of this subsection with respect to orders or extensions obtained in a preceding calendar year.

“(3) In April of each year the Director of the Administrative Office of the United States Courts shall transmit to the Congress a full and complete report concerning the number of applications for orders authorizing or approving the interception of wire or oral communications and the number of orders and extensions granted or denied during the preceding calendar year. Such report shall include a summary and analysis of the data required to be filed with the Administrative Office by subsections (1) and (2) of this section. The Director of the Administrative Office of the United States Courts is authorized to

issue binding regulations dealing with the content and form of the reports required to be filed by subsections (1) and (2) of this section.

“§ 2520. Recovery of civil damages authorized

“Any person whose wire or oral communication is intercepted, disclosed, or used in violation of this chapter shall (1) have a civil cause of action against any person who intercepts, discloses, or uses, or procures any other person to intercept, disclose, or use such communications, and (2) be entitled to recover from any such person—

“(a) actual damages but not less than liquidated damages computed at the rate of \$100 a day for each day of violation or \$1,000, whichever is higher;

“(b) punitive damages; and

“(c) a reasonable attorney’s fee and other litigation costs reasonably incurred.

A good faith reliance on a court order or on the provisions of section 2518(7) of this chapter shall constitute a complete defense to any civil or criminal action brought under this chapter.”

SEC. 803. Section 605 of the Communications Act of 1934 (48 Stat. 1103; 47 U.S.C. 605) is amended to read as follows:

“UNAUTHORIZED PUBLICATION OF COMMUNICATIONS

“SEC. 605. Except as authorized by chapter 119, title 18, United States Code, no person receiving, assisting in receiving, transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, (1) to any person other than the addressee, his agent, or attorney, (2) to a person employed or authorized to forward such communication to its destination, (3) to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, (4) to the master of a ship under whom he is serving, (5) in response to a subpoena issued by a court of competent jurisdiction, or (6) on demand of other lawful authority. No person not being authorized by the sender shall intercept any radio communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person. No person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by radio and use such communication (or any information therein contained) for his own benefit or for the benefit of another not entitled thereto. No person having received any intercepted radio communication or having become acquainted with the contents, substance, purport, effect, or meaning of such communication (or any part thereof) knowing that such communication was intercepted, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of such communication (or any part thereof) or use such communication (or any information therein contained) for his own benefit or for the benefit of another not entitled thereto. This section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication which is broadcast or transmitted by amateurs or others for the use of the general public, or which relates to ships in distress.”

SEC. 804. (a) There is hereby established a National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance (hereinafter in this section referred to as the “Commission”).

Ante, p. 212.

Wiretapping
laws, review
commission.
Establishment.

Membership.

(b) The Commission shall be composed of fifteen members appointed as follows:

(A) Four appointed by the President of the Senate from Members of the Senate;

(B) Four appointed by the Speaker of the House of Representatives from Members of the House of Representatives; and

(C) Seven appointed by the President of the United States from all segments of life in the United States, including lawyers, teachers, artists, businessmen, newspapermen, jurists, policemen, and community leaders, none of whom shall be officers of the executive branch of the Government.

(c) The President of the United States shall designate a Chairman from among the members of the Commission. Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

Function.

(d) It shall be the duty of the Commission to conduct a comprehensive study and review of the operation of the provisions of this title, in effect on the effective date of this section, to determine the effectiveness of such provisions during the six-year period immediately following the date of their enactment.

Personnel.

(e) (1) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(A) appoint and fix the compensation of an Executive Director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title; and

(B) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed \$100 a day for individuals.

(2) In making appointments pursuant to paragraph (1) of this subsection, the Chairman shall include among his appointment individuals determined by the Chairman to be competent social scientists, lawyers, and law enforcement officers.

Compensation.

(f) (1) A member of the Commission who is a Member of Congress shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(2) A member of the Commission from private life shall receive \$100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

Cooperation of Federal and State agencies.

(g) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman, such statistical data, reports, and other information as the Commission deems necessary to carry out its functions under this section. The Chairman is further authorized to call upon the departments, agencies, and other offices of the several States to furnish such statistical data, reports, and other information as the Commission deems necessary to carry out its functions under this section.

Report to President and Congress.

(h) The Commission shall make such interim reports as it deems advisable, and it shall make a final report of its findings and recommendations to the President of the United States and to the Congress within the one-year period following the effective date of this sub-

section. Sixty days after submission of its final report, the Commission shall cease to exist.

(i) (1) Except as provided in paragraph (2) of this subsection, any member of the Commission is exempted, with respect to his appointment, from the operation of sections 203, 205, 207, and 209 of title 18, United States Code.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(A) to the receipt of payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

(B) during the period of such appointment, to the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

(j) There is authorized to be appropriated such sum as may be necessary to carry out the provisions of this section.

(k) The foregoing provisions of this section shall take effect upon the expiration of the six-year period immediately following the date of the enactment of this Act.

Termination.

Conflict of interest.

76 Stat. 1121.

Effective date.

TITLE IV—STATE FIREARMS CONTROL ASSISTANCE

FINDINGS AND DECLARATION

SEC. 901. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms other than a rifle or shotgun (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearms other than a rifle or shotgun by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms other than a rifle or shotgun and juvenile and

S. 1

youthful criminal behavior, and that such firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 902. Title 18, United States Code, is amended by inserting after section 917 thereof the following new chapter:

Chapter 44.—FIREARMS

"Sec.

"921. Definitions.

"922. Unlawful acts.

"923. Licensing.

"924. Penalties.

"925. Exceptions: Relief from disabilities.

"926. Rules and regulations.

"927. Effect on State law.

"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia.

52 Stat. 1250.
15 USC 909.

62 Stat. 743.

Post, p. 1214.

The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime

punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

“(15) The term ‘antique firearm’ means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

“(16) The term ‘ammunition’ means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

“(17) The term ‘Secretary’ or ‘Secretary of the Treasury’ means the Secretary of the Treasury or his delegate.

“(18) The term ‘published ordinance’ means a published law of any political subdivision of a State which the Secretary of the Treasury determines to be relevant to the enforcement of this chapter and which is contained on a list compiled by the Secretary of the Treasury which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

“(b) As used in this chapter—

“(1) The term ‘firearm’ shall not include an antique firearm.

“(2) The term ‘destructive device’ shall not include—

“(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

“(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, linethrowing, safety or similar device; or

“(C) any shotgun other than a short-barreled shotgun; or

“(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

“(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684(2), 4685, or 4686 of title 10, United States Code; or

“(F) any other device which the Secretary finds is not likely to be used as a weapon.

“(3) The term ‘crime punishable by imprisonment for a term exceeding one year’ shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

“§ 922. Unlawful acts

“(a) It shall be unlawful—

“(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

“(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm other than a rifle or shotgun, or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

“(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer

from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

“(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

62 Stat. 781;
63 Stat. 95.

“(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

“(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

“(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

“(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity, in which he maintains a place of business).

“(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary.

68A Stat. 726.
26 USC 5848.

“(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

“(A) any firearm, other than a shotgun or rifle;

“(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

“This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

“(6) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under the provisions of this chapter.

“(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

“(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle.

“(2) any firearm to any person in any State where the purchase or possession by such person of such firearm would be in violation of any State law or any published ordinance applicable at the place of sale, delivery or other disposition, or in the locality in which such person resides unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such ordinance.

“(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

“(4) to any person any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

“(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

“(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

“(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

“(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from

68A Stat. 726.
26 USC 5848.

Records.

Records.

justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

“(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

“(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

“(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

“(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

“(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

“(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

Records.

“§ 923. Licensing

“(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

Fees.

“(1) If a manufacturer—

“(A) of destructive devices and/or ammunition a fee of \$1,000 per year;

“(B) of firearms other than destructive devices a fee of \$500 per year.

“(2) If an importer—

“(A) of destructive devices and/or ammunition a fee of \$1,000 per year;

“(B) of firearms other than destructive devices a fee of \$500 per year.

“(3) If a dealer—

“(A) in destructive devices and/or ammunition a fee of \$1,000 per year;

“(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of \$250 per year;

“(C) who is not a dealer in destructive devices or a pawnbroker, a fee of \$10 per year.

“(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

Disapproval.

“(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

“(1) the applicant is under twenty-one years of age; or

“(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

“(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

“(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

“(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

Records.

“(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

Posting of
license.

“(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

“(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

“§ 924. Penalties

“(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

“(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm in interstate or foreign commerce shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

“(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

74 Stat. 149.
26 USC 5848.

“§ 925. Exceptions: relief from disabilities

“(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

“(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

“(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

68A Stat. 721;
72 Stat. 1423.
26 USC 5801-
5862.

Publication in
Federal Register.

“(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the

person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

“(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

“(2) is an unserviceable firearm, other than a machinegun as defined by 5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

“(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

“(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm will be allowed under this subsection.

“§ 926. Rules and regulations

“The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

“§ 927. Effect on State law

“No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

“§ 928. Separability

“If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.”

SEC. 903. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

SEC. 904. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

SEC. 905. The table of contents to “PART I.—CRIMES” of title 18, United States Code, is amended by inserting after

“43. False personation----- 911”

a new chapter reference as follows:

“44. Firearms----- 921”.

SEC. 906. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901-910), as amended, is repealed.

70A Stat. 234.
10 USC 4301-
4313.
68A Stat. 726.
26 USC 5848.

74 Stat. 149.

Administration.

68A Stat. 721.
26 USC 5801-
5862.
68 Stat. 848.
62 Stat. 781;
63 Stat. 95.

Repeal.

SEC. 907. The amendments made by this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

Effective date.

Ante, p. 234.

51

TITLE V—DISQUALIFICATION FOR ENGAGING IN RIOTS AND CIVIL DISORDERS

SEC. 1001. (a) Subchapter II of chapter 73 of title 5, United States Code, is amended by adding immediately after section 7312 the following new section:

80 Stat. 524.

“§ 7313. Riots and civil disorders

“(a) An individual convicted by any Federal, State, or local court of competent jurisdiction of—

- “(1) inciting a riot or civil disorder;
- “(2) organizing, promoting, encouraging, or participating in a riot or civil disorder;
- “(3) aiding or abetting any person in committing any offense specified in clause (1) or (2); or
- “(4) any offense determined by the head of the employing agency to have been committed in furtherance of, or while participating in, a riot or civil disorder;

shall, if the offense for which he is convicted is a felony, be ineligible to accept or hold any position in the Government of the United States or in the government of the District of Columbia for the five years immediately following the date upon which his conviction becomes final. Any such individual holding a position in the Government of the United States or the government of the District of Columbia on the date his conviction becomes final shall be removed from such position.

“(b) For the purposes of this section, ‘felony’ means any offense for which imprisonment is authorized for a term exceeding one year.”

“Felony.”

(b) The analysis of chapter 73 of title 5, United States Code, immediately preceding section 7301 of such title, is amended by striking out the analysis of subchapter II and inserting in lieu thereof the following:

“SUBCHAPTER II—EMPLOYMENT LIMITATIONS

“Sec.

“7311. Loyalty and striking.

“7312. Employment and clearance; individuals removed from national security.

“7313. Riots and civil disorders.”

(c) The heading of subchapter II of chapter 73 of title 5, United States Code, immediately preceding section 7311 of such title, is amended to read as follows:

“SUBCHAPTER II—EMPLOYMENT LIMITATIONS”.

SEC. 1002. The provisions of section 1001(a) of this title shall apply only with respect to acts referred to in section 7313(a) (1)–(4) of title 5, United States Code, as added by section 1001 of this title, which are committed after the date of enactment of this title.

Effective date.

TITLE VI—CONFIRMATION OF THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

SEC. 1101. Effective as of the day following the date on which the present incumbent in the office of Director ceases to serve as such, the Director of the Federal Bureau of Investigation shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate prescribed for level II of the Federal Executive Salary Schedule.

80 Stat. 460.
5 USC 5313.

TITLE VII—UNLAWFUL POSSESSION OR RECEIPT OF FIREARMS

Post, p. 1236.

SEC. 1201. The Congress hereby finds and declares that the receipt, possession, or transportation of a firearm by felons, veterans who are other than honorably discharged, mental incompetents, aliens who are illegally in the country, and former citizens who have renounced their citizenship, constitutes—

- (1) a burden on commerce or threat affecting the free flow of commerce,
- (2) a threat to the safety of the President of the United States and Vice President of the United States,
- (3) an impediment or a threat to the exercise of free speech and the free exercise of a religion guaranteed by the first amendment to the Constitution of the United States, and
- (4) a threat to the continued and effective operation of the Government of the United States and of the government of each State guaranteed by article IV of the Constitution.

SEC. 1202. (a) Any person who—

- (1) has been convicted by a court of the United States or of a State or any political subdivision thereof of a felony, or
- (2) has been discharged from the Armed Forces under other than honorable conditions, or
- (3) has been adjudged by a court of the United States or of a State or any political subdivision thereof of being mentally incompetent, or
- (4) having been a citizen of the United States has renounced his citizenship, or
- (5) being an alien is illegally or unlawfully in the United States,

and who receives, possesses, or transports in commerce or affecting commerce, after the date of enactment of this Act, any firearm shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.

Penalty.

(b) Any individual who to his knowledge and while being employed by any person who—

- (1) has been convicted by a court of the United States or of a State or any political subdivision thereof of a felony, or
- (2) has been discharged from the Armed Forces under other than honorable conditions, or
- (3) has been adjudged by a court of the United States or of a State or any political subdivision thereof of being mentally incompetent, or
- (4) having been a citizen of the United States has renounced his citizenship, or
- (5) being an alien is illegally or unlawfully in the United States,

and who, in the course of such employment, receives, possesses, or transports in commerce or affecting commerce, after the date of the

enactment of this Act, any firearm shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.

(c) As used in this title—

(1) "commerce" means travel, trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any State or the District of Columbia, or between points in the same State but through any other State or the District of Columbia or a foreign country;

(2) "felony" means any offense punishable by imprisonment for a term exceeding one year;

(3) "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall include any handgun, rifle, or shotgun;

(4) "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter;

(5) "handgun" means any pistol or revolver originally designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition, or any other firearm originally designed to be fired by the use of a single hand;

(6) "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger;

(7) "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

SEC. 1203. This title shall not apply to—

(1) any prisoner who by reason of duties connected with law enforcement has expressly been entrusted with a firearm by competent authority of the prison; and

(2) any person who has been pardoned by the President of the United States or the chief executive of a State and has expressly been authorized by the President or such chief executive, as the case may be, to receive, possess, or transport in commerce a firearm.

TITLE VIII—PROVIDING FOR AN APPEAL BY THE UNITED STATES FROM DECISIONS SUSTAINING MOTIONS TO SUPPRESS EVIDENCE

SEC. 1301. (a) Section 3731 of title 18, United States Code, is amended by inserting after the seventh paragraph the following new paragraph:

"From an order, granting a motion for return of seized property or a motion to suppress evidence, made before the trial of a person charged with a violation of any law of the United States, if the United States attorney certifies to the judge who granted such motion that

Penalty.

Definitions.

Post, p. 1236.

Exemptions.

62 Stat. 844.

the appeal is not taken for purpose of delay and that the evidence is a substantial proof of the charge pending against the defendant.”

Release.

(b) Such section is amended by striking out in the third paragraph from the end “the defendant shall be admitted to bail on his own recognizance” and inserting “the defendant shall be released in accordance with chapter 207 of this title”.

62 Stat. 821;
80 Stat. 214.
18 USC 3141-
3152.

Appeals.

SEC. 1302. Section 935 of the Act of March 3, 1901 (31 Stat. 1341) (D.C. Code, sec. 23-105), is amended—

(a) by inserting “(a)” immediately before “In all”; and

(b) by adding at the end thereof the following new subsection:

“(b) The United States may also appeal an order of the District of Columbia Court of General Sessions, granting a motion for return of seized property or a motion to suppress evidence, made before the trial of a person charged with a violation of any law of the United States, if the United States attorney conducting the prosecution for such violation certifies to the judge who granted such motion that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of the charge pending against the defendant. Pending the prosecution and determination of such appeal, the defendant, if in custody for such violation, shall be released in accordance with chapter 207 of title 18, United States Code.”

TITLE IX—ADDITIONAL GROUNDS FOR ISSUING WARRANT

Post, p. 638.

SEC. 1401. (a) Chapter 204 of title 18, United States Code, is amended by inserting immediately after section 3103 the following new section:

“§ 3103a. Additional grounds for issuing warrant

62 Stat. 819.

“In addition to the grounds for issuing a warrant in section 3103 of this title, a warrant may be issued to search for and seize any property that constitutes evidence of a criminal offense in violation of the laws of the United States.”

(b) The table of sections for chapter 205 of title 18, United States Code, is amended by inserting after the item relating to section 3103 the following:

“3103a. Additional grounds for issuing warrant.”

TITLE X—PROHIBITING EXTORTION AND THREATS IN THE DISTRICT OF COLUMBIA

SEC. 1501. Whoever with intent to extort from any person, firm, association, or corporation, any money or other thing of value: (1) transmits within the District of Columbia any communication containing any demand or request for ransom or reward for the release of any kidnapped person, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both; (2) transmits within the District of Columbia any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both; or (3) transmits within the District of Columbia any communication containing any threat to injure the property or reputation of the recipient of the communication or of another or the reputation of a deceased person or any threat to accuse the recipient of the communication or any other person of a crime, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

SEC. 1502. Whoever threatens within the District of Columbia to kidnap any person or to injure the person of another or physically

damage the property of any person or of another person, in whole or in part, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

TITLE XI—GENERAL PROVISIONS

SEC. 1601. If the provisions of any part of this Act or any amendments made thereby or the application thereof to any person or circumstances be held invalid, the provisions of the other parts and their application to other persons or circumstances shall not be affected thereby.

Separability.

Approved June 19, 1968, 7:14 p.m.

Public Law 90-352

JOINT RESOLUTION

Making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

June 19, 1968
[H. J. Res. 1268]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; namely:

Supplemental appropriations, 1968.

CHAPTER I

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS (TRUST FUND)

For an additional amount for "Federal-aid highways (trust fund)", to remain available until expended, \$400,000,000 or so much thereof as may be available in and derived from the "Highway trust fund", which sum is part of the amount authorized to be appropriated for the fiscal year 1967.

CHAPTER II

CLAIMS AND JUDGMENTS

For payment of claims settled and determined by departments and agencies in accord with law and judgments rendered against the United States by the United States Court of Claims and United States district courts, as set forth in House Document Numbered 254 as amended by House Document Numbered 258, Ninetieth Congress, \$50,980,863, including \$174,334 payable from the postal fund, together with such amounts as may be necessary to pay interest (as and when specified in such judgments or provided by law) and such additional sums due to increases in rates of exchange as may be necessary to pay claims in foreign currency; *Provided*, That no judgment herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise; *Provided further*, That unless otherwise specifically required by law or by the judgment, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act.

Approved June 19, 1968.

Attachment B: The Prison Rape Elimination Act of 2003 (PREA, Public Law 108-79)

Public Law 108-79
108th Congress

An Act

Sept. 4, 2003
[So 1435]

Prison Rape
Elimination Act
of 2003.
45 USE
15601 note.

To provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.-This Act may be cited as the "Prison Rape Elimination Act of 2003".

(b) TABLE OF CONTENTS.-The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Purposes.

Sec. 4. National prison rape statistics, data, and research. Sec. 5. Prison rape prevention and prosecution.

Sec. 6. Grants to protect inmates and safeguard communities. Sec.

7. National Prison Rape Reduction Commission.

Sec. 8. Adoption and effect of national standards.

Sec. 9. Requirement that accreditation organizations adopt accreditation standards. Sec. 10. Definitions.

42 use 15601.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) 2,100,146 persons were incarcerated in the United States at the end of 2001: 1,324,465 in Federal and State prisons and 631,240 in county and local jails. In 1999, there were more than 10,000,000 separate admissions to and discharges from prisons and jails.

(2) Insufficient research has been conducted and insufficient data reported on the extent of prison rape. However, experts have conservatively estimated that at least 13 percent of the inmates in the United States have been sexually assaulted in prison. Many inmates have suffered repeated assaults. Under this estimate, nearly 200,000 inmates now incarcerated have been or will be the victims of prison rape. The total number of inmates who have been sexually assaulted in the past 20 years likely exceeds 1,000,000.

(3) Inmates with mental illness are at increased risk of sexual victimization. America's jails and prisons house more mentally ill individuals than all of the Nation's psychiatric hospitals combined. As many as 16 percent of inmates in State prisons and jails, and 7 percent of Federal inmates, suffer from mental illness.

(4) Young first-time offenders are at increased risk of sexual victimization. Juveniles are 5 times more likely to be sexually

assaulted in adult rather than juvenile facilities -often within the first 48 hours of incarceration.

(5) Most prison staff are not adequately trained or prepared to prevent, report, or treat inmate sexual assaults.

(6) Prison rape often goes unreported and inmate victims often receive inadequate treatment for the severe physical and psychological effects of sexual assault -if they receive treatment at all.

(7) HIV and AIDS are major public health problems within America's correctional facilities. In 2000, 25,088 inmates in Federal and State prisons were known to be infected with HIV/AIDS. In 2000, HIV/AIDS accounted for more than 6 percent of all deaths in Federal and State prisons. Infection rates for other sexually transmitted diseases, tuberculosis, and hepatitis Band C are also far greater for prisoners than for the American population as a whole. Prison rape undermines the public health by contributing to the spread of these diseases, and often giving a potential death sentence to its victims.

(8) Prison rape endangers the public safety by making brutalized inmates more likely to commit crimes when they are released -as 600,000 inmates are each year.

(9) The frequently interracial character of prison sexual assaults significantly exacerbates interracial tensions, both within prison and, upon release of perpetrators and victims from prison, in the community at large.

(10) Prison rape increases the level of homicides and other violence against inmates and staff, and the risk of insurrections and riots.

(11) Victims of prison rape suffer severe physical and psychological effects that hinder their ability to integrate into the community and maintain stable employment upon their release from prison. They are thus more likely to become home less and/or require government assistance.

(12) Members of the public and government officials are largely unaware of the epidemic character of prison rape and the day-to-day horror experienced by victimized inmates.

(13) The high incidence of sexual assault within prisons involves actual and potential violations of the United States Constitution. In *Farmer v. Brennan*, 511 U.S. 825 (1994), the Supreme Court ruled that deliberate indifference to the substantial risk of sexual assault violates prisoner's rights under the Cruel and Unusual Punishments Clause of the Eighth Amendment. The Eighth Amendment rights of State and local prisoners are protected through the Due Process Clause of the Fourteenth Amendment. Pursuant to the power of Congress under Section Five of the Fourteenth Amendment, Congress may take action to enforce those rights in States where officials have demonstrated such indifference. States that do not take basic steps to abate prison rape by adopting standards that do not generate significant additional expenditures demonstrate such indifference. Therefore, such States are not entitled to the same level of Federal benefits as other States.

(14) The high incidence of prison rape undermines the effectiveness and efficiency of United States Government expenditures through grant programs such as those dealing with health care; mental health care; disease prevention; crime prevention, investigation, and prosecution; prison construction,

maintenance, and operation; race relations; poverty; unemployment and homelessness. The effectiveness and efficiency of these federally funded grant programs are compromised by the failure of State officials to adopt policies and procedures that reduce the incidence of prison rape in that the high incidence of prison rape: -

(A) increases the costs incurred by Federal, State, and local jurisdictions to administer their prison systems;

(B) increases the levels of violence, directed at inmates and at staff, within prisons;

(C) increases health care expenditures, both inside and outside of prison systems, and reduces the effectiveness of disease prevention programs by substantially increasing the incidence and spread of *HIV*, AIDS, tuberculosis, hepatitis Band C, and other diseases;

(D) increases mental health care expenditures, both inside and outside of prison systems, by substantially increasing the rate of post-traumatic stress disorder, depression, suicide, and the exacerbation of existing mental illnesses among current and former inmates;

(E) increases the risks of recidivism, civil strife, and violent crime by individuals who have been brutalized by prison rape; and

(F) increases the level of interracial tensions and strife within prisons and, upon release of perpetrators and victims, in the community at large.

(15) The high incidence of prison rape has a significant effect on interstate commerce because it increases substantially -

(A) the costs incurred by Federal, State, and local jurisdictions to administer their prison systems;

(B) the incidence and spread of HIV, AIDS, tuberculosis, hepatitis Band C, and other diseases, contributing to increased health and medical expenditures throughout the Nation;

(C) the rate of post-traumatic stress disorder, depression, suicide, and the exacerbation of existing mental illnesses among current and former inmates, contributing to increased health and medical expenditures throughout the Nation; and

(D) the risk of recidivism, civil strife, and violent crime by individuals who have been brutalized by prison rape.

SEC. 3. PURPOSES.

The purposes of this Act are to -

(1) establish a zero-tolerance standard for the incidence of prison rape in prisons in the United States;

(2) make the prevention of prison rape a top priority in each prison system;

(3) develop and implement national standards for the detection, prevention, reduction, and punishment of prison rape; (4) increase the available data and information on the incidence of prison rape, consequently improving the management and administration of correctional facilities;

(5) standardize the definitions used for collecting data on the incidence of prison rape;

(6) increase the accountability of prison officials who fail to detect, prevent, reduce, and punish prison rape;

(7) protect the Eighth Amendment rights of Federal, State, and local prisoners;

(8) increase the efficiency and effectiveness of Federal expenditures through grant programs such as those dealing with health care; mental health care; disease prevention; crime prevention, investigation, and prosecution; prison construction, maintenance, and operation; race relations; poverty; unemployment; and homelessness; and .

(9) reduce the costs that prison rape imposes on interstate commerce.

SEC. 4. NATIONAL PRISON RAPE STATISTICS, DATA AND RESEARCH. 42 USC 15603. (a)

ANNUAL COMPREHENSIVE STATISTICAL REVIEW.

(1) IN GENERAL.—The Bureau of Justice Statistics of the Department of Justice (in this section referred to as the "Bureau") shall carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape. The statistical review and analysis shall include, but not be limited to the identification of the common characteristics of —

(A) both victims and perpetrators of prison rape; and (B) prisons and prison systems with a high incidence of prison rape ...

(2) CONSIDERATIONS . . .—In carrying out paragraph (1), the Bureau shall consider —

(A) how rape should be defined for the purposes of the statistical review and analysis; .

(B) how the Bureau should collect information about staff-on-inmate sexual assault;

(C) how the Bureau should collect information beyond inmate self-reports of prison rape;

(D) how the Bureau should adjust the data in order to account for differences among prisons as required by subsection (c)(3);

(E) the categorization of prisons as required by subsection (c)(4); and

(F) whether a preliminary study of prison rape should be conducted to inform the methodology of the comprehensive statistical review.

(3) SOLICITATION OF VIEWS.—The Bureau of Justice Statistics shall solicit views from representatives of the following: State departments of correction; county and municipal jails; juvenile correctional facilities; former inmates; victim advocates; researchers; and other experts in the area of sexual assault.

(4) SAMPLING TECHNIQUES.—The review and analysis under paragraph (1) shall be based on a random sample, or other scientifically appropriate sample, of not less than 10 percent of all Federal, State, and county prisons, and a representative sample of municipal prisons. The selection shall include at least one prison from each State. The selection of facilities for sampling shall be made at the latest practicable date prior to conducting the surveys and shall not be disclosed to any facility or prison system official prior to the time period studied in the survey. Selection of a facility for sampling during any

year shall not preclude its selection for sampling in any subsequent year.

Confidentiality.

(5) SURVEYS.-In carrying out the review and analysis under paragraph (1), the Bureau shall, in addition to such other methods as the Bureau considers appropriate, use surveys and other statistical studies of current and former inmates from a sample of Federal, State, county, and municipal prisons. The Bureau shall ensure the confidentiality of each survey participant.

(6) PARTICIPATION IN SURVEY.-Federal, State, or local officials or facility administrators that receive a request from the Bureau under subsection (a)(4) or (5) will be required to participate in the national survey and provide access to any inmates under their legal custody.

(b) REVIEW PANEL ON PRISON RAPE.-

(O) ESTABLISHMENT.-To assist the Bureau in carrying out the review and analysis under subsection (a), there is established, within the Department of Justice, the Review Panel on Prison Rape (in this section referred to as the "Panel").

(2) MEMBERSHIP.-

(A) COMPOSITION.-The Panel shall be composed of 3 members, each of whom shall be appointed by the Attorney General, in consultation with the Secretary of Health and Human Services.

(B) QUALIFICATIONS.-Members of the Panel shall be selected from among individuals with knowledge or expertise in matters to be studied by the Panel.

(3) PUBLIC HEARINGS.-

(A) IN GENERAL.--The duty of the Panel shall be to carry out, for each calendar year, public hearings concerning the operation of the three prisons with the highest incidence of prison rape and the two prisons with the lowest incidence of prison rape in each category of facilities identified under subsection (c)(4). The Panel shall hold a separate hearing regarding the three Federal or State prisons with the highest incidence of prison rape. The purpose of these hearings shall be to collect evidence to aid in the identification of common characteristics of both victims and perpetrators of prison rape, and the identification of common characteristics of prisons and prison systems with a high incidence of prison rape, and the identification of common characteristics of prisons and prison systems that appear to have been successful in deterring prison rape.

(B) TESTIMONY AT HEARINGS.-

(i) PUBLIC OFFICIALS.-In carrying out the hearings required under subparagraph (A), the Panel shall request the public testimony of Federal, State, and local officials (and organizations that represent such officials), including the warden or director of each prison, who bears responsibility for the prevention, detection, and punishment of prison rape at each entity, and the head of the prison system encompassing such prison.

(ii) VICTIMS.-The Panel may request the testimony of prison rape victims, organizations representing

such victims, and other appropriate individuals and organizations.

(C) SUBPOENAS-

(i) ISSUANCE-The Panel may issue subpoenas for the attendance of witnesses and the production of writ ten or other matter.

(ii) ENFORCEMENT.-In the case of contumacy or refusal to obey a subpoena, the Attorney General may in a Federal court of appropriate jurisdiction obtain an appropriate order to enforce the subpoena.

(c) REPORTS-

(1) IN GENERAL-Not later than June 30 of each year, Deadline. the Attorney General shall submit a report on the activities of the Bureau and the Review Panel, with respect to prison rape, for the preceding calendar year to -

(A) Congress; and

(B) the Secretary of Health and Human Services.

(2). CONTENTS-The report required under paragraph (1) shall include -

(A) with respect to the effects of prison rape, statistical, sociological, and psychological data;

(B) with respect to the incidence of prison rape -

(i) statistical data aggregated at the Federal, State, prison system, and prison levels;

(ii) a listing of those institutions in the representative sample, separated into each category identified under subsection (c)(4) and ranked according to the incidence of prison rape in each institution; and

(iii) an identification of those institutions in the representative sample that appear to have been successful in deterring prison rape; and

(C) a listing of any prisons in the representative sample that did not cooperate with the survey conducted pursuant to section 4.

(3) DATA ADJUSTMENTS-In preparing the information specified in paragraph (2), the Attorney General shall use established statistical methods to adjust the data as necessary to . account for differences among institutions in the representative sample, which are not related to the detection, prevention, reduction and punishment of prison rape, or which are outside the control of the State, prison, or prison system, in order to provide an accurate comparison among prisons. Such differences may include the mission, security level, size, and jurisdiction under which the prison operates. For each such adjustment made, the Attorney General shall identify and explain such adjustment in the report.

(4) CATEGORIZATION OF PRISONSThe report shall divide the prisons surveyed into three categories. One category shall be composed of all Federal and State prisons. The other two categories shall be defined by the Attorney General in order to compare similar institutions.

(d) CONTRACTS AND GRANTS.-In carrying out its duties under is section, the Attorney General may -

(1) provide grants for research through the National Institute of Justice; and

(2) contract with or provide grants to any other entity the Attorney General deems appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.-There are authorized to be appropriated \$15,000,000 for each of fiscal years 2004 through 2010 to carry out this section.

42 USE 15604.

Establishment.

SEC. 5. PRISON RAPE PREVENTION AND PROSECUTION. (a) INFORMATION AND ASSISTANCE.-

(1) NATIONAL CLEARINGHOUSE.-There is established within the National Institute of Corrections a national clearinghouse for the provision of information and assistance to Federal, State, and local authorities responsible for the prevention, investigation, and punishment of instances of prison rape.

(2) TRAINING AND EDUCATION.-The National Institute of Corrections shall conduct periodic training and education programs for Federal, State, and local authorities responsible for the prevention, investigation, and punishment of instances of prison rape.

Deadline.

(b) REPORTS.-

(1) IN GENERAL.-Not later than September 30 of each year, the National Institute of Corrections shall submit a report to Congress and the Secretary of Health and Human Services. This report shall be available to the Director of the Bureau of Justice Statistics.

(2) CONTENTS.-The report required under paragraph (1) shall summarize the activities of the Department of Justice regarding prison rape abatement for the preceding calendar year ..

(c) AUTHORIZATION OF APPROPRIATIONS.-There are authorized to be appropriated \$5,000,000 for each of fiscal years 2004 through 2010 to carry out this section ..

42 USE 15605.

SEC. 6. GRANTS TO PROTECT INMATES AND SAFEGUARD COMMUNITIES.

(a) GRANTS AUTHORIZED.-From amounts made available for grants under this section, the Attorney General shall make grants to States to assist those States in ensuring that budgetary circumstances (such as reduced State and local spending on prisons) do not compromise efforts to protect inmates (particularly from prison rape) and to safeguard the communities to which inmates return. The purpose of grants under this section shall be to provide funds for personnel, training, technical assistance, data collection, and equipment to prevent and prosecute prisoner rape.

(b) USE OF GRANT AMOUNTS.-Amounts received by a grantee under this section may be used by the grantee, directly or through subgrants, only for one or more of the following activities:

(1) PROTECTING INMATES.-Protecting inmates by-

(A) undertaking efforts to more effectively prevent prison rape;

(B) investigating incidents of prison rape; or

(C) prosecuting incidents of prison rape.

(2) SAFEGUARDING COMMUNITIES.-Safeguarding communities by-

(A) making available, to officials of State and local governments who are considering reductions to prison budgets, training and technical assistance in successful methods for moderating the growth of prison populations without compromising public safety, including successful methods used by other jurisdictions;

(B) developing and utilizing analyses of prison populations and risk assessment instruments that will improve State and local governments' understanding of risks to the community regarding release of inmates in the prison population;

(C) preparing maps demonstrating the concentration, on a community-by-community basis, of inmates who have been released, to facilitate the efficient and effective -

(i) deployment of law enforcement resources (including probation and parole resources); and

(ii) delivery of services (such as job training and substance abuse treatment) to those released inmates; (D) promoting collaborative efforts, among officials of State and local governments and leaders of appropriate communities, to understand and address the effects on a community of the presence of a disproportionate number of released inmates in that community; or

(E) developing policies and programs that reduce spending on prisons by effectively reducing rates of parole and probation revocation without compromising public safety.

(c) GRANT REQUIREMENTS-

(1) PERIOD.-A grant under this section shall be made for a period of not more than 2 years.

(2) MAXIMUM.- The amount of a grant under this section may not exceed \$1,000,000.

(3) MATCHING.-The Federal share of a grant under this section may not exceed 50 percent of the total costs of the project described in the application submitted under subsection (d) for the fiscal year for which the grant was made under this section.

(d) APPLICATIONS.

(1) IN GENERAL.-To request a grant under this section, the chief executive of a State shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may require.

(2) CONTENTS.-Each application required by paragraph

(1) shall-

(A) include the certification of the chief executive that the State receiving such grant -

(i) has adopted all national prison rape standards that, as of the date on which the application was submitted, have been promulgated under this Act; and

(ij) will consider adopting all national prison rape standards that are promulgated under this Act after such date; .. (B) specify with particularity the preventative, prosecu -

torial, or administrative activities to be undertaken by the State with the amounts received under the grant; and (C) in the case of an application for a grant for one or more activities specified in paragraph (2) of subsection (b) -

(1) review the extent of the budgetary circumstances affecting the State generally and describe how those circumstances relate to the State's prisons;

(ii) describe the rate of growth of the State's prison population over the preceding 10 years and explain why the State may have difficulty sustaining that rate of growth; and

(iii) explain the extent to which officials (including law enforcement officials) of State and local governments and victims of crime will be consulted regarding decisions whether, or how, to moderate the growth of the State's prison population.

(e) REPORTS BY GRANTEE.-

Deadline.

(1) IN GENERAL.-The Attorney General shall require each grantee to submit, not later than 90 days after the end of the period for which the grant was made under this section, a report on the activities carried out under the grant. The report shall identify and describe those activities and shall contain an evaluation of the effect of those activities on-

(A) the number of incidents of prison rape, and the grantee's response to such incidents; and

(B) the safety of the prisons, and the safety of the communities in which released inmates are present.

(2) DISSEMINATION.-The Attorney General shall ensure that each report submitted under paragraph (1) is made available under the national clearinghouse established under section 5.

(f) STATE DEFINED.-In this section, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

(g) AUTHORIZATION OF APPROPRIATIONS.-

(1) IN GENERAL.-There are authorized to be appropriated for grants under this section \$40,000,000 for each of fiscal years 2004 through 2010.

(2) LIMITATION.-Of amounts made available for grants under this section, not less than 50 percent shall be available only for activities specified in paragraph (1) of subsection (b).

SEC. 7. NATIONAL PRISON RAPE REDUCTION COMMISSION.

42 USE 15606.

(a) ESTABLISHMENT.-There is established a commission to be known as the National Prison Rape Reduction Commission (in this section referred to as the "Commission").

(b) MEMBERS.-

(1) IN GENERAL.-The Commission shall be composed of 9 members, of whom-

(A) 3 shall be appointed by the President;

President.

(B) 2 shall be appointed by the Speaker of the House of Representatives, unless the Speaker is of the same party as the President, in which case 1 shall be appointed by the Speaker of the House of Representatives and 1 shall be appointed by the minority leader of the House of Representatives;

(C) 1 shall be appointed by the minority leader of the House of Representatives (in addition to any appointment made under subparagraph (B));

(D) 2 shall be appointed by the majority leader of the Senate, unless the majority leader is of the same party as the President, in which case 1 shall be appointed by the majority leader of the Senate and 1 shall be appointed by the minority leader of the Senate; and

(E) 1 member appointed by the minority leader of the Senate (in addition to any appointment made under subparagraph (D)).

(2) PERSONS ELIGIBLE.—Each member of the Commission shall be an individual who has knowledge or expertise in matters to be studied by the Commission.

(3) CONSULTATION REQUIRED.—The President, the Speaker and minority leader of the House of Representatives, and the majority leader and minority leader of the Senate shall consult with one another prior to the appointment of the members of the Commission to achieve, to the maximum extent possible, fair and equitable representation of various points of view with respect to the matters to be studied by the Commission.

(4) TERM.—Each member shall be appointed for the life of the Commission.

(5) TIME FOR INITIAL APPOINTMENT.—The appointment of Deadline. the members shall be made not later than 60 days after the date of enactment of this Act.

(6) VACANCIES.—A vacancy in the Commission shall be Deadline. filled in the manner in which the original appointment was made, and shall be made not later than 60 days after the date on which the vacancy occurred.

(c) OPERATION:

(1) CHAIRPERSON.—Not later than 15 days after appoint- Deadline. ments of all the members are made, the Pr. sident shall appoint President. a chairperson for the Commission from among its members.

(2) MEETINGS.—The Commission shall meet at the call of the chairperson. The initial meeting of the Cl; > mmission shall Deadline. take place not later than 30 days after the initial appointment of the members is completed.

(3) QUORUM.—A majority of the members of the Commis ion shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings schedule d by the Commission.

(4) RULES.—The Commission may establish by majority vote any other rules for the conduct of Commission business, if such rules are not inconsistent with this Act or other applicable law.

(d) COMPREHENSIVE STUDY OF THE IMPACTS OF PRISON RAPE.—

(1) IN GENERAL.—The Commission shall carry out a com - prehensive legal and factual study of the penalogical, physical, mental, medical, social, and economic impacts of prison rape in the United States on—

(A) Federal, State, and local governments; and

(B) communities and social institutions generally, including individuals, families, and businesses within such communities and social institutions

(2) MATTERS INCLUDED.—The study under paragraph (1) shall include—

(A) a review of existing Federal, State, and local government policies and practices with respect to the prevention, detection, and punishment of prison rape;

(B) an assessment of the relationship between prison rape and prison conditions, and of existing monitoring, regulatory, and enforcement practices that are intended to address any such relationship;

(C) an assessment of pathological or social causes of prison rape;

(D) an assessment of the extent to which the incidence of prison rape contributes to the spread of sexually transmitted diseases and to the transmission of HI V;

(E) an assessment of the characteristics of inmates most likely to commit prison rape and the effectiveness of various types of treatment or programs to reduce such likelihood;

(F) an assessment of the characteristics of inmates most likely to be victims of prison rape and the effectiveness of various types of treatment or programs to reduce such likelihood;

(G) an assessment of the impacts of prison rape on individuals, families, social institutions and the economy generally, including an assessment of the extent to which the incidence of prison rape contributes to recidivism and to increased incidence of sexual assault;

(H) an examination of the feasibility and cost of conducting surveillance, undercover activities, or both, to reduce the incidence of prison rape;

(I) an assessment of the safety and security of prison facilities and the relationship of prison facility construction and design to the incidence of prison rape;

(J) an assessment of the feasibility and cost of any particular proposals for prison reform;

(K) an identification of the need for additional scientific and social science research on the prevalence of prison rape in Federal, State, and local prisons;

(L) an assessment of the general relationship between prison rape and prison violence;

(M) an assessment of the relationship between prison rape and levels of training, supervision, and discipline of prison staff; and

(N) an assessment of existing Federal and State systems for reporting incidents of prison rape, including an assessment of whether existing systems provide an adequate assurance of confidentiality, impartiality and the absence of reprisal.

(3) REPORT.-

(A) DISTRIBUTION.-Not later than 2 years after the date of the initial meeting of the Commission, the Commission shall submit a report on the study carried out under this subsection to-

- (i) the President;
- (ii) the Congress;
- (iii) the Attorney General;
- (iv) the Secretary of Health and Human Services;
- (v) the Director of the Federal Bureau of Prisons;
- (vi) the chief executive of each State; and
- (vii) the head of the department of corrections of each State.

(B) CONTENTS.-The report under subparagraph (A) shall include-

- (i) the findings and conclusions of the Commission;
- (ii) recommended national standards for reducing prison rape;

Deadline.

(iii) recommended protocols for preserving evidence and treating victims of prison rape; and

(iv) a summary of the materials relied on by the Commission in the preparation of the report.

(e) RECOMMENDATIONS.-

(1) IN GENERAL: In conjunction with the report submitted under subsection (d)(3), the Commission shall provide the Attorney General and the Secretary of Health and Human Services with recommended national standards for enhancing the detection, prevention, reduction, and punishment of prison rape.

(2) MATTERS INCLUDED: The information provided under paragraph (1) shall include recommended national standards relating to --

(A) the classification and assignment of prisoners, using proven standardized instruments and protocols, in a manner that limits the occurrence of prison rape;

(B) the investigation and resolution of rape complaints by responsible prison authorities, local and State police, and Federal and State prosecution authorities;

(C) the preservation of physical and testimonial evidence for use in an investigation of the circumstances relating to the rape;

(D) acute-term trauma care for rape victims, including standards relating to --

(i) the manner and extent of physical examination and treatment to be provided to any rape victim; and

(ii) the manner and extent of any psychological examination, psychiatric care, medication, and mental health counseling to be provided to any rape victim; (E) referrals for long-term continuity of care for rape victims;

(F) educational and medical testing measures for reducing the incidence of HIV transmission due to prison rape;

(G) post-rape prophylactic medical measures for reducing the incidence of transmission of sexual diseases; (H) the training of correctional staff sufficient to ensure that they understand and appreciate the significance of prison rape and the necessity of its eradication;

(I) the timely and comprehensive investigation of staff sexual misconduct involving rape or other sexual assault on inmates;

(J) ensuring the confidentiality of prison rape complaints and protecting inmates who make complaints of prison rape;

(K) creating a system for reporting incidents of prison rape that will ensure the confidentiality of prison rape complaints, protect inmates who make prison rape complaints from retaliation, and assure the impartial resolution of prison rape complaints;

(L) data collection and reporting of.

(i) prison rape;

(ii) prison staff sexual misconduct; and

(iii) the resolution of prison rape complaints by prison officials and Federal, State, and local investigation and prosecution authorities; and

(M) such other matters as may reasonably be related to the detection, prevention, reduction, and punishment of prison rape.

(3) LIMITATION-The Commission shall not propose a recommended standard that would impose substantial additional costs compared to the costs presently expended by Federal, State, and local prison authorities.

(D) CONSULTATION WITH ACCREDITATION ORGANIZATIONS.-In developing recommended national standards for enhancing the detection, prevention, reduction, and punishment of prison rape, the Commission shall consider any standards that have already been developed, or are being developed simultaneously to the deliberations of the Commission. The Commission shall consult with accreditation organizations responsible for the accreditation of Federal, State, local or private prisons, that have developed or are currently developing standards related to prison rape. The Commission will also consult with national associations representing the corrections profession that have developed or are currently developing standards related to prison rape.

(g) HEARINGS-

(1) IN GENERAL-The Commission shall hold public hearings. The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this section.

(2) WITNESS EXPENSE-Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Commission.

(h) INFORMATION FROM FEDERAL OR STATE AGENCIES-The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out its duties under this section. The Commission may request the head of any State or local department or agency to furnish such information to the Commission.

(i) PERSONNEL MATTERS.

(1) TRAVEL EXPENSES-The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES-With the affirmative vote of 2/3 of the Commission, any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.-Upon the request of the Commission, the Attorney General shall provide reasonable and appropriate office space, supplies, and administrative assistance.

(j) CONTRACTS FOR RESEARCH. -

(1) NATIONAL INSTITUTE OF JUSTICE-With a 0/s affirmative vote, the Commission may select nongovernmental researchers and experts to assist the Commission in carrying out its duties

under this Act. The National Institute of Justice shall contract with the researchers and experts selected by the Commission to provide funding in exchange for their services.

(2) OTHER ORGANIZATIONS.-Nothing in this subsection shall be construed to limit the ability of the Commission to enter into contracts with other entities or organizations for research necessary to carry out the duties of the Commission under this section.

(k) SUBPOENAS.-

(1) ISSUANCE.-The Commission may issue subpoenas for the attendance of witnesses and the production of written or other matter.

(2) ENFORCEMENT.-In the case of contumacy or refusal to obey a subpoena, the Attorney General may in a Federal court of appropriate jurisdiction obtain an appropriate order to enforce the subpoena.

(3) CONFIDENTIALITY OF DOCUMENTARY EVIDENCE.-Documents provided to the Commission pursuant to a subpoena issued under this subsection shall not be released publicly without the affirmative vote of 75% of the Commission.

(l) AUTHORIZATION OF APPROPRIATIONS.-There are authorized to be appropriated such sums as may be necessary to carry out this section ..

(m) TERMINATION..The Commission shall terminate on the date that is 60 days after the date on which the Commission submits the reports required by this section.'

(n) EXEMPTION.-The Commission shall be exempt from the Federal Advisory Committee Act.

SEC. 8. ADOPTION AND EFFECT OF NATIONAL

STANDARDS. (a) PUBLICATION OF PROPOSED

STANDARDS.-

(1) FINAL RULE.-Not later than 1 year after receiving the report specified in section 7(d)(3), the Attorney General shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of prison rape.

(2) INDEPENDENT JUDGMENT.-The standards referred to in paragraph (1) shall be based upon the independent judgment of the Attorney General, after giving due consideration to the recommended national standards provided by the Commission under section 7(e), and being informed by such data, opinions, and proposals that the Attorney General determines to be appropriate to consider.

(3) LIMITATION.-The Attorney General shall not establish a national standard under this section that would impose substantial additional costs compared to the costs presently expended by Federal, State, and local prison authorities. The Attorney General may, however, provide a list of improvements for consideration by correctional facilities.

(4) TRANSMISSION TO STATES.-Within 90 days of publishing the final rule under paragraph (1), the Attorney General shall transmit the national standards adopted under such paragraph to the chief executive of each State, the head of the department of corrections of each State, and to the appropriate authorities in those units of local government who oversee operations in one or more prisons.

(b) APPLICABILITY TO FEDERAL BUREAU OF PRISONS.-The national standards referred to in subsection (a) shall apply to the

Deadlines.
42 USC
15607.

Federal Bureau of Prisons immediately upon adoption of the final rule under subsection (a)(4).

(c) ELIGIBILITY FOR FEDERAL FUNDS.(1) COVERED PROGRAMS.-

(A) IN GENERAL.-For purposes of this subsection, a grant program is covered by this subsection if, and only if -

- (i) the program is carried out by or under the authority of the Attorney General; and
- (ii) the program may provide amounts to States for prison purposes.

(B) LIST.-For each fiscal year, the Attorney General shall prepare a list identifying each program that meets the criteria of subparagraph (A) and provide that list to each State.

(2) ADOPTION OF NATIONAL STANDARDS.-For each fiscal year, any amount that a State would otherwise receive for prison purposes for that fiscal year under a grant program covered by this subsection shall be reduced by 5 percent, unless the chief executive of the State submits to the Attorney General-

(A) a certification that the State has adopted, and is in full compliance with, the national standards described in section 8(a); or

(B) an assurance that not less than 5 percent of such amount shall be used only for the purpose of enabling the State to adopt, and achieve full compliance with, those national standards, so as to ensure that a certification under subparagraph (A) may be submitted in future years. (3)

REPORT ON NONCOMPLIANCE.-Not later than September 30 of each year, the Attorney General shall publish a report listing each grantee that is not in compliance with the national standards adopted pursuant to section 8(a).

(4) COOPERATION WITH SURVEY.-For each fiscal year, any amount that a State receives for that fiscal year under a grant program covered by this subsection shall not be used for prison purposes (and shall be returned to the grant program if no other authorized use is available), unless the chief executive of the State submits to the Attorney General a certification that neither the State, nor any political subdivision or unit of local government within the State, is listed in a report issued by the Attorney General pursuant to section 4(c)(2)(C).

(5) REDISTRIBUTION OF AMOUNTS.-Amounts under a grant program not granted by reason of a reduction under paragraph (2), or returned by reason of the prohibition in paragraph (4), shall be granted to one or more entities not subject to such reduction or such prohibition, subject to the other laws governing that program.

(6) IMPLEMENTATION.-The Attorney General shall establish procedures to implement this subsection, including procedures for effectively applying this subsection to discretionary grant programs.

(7) EFFECTIVE DATE.-

(A) REQUIREMENT OF ADOPTION OF STANDARDS.-The first grants to which paragraph (2) applies are grants for the second fiscal year beginning after the date on which the national standards under section 8(a) are finalized.

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Ⓔ REQUIREMENT FOR COOPERATION.-The first grants to which paragraph (4) applies are grants for the fiscal year beginning after the date of the enactment of this Act.

SEC. 9. REQUIREMENT THAT ACCREDITATION ORGANIZATIONS 42 use 15608.
ADOPT ACCREDITATION STANDARDS.

(a) ELIGIBILITY FOR FEDERAL GRANTS.-Notwithstanding any other provision of law, an organization responsible for the accreditation of Federal, State, local, or private prisons, jails, or other penal facilities may not receive any new Federal grants during any period in which such organization fails to meet any of the requirements of subsection (b).

(b) REQUIREMENTS.-To be eligible to receive Federal grant., Deadlines. an accreditation organization referred to in subsection (a) must meet the following requirements:

(1) At all times after 90 days after the date of enactment of this Act, the organization shall have in effect, for each facility that it is responsible for accrediting, accreditation standards for the detection, prevention, reduction, and punishment of prison rape ..

(2) At all times. after 1 year after the date of the adoption of the final rule under section 8(a)(4), the organization shall, in addition to any other such standards that it may promulgate relevant to the detection, prevention, reduction, and punishment of prison rape, adopt accreditation standards consistent with the national standards adopted pursuant to such final rule.

SEC. 10. DEFINITIONS.

42 USC 15609.

In this Act, the following definitions shall apply:

(1) CARNAL KNOWLEDGE.-The term "carnal knowledge" means contact between the penis and the vulva or the penis and the anus, including penetration of any sort, however slight .

(2) INMATE.-The term "inmate" means any person incarcerated or detained in any facility who is 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 program.

(3) JAIL.-The term "jail" means a confinement facility of a Federal, State, or local law enforcement agency to hold-

(A) persons pending adjudication of criminal charges;

Ⓔ persons committed to confinement after adjudication of criminal

or

charges for sentences of 1 year or less. (4) HIV.-The term "HIV" means the human immunodeficiency virus.

(5) ORAL SODOMY.-The term "oral sodomy" means contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus.

(6) POLICE LOCKUP.-The term "police lockup" means a temporary holding facility of a Federal, State, or local law enforcement agency to hold-

(A) inmates pending bail or transport to jail;

Ⓔ inebriates until ready for release; or

(C) juveniles pending parental custody or shelter placement.

(7) PRISON.-The term "prison" means any confinement facility of a Federal, State, or local government, whether administered by such government or by a private organization on behalf of such government, and includes-

- (A) any local jailor police lockup; and
- (B) any juvenile facility used for the custody or care of juvenile inmates.

(8) PRISON RAPE.-The term "prison rape" includes the rape of an inmate in the actual or constructive control of prison officials.

(9) RAPE.-The term "rape" means-

(A) the carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person, forcibly or against that person's will;

(B) the carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person not forcibly or against the person's will, where the victim is incapable of giving consent because of his or her youth or his or her temporary or permanent mental or physical incapacity; or

(C) the carnal knowledge, oral sodomy, sexual assault with an object, or sexual fondling of a person achieved through the exploitation of the fear or threat of physical violence or bodily injury.

(10) SEXUAL ASSAULT WITH AN OBJECT.-The term "sexual assault with an object" means the use of any hand, finger, object, or other instrument to penetrate, however slightly, the genital or anal opening of the body of another person.

(11) SEXUAL FONDLING.-The term "sexual fondling" means the touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, or buttocks) for the purpose of sexual gratification.

(12) EXCLUSIONS:-The terms and conditions described in paragraphs (9) and (10) shall not apply to--

- (A) custodial or medical personnel gathering physical evidence, or engaged in other legitimate medical treatment, in the course of investigating prison rape;
- (B) the use of a health care provider's hands or fingers or the use of medical devices in the course of appropriate medical treatment unrelated to prison rape; or

(C) the use of a health care provider's hands or fingers and the use of instruments to perform body cavity searches in order to maintain security and safety within the prison or detention facility, provided that the search is conducted in a manner consistent with constitutional requirements.

Approved September 4, 2003.

LEGISLATIVE HISTORY-S. 1435:

CONGRESSIONAL RECORD, Vol. 149 (2003):

July 21, considered and passed Senate. July 25, considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Sept. 4, Presidential statement.

O

Attachment C: ACASI Survey – Combined Version

National Inmate Survey: Year 4

With 6/28/22 Revisions

Intro

Question ID: INTERVIEW_LANGUAGE

LANGUAGE OF INTERVIEW

- 1 English
- 2 Spanish

Question ID: INTRO1

INTERVIEWER: IF RESPONDENT ASKS ANY QUESTIONS ABOUT OMB APPROVAL FOR THIS STUDY, YOU MAY READ THE INFORMATION BELOW. OTHERWISE PRESS 1 AND ENTER TO GO TO THE NEXT SCREEN.

Notice: Public reporting for this collection of information is estimated to average 35 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is XXXX-xxxx.

Question ID: I3

IS THIS INMATE BEING OFFERED AN INCENTIVE?

- 1 YES
- 2 NO

PROGRAM NOTES: Show this question ONLY IF FRTS value shows that the facility allows an incentive. If the facility does not allow an incentive, then DO NOT DISPLAY I3 - fill in I3 value as 'missing'.

CAPI DEMOGRAPHICS (A)

Question ID: A2

In what year were you born?

4-DIGIT YEAR: _____

DK/REF

Box ID: PB_A1

DEFINE TEMPAGE:

TEMPAGE = AGE CALCULATED BY SUBTRACTING A2 YEAR FROM CURRENT YEAR.

IF A2 NE (DK OR RF), CONTINUE TO A3, ELSE GO TO PB_A2

Question ID: A3

Are you TEMPAGE - 1 or TEMPAGE?

1 TEMPAGE - 1

2 TEMPAGE

DK/REF

Box ID: PB_A2

UPDATE RESPAGE:

IF A3 = 1 THEN RESPAGE = TEMPAGE - 1

ELSE IF A3=2, THEN RESPAGE = TEMPAGE

ELSE RESPAGE= BLANK

IF (A2=DK OR RF) OR A3=DK OR RF, CONTINUE TO A4, ELSE GO TO PB_A3

Question ID: A4

How old are you?

AGE: _____

DK/REF

Box ID: PB_A3

UPDATE RESPAGE:

IF A4 NE BLANK OR DK OR REF THEN RESPAGE = A4

IF A4 = DK OR RF THEN RESPAGE = ROSTER_AGE

IF (RESPAGE < 18 AND FacCons1617 = 2 (NO)) OR (RESPAGE < 16) CONTINUE TO A4A, ELSE GO TO B1.

Question ID: A4a

Thank you for your willingness to participate, but we cannot interview anyone who is younger than [16 / 18] for this study.

PRESS 1 AND ENTER TO END INTERVIEW AND ALERT CORRECTION OFFICER THAT INMATE IS FINISHED.

[IF RESPAGE < 16] DISPLAY ABOVE, FILL = "16"

[IF RESPAGE < 18 AND FacCons1617 = 2 (NO)] DISPLAY ABOVE, FILL = "18"

PROGRAM NOTES: Note to Programmers: Route these cases to M20. Apply status code 829 for "Inmate under age"

Question ID: B1

How old were you the **first time** you were arrested or taken into custody for any offense?

AGE: _____

DK/REF

NOTES: [RANGE: 6 - RESPAGE]

Question ID: A5

When were you admitted to this facility?

Question ID: A5a

2-DIGIT MONTH: _____

DK/REF

Question ID: A5b

2-DIGIT DAY: _____

DK/REF

Question ID: A5c

4-DIGIT YEAR: _____

DK/REF

Box ID: PB_A3a

IF A5a = DK/REF AND A5c NE DK OR REF CONTINUE TO A6, ELSE GO TO PB_A4

Question ID: A6

What time of year was it? Was it winter, spring, summer, or fall when you were admitted to this facility?

- 1 WINTER
- 2 SPRING
- 3 SUMMER
- 4 FALL
- DK/REF

Box ID: PB_A4

DEFINE CALCTIME:

IF A6 NE Null AND A5b = DK/RF, then DOA =

- If A6 = Winter, then DOA = FEB 1st + A5c
- IF A6 = Spring, then DOA = MAY 1st + A5c
- IF A6 = Summer, then DOA = AUG 1st + A5c
- IF A6 = Fall, then DOA = NOV 1st + A5c

IF A6 NE Null AND A5b NE DK/RF, then DOA =

- If A6 = Winter, then DOA = FEB + A5b + A5c
- IF A6 = Spring, then DOA = MAY + A5b + A5c
- IF A6 = Summer, then DOA = AUG + A5b + A5c
- IF A6 = Fall, then DOA = NOV + A5b + A5c

DISPLAY: IF CALCTIME >1 year DISPLAY: "That means you have been here for about [CALCTIME] years."

IF CALCTIME =1 year DISPLAY: "That means you have been here for about [CALCTIME] year."

IF CALCTIME <1 year AND >= 2 months DISPLAY: "That means you have been here for about [CALCTIME] months."

IF CALCTIME < 2 months DISPLAY: "That means you have been here for about [CALCTIME] days."

IF CALCTIME = 1 day DISPLAY: "That means you have been here for about [CALCTIME] day."

CALCTIME = CALCULATED BY "SUBTRACTING" DATE OF INCARCERATION FROM DATE OF INTERVIEW AND THEN ROUNDING. (less than 2 months report as days; 2 - 11 months, report as months (round down); 12 months or more round to nearest year)

IF ROSTER_DOA = EMPTY, JUMP TO A8

DEFINE DOAFILL1:

If facility admission date is at least 12 months ago then DOAFILL1 = During the past 12 months

If facility admission date is less than 12 months ago then DOAFILL1 = Since you arrived at this facility

DEFINE DOAFILL2:

If facility admission date is at least 12 months ago then DOAFILL2 = during the past 12 months

If facility admission date is less than 12 months ago then DOAFILL2 = since you arrived at this facility

IF CALCTIME NE 0 DAYS CONTINUE TO A7, ELSE GO TO PB_A4a

Question ID: A7

That means you have been here for about [CALCTIME]. Is that correct?

- 1 YES
- 2 NO

Box ID: PB_A4a

IF(A5a OR A5b OR A5c=DK OR RF) OR CALCTIME=0 DAYS OR A7=2 CONTINUE TO A8, ELSE GO TO PB_A5

Question ID: A8

How long have you been in this facility?

INTERVIEWER: PROBE THOROUGHLY TO AVOID A DK OR REFUSE RESPONSE IF AT ALL POSSIBLE.

- 1 LESS THAN 1 WEEK
 - 2 AT LEAST 1 WEEK BUT LESS THAN 1 MONTH
 - 3 AT LEAST 1 MONTH BUT LESS THAN 2 MONTHS
 - 4 AT LEAST 2 MONTHS BUT LESS THAN 6 MONTHS
 - 5 AT LEAST 6 MONTHS BUT LESS THAN 1 YEAR
 - 6 AT LEAST 1 YEAR BUT LESS THAN 5 YEARS
 - 7 AT LEAST 5 YEARS BUT LESS THAN 10 YEARS
 - 8 10 YEARS OR MORE
- DK/REF

Box ID: PB_A5

UPDATE DOAFILL1:

IF A8 = 1 - 5 THEN DOAFILL1 = Since you arrived at this facility

IF A8 = 6 - 8 , THEN DOAFILL1 = During the past 12 months

IF DK OR REF AND ROSTER_DOA NE EMPTY, THEN DETERMINE DOAFILL1 BASED ON ROSTER_DOA

IF ROSTER_DOA = EMPTY THEN DOAFILL1 = During the past 12 months

UPDATE DOAFILL2:

IF A8 = 1 - 5 THEN DOAFILL2 = since you arrived at this facility

IF A8 = 6 - 8, THEN DOAFILL2 = during the past 12 months

IF DK OR REF AND ROSTER_DOA NE EMPTY, THEN DETERMINE DOAFILL2 BASED ON ROSTER_DOA

IF ROSTER_DOA = EMPTY, THEN DOAFILL2 = during the past 12 months

RANDOMIZATION: PROGRAMMER, PLEASE IMPLEMENT RANDOMIZING ROUTINE 95/5.

Question ID: A9a

Did you spend last night in disciplinary or administrative segregation, or solitary confinement?

- | | | |
|----|--------|-----------|
| 1 | YES | GO TO A9b |
| 2 | NO | GO TO A9c |
| -- | DK/REF | GO TO A9c |

Question ID: A9b

How many days have you been in disciplinary or administrative segregation, or solitary confinement?

- 1 day or less
 - More than 1 day but less than 7 days
 - At least 7 days but less than 14 days
 - At least 14 days but less than 30 days
 - 30 days or more
- DK/REF

Question ID: A9c

Which of the following best describes the [housing unit /housing unit in disciplinary or administrative segregation, or solitary confinement] where you spent last night?

IF A9a=2 OR DK OR RF, DISPLAY FILL= "housing unit"

IF A9a=1, DISPLAY FILL= "housing unit in disciplinary or administrative segregation, or solitary confinement"

- An open dorm
 - A dorm with cubicles
 - A unit with cells
 - A unit with rooms
 - An area not originally intended as housing, such as a gym, classroom, or day room
 - NONE OF THESE
- DK/REF

Question ID: A10

How tall are you?

Feet: _____

Inches: _____

DK/REF

TUTORIAL (C)

Question ID: C1

Thanks for agreeing to participate in the survey! Before we begin, we want to show you how to use this computer. The computer will ask a series of questions. You answer each question by touching your answer on the screen. After you answer a question, you move on by touching the NEXT button in the lower right hand corner of the screen. Try touching that button now to move on.

Question ID: C2

Here is an example of a question that allows for only one answer.

Do you like ice cream?

Try pressing YES now to enter an answer.

- 1 Yes
- 2 No
- DK
- RF

Question ID: C3

If you want to change your answer, you can touch the ERASE button located under the list of answer choices and enter your answer again. Touch the ERASE button and enter your answer again.

Do you like ice cream?

- 1 Yes
- 2 No
- DK
- RF

Question ID: C4

Sometimes you will be asked a question with a number answer.

For example, how many meals have you eaten today?

The screen will display a number pad. Touch the numbers to answer the question and that number will appear in the answer box.

Number pad

- DK
- RF

Question ID: C5

If you want to skip a question, touch the NEXT button without answering the question. The computer will say you didn't answer the question and will ask you why you didn't answer. Try touching the NEXT button now, without answering the question below to see how this works.

Do you like ice cream?

WHEN INMATE PRESSES "NEXT" BUTTON SHOW THE DK/REF SCREEN THAT ASKS INMATE TO CONFIRM IF THE SKIP WAS INTENTIONAL:

You did not answer the previous question. Please select...

I really meant to answer.

I'd rather not answer.

I don't know the answer.

1 Yes

2 No

DK

RF

Question ID: C6

Sometimes, you will be asked to answer "Yes" or "No" to several questions that appear one after another on the same screen. After you answer one question, another question will appear on the screen.

To answer each question, touch the "Yes" or "No" button next to each question. If you want to skip a question, touch the NEXT button that appears at the bottom of the screen. When you get to the end of the screen, you will be asked to press the NEXT button.

To see how this works, answer the first question below and then you'll see how the next questions appear on the screen.

Box ID: PB_C7

DISPLAY items C7a, C7b, and C7c on the same screen

DISPLAY ALL ITEMS ON SAME SCREEN BUT ONE ITEM AT A TIME.

Question ID: C7a

Has a doctor or other health care provider **ever** told you that you are allergic to pollen?

1 Yes

2 No

DK

RF

Question ID: C7b

Has a doctor or other health care provider **ever** told you that you are allergic to dust?

- 1 Yes
- 2 No
- DK
- RF

Question ID: C7c

Has a doctor or other health care provider **ever** told you that you are allergic to mold?

- 1 Yes
- 2 No
- DK
- RF

Question ID: C8

Some questions will appear in a grid format that allows you to select only one answer per row. For example:

Box ID: PB_C9

DISPLAY C8, stem question C9, and items C9a, C9b, C9c, C9d on the same screen

DISPLAY ALL ITEMS ON SAME SCREEN IN A GRID FORMAT.

Question ID: C9

To what extent do you agree or disagree with the following statements. Please select one answer in each row.

Question ID: C9a

I like cold weather

- 1 Strongly Agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree
- DK
- RF

Question ID: C9b

I like hot weather

- 1 Strongly Agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree
- DK
- RF

Question ID: C9c

I like dogs

- 1 Strongly Agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree
- DK
- RF

Question ID: C9d

I like cats

- 1 Strongly Agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree
- DK
- RF

Question ID: C10

You do not have to wait for the computer to read all the answers before selecting your answer. Once you touch the screen, the computer will stop reading.

Question ID: C11

To hear a question again, touch the question on the screen once the computer has stopped reading.

For example, to hear this instruction again, touch any of the words on this screen.

Question ID: C12

To go back to a previous question, touch the BACK button in the lower left hand corner of the screen. You use the BACK button if you want to go back and change or look at your answer to an earlier question.

Question ID: C13

If there is anything that you do not understand, if you need to stop the interview or if you have any problems during the interview, please raise your hand and ask the monitor to help you.

You have finished answering the practice questions and are ready to start the actual survey. Touch the NEXT button to begin.

ACASI DEMOGRAPHICS (A)

Question ID: A11

Are you of Hispanic, Latino, or Spanish origin?

- 1 Yes
- 2 No
- DK/REF

Question ID: A13

Which of these categories describes your race?

You may answer yes to one or more of these categories.

items A13a-A13e should be displayed on the same screen as much as space allows

Question ID: A13a

White?

- 1 Yes
- 2 No
- DK/RF

Question ID: A13b

Black or African American?

- 1 Yes
- 2 No
- DK/RF

Question ID: A13c

American Indian or Alaska Native?

- 1 Yes
- 2 No
- DK/RF

Question ID: A13d

Asian?

- 1 Yes
- 2 No
- DK/RF

National Inmate Survey: Year 4

Question ID: A13e

Native Hawaiian or other Pacific Islander?

- 1 Yes
- 2 No
- DK/RF

Question ID: A16

How much do you **currently** weigh in pounds?

CURRENT WEIGHT: _____

DK/REF

NOTES: [RANGE: 50 - 700]

Question ID: A17

Did you graduate from high school?

- 1 Yes GO TO A18
- 2 No GO TO A19
- DK/REF

Question ID: A18

Did you receive a high school diploma or a GED for finishing high school?

- 1 A high school Diploma GO TO PB_A7
- 2 A GED GO TO PB_A7
- DK/REF GO TO PB_A7

Question ID: A19

Did you receive a GED?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_A7

IF A17=1 OR A19=1, CONTINUE TO A20, ELSE GO TO PB_A8

Question ID: A20

What is the highest level of school you have completed?

- 1 High school or GED
 - 2 Some college but you did not receive a degree
 - 3 Associate Degree
 - 4 Bachelor's Degree
 - 5 An advanced degree such as a Master's, MBA, or PhD
- DK/REF

Box ID: PB_A8

IF A17=2 AND A19=2, CONTINUE TO A21, ELSE GO TO V1

Question ID: A21

Did you attend high school?

- 1 Yes
 - 2 No
- DK/REF

Question ID: V1

Have you **ever** served in the United States Armed Forces?

- 1 Yes GO TO V4
 - 2 No
- DK/REF

Question ID: V4

Are you **currently** serving in the United States Armed Forces?

- 1 Yes GO TO V8
 - 2 No
- DK/REF

Question ID: V8

What type of discharge did you receive from the United States Armed Forces?

- 1 Honorable
 - 2 General under honorable conditions
 - 3 Other than honorable
 - 4 Bad conduct
 - 5 Dishonorable
 - 6 Some other type of discharge
- DK/REF

CRIMINAL HISTORY (B)

Question ID: B0

These next questions are about your experience with crime and the criminal justice system.

Touch the **NEXT** button to go to the next screen.

Question ID: B2

Altogether, how many times have you been arrested or taken into custody for any offense?

- 1 One time
 - 2 2-3 times
 - 3 4-10 times
 - 4 11 times or more
- DK/REF

Question ID: B3

Before you were admitted to this facility, had you **ever** spent time as an adult or juvenile in a prison, jail, or other correctional facility?

- 1 Yes
 - 2 No
- DK/REF

Question ID: B4

Are you currently in this facility because you have been sentenced to serve time for an offense?

- 1 Yes
 - 2 No
- DK/REF

Box ID: PB_B1

IF B4=2 Or DK OR RF, CONTINUE TO B5 THROUGH B10, B28, B12, B11, AND B13, ELSE SKIP TO PB_B2

Question ID: B5

Are you **currently** being held in this facility for a property offense? Property offenses include crimes like burglary, larceny, theft, auto theft, bad checks, fraud, forgery, arson, or possession of stolen goods.

- 1 Yes
 - 2 No
- DK/REF

Question ID: B6

Are you **currently** being held in this facility for a drug offense? Drug offenses include crimes like possessing, selling, trafficking, importing, smuggling, or manufacturing illegal drugs or drug paraphernalia.

- 1 Yes
- 2 No
- DK/REF

Question ID: B7

Are you **currently** being held in this facility for a violent offense? Violent offenses include crimes like physical or sexual assault, rape, robbery, manslaughter, murder, attempted murder, or kidnapping.

- 1 Yes
- 2 No
- DK/REF

Question ID: B8

Are you **currently** being held in this facility for other crimes against people? Other crimes against people include crimes like vehicular homicide, hit and run, reckless endangerment, child neglect, harassment, or stalking.

- 1 Yes
- 2 No
- DK/REF

Question ID: B9

Are you **currently** being held in this facility for a sexual offense? Sexual offenses include crimes like rape, statutory rape, sexual assault, child molestation, pornography, incest, or indecent exposure.

- 1 Yes
- 2 No
- DK/REF

Question ID: B10

Are you **currently** being held in this facility for a probation, parole, or community supervision violation?

- 1 Yes
- 2 No
- DK/REF

Question ID: B28

Are you **currently** being held in this facility for a weapons offense? Weapons offenses include things like possessing an illegal or stolen weapon, illegally discharging a firearm, using a weapon during the commission of a crime, or violating probation, parole, or community supervision by possessing a firearm.

- 1 Yes
- 2 No
- DK/REF

Question ID: B12

Are you **currently** being held in this facility for driving under the influence or driving while intoxicated?

- 1 Yes
- 2 No
- DK/REF

Question ID: B11

Are you **currently** being held in this facility for a procedural violation? Procedural violations include things like failure to appear in court, violating a restraining order, failure to obey a lawful order of a police officer, contempt, escape, resisting arrest without violence, or a regulatory or tax offense.

- 1 Yes
- 2 No
- DK/REF

Question ID: B13

Are you **currently** being held in this facility for some other offense? Other offenses include crimes like loitering, prostitution, gambling, drunkenness, disorderly conduct, trespassing, minor traffic violations, or immigration violations.

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_B2

IF B4=1, CONTINUE TO B14 THROUGH B19, B29, B21, B20, AND B22, ELSE SKIP TO PB_B3

Question ID: B14

Are you **currently** serving time in this facility for a property offense? Property offenses include crimes like burglary, larceny, theft, auto theft, bad checks, fraud, forgery, arson, or possession of stolen goods.

- 1 Yes
- 2 No
- DK/REF

Question ID: B15

Are you **currently** serving time in this facility for a drug offense? Drug offenses include crimes like possessing, selling, trafficking, importing, smuggling, or manufacturing illegal drugs or drug paraphernalia.

- 1 Yes
- 2 No
- DK/REF

Question ID: B16

Are you **currently** serving time in this facility for a violent offense? Violent offenses include crimes like physical or sexual assault, rape, robbery, manslaughter, murder, attempted murder, or kidnapping.

- 1 Yes
- 2 No
- DK/REF

Question ID: B17

Are you **currently** serving time in this facility for other crimes against people? Other crimes against people include crimes like vehicular homicide, hit and run, reckless endangerment, child neglect, harassment, or stalking.

- 1 Yes
- 2 No
- DK/REF

Question ID: B18

Are you **currently** serving time in this facility for a sexual offense? Sexual offenses include crimes like rape, statutory rape, sexual assault, child molestation, pornography, incest, or indecent exposure.

- 1 Yes
- 2 No
- DK/REF

Question ID: B19

Are you **currently** serving time in this facility for a probation, parole, or community supervision violation?

- 1 Yes
- 2 No
- DK/REF

Question ID: B29

Are you **currently** serving time in this facility for a weapons offense? Weapons offenses include things like possessing an illegal or stolen weapon, illegally discharging a firearm, using a weapon during the commission of a crime, or violating probation, parole, or community supervision by possessing a firearm.

- 1 Yes
- 2 No
- DK/REF

Question ID: B21

Are you **currently** serving time in this facility for driving under the influence or driving while intoxicated?

- 1 Yes
- 2 No
- DK/REF

Question ID: B20

Are you **currently** serving time in this facility for a procedural violation? Procedural violations include things like failure to appear in court, violating a restraining order, failure to obey a lawful order of a police officer, contempt, escape, resisting arrest without violence, or a regulatory or tax offense.

- 1 Yes
- 2 No
- DK/REF

Question ID: B22

Are you **currently** serving time in this facility for some other offense? Other offenses include crimes like loitering, prostitution, gambling, drunkenness, disorderly conduct, trespassing, minor traffic violations, or immigration violations.

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_B3

IF B4=1 OR DK OR RF, CONTINUE TO B25, ELSE GO TO SECTION D

Question ID: B25

What is your total maximum sentence length for all of the sentences you are serving?

- 1 Less than 30 days
 - 2 At least 30 days but less than 6 months
 - 3 At least 6 months but less than 1 year
 - 4 At least 1 year but less than 5 years
 - 5 5 years or more
- DK/REF

SEXUAL IDENTITY AND PRE-INCARCERATION INFORMATION (D)

Question ID: D1

Are you **currently** married, widowed, divorced or separated, or have you never married?

- 1 Married
- 2 Widowed
- 3 Divorced
- 4 Separated (for reasons other than incarceration)
- 5 Never married
- DK/REF

Question ID: D2

Which of the following best represents how you think of yourself?

IF A13c=1, DISPLAY response option: "Two-Spirit"

- 1 Lesbian or gay
- 2 Straight; that is, not lesbian or gay
- 3 Bisexual; that is, you are sexually attracted to both men and women
- 4 Two-Spirit
- 95 Something else
- DK/REF

Box ID: PB_Da

DEFINE SexualOrientationFill:

IF D2=1, then SexualOrientationFill = "lesbian or gay"

IF D2=3, then SexualOrientationFill = "bisexual"

IF D2 = 4, then SexualOrientationFill = "Two-Spirit"

ELSE SexualOrientationFill = BLANK

Question ID: D3a

What sex were you assigned at birth, on your original birth certificate?

- 1 Male
- 2 Female
- DK/REF

Question ID: D3b

Do you currently think of yourself as...?

IF A13c=1 DISPLAY response option: "Two-Spirit"

- 1 Male
- 2 Female
- 3 Transgender
- 4 Two-Spirit
- 95 None of these
- DK/REF

Box ID: PB_D1

DEFINE CURRSEX

IF D3b=1 THEN CURRSEX FILL= "describe yourself as male"

IF D3b=2 THEN CURRSEX FILL= "describe yourself as female"

IF D3b=3 THEN CURRSEX FILL= "describe yourself as transgender"

IF D3b = 4 THEN CURRSEX FILL = "describe yourself as Two-Spirit"

IF D3b = 95 AND A13c NE 1 THEN CURRSEX FILL = "do not describe yourself as male, female, or transgender"

IF D3b = 95 AND A13c = 1 THEN CURRSEX FILL = "do not describe yourself as male, female, Two-Spirit, or transgender"

DEFINE BIRTHSEX

IF D3a=1 THEN BIRTHSEX= "male"

IF D3a=2 THEN BIRTHSEX= "female"

ELSE, BIRTHSEX = BLANK

[IF (D3a = 1 AND D3b = 2 OR 3 OR 4 OR 95) OR (D3a = 2 AND D3b = 1 OR 3 OR 4 OR 95) CONTINUE TO D3c, ELSE SKIP TO PB_D1c.

Question ID: D3c

Just to confirm what you entered, you were assigned [BIRTHSEX] on your original birth certificate and now you [CURRSEX FILL]. Is that correct?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_D1a

IF D3c=2 CONTINUE TO D3d, ELSE GO TO PB_D1b

Question ID: D3d

Please answer this question again: What sex was recorded on your original birth certificate?

- 1 Male
- 2 Female
- DK/REF

Box ID: PB_D1b

IF D3c=2 CONTINUE TO D3e, ELSE GO TO PB_D1c

Question ID: D3e

Please answer this question again: Do you **currently** think of yourself as [male, female, Two-Spirit, or transgender/male, female, or transgender]?

IF A13c=1 DISPLAY response option: "Two-Spirit"

IF D3c = 2 AND A13c = 1 DISPLAY fill = "male, female, Two-Spirit, or transgender"

IF D3c = 2 AND A13c NE 1 DISPLAY fill = "male, female, or transgender"

- 1 Male
- 2 Female
- 3 Transgender
- 4 Two-Spirit
- 95 None of these
- DK/REF

Box ID: PB_D1c

UPDATE GENDER

IF (D3c = 1 OR DK OR REF) OR (D3d = 1 AND D3e = 2 OR 3 OR 4 OR 95) OR (D3d = 2 AND D3e = 1 OR 3 OR 4 OR 95) THEN GENDER = 3

IF BIRTHSEX = BLANK AND (D3b = 3 OR 4), THEN GENDER = 3

IF (D3d = DK OR REF) AND (D3e = 3 OR 4), THEN GENDER = 3

IF RANDOM 5, SKIP TO FH_1, ELSE CONTINUE TO D6.

Question ID: D6

Before you entered this facility, had anyone **ever** physically forced you to have sex or sexual contact - that is unwanted touching of the breasts, genitals, or butt, or vaginal, oral, or anal sex?

- 1 Yes
- 2 No
- DK/REF

Question ID: D7

Before you entered this facility, had anyone **ever** pressured you or made you feel you had to have sex or sexual contact - that is unwanted touching of the breasts, genitals, or butt, or vaginal, oral, or anal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_D2

DEFINE SEXTYPE1:
IF D6 = 1 AND D7 NE 1, SEXTYPE1 = "physically forced"
IF D6 NE 1 AND D7 =1, SEXTYPE1 = "pressured or made to feel that you had"
IF D6 = 1 AND D7 = 1, SEXTYPE1 = "physically forced, pressured, or made to feel that you had"
ELSE SEXTYPE1 = BLANK

IF D6=1 OR D7=1, CONTINUE TO D8, ELSE GO TO PB_D2a

Question ID: D8

How many times were you [SEXTYPE1 FILL] to have sex or sexual contact before you entered this facility?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_D2a

IF D8 NE 1 AND SEXTYPE1 NE BLANK AND RESPAGE=18 OR OLDER, CONTINUE TO D9, ELSE GO TO PB_D2b.

Question ID: D9

Were you [SEXTYPE1 FILL] to have sex or sexual contact before you were 18 years old, after you turned 18, or both?

- 1 Before you were 18
- 2 After you turned 18
- 3 Both
- DK/REF

Box ID: PB_D2b

IF D8=1 AND RESPAGE=18 OR OLDER, CONTINUE TO D10, ELSE GO TO PB_D2c

Question ID: D10

Were you [SEXTYPE1 FILL] to have sex or sexual contact before you were 18 years old?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_D2c

IF (D6=1 OR D7=1) AND B3=1, CONTINUE TO D11, ELSE GO TO PB_D3

Question ID: D11

Before you entered this facility, were you [SEXTYPE1 FILL] to have sex or sexual contact while you were an adult or juvenile in a jail, prison, or other correctional facility?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_D3

IF RANDOM=95, SKIP TO D16, ELSE CONTINUE TO FH_1

Question ID: FH_1

Is this the only facility you've been held in during your **current** incarceration?

- 1 Yes
- 2 No GO TO FH_2
- DK/REF GO TO FH_2

Question ID: FH_2

During your **current** incarceration, how many **jails** have you been held in for at least one night, including this one? Include all jails, even if in another county or state.

NUMBER OF JAILS: _____

DK/REF

PROGRAM NOTES: RANGE: 1 -15

Question ID: D12

Now think about the **6 months** before you were incarcerated.

During the **6 months** before you were incarcerated, did you live for **most of the time...**

- 1 In your own house or apartment, meaning your name was on the title, mortgage, or lease
- 2 In someone else's house or apartment, including your parents' place
- 3 In a residential treatment facility
- 4 In a transitional housing facility or halfway house
- 5 In a shelter
- 6 On the street or you were homeless
- 7 In no set place or you moved around a lot
- 8 In some other place or situation

DK/REF

Question ID: D13

Have you **ever** had a job working for pay?

- 1 Yes
- 2 No

DK/REF

Question ID: D14

At any point during the **6 months** before you were incarcerated, did you have a job where you worked for pay?

- 1 Yes
- 2 No

DK/REF

Question ID: D15

How did you support yourself during the **6 months** before you were incarcerated?
items D15a-D15f should be displayed on the same screen as much as space allows

Question ID: D15a

A job?

- 1 Yes
- 2 No
- DK/REF

Question ID: D15b

Support from your family?

- 1 Yes
- 2 No
- DK/REF

Question ID: D15c

Support from your friends?

- 1 Yes
- 2 No
- DK/REF

Question ID: D15d

A government program or public assistance?

- 1 Yes
- 2 No
- DK/REF

Question ID: D15e

Illegal income?

- 1 Yes
- 2 No
- DK/REF

Question ID: D15f

Some other type of support?

- 1 Yes
- 2 No
- DK/REF

Question ID: D16

[Still thinking about the **6 months** before you were incarcerated, had anyone you/Now think about the **6 months** before you were incarcerated. Had anyone you] were **living with** at that time ever been in jail, prison, or some other correctional institution?

IF RANDOM =5, DISPLAY, "Still thinking about the 6 months before you were incarcerated, had anyone you..."

IF RANDOM =95, DISPLAY, "Now think about the 6 months before you were incarcerated. Had anyone you..."

- 1 Yes
- 2 No
- DK/REF

Question ID: D17

At the time you became incarcerated, how many children under the age of 18 did you have? Please count all children that you consider yourself to be a parent of.

CHILDREN: _____

DK/REF

NOTES: [RANGE 0 - 25]

Box ID: PB_D3a

IF D17>0, CONTINUE TO D18, ELSE GO TO D19

Question ID: D18

During the **6 months** before you were incarcerated, how many of those [D17_FILL] children lived with you?

-- CHILDREN: _____ RANGE 0 - 25

DK/REF

NOTES: [RANGE 0 - 25]

Question ID: D19

Have any of your parents or guardians **ever** been incarcerated in a prison or jail?

- 1 Yes GO TO D20
- 2 No GO TO D21
- DK/REF GO TO D21

Question ID: D20

Are any of your parents or guardians **currently** incarcerated in a prison or jail?

- 1 Yes
- 2 No
- DK/REF

Question ID: D21

Have any of your brothers or sisters **ever** been incarcerated in a prison or jail?

- 1 Yes GO TO D22
- 2 No GO TO D23
- 3 I do not have any brothers or sisters GO TO D23
- DK/REF GO TO D23

Question ID: D22

Are any of your brothers or sisters **currently** incarcerated in a prison or jail?

- 1 Yes
- 2 No
- DK/REF

Question ID: D23

Think about the people you considered to be your closest friends before you were incarcerated. Had any of those close friends **ever** been incarcerated in a prison or jail?

- 1 Yes GO TO D24
- 2 No GO TO PB_D4
- DK/REF GO TO PB_D4

Question ID: D24

Are any of those close friends **currently** incarcerated in a prison or jail?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_D4

IF RANDOM =5 SKIP TO SECTION CE, ELSE CONTINUE TO SECTION E

SEXUAL ACTIVITY WITH INMATES (E)

Question ID: E1

These next questions are about both wanted and unwanted sex or sexual contact you have had with other inmates in this facility **DOAFILL2**.

Touch the **NEXT** button to go to the next screen.

Question ID: E2

DOAFILL1, have **you** been touched on your [butt, thighs, or penis/butt, thighs, breasts, or vagina/butt, thighs, breasts, penis, or vagina] in a sexual way by another inmate?

IF GENDER=1, DISPLAY FILL= " butt, thighs, or penis"

IF GENDER=2, DISPLAY FILL= "butt, thighs, breasts, or vagina"

IF GENDER=3, DISPLAY FILL= "butt, thighs, breasts, penis, or vagina"

1 Yes

2 No

DK/REF

Box ID: PB_Ea

IF GENDER=1 OR GENDER =3, CONTINUE TO E6, ELSE GO TO E8

Question ID: E6

DOAFILL1, have you given **or** received a handjob? A 'handjob' is when someone's penis is rubbed by somebody else.

1 Yes

2 No

DK/REF

Question ID: E8

DOAFILL1, have you given **or** received [oral sex or a blowjob? Oral sex is when one inmate puts their mouth on the penis or butt of another inmate/oral sex? Oral sex is when one inmate puts their mouth on the vagina or butt of another inmate/oral sex or a blowjob? Oral sex is when one inmate puts their mouth on the penis, vagina, or butt of another inmate].

IF GENDER=1, DISPLAY FILL= "oral sex or a blowjob? Oral sex is when one inmate puts their mouth on the penis or butt of another inmate"

IF GENDER =2, DISPLAY FILL = "oral sex? Oral sex is when one inmate puts their mouth on the vagina or butt of another inmate"

IF GENDER =3, DISPLAY FILL = "oral sex or a blowjob? Oral sex is when one inmate puts their mouth on the penis, vagina, or butt of another inmate"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Eb

IF GENDER =2 or GENDER =3, CONTINUE TO E10, ELSE SKIP TO E12

Question ID: E10

DOAFILL1, have you had vaginal sex? Vaginal sex is when one inmate inserts their [finger or an object/finger, penis, or an object] into another inmate's vagina.

IF GENDER =2, DISPLAY FILL = "finger or an object"

IF GENDER =3, DISPLAY FILL = "finger, penis, or an object"

- 1 Yes
- 2 No
- DK/REF

Question ID: E12

DOAFILL1, have you had anal sex? Anal sex is when one inmate inserts their [finger, penis, or an object/finger or an object] into another inmate's butt.

IF GENDER=1 OR GENDER=3, DISPLAY FILL= "finger, penis, or an object"

IF GENDER=2, DISPLAY FILL= "finger or an object"

- 1 Yes
- 2 No
- DK/REF

Question ID: E14

DOAFILL1, have you had any type of sex or sexual contact with another inmate **other than** sexual touching, [handjobs, oral sex or blowjobs, or anal sex/oral sex, vaginal sex, or anal sex/handjobs, oral sex or blowjobs, vaginal sex, or anal sex]?

IF GENDER =1, DISPLAY FILL = "handjobs, oral sex or blowjobs, or anal sex"

IF GENDER=2, DISPLAY FILL = "oral sex, vaginal sex, or anal sex"

IF GENDER=3, DISPLAY FILL = "handjobs, oral sex or blowjobs, vaginal sex, or anal sex"

1 Yes

2 No

DK/REF

Box ID: PB_Ebb

IF (GENDER=1 AND (E2=1 OR E6=1 OR E8=1 OR E12=1 OR E14=1)) OR (GENDER=2 AND (E2=1 OR E8=1 OR E10=1 OR E12=1 OR E14=1)) OR (GENDER=3 AND (E2 = 1 OR E6 = 1 OR E8 = 1 OR E10 = 1 OR E12 = 1 OR E14 = 1)), CONTINUE TO E15, ELSE GO TO PB_Ec

Question ID: E15

These next questions are **only** about unwanted sex or sexual contact.

Touch the **NEXT** button to go to the next screen.

Box ID: PB_Ec

IF GENDER=1 AND E2=1, CONTINUE TO E16, ELSE GO TO PB_Ed

Question ID: E16

DOAFILL1, did another inmate use physical force to touch your butt, thighs, or penis in a sexual way?

1 Yes

2 No

DK/REF

Box ID: PB_Ed

IF GENDER=1 AND E2=1, CONTINUE TO E17, ELSE GO TO PB_Ee

Question ID: E17

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, or penis in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ee

IF GENDER=2 AND E2=1, CONTINUE TO E18, ELSE GO TO PB_Ef

Question ID: E18

DOAFILL1, did another inmate use physical force to touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ef

IF GENDER=2 AND E2=1, CONTINUE TO E19, ELSE GO TO PB_Ef1

Question ID: E19

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ef1

IF GENDER=3 AND E2=1, CONTINUE TO E20, ELSE GO TO PB_Ef2

Question ID: E20

DOAFILL1, did another inmate use physical force to touch your butt, thighs, breast, penis, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ef2

IF GENDER=3 AND E2=1, CONTINUE TO E21, ELSE GO TO PB_Eg

Question ID: E21

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Eg

IF (GENDER=1 OR GENDER=3) AND E6=1, CONTINUE TO E22, ELSE GO TO PB_Eh

Question ID: E22

DOAFILL1, did another inmate use physical force to make you give **or** receive a handjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Eh

IF (GENDER=1 OR GENDER=3) AND E6=1, CONTINUE TO E23, ELSE GO TO PB_Ei

Question ID: E23

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive a handjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ei

IF GENDER=2 AND E8=1, CONTINUE TO E24, ELSE GO TO PB_Ej

Question ID: E24

DOAFILL1, did another inmate use physical force to make you give **or** receive oral sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ej

IF GENDER=2 AND E8=1, CONTINUE TO E25, ELSE GO TO PB_Ek

Question ID: E25

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive oral sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ek

IF GENDER=1 OR GENDER=3) AND E8=1, CONTINUE TO E26, ELSE GO TO PB_El

Question ID: E26

DOAFILL1, did another inmate use physical force to make you give **or** receive oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_El

IF (GENDER=1 OR GENDER=3) AND E8=1, CONTINUE TO E27, ELSE GO TO PB_Em

Question ID: E27

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Em

IF (GENDER=2 OR GENDER=3) AND E10=1, CONTINUE TO E28, ELSE GO TO PB_En

Question ID: E28

DOAFILL1, did another inmate use physical force to make you have vaginal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_En

IF (GENDER=2 or GENDER=3) AND E10=1, CONTINUE TO E29, ELSE GO TO PB_Eo

Question ID: E29

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have vaginal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Eo

IF E12=1, CONTINUE TO E32, ELSE GO TO PB_Ep

Question ID: E32

DOAFILL1, did another inmate use physical force to make you have anal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Ep

IF E12=1, CONTINUE TO E33, ELSE GO TO PB_Eq

Question ID: E33

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have anal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Eq

IF E14=1, CONTINUE TO E34, ELSE GO TO PB_Er

Question ID: E34

DOAFILL1, did another inmate use physical force to make you have any type of sex or sexual contact **other than** sexual touching, [handjobs, oral sex or blowjobs/oral sex, vaginal sex/handjobs, oral sex or blowjobs, vaginal sex], or anal sex?

IF GENDER=1, DISPLAY FILL = "handjobs, oral sex or blowjobs"

IF GENDER =2, DISPLAY FILL= "oral sex, vaginal sex"

IF GENDER =3, DISPLAY FILL= "handjobs, oral sex or blowjobs, vaginal sex"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Er

IF E14=1, CONTINUE TO E35, ELSE GO TO PB_E1

Question ID: E35

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have any type of sex or sexual contact **other than** sexual touching, [handjobs, oral sex or blowjobs/oral sex, vaginal sex/handjobs, oral sex or blowjobs, vaginal sex], or anal sex?

IF GENDER=1, DISPLAY FILL = "handjobs, oral sex or blowjobs"

IF GENDER =2, DISPLAY FILL= "oral sex, vaginal sex"

IF GENDER =3, DISPLAY FILL= "handjobs, oral sex or blowjobs, vaginal sex"

1 Yes

2 No

DK/REF

Box ID: PB_E1

DEFINE forced:

If at least one of (E16, E18, E20, E22, E24, E26, E28, E32, E34) is YES, then forced = YES
else forced = NO

DEFINE pressured:

If at least one of (E17, E19, E21, E23, E25, E27, E29, E33, E35) is YES, then pressured YES
else pressured = NO

DEFINE ForcedOrPressuredFill2:

If forced = YES AND pressured = NO then forcedOrPressuredFill2 = "physically forced to"

Else if forced = NO AND pressured = YES then forcedOrPressuredFill2 = "pressured or made to feel that you had to"

Else if forced = YES AND pressured = YES then forcedOrPressuredFill2 = "physically forced, pressured, or made to feel that you had to"

Else forcedOrPressuredFill2 = "????"

Note that if forced and pressured are both NO, the fill won't be used so it doesn't matter what it is.

IF GENDER=1 AND (E22=1 OR E23=1 OR E26=1 OR E27=1 OR E32=1 OR E33=1), CONTINUE TO E36, ELSE CONTINUE TO PB_E1a

Question ID: E36

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E1a

IF E36=3, CONTINUE TO E36a, ELSE GO TO PB_E1b

Question ID: E36a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E1b

IF E36=4, CONTINUE TO E36b, ELSE GO TO PB_E1c

Question ID: E36b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E1c

IF GENDER = 2 AND (E24 = 1 OR E25 = 1 OR E28 = 1 OR E29 = 1 OR E32 = 1 OR E33 = 1), CONTINUE TO E37, ELSE GO TO PB_E1d

Question ID: E37

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E24 OR E25 = 1] Give or receive oral sex,
- [IF E28 OR E29 = 1] Have vaginal sex, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E1d

IF E37=3, CONTINUE TO E37a, ELSE GO TO PB_E1e

Question ID: E37a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

[IF E24 OR E25 = 1] Give or receive oral sex,
[IF E28 OR E29 = 1] Have vaginal sex, or
[IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E1e

IF E37=4, CONTINUE TO E37b, ELSE GO TO PB_E1e1

Question ID: E37b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E24 OR E25 = 1] Give or receive oral sex,
- [IF E28 OR E29 = 1] Have vaginal sex, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E1e1

IF GENDER = 3 AND (E22 = 1 OR E23 = 1 OR E26 = 1 OR E27 = 1 OR E28 = 1 OR E29 = 1 OR E32 = 1 OR E33 = 1) CONTINUE TO E41 ELSE GO TO PB_E1e2

Question ID: E41

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob,
- [IF E28 OR E29 = 1] Have vaginal sex, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?
- 4 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 -10 times
- 4 11 times or more

DK/REF

Box ID: PB_E1e2

IF E41=3, CONTINUE TO E41a, ELSE CONTINUE TO PB_E1e3

Question ID: E41a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob,
- [IF E28 OR E29 = 1] Have vaginal sex, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 8 9 times
- 10 10 times
- DK/REF

Box ID: PB_E1e3

IF E41=4, CONTINUE TO E41b, ELSE CONTINUE TO PB_E1f

Question ID: E41b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E22 OR E23 = 1] Give or receive a handjob,
- [IF E26 OR E27 = 1] Give or receive oral sex or a blowjob,
- [IF E28 OR E29 = 1] Have vaginal sex, or
- [IF E32 OR E33 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

4 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E1f

IF E16=1 OR E17=1, CONTINUE TO E38, ELSE CONTINUE TO PB_E1g

Question ID: E38

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E1g

IF E38=3, CONTINUE TO E38a, ELSE GO TO PB_E1h

Question ID: E38a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E1h

IF E38=4, CONTINUE TO E38b, ELSE GO TO PB_E1i

Question ID: E38b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E1i

IF E18=1 OR E19=1, CONTINUE TO E39, ELSE GO TO PB_E1j

Question ID: E39

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_E1j

IF E39=3, CONTINUE to E39a, ELSE GO TO PB_E1k

Question ID: E39a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E1k

IF E39=4, CONTINUE TO E39b, ELSE GO TO PB_E1k1

Question ID: E39b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E1k1

IF E20=1 OR E21=1, CONTINUE TO E42, ELSE GO TO PB_E1k2

Question ID: E42

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_E1k2

IF E42=3, CONTINUE TO E42a, ELSE GO TO PB_E1k3

Question ID: E42a

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E1k3

IF E42=4, CONTINUE TO E42b, ELSE GO TO E40

Question ID: E42b

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Question ID: E40

How soon after you arrived at this facility were you [ForcedOrPressuredFill2] have sex or sexual contact with [another inmate for the **first time**/another inmate]?

IF E36 > 1 OR E37 > 1 OR E41>1, DISPLAY FILL= "another inmate for the first time"

IF E36 = 1 OR E37 = 1 OR E41=1, DISPLAY FILL= "another inmate"

- 1 Within the first 24 hours after you arrived here
 - 2 More than 24 hours but within your first 3 days here
 - 3 More than 3 days but within your first 30 days here
 - 4 More than 30 days but within your first 6 months here
 - 5 More than 6 months but within your first 12 months here
 - 6 More than 12 months after you arrived here
- DK/REF

Question ID: LCM1

DOAFILL1, did another inmate use physical force, pressure you, or make you feel that you had to have any type of sex or sexual contact?

- 1 Yes
 - 2 No
- DK/REF

Question ID: LCM2a

How long has it been since another inmate in this facility used physical force, pressured you, or made you feel that you had to have any type of sex or sexual contact?

- 1 Within the past 7 days
 - 2 More than 7 days ago but within the past 30 days
 - 3 More than 30 days ago but within the past 12 months
 - 4 More than 12 months ago
 - 5 This has not happened to me at this facility
- DK/REF

Box ID: PB_E1I

IF GENDER=1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E162, ELSE GO TO PB_E1m

Question ID: E162

DOAFILL1, did another inmate use physical force to touch your butt, thighs, or penis in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1m

IF GENDER =1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E172, ELSE GO TO PB_E1n

Question ID: E172

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, or penis in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1n

IF GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E182, ELSE GO TO PB_E1o

Question ID: E182

DOAFILL1, did another inmate use physical force to touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1o

IF GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E192, ELSE GO TO PB_E1o1

Question ID: E192

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1o1

IF GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E202, ELSE GO TO PB_E1o2

Question ID: E202

DOAFILL1, did another inmate use physical force to touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1o2

IF GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E212, ELSE GO TO PB_E1p

Question ID: E212

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to let them touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1p

IF (GENDER=1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E222, ELSE GO TO PB_E1q

Question ID: E222

DOAFILL1, did another inmate use physical force to make you give **or** receive a handjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1q

IF (GENDER=1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E232, ELSE GO TO PB_E1r

Question ID: E232

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive a handjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1r

IF GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E242, ELSE GO TO PB_E1s

Question ID: E242

DOAFILL1, did another inmate use physical force to make you give **or** receive oral sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1s

IF GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)), CONTINUE TO E252, ELSE GO TO PB_E1t

Question ID: E252

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive oral sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1t

IF (GENDER=1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))) CONTINUE TO E262, ELSE GO TO PB_E1u

Question ID: E262

DOAFILL1, did another inmate use physical force to make you give **or** receive oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1u

IF (GENDER=1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E272, ELSE GO TO PB_E1v

Question ID: E272

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to give **or** receive oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1v

IF (GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E282, ELSE GO TO PB_E1w

Question ID: E282

DOAFILL1, did another inmate use physical force to make you have vaginal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1w

IF (GENDER=2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E292, ELSE GO TO PB_E1x

Question ID: E292

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have vaginal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1x

IF (GENDER = 1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER = 2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E322, ELSE GO TO PB_E1y

Question ID: E322

DOAFILL1, did another inmate use physical force to make you have anal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1y

IF (GENDER = 1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER = 2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E332, ELSE GO TO PB_E1z

Question ID: E332

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have anal sex?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1z

IF (GENDER = 1 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER = 2 AND (E2 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E342, ELSE GO TO PB_E1aa

Question ID: E342

DOAFILL1, did another inmate use physical force to make you have any type of sex or sexual contact **other than** sexual touching, [handjobs, oral sex or blowjobs/oral sex, vaginal sex/handjobs, oral sex or blowjobs, vaginal sex], or anal sex?

IF GENDER =1, DISPLAY FILL= "handjobs, oral sex or blowjobs"
IF GENDER=2, DISPLAY FILL= "oral sex, vaginal sex"
IF GENDER=3, DISPLAY FILL= "handjobs, oral sex or blowjobs, vaginal sex"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_E1aa

IF (GENDER=1 AND (E2=2 AND E6=2 AND E8=2 AND E12=2 AND E14=2 AND (LCM1=1 OR LCM2a=1 OR 2 OR 3))) OR (GENDER=2 AND (E2=2 AND E8=2 AND E10=2 AND E12=2 AND E14=2 AND (LCM1=1 OR LCM2a=1 OR 2 OR 3)))
OR (GENDER=3 AND (E2 = 2 AND E6 = 2 AND E8 = 2 AND E10 = 2 AND E12 = 2 AND E14 = 2 AND (LCM1 = 1 OR LCM2a = 1 OR 2 OR 3))), CONTINUE TO E352, ELSE GO TO PB_E2

Question ID: E352

DOAFILL1, did another inmate, without using physical force, pressure you or make you feel that you had to have any type of sex or sexual contact **other than** sexual touching, [handjobs, oral sex or blowjobs/oral sex, vaginal sex/handjobs, oral sex or blowjobs, vaginal sex], or anal sex?

IF GENDER =1, DISPLAY FILL= "handjobs, oral sex or blowjobs"

IF GENDER=2, DISPLAY FILL= "oral sex, vaginal sex"

IF GENDER=3, DISPLAY FILL= "handjobs, oral sex or blowjobs, vaginal sex"

1 Yes

2 No

DK/REF

Box ID: PB_E2

UPDATE forced:

If at least one of (E162, E182, E202, E222, E242, E262, E282, E322, E342) is YES, then forced = YES
else forced = NO

UPDATE pressured:

If at least one of (E172, E192, E212, E232, E252, E272, E292, E332, E352) is YES, then pressured = YES
else pressured = NO

UPDATE ForcedOrPressuredFill2: If forced = YES AND pressured = NO then

forcedOrPressuredFill2 = "physically forced to"

Else if forced = NO AND pressured = YES then forcedOrPressuredFill2 = "pressured or made to feel that you had to"

Else if forced = YES AND pressured = YES then forcedOrPressuredFill2 = "physically forced, pressured, or made to feel that you had to"

Else forcedOrPressuredFill2 = "????"

[Note that if forced and pressured are both NO, the fill won't be used so it doesn't matter what it is.]

IF GENDER = 1 AND (E222 = 1 OR E232 = 1 OR E262 = 1 OR E272 = 1 OR E322 = 1 OR E332 = 1), CONTINUE TO E353, ELSE GO TO PB_E2a

Question ID: E353

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E222 OR E232 = 1] Give or receive a handjob,
- [IF E262 OR E272 = 1] Give or receive oral sex or a blowjob, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_E2a

IF E353=3, CONTINUE TO E354, ELSE GO TO PB_E2b

Question ID: E354

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

[IF E222 OR E232 = 1] Give or receive a handjob,
[IF E262 OR E272 = 1] Give or receive oral sex or a blowjob, or
[IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E2b

IF E353=4, CONTINUE TO E355, ELSE GO TO PB_E2c

Question ID: E355

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E222 OR E232 = 1] Give or receive a handjob,
- [IF E262 OR E272 = 1] Give or receive oral sex or a blowjob, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE 11 - 300]

Box ID: PB_E2c

IF GENDER = 2 AND (E242 = 1 OR E252 = 1 OR E282 = 1 OR E292 = 1 OR E322 = 1 OR E332 = 1), CONTINUE TO E356, ELSE GO TO PB_E2d

Question ID: E356

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E242 OR E252 = 1] Give or receive oral sex,
- [IF E282 OR E292 = 1] Have vaginal sex, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E2d

IF E356=3, CONTINUE TO E357, ELSE GO TO PB_E2e

Question ID: E357

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

[IF E242 OR E252 = 1] Give or receive oral sex,
[IF E282 OR E292 = 1] Have vaginal sex, or
[IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E2e

IF E356=4, CONTINUE TO E358, ELSE GO TO PB_E2e1

Question ID: E358

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E242 OR E252 = 1] Give or receive oral sex,
- [IF E282 OR E292 = 1] Have vaginal sex, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E2e1

IF GENDER = 3 AND (E222 = 1 OR E232 = 1 OR E262 = 1 OR E272 = 1 OR E282=1 OR E292=1 OR E322 = 1 OR E332 = 1), CONTINUE TO E366, ELSE GO TO PB_E2e2

Question ID: E366

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E222 OR E232 = 1] Give or receive a handjob,
- [IF E262 OR E272 = 1] Give or receive oral sex or a blowjob,
- [IF E282 OR E292 = 1] Have vaginal sex, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

- 1 ITEM - END WITH ?
- 2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?
- 3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?
- 4 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E2e2

IF E366=3, CONTINUE TO E367, ELSE GO TO PB_E2e3

Question ID: E367

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E222 OR E232 = 1] Give or receive a handjob,
- [IF E262 OR E272 = 1] Give or receive oral sex or a blowjob,
- [IF E282 OR E292 = 1] Have vaginal sex, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

4 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E2e3

IF E366=4, CONTINUE TO E368, ELSE GO TO PB_E2f

Question ID: E368

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2]:

- [IF E222 OR E232 = 1] Give or receive a handjob,
- [IF E262 OR E272 = 1] Give or receive oral sex or a blowjob,
- [IF E282 OR E292 = 1] Have vaginal sex, or
- [IF E322 OR E332 = 1] Have anal sex?

DEPENDING ON THE NUMBER OF BEHAVIORS ENDORSED, PLEASE INCORPORATE THIS PUNCTUATION:

1 ITEM - END WITH ?

2 ITEMS - 1ST ITEM END WITH or; 2ND ITEM END WITH ?

3 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , or; 3RD ITEM END WITH ?

4 ITEMS - 1ST ITEM END WITH , ; 2ND ITEM END WITH , ; 3RD ITEM END WITH , or; 4TH ITEM END WITH ?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E2f

IF E162 = 1 OR E172 = 1, CONTINUE TO E359, ELSE GO TO PB_E2g

Question ID: E359

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more

DK/REF

Box ID: PB_E2g

IF E359 = 3, CONTINUE TO E360, ELSE GO TO PB_E2h

Question ID: E360

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E2h

IF E359 = 4, CONTINUE TO E361, ELSE GO TO PB_E2i

Question ID: E361

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, or penis in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E2i

IF E182 = 1 OR E192 = 1, CONTINUE TO E362, ELSE GO TO PB_E2j

Question ID: E362

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_E2j

IF E362 = 3, CONTINUE TO E363, ELSE GO TO PB_E2k

Question ID: E363

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Box ID: PB_E2k

IF E362 = 4, CONTINUE TO E364, ELSE GO TO PB_E2k1

Question ID: E364

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, or vagina in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E2k1

IF E202=1 OR E212=1, CONTINUE TO E369, ELSE GO TO PB_E2k2

Question ID: E369

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 1 time
 - 2 2 times
 - 3 3 - 10 times
 - 4 11 times or more
- DK/REF

Box ID: PB_E2k2

IF E369 = 3, CONTINUE TO E370, ELSE GO TO PB_E2k3

Question ID: E370

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 3 times
 - 2 4 times
 - 3 5 times
 - 4 6 times
 - 5 7 times
 - 6 8 times
 - 7 9 times
 - 8 10 times
- DK/REF

Box ID: PB_E2k3

IF E369 = 4, CONTINUE TO E371, ELSE GO TO PB_E2I

Question ID: E371

DOAFILL1, how many times altogether were you [ForcedOrPressuredFill2] let another inmate touch your butt, thighs, breasts, penis, or vagina in a sexual way?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_E2I

IF E353 >= 1 OR E356 >= 1 OR E366 >= 1, CONTINUE TO E365, ELSE GO TO PB_F1.

Question ID: E365

How soon after you arrived at this facility were you [ForcedOrPressuredFill2] have sex or sexual contact with [another inmate for the **first time**/another inmate]?

IF E353 > 1 OR E356 > 1 OR E366 >1, DISPLAY FILL = "another inmate for the first time"

[IF E353 = 1 OR E356 = 1 OR E366 = 1, DISPLAY FILL= "another inmate"

- 1 Within the first 24 hours after you arrived here
- 2 More than 24 hours but within your first 3 days here
- 3 More than 3 days but within your first 30 days here
- 4 More than 30 days but within your first 6 months here
- 5 More than 6 months but within your first 12 months here
- 6 More than 12 months after you arrived here

DK/REF

DESCRIPTION OF NON-CONSENSUAL SEXUAL ACTS (NCSAs) (F)

Box ID: PB_F1

DEFINE NCSA:

IF E16 = 1 OR E17 = 1 OR E18 = 1 OR E19 = 1 OR E20 = 1 OR E21 = 1 OR E22 = 1 OR E23 = 1 OR E24 = 1 OR E25 = 1 OR E26 = 1 OR E27 = 1 OR E28 = 1 OR E29 = 1 OR E32 = 1 OR E33 = 1 OR E34 = 1 OR E35 = 1 OR E162 = 1 OR E172 = 1 OR E182 = 1 OR E192 = 1 OR E202 = 1 OR E212 = 2 OR E222 = 1 OR E232 = 1 OR E242 = 1 OR E252 = 1 OR E262 = 1 OR E272 = 1 OR E282 = 1 OR E292 = 1 OR E322 = 1 OR E332 = 1 OR E342 = 1 OR E352 = 1 THEN NCSA = 1 ELSE NCSA = 2

Box ID: PB_F2

UPDATE forced:

If at least one of (E16, E18, E20, E22, E24, E26, E28, E32, E34, E162, E182, E202, E222, E242, E262, E282, E322, E342) is YES, then forced = YES
else forced = NO

UPDATE pressured:

If at least one of (E17, E19, E21, E23, E25, E27, E29, E33, E35, E172, E192, E212, E232, E252, E272, E292, E332, E352) is YES, then pressured = YES
else pressured = NO

UPDATE ForcedOrPressuredFill2:

If forced = YES AND pressured = NO then forcedOrPressuredFill2 = "physically forced"
Else if forced = NO AND pressured = YES then forcedOrPressuredFill2 = "pressured or made to feel that you had"
Else if forced = YES AND pressured = YES then forcedOrPressuredFill2 = "physically forced, pressured, or made to feel that you had"
Else forcedOrPressuredFill2 = "????"

[Note that if forced and pressured are both NO, the fill won't be used so it doesn't matter what it is.]

Box ID: PB_F3

DEFINE #NCSA1
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 = 1
 THEN #NCSA1 = did it
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 > 1
 THEN #NCSA1 = did it **ever**
 IF ALL (E36, E37, E38, E39, E41, E42, E353, E356, E359, E362, E366, E369) = DK OR REF
 THEN #NCSA1 = did it **ever**

DEFINE #NCSA2
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 = 1
 THEN #NCSA2 = were you
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 > 1
 THEN #NCSA2 = were you **ever**
 IF ALL (E36, E37, E38, E39, E41, E42, E353, E356, E359, E362, E366, E369) = DK OR REF
 THEN #NCSA2 = were you **ever**

DEFINE #NCSA3
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 = 1
 THEN #NCSA3 = was it
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 > 1
 THEN #NCSA3 = was it **ever**
 IF ALL (E36, E37, E38, E39, E41, E42, E353, E356, E359, E362, E366, E369) = DK OR REF
 THEN #NCSA3 = was it **ever**

DEFINE #NCSA4
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 = 1
 THEN #NCSA4 = did you
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 > 1
 THEN #NCSA4 = did you **ever**
 IF ALL (E36, E37, E38, E39, E41, E42, E353, E356, E359, E362, E366, E369) = DK OR REF
 THEN #NCSA4 = did you **ever**

DEFINE #NCSA5
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 = 1
 THEN #NCSA5 = why didn't you
 IF E36 + E37 + E38 + E39 + E41 + E42 + E353 + E356 + E359 + E362 + E366 + E369 > 1
 THEN #NCSA5 = why didn't you **ever**
 IF ALL (E36, E37, E38, E39, E41, E42, E353, E356, E359, E362, E366, E369) = DK OR REF
 THEN #NCSA5 = why didn't you **ever**

IF NCSA = 1, CONTINUE TO F1, ELSE GO TO PB_F4

Question ID: F1

DOAFILL1, when you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate, [#NCSA1 FILL] involve **more than one inmate**?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_F4

IF NCSA = 1, CONTINUE TO F6a THROUGH F6j, ELSE GO TO PB_F5

Question ID: F6

DOAFILL1, when you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate, [#NSCA2 FILL] ...

items F6a- F6j should be displayed on the same screen as much as space allows

Question ID: F6a

Persuaded or talked into it?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6b

Given a bribe?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6c

Blackmailed?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6d

Given drugs or alcohol to get you drunk or high?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6e

Offered protection from other inmates?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6f

Trying to pay off or settle a debt that you owed?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6g

Threatened with harm?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6h

Physically held down or restrained?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6i

Physically harmed or injured?

- 1 Yes
- 2 No
- DK/REF

Question ID: F6j

Threatened with a weapon?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_F5

IF NCSA = 1, CONTINUE TO F8, ELSE GO TO PB_F6

Question ID: F8

DOAFILL1, when you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate, [#NCSA3] initiated by a gang?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_F6

IF NCSA = 1, CONTINUE TO F9, ELSE GO TO PB_F7

Question ID: F9

DOAFILL1, when you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate, [#NCSA2] injured?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_F7

IF F9 = 1, CONTINUE TO F10a THROUGH F10g, ELSE GO TO SECTION G.

Question ID: F10

DOAFILL1, when you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate, [#NCSA4] ...

items F10a - F10g should be displayed on the same screen as much as space allows

Question ID: F10a

Receive knife or stab wounds?

- 1 Yes
- 2 No
- DK/REF

Question ID: F10b

Receive broken bones?

- 1 Yes
- 2 No
- DK/REF

Question ID: F10c

Have [anal/anal or vaginal] tearing?

If GENDER=1, DISPLAY FILL= "anal"

IF GENDER=2 OR GENDER=3, DISPLAY FILL= "anal or vaginal"

- 1 Yes
- 2 No
- DK/REF

Question ID: F10d

Have your teeth chipped or knocked out?

- 1 Yes
- 2 No
- DK/REF

Question ID: F10e

Receive internal injuries?

- 1 Yes
- 2 No
- DK/REF

Question ID: F10f

Get knocked unconscious?

- 1 Yes
- 2 No
- DK/REF

Question ID: F10g

Receive bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/REF

STAFF SEXUAL MISCONDUCT (G)

Question ID: G1

These next questions are about the behavior of staff at this facility **DOAFILL2**. By staff we mean the employees of this facility and anybody who works as a volunteer in this facility.

Touch the **NEXT** button to go to the next screen.

Question ID: G4

DOAFILL1, have any facility staff pressured you or made you feel that you had to let them have sex or sexual contact with you?

- 1 Yes
- 2 No
- DK/REF

Question ID: G5

DOAFILL1, have you been physically forced by any facility staff to have sex or sexual contact?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G1

DEFINE SEXTYPE2

IF G4 =1 AND G5 = 1 THEN SEXTYPE2 = physically forced, pressured, or made to feel that you had to

IF G4 = 1 AND G5 NE 1 THEN SEXTYPE2 = pressured or made to feel that you had to

IF G4 NE 1 AND G5 = 1 THEN SEXTYPE2 = physically forced to

IF G4=1 OR G5=1, CONTINUE TO G6, ELSE GO TO G7

Question ID: G6

DOAFILL1, how many times were you [SEXTYPE2 FILL] have sex or sexual contact with any facility staff?

- 1 1 time
- 2 2 times
- 3 3 - 10 times GO TO G6a
- 4 11 times or more GO TO G6b
- DK/REF

Question ID: G6a

DOAFILL1, how many times were you [SEXTYPE2 FILL] have sex or sexual contact with any facility staff?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Question ID: G6b

DOAFILL1, how many times were you [SEXTYPE2 FILL] have sex or sexual contact with any facility staff?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300}

Question ID: G8

How soon after you arrived at this facility were you [SEXTYPE2] have sex or sexual contact [with facility staff for the **first time**/with facility staff]?

IF (G4 = 1 OR G5 = 1) AND G6 > 1, DISPLAY FILL= "with facility staff for the first time"

IF (G4 = 1 OR G5 = 1) AND G6 = 1), DISPLAY FILL="with facility staff"

- 1 Within the first 24 hours after you arrived here
- 2 More than 24 hours but within your first 3 days here
- 3 More than 3 days but within your first 30 days here
- 4 More than 30 days but within your first 6 months here
- 5 More than 6 months but within your first 12 months here
- 6 More than 12 months after you arrived here
- DK/REF

Question ID: G7

DOAFILL1, have any facility staff offered you favors or special privileges in exchange for sex or sexual contact?

- 1 Yes
- 2 No
- DK/REF

Question ID: G2

DOAFILL1, have you **willingly** had sex or sexual contact with any facility staff?

- 1 Yes GO TO G3
- 2 No
- DK/REF

Question ID: G3

DOAFILL1, how many times have you **willingly** had sex or sexual contact with facility staff?

- 1 1 time
- 2 2 times
- 3 3 - 10 times GO TO G3a
- 4 11 times or more GO TO G3b
- DK/REF

Question ID: G3a

DOAFILL1, how many times have you **willingly** had sex or sexual contact with any facility staff?

- 1 3 times
- 2 4 times
- 3 5 times
- 4 6 times
- 5 7 times
- 6 8 times
- 7 9 times
- 8 10 times
- DK/REF

Question ID: G3b

DOAFILL1, how many times have you **willingly** had sex or sexual contact with any facility staff?

NUMBER OF TIMES: _____

DK/REF

NOTES: [RANGE: 11 - 300]

Box ID: PB_G2

IF G4 = 1 OR G5 = 1, CONTINUE TO G9, ELSE GO TO PB_G3

Question ID: G9

DOAFILL1, on any occasion when you were [SEXTYPE2 FILL] have sex or sexual contact with facility staff, did you report it to other facility staff?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G3

IF G2 = 1 OR G4 = 1 OR G5 = 1, CONTINUE TO G10, ELSE GO TO PB_G4

Question ID: G10

These next questions are about any sex or sexual contact you have had with facility staff **DOAFILL2**, whether you wanted to have it or not.

Touch the **NEXT** button to go to the next screen.

Box ID: PB_G4

IF G2=1 OR G4=1 OR G5=1, CONTINUE TO G11a THROUGH G11e, ELSE GO TO PB_G5

Question ID: G11

DOAFILL1, which of the following types of sex or sexual contact did you have with a facility staff person?

items G11a - G11e should be displayed on the same screen as much as space allows

Question ID: G11a

You touched a facility staff person's body **or** had your body touched in a sexual way?

- 1 Yes
- 2 No
- DK/REF

Question ID: G11b

You gave or received a handjob?

- 1 Yes
- 2 No
- DK/REF

Question ID: G11c

You gave or received oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/REF

Question ID: G11d

You had vaginal sex? Vaginal sex is when one person inserts their penis, finger, or an object into another person's vagina.

- 1 Yes
- 2 No
- DK/REF

Question ID: G11e

You had anal sex? Anal sex is when one person inserts their penis, finger, or an object into another person's butt.

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G5

IF G2 =1 OR G4 = 1 OR G5 = 1, CONTINUE TO G12, ELSE GO TO PB_G6

Question ID: G12

DOAFILL1, when you had sex or sexual contact with facility staff, did it **ever** involve **more than one** facility staff person?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G6

IF G2=1 OR G4=1 OR G5=1, CONTINUE TO G17a THROUGH G17I, ELSE GO TO PB_G7

Question ID: G17

DOAFILL1, when you had sex or sexual contact with facility staff were any of the following methods used to get you to participate?

items G17a - G17I should be displayed on the same screen as much as space allows

Question ID: G17a

You were persuaded or talked into it?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17b

You were given a bribe?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17c

You were offered favors or special privileges?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17d

You were blackmailed?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17e

You were given drugs or alcohol to get you drunk or high?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17f

You were offered protection from other inmates?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17g

You were offered protection from another correctional officer?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17h

You were trying to pay off or settle a debt that you owed?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17i

You were threatened with harm?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17j

You were physically held down or restrained?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17k

You were physically harmed or injured?

- 1 Yes
- 2 No
- DK/REF

Question ID: G17I

You were threatened with a weapon?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G7

IF G2 = 1 OR G4 = 1 OR G5 = 1, CONTINUE TO G28, ELSE GO TO PB_G8

Question ID: G28

DOAFILL1, did you have sex or sexual contact with male facility staff, female facility staff, or both male and female facility staff?

- 1 Male facility staff
- 2 Female facility staff
- 3 Both male and female facility staff
- DK/REF

Box ID: PB_G8

IF G28 = 1 OR 2, CONTINUE TO G29a THROUGH G29c, ELSE GO TO PB_G9

Question ID: G29

DOAFILL1, did you have sex or sexual contact with any...

items G29a - G29c should be displayed on the same screen as much as space allows

Question ID: G29a

Correctional officers?

- 1 Yes
- 2 No
- DK/REF

Question ID: G29b

Other staff working in the facility?

- 1 Yes
- 2 No
- DK/REF

Question ID: G29c

Volunteers in the facility?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_G9

IF G28 = 3, CONTINUE TO G31a THROUGH G31f, ELSE GO TO PB_G10

Question ID: G31

DOAFILL1, did you have sex or sexual contact with any...

items G31a - G31f should be displayed on the same screen as much as space allows

Question ID: G31a

Male correctional officers?

- 1 Yes
- 2 No
- DK/REF

Question ID: G31b

Female correctional officers?

- 1 Yes
- 2 No
- DK/REF

Question ID: G31c

Other **male** staff working in the facility?

- 1 Yes
- 2 No
- DK/REF

Question ID: G31d

Other **female** staff working in the facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: G31e

Male volunteers in the facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: G31f

Female volunteers in the facility?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_G10

IF G2 =1 OR G4 = 1 OR G5 = 1, CONTINUE TO G19, ELSE GO TO Section X (XINTRO)

Question ID: G19

DOAFILL1, when you had sex or sexual contact with facility staff, were you **ever** injured?

- 1 Yes GO TO G20
- 2 No
- DK/REF

Question ID: G20

DOAFILL1, when you had sex or sexual contact with facility staff, did you ever ...
items G20a - G20g should be displayed on the same screen as much as space allows

Question ID: G20a

Receive knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: G20b

Receive broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: G20c

Have [anal/anal or vaginal] tearing?

IF GENDER= 1, DISPLAY FILL= "anal"

IF GENDER= 2 OR GENDER= 3, DISPLAY FILL= "anal or vaginal"

- 1 Yes
- 2 No
- DK/RF

Question ID: G20d

Have your teeth chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: G20e

Receive internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: G20f

Get knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: G20g

Receive bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_G11

DEFINE RANDOMIZATION_INCIDENT

IF NCSA = 1 AND [G2 OR G4 OR G5 =1]: RANDOMIZATION_INCIDENT = 1
ELSE, RANDOMIZATION_INCIDENT = 2

IF RANDOMIZATION_INCIDENT = 1, INITIATE RANDOMIZATION **AT A 50/50 RATIO** TO
DETERMINE WHETHER TO ADMINISTER MODULES DIR AND IIC OR MODULES DIRS AND SI

IF RANDOMIZATION=2 AND NCSA=1, CONTINUE TO SECTION DIR;
ELSE IF RANDOMIZATION=2 AND [G2 OR G4 OR G5 =1] CONTINUE TO DIRS

DETERMINATION OF SPECIFIC INCIDENT FOR INMATE INCIDENT REPORT (DIR)

<p>Box ID: PB_DIR1</p> <p>DEFINE NUMBER_OF_TIMES: IF E36=1 OR E353=1 OR E37=1 OR E356=1 OR E41 = 1 OR E366 = 1,NUMBER_OF_TIMES = "1 time" IF E36=2 OR E353=2 OR E37=2 OR E356=2 OR E41 =2 OR E366 = 2,NUMBER_OF_TIMES= "2 times" IF E36=3 OR E353=3 OR E37=3 OR E356 = 3 OR E41 = 3 OR E366 = 3,NUMBER_OF_TIMES="3 to 10 times" IF E36=4 OR E353=4 OR E37=4 OR E356=4 OR E41 = 4 OR E366 = 4,NUMBER_OF_TIMES="11 times or more" IF E36 = (DK OR REF) OR E353 = (DK OR REF) OR E37 = (DK OR REF) OR E356 = (DK OR REF), OR E41 = (DK OR REF) OR E366 = (DK OR REF), NUMBER_OF_TIMES = NO FILL ELSE NUMBER_OF_TIMES = MISSING</p> <p>DEFINE NUMBER_OF_TIMES_TOUCH: IF E38=1 OR E359=1 OR E39=1 OR E362=1 OR E42 = 1 OR E369 = 1, NUMBER_OF_TIMES_TOUCH = "1 time"</p> <p>IF E38=2 OR E359=2 OR E39=2 OR E362=2 OR E42 = 2 OR E369 = 2, NUMBER_OF_TIMES_TOUCH="2 times" IF E38=3 OR E359=3 OR E39=3 OR E362=3 OR E42 = 3 OR E369 = 3, NUMBER_OF_TIMES_TOUCH = "3 to 10 times" IF E38=4 OR E359=4 OR E39=4 OR E362=4 OR E42 = 4 OR E369 = 4, NUMBER_OF_TIMES_TOUCH = "11 times or more" IF E38 = (DK OR REF) OR E359 = (DK OR REF) OR E39 = (DK OR REF) OR E362 = (DK OR REF), OR E42 = (DK OR REF) OR E369 = (DK OR REF), NUMBER_OF_TIMES_TOUCH = NO FILL ELSE NUMBER_OF_TIMES_TOUCH = MISSING</p> <p>IF NUMBER_OF_TIMES=1 time AND (NUMBER_OF_TIMES_TOUCH IS MISSING), CONTINUE TO DIR1, ELSE GO TO PB_DIR2</p>
--

<p>Question ID: DIR1</p> <p>Earlier you reported that DOAFILL2 you were [ForcedOrPressuredFill2] to have sex or sexual contact with another inmate [NUMBER_OF_TIMES]. Please think about that experience as you answer the next questions.</p> <p>Touch the NEXT button to go to the next screen.</p>
--

<p>Box ID: PB_DIR2</p> <p>IF NUMBER_OF_TIMES_TOUCH=1 time AND NUMBER_OF_TIMES IS MISSING, CONTINUE TO DIR2, ELSE GO TO PB_DIR3</p>
--

Question ID: DIR2

Earlier you reported that **DOAFILL2** you were [ForcedOrPressuredFill2] let another inmate touch your [butt, thighs, or penis/butt, thighs, breasts, or vagina/butt, thighs, breasts, penis, or vagina] in a sexual way [NUMBER_OF_TIMES_TOUCH]. Please think about that experience as you answer the next questions.

Touch the **NEXT** button to go to the next screen.

IF GENDER=1, DISPLAY FILL= "butt, thighs, or penis"

IF GENDER=2, DISPLAY FILL = "butt, thighs, breasts, or vagina"

IF GENDER=3, DISPLAY FILL = "butt, thighs, breasts, penis, or vagina"

Box ID: PB_DIR3

IF NUMBER_OF_TIMES_>=2 times **AND** NUMBER_OF_TIMES_TOUCH IS MISSING, CONTINUE TO DIR3 SERIES,

IF E22=1 OR E23=1 OR E222=1 OR E232=1, GO TO DIR3a, ELSE GO TO PB_DIR3a

Question ID: DIR3

Earlier you reported that **DOAFILL2** you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate [NUMBER_OF_TIMES].

[As you answer the next questions, please think about the **most recent** time you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate./Think about the **most recent** time this happened to you. What were you [ForcedOrPressuredFill2] do?]

Touch the **NEXT** button to go to the next screen.

IF only one of ((E22=1 OR E23=1), (E24=1 OR E25=1), (E26=1 OR E27=1), (E28=1 OR E29=1), (E32=1 OR E33=1), (E222=1 OR E232=1), (E242=1 OR E252=1), (E262=1 OR E272=1), (E282=1 OR E292=1), (E322=1 OR E332=1)) is true, DISPLAY FILL= "As you answer the next questions, please think about the most recent time you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate."

[IF at least two of ((E22=1 OR E23=1), (E24=1 OR E25=1), (E26=1 OR E27=1), (E28=1 OR E29=1), (E32=1 OR E33=1), (E222=1 OR E232=1), (E242=1 OR E252=1), (E262=1 OR E272=1), (E282=1 OR E292=1), (E322=1 OR E332=1)) are true, DISPLAY FILL = "Think about the most recent time this happened to you. What were you [ForcedOrPressuredFill2] do?"

Question ID: DIR3a

Give or receive a handjob?

1 Yes

2 No

-- DK/RF

Box ID: PB_DIR3a

IF E26=1 OR E27=1 OR E262=1 OR E272=1, GO TO DIR3b, ELSE GO TO PB_DIR3b

Question ID: DIR3b

Give or receive oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR3b

IF E24=1 OR E25=1 OR E242=1 OR E252=1, CONTINUE TO DIR3c, ELSE GO TO PB_DIR3c

Question ID: DIR3c

Give or receive oral sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR3c

IF E28=1 OR E29=1 OR E282=1 OR E292=1, CONTINUE TO DIR3d, ELSE GO TO PB_DIR3d

Question ID: DIR3d

Have vaginal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR3d

IF E32=1 OR E33=1 OR E322=1 OR E332=1, GO TO DIR3e, ELSE GO TO PB_DIR4

Question ID: DIR3e

Have anal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR4

As you answer the next questions, please think about the **most recent** time you were [ForcedOnPressuredFill2] have sex or sexual contact with another inmate.

Touch the NEXT button to go to the next screen.

IF NUMBER_OF_TIMES_TOUCH >=2 times **AND** NUMBER_OF_TIMES IS MISSING, GO TO DIR4, ELSE GO TO PB_DIR5

Question ID: DIR4

Earlier you reported that **DOAFILL2** you were [ForcedOrPressuredFill2] let another inmate touch your [butt, thighs, or penis/butt, thighs, breasts, or vagina/butt, thighs, breasts, penis, or vagina] in a sexual way [NUMBER_OF_TIMES_TOUCH].

Think about the **most recent** time this happened to you as you answer the next questions.

Touch the **NEXT** button to go to the next screen.

IF GENDER=1, DISPLAY FILL = "butt, thighs, or penis"

IF GENDER= 2, DISPLAY FILL= "butt, thighs, breasts, or vagina"

IF GENDER= 3, DISPLAY FILL= "butt, thighs, breasts, penis, or vagina"

Box ID: PB_DIR5

IF (NUMBER_OF_TIMES > =1 time OR DK OR REF) AND (NUMBER_OF_TIMES_TOUCH >=1 time OR DK OR REF), CONTINUE TO DIR5 SERIES, ELSE GO TO DIR00

Question ID: DIR5

Earlier you reported that **DOAFILL2** you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate **and** that you were [ForcedOrPressuredFill2] let another inmate touch your [butt, thighs, or penis/butt, thighs, breasts, or vagina/butt, thighs, breasts, penis, or vagina] in a sexual way.

Think about the **most recent** time this happened to you. What were you [ForcedOrPressuredFill2] do?

IF GENDER=1, DISPLAY FILL= "butt, thighs, or penis"

IF GENDER=2, DISPLAY FILL= "butt, thighs, breasts, or vagina"

IF GENDER=3, DISPLAY FILL= "butt, thighs, breasts, penis, or vagina"

Box ID: PB_DIR5a_

IF E22=1 OR E23=1 OR E222=1 OR E232=1, CONTINUE TO DIR5a, ELSE GO TO PB_DIR5a

Question ID: DIR5a

Give or receive a handjob?

1 Yes

2 No

-- DK/RF

Box ID: PB_DIR5a

IF E26=1 OR E27=1 OR E262=1 OR E272=1, CONTINUE TO DIR5b, ELSE GO TO PB_DIR5b

Question ID: DIR5b

Give or receive oral sex or a blowjob?

1 Yes

2 No

-- DK/RF

Box ID: PB_DIR5b

IF E24=1 OR E25=1 OR E242=1 OR E252=1, CONTINUE TO DIR5c, ELSE GO TO PB_DIR5c

Question ID: DIR5c

Give or receive oral sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR5c

IFE28=1 OR E29=1 OR E282=1 OR E292=1, CONTINUE TO DIR5d, ELSE GO TO PB_DIR5d

Question ID: DIR5d

Have vaginal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR5d

IF E32=1 OR E33=1 OR E322=1 OR E332=1, CONTINUE TO DIR5e, ELSE GO TO PB_DIR5e

Question ID: DIR5e

Have anal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR5e

IF E16=1 OR E17=1 OR E162=1 OR E172=1, CONTINUE TO DIR5f, ELSE GO TO PB_DIR5f

Question ID: DIR5f

Be touched on your butt, thighs, or penis in a sexual way?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR5f

IF E18=1 OR E19=1 OR E182=1 OR E192=1, CONTINUE TO DIR5g, ELSE GO TO PB_DIR5g

Question ID: DIR5g

Be touched on your butt, thighs, breasts, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIR5g

IF E20 = 1 OR E21 = 1 OR E202 = 1 OR E212 = 1, CONTINUE TO DIR5h, ELSE GO TO DIR00

Question ID: DIR5h

Be touched on your butt, thighs, breasts, penis, or vagina in a sexual way?

- 1 Yes
- 2 No
- DK/RF

Question ID: DIR00

As you answer the next questions, please think about the **most recent** time you were [ForcedOrPressuredFill2] have sex or sexual contact with another inmate or let another inmate touch your [butt, thighs, or penis/butt, thighs, breasts, or vagina/butt, thighs, breasts, penis, or vagina] in a sexual way.

Touch the **NEXT** button to go to the next screen.

IF GENDER=1, DISPLAY FILL= "butt, thighs, or penis"

IF GENDER=2, DISPLAY FILL= "butt, thighs, breasts, or vagina"

IF GENDER=3, DISPLAY FILL="butt, thighs, breasts, penis, or vagina"

Box ID: PB_DIR6

IF DIR1 OR DIR2 Or DIR3 OR DIR4 OR DIR5 IS DISPLAYED, CONTINUE WITH MODULE (IIC), ELSE SKIP TO DETERMINATION OF SPECIFIC INCIDENT OF STAFF INCIDENT REPORT(DIRS)

INCIDENT CHARACTERISTICS FOR INMATE-ON-INMATE VICTIMIZATION (IIC)

Box ID: PB_IIC1

DEFINE RECENT_FILL:

IF DIR1 OR DIR2 is displayed, then RECENT_FILL = "incident"

IF DIR3 OR DIR4 OR DIR5 is displayed, then RECENT_FILL = "**most recent** incident"

DEFINE I-ON-I_FILL:

IF DIR1 OR DIR3 is displayed, then I-ON-I_FILL = "sex or sexual contact with another inmate"

IF DIR2 OR DIR4 is displayed **AND** GENDER=1, then I-ON-I_FILL = "another inmate touching your butt, thighs or penis in a sexual way"

IF DIR2 OR DIR4 is displayed **AND** GENDER=2, then I-ON-I_FILL = "another inmate touching your butt, thighs, breasts, or vagina in a sexual way"

IF DIR2 OR DIR4 is displayed **AND** GENDER=3, then I-ON-I_FILL = "another inmate touching your butt, thighs, breasts, penis, or vagina in a sexual way"

IF DIR5 is displayed **AND** GENDER=1, then I-ON-I_FILL = "sex or sexual contact with another inmate or another inmate touching your butt, thighs, or penis in a sexual way"

IF DIR5 is displayed **AND** GENDER=2, then I-ON-I_FILL = "sex or sexual contact with another inmate or another inmate touching your butt, thighs, breasts, or vagina in a sexual way"

IF DIR5 is displayed **AND** GENDER=3, then I-ON-I_FILL = "sex or sexual contact with another inmate or another inmate touching your butt, thighs, breasts, penis, or vagina in a sexual way"

Question ID: IIC1

Did this [RECENT_FILL] of [I-ON-I_FILL] happen in [CURRENT YEAR] or [CURRENT YEAR -1]?

- 1 CURRENT YEAR
 - 2 CURRENT YEAR - 1
- DK/REF

Box ID: PB_IIC2

DEFINE IIC1_FILL:

IF IIC1=1, then IIC1_FILL=CURRENT YEAR

IF IIC1=2, then, IIC1_FILL=CURRENT YEAR - 1

IF IIC1 NE DK OR RF, CONTINUE TO IIC2, ELSE GO TO IIC3

Question ID: IIC2

In what month in [IIC1_FILL] did this [RECENT_FILL] happen/In what month did this [RECENT_FILL] happen?

IF IIC1=1, DISPLAY: JANUARY UP TO CURRENT MONTH IN THE YEAR AS RESPONSE OPTIONS
IF IIC1 NE DK OR REF, DISPLAY FILL= "In what month in [IIC1_FILL] did this [RECENT_FILL] happen"

[IF IIC1 = DK OR REF, DISPLAY FILL = "In what month did this [RECENT_FILL] happen"

- 1 January
- 2 February
- 3 March
- 4 April
- 5 May
- 6 June
- 7 July
- 8 August
- 9 September
- 10 October
- 11 November
- 12 December
- DK/REF

Question ID: IIC3

Did the [RECENT_FILL] happen...

items IIC3a - IIC3d should be displayed on the same screen as much as space allows

Question ID: IIC3a

Between 6:00 in the morning and noon?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC3b

After noon but before 6:00 in the evening?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC3c

After 6:00 in the evening but before midnight?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC3d

After midnight but before 6:00 in the morning?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC4

Where did the [RECENT_FILL] happen?

items IIC4a - IIC4d should be displayed on the same screen as much as space allows

Question ID: IIC4a

In your own cell, room, or sleeping area?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC4b

In the cell, room, or housing area of another inmate?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC4c

Somewhere else in the facility?

- 1 Yes
- 2 No
- DK/RF

GO TO IIC5

Question ID: IIC4d

Off facility grounds?

- 1 Yes
- 2 No
- DK/RF

GO TO IIC6

Question ID: IIC5

Where were you when the incident happened?

items IIC5a - IIC5h should be displayed on the same screen as much as space allows

Question ID: IIC5a

In a shower?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5b

In a bathroom?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5c

In the yard or recreation area?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5d

In a classroom or library?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5e

In a workshop, kitchen, or other workplace?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5f

In a closet?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5g

In an office or other locked room?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC5h

On the stairs?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC2a_

IF IIC4d=1, CONTINUE TO IIC6, ELSE GO TO IIC7

Question ID: IIC6

Where were you when the incident happened?

items IIC6a - IIC6d should be displayed on the same screen as much as space allows

Question ID: IIC6a

A bus, van, or car?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC6b

A courthouse?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC6c

Some type of temporary holding facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC6d

A hospital or other type of medical facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7

Just before or during this [RECENT_FILL], which, if any of these things, happened? Were you...

items IIC7a - IIC7j should be displayed on the same screen as much as space allows

Question ID: IIC7a

Persuaded or talked into the sex or sexual contact?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7b

Given a bribe?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7c

Blackmailed?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7d

Given drugs or alcohol to get you drunk or high?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7e

Offered protection from other inmates?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7f

Trying to pay off or settle a debt that you owed?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7g

Threatened with harm?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7h

Physically held down or restrained?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7i

Physically harmed or injured?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC7j

Threatened with a weapon?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC8

Do you think this [RECENT_FILL] happened because of your...

items IIC8a - IIC8e should be displayed on the same screen as much as space allows

National Inmate Survey: Year 4

Question ID: IIC8a

Race or ethnicity?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC8b

Age?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC8c

Religion?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC8d

Gang affiliation?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC2ab

IF GENDER=3, CONTINUE TO IIC8e, ELSE GO TO PB_IIC3

Question ID: IIC8e

Gender identity?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC3

IF D2 = 1 OR 3 OR 4, CONTINUE TO IIC33, ELSE GO TO IIC9

Question ID: IIC33

Do you think this [RECENT_FILL] happened because you are [SexualOrientationFill]?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC9

During this [RECENT_FILL], did one inmate or more than one inmate have sexual contact with you?

- 1 One inmate GO TO IIC10a
- 2 More than one inmate GO TO IIC10b
- DK/REF

Question ID: IIC10a

Was the other inmate male, female, or transgender?

- 1 Male
- 2 Female
- 3 Transgender
- DK/REF

Question ID: IIC10b

Were any of the inmates involved in this incident...

items IIC10b1-IIC10b3 should be displayed on the same screen as much as space allows

Question ID: IIC10b1

Male?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC10b2

Female?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC10b3

Transgender?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC4

```

DEFINE PerpGenderFill1:
If IIC9=1 AND IIC10a=1
then PerpGenderFill1= "he"
IF HC9=1 AND IIC10a=2
then PerpGenderFill1= "she"
IF IIC9=1 AND IIC10a=3
then PerpGenderFill1= "they"
If IIC9=2
then PerpGenderFill1= "they"
    
```

```

DEFINE PerpGenderFill2:
If HC9=1 AND IIC10a=1
then PerpGenderFill2= "his"
If HC9=1 AND IIC10a=2
then PerpGenderFill2= "her"
If HC9=1 AND IIC10a=3
then PerpGenderFill2= "their"
If IIC9=2
then PerpGenderFill2= "their"
    
```

Question ID: IIC11

[Was the other inmate/Were any of the other inmates] of Hispanic, Latino, or Spanish origin?

```

IF IIC9=1, DISPLAY FILL= "Was the other inmate"
IF IIC9= 2, DISPLAY FILL = "Were any of the other inmates"
    1 Yes
    2 No
    DK/REF
    
```

Question ID: IIC12

[Was the other inmate.../Were any of the other inmates...]

```

IF IIC9=1, DISPLAY FILL= "Was the other inmate..."
IF IIC9= 2, DISPLAY FILL = "Were any of the other inmates..."
    
```


National Inmate Survey: Year 4

Question ID: IIC12a

White?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC12b

Black or African American?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC12c

American Indian or Alaska Native?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC12d

Asian?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC12e

Native Hawaiian or other Pacific Islander?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC5

IF IIC9=1, CONTINUE TO IIC13a, ELSE GO TO PB_IIC6

Question ID: IIC13a

How old was this other inmate?

- 1 Under 25
- 2 25 - 34
- 3 35 - 44
- 4 45 - 54
- 5 55 or older
- DK/REF

Box ID: PB_IIC6

IF IIC9=2, CONTINUE TO IIC13b, ELSE GO TO PB_IIC7

Question ID: IIC13b

Were any of the inmates...

items IIC13b1 - IIC13b3 should be displayed on the same screen as much as space allows

Question ID: IIC13b1

Older than you?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC13b2

Younger than you?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC13b3

About the same age as you?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC7

IF IIC13a=DK, CONTINUE TO IIC13DK, ELSE GO TO PB_IIC8

Question ID: IIC13DK

Was this other inmate older than you, younger than you or about the same age as you?

- 1 Older than you
- 2 Younger than you
- 3 About the same age as you
- DK/REF

Box ID: PB_IIC8

IF IIC9=1, CONTINUE TO IIC14a, ELSE GO TO PB_IIC9

Question ID: IIC14a

At the time this [RECENT_FILL] occurred, was this other inmate assigned to the same housing unit, pod, or dormitory as you?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_IIC9

IF IIC9=2, CONTINUE TO IIC14b, ELSE GO TO PB_IIC10

Question ID: IIC14b

At the time this [RECENT_FILL] occurred, were any of these inmates assigned to the same housing unit, pod, or dormitory as you?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_IIC10

IF IIC9=1, CONTINUE TO IIC15a, ELSE GO TO PB_IIC11

Question ID: IIC15a

How well did you know this other inmate at the time the [RECENT_FILL] occurred?

- 1 Did not know the inmate at all
 - 2 Knew the inmate only a little
 - 3 Knew the inmate but not well
 - 4 Knew the inmate very well
- DK/REF

Box ID: PB_IIC11

IF IIC9=2, CONTINUE TO IIC15b, ELSE GO TO PB_IIC12

Question ID: IIC15b

Did you know these inmates at the time the [RECENT_FILL] occurred?

- 1 You knew all the inmates who were involved
 - 2 You knew some of the inmates who were involved
 - 3 You did not know any of the inmates who were involved
- DK/REF

Box ID: PB_IIC12

IF IIC9=1, CONTINUE TO IIC16a, ELSE GO TO PB_IIC13

Question ID: IIC16a

Was this other inmate a member of a gang?

- 1 Yes
 - 2 No
- DK/REF

Box ID: PB_IIC13

IF IIC9=2, CONTINUE TO IIC16b, ELSE GO TO IIC17

Question ID: IIC16b

Were any of these inmates members of a gang?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC17

Before this incident happened, were you worried that [this inmate/any of these inmates] might be planning to have sex or sexual contact with you?

IF IIC9=1, DISPLAY FILL= "this inmate"
IF IIC9=2, DISPLAY FILL =any of these inmates"

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC18

Before this incident happened, had you had any arguments or fights with [this inmate/any of these inmates]?

IF IIC9=1, DISPLAY FILL= "this inmate"
IF IIC9=2, DISPLAY FILL= "any of these inmates"

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC19

Were you injured during this [RECENT_FILL]?

- 1 Yes GO TO IIC20
- 2 No
- DK/REF

Question ID: IIC20

How were you injured during the incident? Did you...
items IIC20a - IIC20g should be displayed on the same screen as much as space allows

Question ID: IIC20a

Receive knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20b

Receive broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20c

Have [anal/anal or vaginal] tearing?

IF GENDER=1, DISPLAY FILL= "anal"
IF GENDER=2 or 3, DISPLAY FILL= "anal or vaginal"

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20d

Have your teeth chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20e

Receive internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20f

Get knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC20g

Receive bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC14

IF IIC19=1, CONTINUE TO IIC21, ELSE GO TO IIC22

Question ID: IIC21

As a result of any of the injuries you received during this incident, did you see a doctor, nurse, or other health care provider for any of the injuries you received?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC22

Did [this inmate/these inmates] do any of the following things **after** the incident happened?

IF IIC9=1, DISPLAY FILL= "this inmate"
IF IIC9=2, DISPLAY FILL= "these inmates"

Question ID: IIC22a

Gave you gifts or money so that you would keep it a secret?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22b

Threatened to hurt you so that you would keep it a secret?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22c

Said [PerpGenderFill1] would blame it on you if you told anyone?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22d

Said [PerpGenderFill1] would stop spending time with you if you told anyone?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22e

Had some type of sexual contact with you again?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22f

Ignored you or stayed away from you?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22g

Threatened to harm your family?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC22h

Hurt you or beat you up?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC23

Did you report this [RECENT_FILL] to anyone?

- 1 Yes
- 2 No
- DK/REF

GO TO IIC24

Question ID: IIC24

Did you report the incident to...

items IIC24a - IIC24k should be displayed on the same screen as much as space allows

Question ID: IIC24a

A correctional officer?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24b

An administrative staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24c

A medical or healthcare staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24d

An instructor or teacher?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24e

A counselor or other mental health care provider?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24f

A chaplain or other religious official?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24g

A volunteer?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24h

Some other type of facility staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24i

A telephone hotline?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24j

Another inmate?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC24k

A family member or friend?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC25

At the time the [RECENT_FILL] happened, were any **other inmates** aware that it was happening?

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC26

At the time the [RECENT_FILL] happened, were any **staff at the facility** aware that it was happening?

- 1 Yes
- 2 No
- DK/REF

Box ID: PBIIC15

IF IIC23=1 CONTINUE TO IIC27, ELSE GO TO PB_IIC16

Question ID: IIC27

Did any of the following things happen to you as a result of the report you made?
items IIC27a - IIC27f should be displayed on the same screen as much as space allows

Question ID: IIC27a

You were moved to administrative segregation or some other protective housing?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC27b

You were placed in a medical unit, ward, or hospital?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC27c

You were confined to your own cell, room, or housing area?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC27d

You were given a higher level of custody within the facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC27e

You were offered a transfer to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC27f

You were written up?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC16

IF IIC9=1 AND IIC23=1, CONTINUE TO IIC28a, ELSE GO TO PB_IIC17

Question ID: IIC28a

Did any of the following things happen to the inmate who had sex or sexual contact with you?
items IIC28a1 - IIC28a8 should be displayed on the same screen as much as space allows

Question ID: IIC28a1

The inmate was moved to administrative segregation or some other protective housing?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a2

The inmate was placed in a medical unit, ward, or hospital?

- 1 Yes
- 2 No
- DK/RF

National Inmate Survey: Year 4

Question ID: IIC28a3

The inmate was confined to [PerpGenderFill2] own cell, room, or housing area?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a4

The inmate was given a higher level of custody at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a5

The inmate was transferred to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a6

The inmate was written up?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a7

The inmate lost privileges?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28a8

The inmate was charged with a crime?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_IIC17

IF IIC9=2 AND IIC23=1, CONTINUE TO IIC28b, ELSE GO TO IIC29

Question ID: IIC28b

Did any of the following things happen to the inmates who had sex or sexual contact with you?
items IIC28b1 - IIC28b8 should be displayed on the same screen as much as space allows

Question ID: IIC28b1

One or more of the inmates were moved to administrative segregation or some other protective housing?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b2

One or more of the inmates were placed in a medical unit, ward, or hospital?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b3

One or more of the inmates were confined to their own cell, room, or housing area?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b4

One or more of the inmates were given a higher level of custody at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b5

One or more of the inmates were transferred to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b6

One or more of the inmates were written up?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b7

One or more of the inmates lost privileges?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC28b8

One or more of the inmates were charged with a crime?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC29

Since this [RECENT_FILL] happened, [has this inmate/have any of these inmates] attempted any type of sexual contact with you?

IF IIC9=1, DISPLAY FILL= "has this inmate"
IF IIC9=2, DISPLAY FILL= "have any of these inmates"

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC30

Since this [RECENT_FILL] happened, have you been worried that [this inmate will/any of these inmates would] try to initiate sexual contact with you again?

IF IIC9 = 1 AND IIC29 NE 1, DISPLAY FILL= "this inmate will"
IF IIC9 = 2 AND IIC29 NE 1, DISPLAY FILL= "any of these inmates would"

- 1 Yes
- 2 No
- DK/REF

Question ID: IIC31

Since this [RECENT_FILL] happened, have you done any of the following things to reduce the chance that you would have to have sexual contact again?

items IIC31a - IIC31o should be displayed on the same screen as much as space allows

Question ID: IIC31a

Joined a gang?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31b

Carried a weapon?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31c

Fought more?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31d

Worked out in order to bulk up?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31e

Avoided certain areas?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31f

Kept to yourself more?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31g

Stayed in your own cell or housing area more?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31h

Joined a religious group?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31i

Avoided certain inmates?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31j

Requested protective custody?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31k

Requested transfer to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31l

Requested a different housing unit, pod, or dormitory?

- 1 Yes
- 2 No
- DK/RF

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Question ID: IIC31m

Contacted someone on the outside for help?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31n

Tried to stay near facility staff?

- 1 Yes
- 2 No
- DK/RF

Question ID: IIC31o

Paid another inmate for protection?

- 1 Yes
- 2 No
- DK/RF

DETERMINATION OF SPECIFIC INCIDENT FOR STAFF INCIDENT REPORT (DIRS)

Question ID: DIRS1

[Earlier you reported that, **DOAFILL2**, you had sex or sexual contact with a facility staff person more than 1 time./As you answer the next questions please think about the **most recent** time when you had sex or sexual contact with a facility staff person./Please think about the **most recent** time this happened. Which of the following types of sex or sexual contact did you have with a facility staff person?]

IF G3 + G6 = GT 1 TIME,DISPLAY FILL ="Earlier you reported that, DOAFILL2, you had sex or sexual contact with a facility staff person more than 1 time"

IF only one of (G11a, G11b, G11c, G11d, G11e) is YES, DISPLAY FILL= "As you answer the next questions please think about the most recent time when you had sex or sexual contact with a facility staff person"

IF at least two of (G11a, G11b, G11c, G11d, G11e) are YES, DISPLAY FILL ="Please think about the most recent time this happened. Which of the following types of sex or sexual contact did you have with a facility staff person"

Box ID: PB_DIRSa

IF G11a=1, CONTINUE TO DIRS1a, ELSE GO TO PB_DIRSb

Question ID: DIRS1a

You touched a facility staff person's body or had your body touched in a sexual way?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIRSb

IF G11b=1, CONTINUE TO DIRS1b, ELSE GO TO PB_DIRSc

Question ID: DIRS1b

You gave or received a handjob?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIRSc

IF G11c=1, CONTINUE TO DIRS1c, ELSE GO TO PB_DIRSc

Question ID: DIRS1c

You gave or received oral sex or a blowjob?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIRSc

IF G11d=1, CONTINUE TO DIRS1d, ELSE GO TO PB_DIRSc

Question ID: DIRS1d

You had vaginal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIRSc

IF G11e=1, CONTINUE TO DIRS1e, ELSE GO TO PB_DIRSc

Question ID: DIRS1e

You had anal sex?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_DIRS1

As you answer the next questions please think about this **most recent** time when you had sex or sexual contact with a facility staff person.

Touch the **NEXT** button to go to the next screen.

IF G3 + G6 = 1 TIME, CONTINUE TO DIRS2, ELSE GO TO PB_DIRS2

Question ID: DIRS2

Earlier you reported that **DOAFILL2** you had sex or sexual contact with a facility staff person 1 time. Please think about that experience as you answer the next questions.

Touch the **NEXT** button to go to the next screen.

Box ID: PB_DIRS2

IF (G6 = DK OR REF) AND (G3 = DK OR REF) OR (G2 <> 1 AND G6 = DK OR REF) OR ((G4 AND G5 <> 1) AND G3 = DK OR REF), CONTINUE TO DIRS3, ELSE GO TO PB_DIRS3

Question ID: DIRS3

Earlier you reported that, **DOAFILL2**, you had sex or sexual contact with a facility staff person. Please think about that experience as you answer the next questions.

Touch the **NEXT** button to go to the next screen.

Box ID: PB_DIRS3

IF DIRS1 OR DIRS2 OR DIRS3 IS DISPLAYED, CONTINUE WITH THIS MODULE (SI), ELSE SKIP TO VICTIMIZATION WHILE INCARCERATED (X).

INCIDENT CHARACTERISTICS FOR STAFF-ON-INMATE VICTIMIZATION (SI)

Box ID: PB_SIC1

DEFINE RECENT_FILL2:

IF DIRS1 is displayed, then RECENT_FILL2 = "**most recent** incident" IF DIRS2 OR DIRS3 is displayed, then RECENT_FILL2 = "incident"

Question ID: SI1

Did this [RECENT_FILL2] of sex or sexual contact with a facility staff person happen in [CURRENT YEAR] or [CURRENT YEAR -1]?

- 1 CURRENT YEAR
 - 2 CURRENT YEAR - 1
- DK/REF

Box ID: PB_SIC2

DEFINE SI1_FILL:

IF SI1=1, then SI_FILL=CURRENT YEAR

IF SI1=2, then SI_FILL=CURRENT YEAR - 1

Question ID: SI2

[In what month in [SI1_FILL] did this [RECENT_FILL2] happen/In what month did this [RECENT_FILL2] happen]?

IF SI1=1, DISPLAY: JANUARY UP TO CURRENT MONTH IN THE YEAR AS RESPONSE OPTIONS
IF SI1 NE DK OR REF, DISPLAY FILL= "In what month in [SI1_FILL] did this [RECENT_FILL2] happen"

IF SI1= DK OR REF, DISPLAY FILL= "In what month did this [RECENT_FILL2] happen"

- 1 January
- 2 February
- 3 March
- 4 April
- 5 May
- 6 June
- 7 July
- 8 August
- 9 September
- 10 October
- 11 November
- 12 December
- DK/REF

Question ID: SI3

Did the [RECENT_FILL2] happen...

items SI3a - SI3d should be displayed on the same screen as much as space allows

Question ID: SI3a

Between 6:00 in the morning and noon?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI3b

After noon but before 6:00 in the evening?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI3c

After 6:00 in the evening but before midnight?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI3d

After midnight but before 6:00 in the morning?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI4

Where did the [RECENT_FILL2] happen?

items SI4a - SI4d should be displayed on the same screen as much as space allows

Question ID: SI4a

In your own cell, room, or sleeping area?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI4b

In the cell, room, or housing area of another inmate?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI4c

Somewhere else in the facility?

- 1 Yes GO TO SI5
- 2 No
- DK/RF

Question ID: SI4d

Off facility grounds?

- 1 Yes GO TO SI6
- 2 No
- DK/RF

Box ID: PB_SIC2_a

If SI4c=1 CONTINUE TO SI5, ELSE GO TO PB_SIC2_aa

Question ID: SI5

Where were you when the incident happened?

items SI5a - SI5h should be displayed on the same screen as much as space allows

Question ID: SI5a

In a shower?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5b

In a bathroom?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5c

In the yard or recreation area?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5d

In a classroom or library?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5e

In a workshop, kitchen, or other workplace?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5f

In a closet?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5g

In an office or other locked room?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI5h

On the stairs?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC2_aa

If SI4d=1 CONTINUE TO SI6, ELSE GO TO SI9

Question ID: SI6

Where were you when the incident happened?

items SI6a - SI6d should be displayed on the same screen as much as space allows

Question ID: SI6a

A bus, van, or car?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI6b

A courthouse?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI6c

Some type of temporary holding facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI6d

A hospital or other type of medical facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9

Just before or during this [RECENT_FILL2], which, if any, of these things happened? Were you...

items SI9a - SI9m should be displayed on the same screen as much as space allows

Question ID: SI9a

Persuaded or talked into the sex or sexual contact?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9b

Given a bribe?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9c

Blackmailed?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9d

Given drugs or alcohol to get you drunk or high?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9e

Offered protection from other inmates?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9f

Trying to pay off or settle a debt that you owed?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9g

Threatened with harm?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9h

Physically held down or restrained?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9i

Physically harmed or injured?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9j

Threatened with a weapon?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9I

Told that your family would be deported?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI9m

Told that you would lose visitation privileges?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC3

DEFINE TOUCHING ONLY:

IF G11a=1 AND G11b=2 AND G11c=2 AND G11d=2 AND G11e=2 Then TOUCHING ONLY=1

Else TOUCHING ONLY=0

IF TOUCHING ONLY=1, CONTINUE TO SI7, ELSE GO TO PB_SIC3a

Question ID: SI7

Did this incident happen as part of a **strip search**?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_SIC3a

IF TOUCHING ONLY=1 AND SI7 NE 1, CONTINUE TO SI8, ELSE GO TO SI10

Question ID: SI8

Did this incident happen as part of a **pat down**?

- 1 Yes
- 2 No
- DK/REF

Question ID: SI10

During this [RECENT_FILL2] did one staff person or more than one staff person have sex or sexual contact with you?

- 1 One staff person
- 2 More than one staff person
- DK/REF

Question ID: SI11

Do you think this [RECENT_FILL2] happened because of your...

items SI11a-SI11e should be displayed on the same screen as much as space allows

Question ID: SI11a

Race or ethnicity?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI11b

Age?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI11c

Religion?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI11d

Gang affiliation?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC3ab

IF GENDER=3, CONTINUE TO SI11e, ELSE GO TO PB_SIC3c

Question ID: SI11e

Gender identity?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC3c

IF D2 = 1 OR 3 OR 4, CONTINUE TO SI32, ELSE GO TO PB_SIC3d

Question ID: SI32

Do you think this [RECENT_FILL2] happened because you are [SexualOrientationFill]?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_SIC3d

IF SI10 = 1, CONTINUE TO SI12a, ELSE GO TO PB_SIC3e

Question ID: SI12a

Was the staff person male or female?

- 1 Male
- 2 Female
- DK/REF

Box ID: PB_SIC3e

IF SI10 = 2 OR DK OR REF, CONTINUE TO SI12b, ELSE GO TO PB_SIC4

Question ID: SI12b

Were any of the staff involved in this incident...

items SI12b1 - SI12b2 should be displayed on the same screen as much as space allows

Question ID: SI12b1

Male?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI12b2

Female?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC4

DEFINE StaffGenderFill1:

IF SI10=1 AND SI12a=1, then StaffGenderFill1 = "he"
 IF SI10=1 AND SI12a=2, then StaffGenderFill1= "she"
 IF SI10=2 OR DK OR REF, then StaffGenderFill1= "they"

DEFINE StaffGenderFill2:

IF SI10=1 AND SI12a=1, then StaffGenderFill2 = "his"
 IF SI10=1 AND SI12a=2, then StaffGenderFill2= "her"
 IF SI10=2 OR DK OR REF, then StaffGenderFill2= "their"

DEFINE StaffGenderFill3:

IF SI10=1 AND SI12a=1, then StaffGenderFill3 = "himself"
 IF SI10=1 AND SI12a=2, then StaffGenderFill3= "herself"
 IF SI10=2 OR DK OR REF, then StaffGenderFill3= "themselves"

Question ID: SI13

[Was the staff person/Were any of the staff] of Hispanic, Latino, or Spanish origin?

IF SI10 = 1, DISPLAY FILL= "Was the staff person"
 IF SI10=2 OR DK OR RF, DISPLAY FILL= "Were any of the staff"

- 1 Yes
- 2 No
- DK/REF

Question ID: SI14

[Was the staff person.../Were any of the staff...]

IF SI10 = 1, DISPLAY FILL= "Was the staff person"
IF SI10=2 OR DK OR RF, DISPLAY FILL= "Were any of the staff"

Question ID: SI14a

White?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI14b

Black or African American?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI14c

American Indian or Alaska Native?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI14d

Asian?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI14e

Native Hawaiian or other Pacific Islander?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB-SIC4a

IF SI10=1 CONTINUE TO SI15a, ELSE GO TO PB_SIC4b

Question ID: SI15a

How old was this staff person?

- 1 Under 25
 - 2 25 - 34
 - 3 35 - 44
 - 4 45 - 54
 - 5 55 or older
- DK/REF

Box ID: PB_SIC4b

IF SI10 = 2 OR DK OR REF, CONTINUE TO SI15b, ELSE GO TO PB_SIC4c

Question ID: SI15b

Were any of the staff...

items SI15b1 - SI15b3 should be displayed on the same screen as much as space allows

DK/REF

Question ID: SI15b1

Older than you?

- 1 Yes
 - 2 No
- DK/RF

Question ID: SI15b2

Younger than you?

- 1 Yes
 - 2 No
- DK/RF

Question ID: SI15b3

About the same age as you?

- 1 Yes
 - 2 No
- DK/RF

Box ID: PB_SIC4c

IF SI15a = DK, CONTINUE TO SI15DK, ELSE GO TO PB_SIC4d

Question ID: SI15DK

Was this staff person older than you, younger than you or about the same age as you?

- 1 Older than you
 - 2 Younger than you
 - 3 About the same age as you
- DK/REF

Box ID: PB_SIC4d

IF SI10 = 1, GO TO SI16a, ELSE GO TO PB_SIC4e

Question ID: SI16a

Was the staff person who had sexual contact with you...

items SI16a1 - SI16a3 should be displayed on the same screen as much as space allows

Question ID: SI16a1

A correctional officer?

- 1 Yes
 - 2 No
- DK/RF

Question ID: SI16a2

Another staff person working in the facility?

- 1 Yes
 - 2 No
- DK/RF

Question ID: SI16a3

A volunteer in the facility?

- 1 Yes
 - 2 No
- DK/RF

Box ID: PB_SIC4e

IF SI10 = 2 OR DK OR REF, GO TO SI16b, ELSE GO TO PB_SIC4f

Question ID: SI16b

Were any of the staff who had sexual contact with you...
items SI16b1 - SI16b3 should be displayed on the same screen as much as space allows

Question ID: SI16b1

Correctional officers?
1 Yes
2 No
DK/RF

Question ID: SI16b2

Other staff working in the facility?
1 Yes
2 No
DK/RF

Question ID: SI16b3

Volunteers in the facility?
1 Yes
2 No
DK/RF

Box ID: PB_SIC4f

IF SI10 = 1, CONTINUE TO SI17a, ELSE GO TO PB_SIC4g

Question ID: SI17a

Before the [RECENT_FILL2] happened, did any of these things **ever** happen?
items SI17a1 - SI17a9 should be displayed on the same screen as much as space allows

Question ID: SI17a1

The staff person talked to you about [StaffGenderFill2] personal life outside of work?
1 Yes
2 No
DK/RF

Question ID: SI17a2

The staff person gave you pictures of [StaffGenderFill3]?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a3

The staff person wrote letters to you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a4

The staff person offered you things like drugs, cigarettes, alcohol, or other things you are not allowed to have in this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a5

The staff person offered you money?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a6

The staff person did things for you to help you get out of trouble?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a7

The staff person spent time alone with you and asked that you not tell anyone else about that time?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a8

The staff person told you that [StaffGenderFill1] had special feelings for you or was in love with you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17a9

The staff person talked or joked with you about sex or shared sexual stories with you?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC4g

IF SI10 = 2 OR DK OR REF, CONTINUE TO SI17b, ELSE GO TO SI18

Question ID: SI17b

Before the [RECENT_FILL2] happened, did any of these things **ever** happen?
items SI17b1a - SI17b9 should be displayed on the same screen as much as space allows

Question ID: SI17b1

One or more of the staff talked to you about his or her personal life outside of work?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b2

One or more of the staff gave you pictures of themselves?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b3

One or more of the staff wrote letters to you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b4

One or more of the staff offered you things like drugs, cigarettes, alcohol, or other things you are not allowed to have in this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b5

One or more of the staff offered you money?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b6

One or more of the staff did things for you to help you get out of trouble?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b7

One or more of the staff spent time alone with you and asked that you not tell anyone else about that time?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b8

One or more of the staff told you that they had special feelings for you or were in love with you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI17b9

One or more of the staff talked or joked with you about sex or shared sexual stories with you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI18

During the [RECENT_FILL2] were you injured?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_SIC4h

[IF SI18 = 1, CONTINUE TO SI19, ELSE GO TO PB_SIC4i

Question ID: SI19

How were you injured during the incident? Did you...

items SI19a - SI19i should be displayed on the same screen as much as space allows

Question ID: SI19a

Receive knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19b

Receive broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19c

Have [anal/anal or vaginal] tearing?

IF GENDER=1, DISPLAY FILL= "anal"

IF GENDER=2 OR 3, DISPLAY FILL= "anal or vaginal"

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19d

Have your teeth chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19e

Receive internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19f

Get knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI19g

Receive bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC4i

IF SI18 = 1, CONTINUE TO SI20, ELSE GO TO SI21

Question ID: SI20

As a result of any of the injuries you received during this incident, did you see a doctor, nurse, or other health care provider for any of the injuries you received?

- 1 Yes
- 2 No

Question ID: SI21

[Did this staff person do any of the following things **after** the incident happened/Did any of the staff involved do any of the following things **after** the [RECENT_FILL2] happened]?

IF SI10 = 1, DISPLAY FILL= "Did this staff person do any of the following things after the incident happened"

IF SI10=2 OR DK OR RF, DISPLAY FILL= "Did any of the staff involved do any of the following things after the [RECENT_FILL2] happened"

Question ID: SI21a

Gave you gifts or money so that you would keep it secret?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI21b

Threatened to hurt you so that you would keep it secret?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI21c

Said [StaffGenderFill1] would blame it on you if you told anyone?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI21d

Said [StaffGenderFill1] would stop spending time with you if you told anyone?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI21e

Had sexual contact with you again?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI21f

Ignored you or stayed away from you?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI22

Did you report this [RECENT_FILL2] to anyone?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_SIC4j

IF SI22 = 1, CONTINUE TO SI23, ELSE GO TO SI24

Question ID: SI23

Did you report the incident to...

items SI23a - SI23k should be displayed on the same screen as much as space allows

Question ID: SI23a

A correctional officer?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23b

An administrative staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23c

A medical or healthcare staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23d

An instructor or teacher?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23e

A counselor or other mental health care provider?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23f

A chaplain or other religious official?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23g

A volunteer?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23h

Some other type of facility staff person?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23i

A telephone hotline?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23j

Another inmate?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI23k

A family member or friend?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI24

At the time the [RECENT_FILL2] happened, were any **inmates** aware that it was happening?

- 1 Yes
- 2 No
- DK/REF

Question ID: SI25

At the time the [RECENT_FILL2] happened, were any **other staff at the facility** aware that it was happening?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_SIC4k

IF SI22 = 1, CONTINUE TO SI26, ELSE GO TO PB_SIC4I

Question ID: SI26

Did any of the following things happen to you as a result of the report you made?
items SI26a - SI26f should be displayed on the same screen as much as space allows

Question ID: SI26a

You were moved to administrative segregation or some other protective housing?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI26b

You were placed in a medical unit, ward, or hospital?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI26c

You were confined to your own cell, room, or housing area?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI26d

You were given a higher level of custody within the facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI26e

You were offered a transfer to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI26f

You were written up?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC4I

IF SI10 = 1 AND SI22 =1, GO TO SI27a, ELSE GO TO PB_SIC4m

Question ID: SI27a

Did any of the following things happen to the staff person who had sex or sexual contact with you?

items SI27a1 - SI27a6 should be displayed on the same screen as much as space allows

Question ID: SI27a1

The staff person was fired?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27a2

The staff person was transferred to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27a3

The staff person was transferred to a different job at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27a4

The staff person was charged with a crime?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27a5

The staff person was suspended for a period of time?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27a6

The staff person was punished or disciplined in some way other than those listed above?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_SIC4m

IF (SI10 = 2 OR DK OR REF) AND SI22 = 1, CONTINUE TO SI27b, ELSE GO TO SI28

Question ID: SI27b

Did any of the following things happen to any of the staff who had sex or sexual contact with you?

items SI27b1 - SI27b6 should be displayed on the same screen as much as space allows

Question ID: SI27b1

One or more of the staff were fired?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27b2

One or more of the staff were transferred to another facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27b3

One or more of the staff were transferred to a different job at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27b4

One or more of the staff were charged with a crime?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27b5

One or more of the staff were suspended for a period of time?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI27b6

One or more of the staff were punished or disciplined in some way other than those listed above?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI28

Since this [RECENT_FILL2] happened, [has this staff person/have any of the staff involved] attempted any type of sexual contact with you?

IF SI10 = 1, DISPLAY FILL="has this staff person"

IF SI10=2, DK OR RF, DISPLAY FILL= "have any of the staff involved"

1 Yes

GO TO SI30

2 No

DK/REF

Question ID: SI29

Since this [RECENT_FILL2] happened, have you been worried that [this staff person will/any of the staff involved would] try to initiate sexual contact with you again?

IF SI10 = 1 AND SI28 NE 1, DISPLAY FILL= "this staff person will"

IF (SI10 = 2 OR DK OR REF) AND SI28 NE 1, DISPLAY FILL= "any of the staff involved would"

1 Yes

2 No

DK/REF

Question ID: SI30

Since this [RECENT_FILL2] happened, have you done any of the following things to reduce the chance that you would have to have sexual contact again?

items SI30a - SI30I should be displayed on the same screen as much as space allows

Question ID: SI30a

Joined a gang?

1 Yes

2 No

DK/RF

Question ID: SI30b

Carried a weapon?

1 Yes

2 No

DK/RF

Question ID: SI30c

Fought more?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30d

Worked out in order to bulk up?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30e

Tried to make yourself look less attractive?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30f

Avoided certain areas?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30g

Kept to yourself more?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30h

Stayed in your own cell or housing area more?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30i

Joined a religious group?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30j

Avoided certain staff?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30k

Requested protective custody?

- 1 Yes
- 2 No
- DK/RF

Question ID: SI30l

Requested transfer to another facility?

- 1 Yes
- 2 No
- DK/RF

OTHER VICTIMIZATION WHILE INCARCERATED (X)

Box ID: XINTRO

These next questions are about other things that may have happened to you in this facility.

Touch the **NEXT** button to go to the next screen.

Question ID: X6a

DOAFILL1, have you been written up or charged with assaulting another inmate?

- 1 Yes
- 2 No
- DK/REF

Question ID: X7a

DOAFILL1, have you been written up or charged with **physically assaulting** a correctional officer or other facility staff person?

- 1 Yes
- 2 No
- DK/REF

Question ID: X8a

DOAFILL1, have you been written up or charged with **verbally assaulting** a correctional officer or other facility staff person?

- 1 Yes
- 2 No
- DK/REF

Question ID: LCM5

DOAFILL1, have you had any sex or sexual contact with staff in this facility whether you wanted to have it or not?

- 1 Yes
- 2 No
- DK/REF

Question ID: LCM6a

How long has it been since you had any sex or sexual contact with staff in this facility whether you wanted to or not?

- 1 Within the past 7 days
- 2 More than 7 days ago but within the past 30 days
- 3 More than 30 days ago but within the past 12 months
- 4 More than 12 months ago
- 5 This has not happened to me at this facility
DK/REF

PAT DOWNS AND STRIP SEARCHES (L)

Box ID: PB_L1

IF G11a = 1, CONTINUE TO L0, ELSE GO TO S0

Box ID: L0

These next questions are about your experiences with strip searches and pat downs at this facility.

Touch the **NEXT** button to go to the next screen.

Question ID: L23

Earlier you reported that, **DOAFILL2**, you touched a facility staff person's body or had your body touched in a sexual way. Did this happen as part of a **strip search**?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_L2

IF L23 =1, CONTINUE TO L23a, ELSE GO TO PB_L3

Question ID: L23a

On any occasion **DOAFILL2** when you touched a facility staff person's body or had your body touched in a sexual way as part of a strip search, was the strip search conducted by...
items L23a1- L23a2 should be displayed on the same screen as much as space allows

Question ID: L23a1

Male facility staff?

- 1 Yes
- 2 No
- DK/RF

Question ID: L23a2

Female facility staff?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_L3

IF G11a = 1, CONTINUE TO L24, ELSE GO TO PB_L4

Question ID: L24

DOAFILL1, when you touched a facility staff person's body or had your body touched in a sexual way, did this happen when it was **not** part of a strip search?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_L4

IF G11a = 1, CONTINUE TO L25, ELSE GO TO PB_L5

Question ID: L25

DOAFILL1, when you touched a facility staff person's body or had your body touched in a sexual way, did this happen as part of a **pat down**?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_L5

IF L25 = 1, CONTINUE TO L25a, ELSE GO TO PB_L6

Question ID: L25a

On any occasion **DOAFILL2** when you touched a facility staff person's body or had your body touched in a sexual way as part of a pat down, was the pat down conducted by...

items L25a1 - L25a2 should be displayed on the same screen as much as space allows

Question ID: L25a1

Male facility staff?

- 1 Yes
- 2 No
- DK/RF

Question ID: L25a2

Female facility staff?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_L6

IF G11a = 1, CONTINUE TO L26, ELSE GO TO SECTION S

Question ID: L26

DOAFILL1, when you touched a facility staff person's body or had your body touched in a sexual way, did this happen when it was **not** part of a pat down?

- 1 Yes
- 2 No
- DK/REF

FACILITY CONDITIONS, SUPPORT AND SAFETY (S)

Box ID: S0

These next questions are about everyday living in this facility.

Touch the **NEXT** button to go to the next screen.

Question ID: S1

Are there inmates in this facility who you think of as your friends?

- 1 Yes
- 2 No
- DK/REF

Question ID: S2

Are there inmates in this facility who you can talk to about your personal problems?

- 1 Yes
- 2 No
- DK/REF

Question ID: S3

Are there inmates in this facility who would protect you if another inmate was trying to hurt you?

- 1 Yes
- 2 No
- DK/REF

Question ID: S4

Are there correctional officers or other staff at this facility who you can talk to about your problems?

- 1 Yes
- 2 No
- DK/REF

Question ID: S5

Are there correctional officers or other staff at this facility who would protect you if another inmate was trying to hurt you?

- 1 Yes
- 2 No
- DK/REF

Question ID: S6

How crowded is it in your housing unit?

- 1 Not at all crowded
- 2 Slightly crowded
- 3 Pretty crowded
- 4 Very crowded
- DK/REF

Question ID: S7

How crowded is it outside of the housing units - for example, in the dining hall, classrooms, gym, or work areas?

- 1 Not at all crowded
- 2 Slightly crowded
- 3 Pretty crowded
- 4 Very crowded
- DK/REF

Question ID: S8

How much privacy do you have in your housing unit?

- 1 None
- 2 A little
- 3 Some
- 4 A lot
- DK/REF

Question ID: S9

Please indicate whether you agree or disagree with each of the following statements.

Staff at this facility...

items S9a - S9i should be displayed on the same screen as much as space allows

Question ID: S9a

Are generally fair?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9b

Do their best to make this facility safe and secure?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9c

Try to meet the needs of the inmates?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9d

Break up fights quickly?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9e

Use physical force only when necessary?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9f

Let inmates know what is expected of them?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9g

Generally treat inmates with respect?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9h

Follow facility rules when handling inmate complaints and grievances?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S9i

Often write up inmates who don't deserve it?

- 1 Agree
- 2 Disagree
- DK/RF

Question ID: S13

DOAFILL1, how often have inmates at this facility been hit, punched, or assaulted by other inmates?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: S14

DOAFILL1, how often have **you** worried about being hit, punched, or assaulted by other inmates in this facility?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: S15

DOAFILL1, how often have you **seen** other inmates with some type of weapon?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: S16

DOAFILL1, how much gang activity has there been at this facility?

- 1 None
- 2 A little
- 3 Some
- 4 A lot
- DK/RF

Question ID: S17

DOAFILL1, have you been in a fight, assault, or incident in which **another inmate** tried to harm you?

- 1 Yes GO TO S18
- 2 No
- DK/RF

Question ID: S18

DOAFILL1, how many times have you been in a fight, assault, or other incident in which **another inmate** tried to harm you?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_Sa

IF S17=1, CONTINUE TO S36, ELSE GO TO PB_S1

Question ID: S36

DOAFILL1, what injuries have you received in a fight, assault, or incident in which **another inmate** hurt you?

items S36a - S36f should be displayed on the same screen as much as space allows

Question ID: S36a

You received knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: S36b

You received broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: S36c

Your teeth were chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: S36d

You received internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: S36e

You were knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: S36f

You received bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_S1

IF S36a = 1 OR S36b = 1 OR S36c = 1 OR S36d = 1 OR S36e = 1 OR S36f = 1, CONTINUE TO S37, ELSE GO TO S21

Question ID: S37

Did you see a doctor, nurse, or other health care provider for your injuries?

- 1 Yes
- 2 No
- DK/REF

Question ID: S21

DOAFILL1, have you been in a fight, assault, or incident in which a **correctional officer or other facility staff person** tried to harm you?

- 1 Yes
- 2 No
- DK/REF

GO TO S22

Question ID: S22

DOAFILL1, how many times have you been in a fight, assault, or incident in which a **correctional officer or other facility staff person** tried to harm you?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Box ID: PB_S1a

IF S21=1, CONTINUE TO S34, ELSE GO TO PB_S2

Question ID: S34

DOAFILL1, what injuries have you received in a fight, assault, or incident in which a **correctional officer or other facility staff person** tried to harm you?

items S34a - S34f should be displayed on the same screen as much as space allows

Question ID: S34a

You received knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: S34b

You received broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: S34c

Your teeth were chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: S34d

You received internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: S34e

You were knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: S34f

You received bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_S2

IF S34a = 1 OR S34b = 1 OR S34c = 1 OR S34d = 1 OR S34e = 1 OR S34f = 1, CONTINUE TO S35, ELSE GO TO S25

Question ID: S35

Did you see a doctor, nurse, or other health care provider for your injuries?

- 1 Yes
- 2 No
- DK/REF

Question ID: S25

DOAFILL1, have any of your personal possessions or belongings been taken by another inmate without your permission?

- 1 Yes
- 2 No
- DK/REF

GO TO S26

Question ID: S26

DOAFILL1, how many times have any of your personal possessions or belongings been taken by another inmate without your permission?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Question ID: S29

DOAFILL1, do you think there has been enough staff at this facility to keep inmates safe?

- 1 Yes
- 2 No
- DK/REF

Question ID: S30

DOAFILL1, have you filed a grievance for any reason?

- 1 Yes
- 2 No
- DK/REF

GOTO S31

Question ID: S31

DOAFILL1, how many times have you filed a grievance for any reason?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

MENTAL HEALTH (R)

Question ID: R1

The next question are about how you have been feeling during the past 30 days.

About how often during the past 30 days did you feel nervous?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/RF

Question ID: R2

During the past 30 days, about how often did you feel hopeless?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/REF

Question ID: R3

During the past 30 days, about how often did you feel restless or fidgety?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/REF

Question ID: R4

How often in the past 30 days did you feel so depressed that nothing could cheer you up?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/REF

Question ID: R5

About how often in the past 30 days did you feel that everything was an effort?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/REF

Question ID: R6

About how often in the past 30 days did you feel worthless?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 A little of the time
- 5 None of the time
- DK/REF

Question ID: R24

Have you **ever** been told by a mental health professional, such as a psychiatrist or psychologist, that you had...

items R24a - R24g should be displayed on the same screen as much as space allows

Question ID: R24a

Manic depression, a bipolar disorder, or mania?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24b

A depressive disorder?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24c

Schizophrenia or another psychotic disorder?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24d

Post-traumatic stress disorder or PTSD?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24e

Another anxiety disorder, such as panic disorder or OCD?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24f

A personality disorder, such as antisocial or borderline personality?

- 1 Yes
- 2 No
- DK/RF

Question ID: R24g

A mental or emotional condition other than those listed above?

- 1 Yes
- 2 No
- DK/RF

Box ID: R25

The next questions are about any times you may have stayed overnight in any type of hospital or other facility for any problem with your emotions, nerves, or mental health. Please do **not** include any overnight hospital stays for alcohol or drug use.

Touch the **NEXT** button to go to the next screen.

Question ID: R26

Have you **ever** stayed overnight or longer in any type of hospital or other facility to receive treatment or counseling for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes GO TO R27
- 2 No
- DK/REF

Question ID: R27

During the 12 months before you were admitted to this facility, did you stay overnight or longer in any type of hospital or other facility to receive treatment or counseling for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes
- 2 No
- DK/REF

Box ID: R28

The next questions are about services you may have received for any problem with your emotions, nerves, or mental health. As you answer these questions, please do **not** include any services you may have received for drug or alcohol use. Some questions ask about prescription medicine. Prescription medicines are drugs that you take if a doctor authorizes them for you.

Touch the **NEXT** button to go to the next screen.

Question ID: R29

Have you **ever** taken any prescription medicine for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes
- 2 No
- DK/REF

Question ID: R30

[At the time of the offense for which you are **currently** serving time, were you taking prescription medicine for any problem you were having with your emotions, nerves, or mental health/At the time of the offense for which you are **currently** being held, were you taking prescription medicine for any problem you were having with your emotions, nerves, or mental health]?

IF B4 = 1 AND R29 = 1, DISPLAY FILL= "At the time of the offense for which you are currently serving time, were you taking prescription medicine for any problem you were having with your emotions, nerves, or mental health"

IF B4 = 2 OR DK OR REF AND R29 = 1, DISPLAY FILL= "At the time of the offense for which you are currently being held, were you taking prescription medicine for any problem you were having with your emotions, nerves, or mental health"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_R1

IF R29=1, CONTINUE TO R31, ELSE GO R33

Question ID: R31

Since you were admitted to this facility, have you taken prescription medicine for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes
- 2 No
- DK/REF

Question ID: R33

Have you **ever** received counseling or therapy from a trained professional such as a psychiatrist, psychologist, social worker, or nurse for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes GO TO R34
- 2 No
- DK/REF

Question ID: R34

Since you were admitted to this facility, have you received counseling or therapy from a trained professional such as a psychiatrist, psychologist, social worker, or nurse for any problem you were having with your emotions, nerves, or mental health?

- 1 Yes
- 2 No
- DK/REF

Question ID: R21

Did you **ever** in your life have any of the following experiences happen to you:
items R21a - R21g should be displayed on the same screen as much as space allows

Question ID: R21a

A serious fight or physical assault?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21b

A sexual assault?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21c

A life-threatening accident or injury?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21d

The murder or suicide of a loved one?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21e

The accidental death of a loved one?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21f

Witnessed someone being seriously injured or killed?

- 1 Yes
- 2 No
- DK/RF

Question ID: R21g

Any experience that put you at risk of death?

- 1 Yes
- 2 No
- DK/RF

DISABILITY STATUS (Q)

Box ID: Q0

The next questions are about difficulties that you might have due to a physical, mental, or emotional problem.

Touch the **NEXT** button to go to the next screen.

Question ID: Q1

Are you deaf, or do you have serious difficulty hearing?

- 1 Yes
- 2 No
- DK/REF

Question ID: Q2

Are you blind, or do you have serious difficulty seeing even when wearing glasses?

- 1 Yes
- 2 No
- DK/REF

Question ID: Q3

Because of a physical, mental, or emotional problem, do you have serious difficulty concentrating, remembering, or making decisions?

- 1 Yes
- 2 No
- DK/REF

Question ID: Q4

Do you have serious difficulty walking or climbing stairs?

- 1 Yes
- 2 No
- DK/REF

Question ID: Q5

Do you have difficulty dressing or bathing?

- 1 Yes
- 2 No
- DK/REF

Question ID: Q6

Because of a physical, mental, or emotional problem, do you have difficulty doing activities on your own, such as going to meal time, going outside, working in or outside of this facility, going to classes, or attending programs?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_Q1

IF Q1 OR Q2 OR Q3 OR Q4 OR Q5 OR Q6 = 1, CONTINUE TO Q7, ELSE GO TO Q8

Question ID: Q7

Is the difficulty you experience doing activities on your own caused by...
items Q7a -Q7b should be displayed on the same screen as much as space allows

Question ID: Q7a

A physical problem?

- 1 Yes
- 2 No
- DK/RF

Question ID: Q7b

A mental or emotional problem?

- 1 Yes
- 2 No
- DK/RF

Question ID: Q8

Did a doctor, school counselor, or other professional **ever** tell you that you have...
items Q8a - Q8d should be displayed on the same screen as much as space allows

National Inmate Survey: Year 4

Question ID: Q8a

ADD or ADHD?

- 1 Yes
- 2 No
- DK/RF

Question ID: Q8b

Dyslexia?

- 1 Yes
- 2 No
- DK/RF

Question ID: Q8c

A learning disability?

- 1 Yes
- 2 No
- DK/RF

Question ID: Q8d

Autism or Asperger's?

- 1 Yes
- 2 No
- DK/RF

RESTRICTIVE HOUSING MODULE (RH)

Question ID: RH0

Next, we would like to know about your experiences with solitary confinement at this facility. Solitary confinement can include administrative or disciplinary segregation and may also be called secure housing, the hole, lockdown, the SHU, or protective custody.

Touch the **NEXT** button to go to the next screen.

Box ID: PB_RH1

IF A9a=2 OR DK OR RF, CONTINUE TO RH1, ELSE GO TO PB_RH2

Question ID: RH1

DOAFILL1, have you spent any time in disciplinary or administrative segregation, or solitary confinement?

1 Yes

2 No

DK/REF

GO TO M0

GO TO M0

Box ID: PB_RH2

IF A9a = 1 OR RH1 = 1, CONTINUE TO RH2, ELSE GO TO PB_RH2a

Question ID: RH2

DOAFILL1, how many different times have you been placed in disciplinary or administrative segregation, or solitary confinement?

1 1 time

2 2 times

3 3 - 5 times

4 6 - 10 times

5 11 times or more

DK/REF

Box ID: PB_RH2a

IF [RH2 = 1 OR DK OR RF] OR RH2 >1, CONTINUE TO RH3, ELSE GO TO PB_RH2b

Question ID: RH3

DOAFILL1, how many days [did you spend/altogether have you spent] in disciplinary or administrative segregation, or solitary confinement?

IF RH2 = 1 OR DK OR REF, DISPLAY FILL="did you spend"

IF RH2>1, DISPLAY FILL="altogether have you spent"

- 1 1 day or less
 - 2 More than 1 day but less than 7 days
 - 3 At least 7 days but less than 14 days
 - 4 At least 14 days but less than 30 days
 - 5 30 days or more
- DK/REF

Box ID: PB_RH2b

IF RH1 = 1 OR A9a=1, CONTINUE TO RH4, ELSE GO TO PB_RH4

Question ID: RH4

[Please think about the [IF RH2 > 1, INCLUDE "**most recent**"] time **DOAFILL2** that you were placed in disciplinary or administrative segregation, or solitary confinement. Why do you think you were placed in disciplinary or administrative segregation, or solitary confinement? Was it.../Why do you think you have been assigned to disciplinary or administrative segregation or solitary confinement? Is it...]

IF RH1 = 1, DISPLAY FILL= "Please think about the [IF RH2 > 1, INCLUDE "most recent"] time **DOAFILL2** that you were placed in disciplinary or administrative segregation, or solitary confinement. Why do you think you were placed in disciplinary or administrative segregation, or solitary confinement? Was it...

IF A9a=1, DISPLAY FILL="Why do you think you have been assigned to disciplinary or administrative segregation, or solitary confinement? Is it..."

Question ID: RH4a

Because you were a danger to yourself?

- 1 Yes
 - 2 No
- DK/RF

Question ID: RH4b

For mental health reasons?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4_new

Due to COVID restrictions?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4c

For medical reasons other than COVID?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4d

Because you asked to be placed there for your own protection?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4e

As a punishment for breaking rules?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4f

For a cool down period?

- 1 Yes
- 2 No
- DK/RF

Question ID: RH4g

For some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_RH4

IF RH4e = 1, CONTINUE TO RH5, ELSE GO TO PB_RH4a

Question ID: RH5

What facility rules were you accused of breaking that led to you being assigned to disciplinary or administrative segregation, or solitary confinement [IF RH2 > 1, INCLUDE "the **most recent** time"?

IF RH4e = 1, DISPLAY FILL= "What facility rules were you accused of breaking that led to you being assigned to disciplinary or administrative segregation, or solitary confinement"
 [IF RH2 > 1, DISPLAY FILL= "What facility rules were you accused of breaking that led to you being assigned to disciplinary or administrative segregation, or solitary confinement the most recent time?"

Question ID: RH5a

Fighting with another inmate?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5b

Verbally assaulting staff?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5c

Physically assaulting staff?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5d

Possession of contraband?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5e

Having sexual contact with staff?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5f

Having sexual contact with another inmate?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5g

Noncompliance?

- 1 Yes
- 2 No
- DK/REF

Question ID: RH5h

Some other rule or rules?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_RH4a

IF RH4e = 1, CONTINUE TO RH6, ELSE GO TO PB_RH5

Question ID: RH6

Were you given a hearing after being placed in disciplinary or administrative segregation, or solitary confinement to determine if you were guilty of breaking facility rules?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_RH5

IF RH1=1 AND RH2>1, CONTINUE TO RH7, ELSE GO TO PB_RH5a

Question ID: RH7

How long did you remain in disciplinary or administrative segregation, or solitary confinement the most recent time you were placed there?

- 1 1 day or less
 - 2 More than 1 day but less than 7 days
 - 3 At least 7 days but less than 14 days
 - 4 At least 14 days but less than 30 days
 - 5 30 days or more
- DK/REF

Box ID: PB_RH5a

IF [RH1=1 AND A9a NE 1] OR A9a = 1 , CONTINUE TO RH8, ELSE GO TO PB_RH5b

Question ID: RH8

[During the [IF RH2 > 1, INCLUDE "most recent"] time you were in disciplinary or administrative segregation, or solitary confinement, were you in a cell by yourself for all or most of the time/Are you being housed in a cell by yourself]?

IF RH1=1 AND A9a NE 1 DISPLAY= "During the [IF RH2 > 1, INCLUDE "most recent"] time you were in disciplinary or administrative segregation, or solitary confinement, were you in a cell by yourself for all or most of the time?"

IF A9a=1 DISPLAY = "Are you being housed in a cell by yourself?"

- 1 Yes
 - 2 No
- DK/REF

Box ID: PB_RH5b

IF [RH8=2 AND A9a=2 AND RH1=1] OR [RH8 = 2 AND A9a = 1], CONTINUE TO RH9, ELSE GO TO PB_RH5c

Question ID: RH9

[How many other inmates were in the cell with you the [IF RH2 > 1, INCLUDE "**most recent**"] time you were in disciplinary or administrative segregation, or solitary confinement?/How many other inmates are in the cell with you?]

[IF RH8 = 2 AND A9a = 2 AND RH1 = 1] , DISPLAY FILL= "How many other inmates were in the cell with you the [IF RH2 > 1, INCLUDE "most recent"] time you were in disciplinary or administrative segregation, or solitary confinement?"

IF RH8 = 2 AND A9a = 1, DISPLAY FILL= "How many other inmates are in the cell with you?"

-- NUMBER OF INMATES:

_____ [RANGE:1-90]

DK/REF

PROGRAM NOTES: RANGE: 1 - 90

Box ID: PB_RH5c

IF RH1=1 OR A9a=1, CONTINUE TO RH10, ELSE GO TO PB_RH5d

Question ID: RH10

[Were you able to leave your cell at least once every day the [IF RH2>1, INCLUDE "**most recent**"] time you were in disciplinary or administrative segregation, or solitary confinement/Are you able to leave your cell at least once every day?]

IF RH1 = 1, DISPLAY FILL= "Were you able to leave your cell at least once every day the [IF RH2>1, INCLUDE "most recent"] time you were in disciplinary or administrative segregation, or solitary confinement"

IF A9a=1, DISPLAY FILL= "Are you able to leave your cell at least once every day"

1 Yes

2 No

DK/REF

Box ID: PB_RH5d

IF RH1=1 OR A9a=1, CONTINUE TO RH12, ELSE GO TO PB_RH5e

Question ID: RH12

[Did you have the same access to your lawyer or attorney as you did before you were placed in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this **most recent** time"/Do you have the same access to your lawyer or attorney as you did before you were placed in disciplinary or administrative segregation, or solitary confinement]?

IF RH1 = 1, DISPLAY FILL= "Did you have the same access to your lawyer or attorney as you did before you were placed in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this most recent time"

IF A9a=1, DISPLAY FILL= "Do you have the same access to your lawyer or attorney as you did before you were placed in disciplinary or administrative segregation, or solitary confinement"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_RH5e

IF RH1=1 OR A9a=1, CONTINUE TO RH13, ELSE GO TO PB_RH5f

Question ID: RH13

[Were you able to talk to staff every day while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this **most recent** time"]/Are you able to talk to staff every day in disciplinary or administrative segregation or solitary confinement]?

IF RH1 = 1, DISPLAY FILL= "Were you able to talk to staff every day while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this most recent time"]"

IF A9a=1, DISPLAY FILL= "Are you able to talk to staff every day in disciplinary or administrative segregation or solitary confinement"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_RH5f

IF RH1=1 OR A9a=1, CONTINUE TO RH14, ELSE GO TO PB_RH6

Question ID: RH14

[Did a trained counselor or mental health professional check on you while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this **most recent** time"]/Has a trained counselor or mental health professional checked on you while you have been in disciplinary or administrative segregation, or solitary confinement]?

IF RH1 = 1, DISPLAY FILL="Did a trained counselor or mental health professional check on you while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this most recent time"]"

IF A9a=1, DISPLAY FILL= "Has a trained counselor or mental health professional checked on you while you have been in disciplinary or administrative segregation, or solitary confinement"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_RH6

IF [RH14=1 AND RH1=1] OR [IF RH14 = 1 AND A9a = 1] , CONTINUE TO RH15, ELSE IF RANDOM = 95, SKIP TO M0

Question ID: RH15

[How often did a trained counselor or mental health professional check on you while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this **most recent** time"]/How often has a trained counselor or mental health professional checked on you while you have been in disciplinary or administrative segregation, or solitary confinement]?

IF RH14 = 1 AND RH1 = 1, DISPLAY FILL="How often did a trained counselor or mental health professional check on you while you were in disciplinary or administrative segregation, or solitary confinement [IF RH2>1, INCLUDE "this most recent time"

IF RH14 = 1 AND A9a = 1, DISPLAY FILL= "How often has a trained counselor or mental health professional checked on you while you have been in disciplinary or administrative segregation, or solitary confinement"

- 1 Every day
- 2 A few times a week
- 3 Once a week
- 4 Less than a week
- DK/REF

CHILDHOOD EXPERIENCES (CE)

Question ID: CE1

Next, we'll ask about some experiences you may have had growing up.

Which of the following experiences did you have **before age 18**?

items CE1a - CE1g should be displayed on the same screen as much as space allows

Question ID: CE1a

Did your mother or father die before you were 18?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1b

Did your parents separate or divorce before you were 18?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1c

Did either parent attempt or commit suicide?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1d

Was either parent in prison or jail for **6 months or longer**?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1e

Did either parent, or person who raised you, have a mental illness?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1f

Did either parent, or person who raised you, have an alcohol or drug problem?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE1g

Were you sent to a juvenile detention center?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE2

At any time [**before you turned 18** did you live.../since you were born have you lived...]

IF RESPAGE GT 17, DISPLAY: "before you turned 18 did you live..."

IF RESPAGE = 16 OR 17, DISPLAY: "since you were born have you lived..."

Question ID: CE2a

With your biological mother?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE2b

With your biological father?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE2c

In a foster home?

- 1 Yes
- 2 No
- DK/RF

Question ID: CE3

How often [did you do each of the following things **before age 18**/have you done each of the following things]?

IF RESPAGE GT 17, DISPLAY: "did you do each of the following things before age 18"

IF RESPAGE = 16 OR 17, DISPLAY: "have you done each of the following things"

Question ID: CE3a

Bully or threaten other kids?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3b

Start fights?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3c

Run away from home and stay away overnight?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3d

Lie, or "con," other people?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3e

Set fires?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3f

Stay out very late, long after you were supposed to be home?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE3g

Skip school?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE4

How often [did you do each of the following things **before age 18**/have you done each of the following things]?

IF RESPAGE GT 17, DISPLAY: "did you do each of the following things before age 18"
IF RESPAGE = 16 OR 17, DISPLAY: "have you done each of the following things"

Question ID: CE4a

Argue, or "talk back," to adults?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never

Question ID: CE4b

Disobey rules at home, school, or work?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE4c

Refuse to follow directions from adults like your parents, teacher, or boss?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE4d

Blame others for your mistakes or bad behavior?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE4e

Do mean things to "pay people back" for things they did that you didn't like?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5

How often [did you have each of the following experiences **before age 18**/have you had each of the following experiences]?

IF RESPAGE GT 17, DISPLAY: "did you have each of the following experiences before age 18"
IF RESPAGE = 16 OR 17, DISPLAY: "have you had each of the following experiences"

Question ID: CE5a

Your family was on welfare?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5b

You were homeless?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5c

You had to do chores too hard or dangerous for someone your age?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5d

You didn't have anyone who would take care of you or protect you?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5e

Nobody ensured you had adequate food or clothing or medical care?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5f

Someone touched you or made you touch them in a sexual way against your will?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5g

You were sexually abused at home?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE5h

You were beaten up or terrorized by bullies at school or in the neighborhood?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6

How often [did you have each of the following experiences **before age 18**/have you had each of the following experiences]?

IF RESPAGE GT 17, DISPLAY: "did you have each of the following experiences before age 18"
IF RESPAGE = 16 OR 17, DISPLAY: "have you had each of the following experiences"

Question ID: CE6a

Someone in your family hit you so hard that it left bruises or marks?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6b

You were physically abused at home?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6c

You felt that someone in your family hated you?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6d

You were emotionally abused at home?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6e

People in your family said hurtful or insulting things to you?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6f

Someone in your family made you feel important?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6g

You felt loved and cared for?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

Question ID: CE6h

Your family was a source of strength and support?

- 1 Very Often
- 2 Often
- 3 Sometimes
- 4 Rarely
- 5 Never
- DK/RF

LIVING AREA ACTIVITIES (LA)

Box ID: PB_LA1

DEFINE A9c_FILL:

IF A9c=1, A9c_FILL= "an open dorm"

IF A9c=2, A9c_FILL= "a dorm with cubicles"

IF A9c=3, A9c_FILL= "a unit with cells"

IF A9c=4, A9c_FILL= "a unit with rooms"

IF A9c=5, A9c_FILL= "an area not originally intended as housing, such as a gym, classroom, or day room"

Question ID: LA_2

These questions are about this jail and how inmates are housed here.

[**Earlier you said you spent last night in [A9c_FILL].** Including you, about how many inmates are **currently** housed in this housing unit/Including you, about how many inmates are **currently** housed in the housing unit where you spent last night]?

IF A9c = 1 OR 2 OR 3 OR 4 OR 5, DISPLAY FILL= "Earlier you said you spent last night in [A9c_FILL]. Including you, about how many inmates are currently housed in this housing unit"

IF A9c=6 OR DK OR REF, DISPLAY FILL = "Including you, about how many inmates are currently housed in the housing unit where you spent last night"

- 1 1
- 2 2 - 5
- 3 6 - 10
- 4 11 - 15
- 5 16 - 30
- 6 31 or more
- DK/REF

Question ID: LA_3

Does your housing unit have any windows that allow the sun to shine in during the day?

- 1 Yes
- 2 No
- DK/REF

Question ID: LA_4

How noisy is it in your housing unit during sleeping hours?

- 1 Not at all noisy
 - 2 Slightly noisy
 - 3 Pretty noisy
 - 4 Very noisy
- DK/REF

Question ID: LA_17

How crowded is it in your housing unit?

- 1 Not at all crowded
 - 2 Slightly crowded
 - 3 Pretty crowded
 - 4 Very crowded
- DK/REF

Question ID: LA_18

How much privacy do you have in your housing unit?

- 1 None
 - 2 A little
 - 3 Some
 - 4 A lot
- DK/REF

Question ID: LA_5

How often is it too hot in your housing unit?

- 1 All of the time
 - 2 Most of the time
 - 3 Some of the time
 - 4 Never
- DK/REF

Question ID: LA_6

How often is it too cold in your housing unit?

- 1 All of the time
 - 2 Most of the time
 - 3 Some of the time
 - 4 Never
- DK/REF

Question ID: LA_7

How often do you see mice, rats, bugs, or insects in your housing unit?

- 1 All of the time
- 2 Most of the time
- 3 Some of the time
- 4 Never
- DK/REF

Question ID: LA_19

How crowded is it in other parts of the facility, outside of your housing unit--for example, in the dining hall, classrooms, gym, or work areas?

- 1 Not at all crowded
- 2 Slightly crowded
- 3 Pretty crowded
- 4 Very crowded
- DK/REF

Question ID: LA_8

During the last 24 hours, about how many hours did you spend in your housing unit? Please include time when you were sleeping.

NUMBER OF HOURS: _____

DK/REF

NOTES: [RANGE: 1 - 24]

Question ID: LA_9

During the last 24 hours, did you spend any time outdoors?

- 1 Yes
- 2 No
- DK/REF

GO TO LA_10

Question ID: LA_10

During the last 24 hours, about how much time did you spend outdoors?

- 1 Less than 30 minutes
- 2 At least 30 minutes but less than 1 hour
- 3 At least 1 hour but less than 2 hours
- 4 At least 2 hours but less than 5 hours
- 5 5 hours or more
- DK/REF

Question ID: LA_11

During the past 24 hours, about how many hours did you spend sleeping?

- 1 Less than 30 minutes
 - 2 At least 30 minutes but less than 1 hour
 - 3 At least 1 hour but less than 2 hours
 - 4 At least 2 hours but less than 5 hours
 - 5 At least 5 hours but less than 7 hours
 - 6 At least 7 hours but less than 9 hours
 - 7 9 hours or more
- DK/REF

Question ID: LA_12

The next questions are about how you spend your time at this jail. Please think about how you spent the **last 24 hours**.

During the **last 24 hours**, did you...

items LA_12a - LA_12j should be displayed on the same screen as much as space allows

Question ID: LA_12a

Attend a class or training?

- 1 Yes
 - 2 No
- DK/RF

Question ID: LA_12b

Exercise or work out?

- 1 Yes
 - 2 No
- DK/RF

Question ID: LA_12c

Watch television?

- 1 Yes
 - 2 No
- DK/RF

Question ID: LA_12d

Read books, newspapers or magazines?

- 1 Yes
 - 2 No
- DK/RF

Question ID: LA_12e

Work at a job?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12f

Participate in religious meetings or activities?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12g

Have in-person visits with family or friends?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12h

Talk on the telephone with family or friends?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12i

Play games like cards, chess, checkers, or sports with other inmates?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12j

Talk with your lawyer - either in person or on the telephone?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12k

Visit the library?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_12l

Visit the infirmary or medical ward?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_14

Now think about how you spent your time **during the past 7 days**. Did you do any of the following things during the **past 7 days**?

items LA_14a - LA_14l should be displayed on the same screen as much as space allows

Box ID: PB_LA3

IF LA_12a = 2 OR DK OR REF, CONTINUE TO LA_14a, ELSE GO TO PB_LA4

Question ID: LA_14a

Attend a class or training?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA4

IF LA_12b = 2 OR DK OR REF, CONTINUE TO LA_14b, ELSE GO TO PB_LA5

Question ID: LA_14b

Exercise or work out?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA5

IF LA_12c = 2 OR DK OR REF, CONTINUE TO LA_14c, ELSE GO TO PB_LA_6

Question ID: LA_14c

Watch television?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA6

IF LA_12d = 2 OR DK OR REF, CONTINUE TO LA_14d, ELSE GO TO PB_LA7

Question ID: LA_14d

Read books, newspapers or magazines?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA7

IF LA_12e = 2 OR DK OR REF, CONTINUE TO LA_14e, ELSE GO TO PB_LA8

Question ID: LA_14e

Work at a job?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA8

IF LA_12f = 2 OR DK OR REF, CONTINUE TO LA_14f, ELSE GO TO PB_LA9

Question ID: LA_14f

Participate in religious meetings or activities?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA9

IF LA_12g = 2 OR DK OR REF, CONTINUE TO 14g, ELSE GO TO PB_LA10

Question ID: LA_14g

Have in-person visits with family or friends?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA10

IF LA_12h = 2 OR DK OR REF, CONTINUE TO LA_14h, ELSE GO TO PB_LA11

Question ID: LA_14h

Talk on the telephone with family or friends?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA11

IF LA_12i = 2 OR DK OR REF, CONTINUE TO LA_14i, ELSE GO TO PB_LA12

Question ID: LA_14i

Play games with other inmates such as cards, chess, checkers, or sports?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA12

IF LA_12j = 2 OR DK OR REF, CONTINUE TO LA_14j, ELSE GO TO PB_LA13

Question ID: LA_14j

Talk with your lawyer - either in person or on the telephone?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA13

IF LA_12k = 2 OR DK OR REF, CONTINUE TO LA_14k, ELSE GO TO PB_LA14

Question ID: LA_14k

Visit the library?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_LA14

IF LA_12l = 2 OR DK OR REF, CONTINUE TO LA_14l, ELSE GO TO LA_15

Question ID: LA_14l

Visit the infirmary or medical ward?

- 1 Yes
- 2 No
- DK/RF

Question ID: LA_15

How would you describe the **amount** of food you **currently** receive at this facility?

- 1 There is too much food
- 2 There is just the right amount of food
- 3 There is not enough food
- DK/REF

Question ID: LA_16

How would you describe the **quality** of the food you **currently** receive at this facility?

- 1 Excellent
- 2 Very good
- 3 Good
- 4 Fair
- 5 Poor
- DK/REF

Question ID: LA_20

Are there inmates in this facility who you think of as your friends?

- 1 Yes
- 2 No
- DK/REF

Question ID: LA_21

Are there inmates in this facility who you can talk to about your problems?

- 1 Yes
- 2 No
- DK/REF

Question ID: LA_22

Are there inmates in this facility who would protect you if another inmate was trying to hurt you?

- 1 Yes
- 2 No
- DK/REF

Question ID: LA_23

Are there correctional officers or other staff at this facility who you can talk to about your personal problems?

- 1 Yes
- 2 No
- DK/REF

Question ID: LA_24

Are there correctional officers or other staff at this facility who would protect you if another inmate was trying to hurt you?

- 1 Yes
- 2 No
- DK/REF

ALTERCATIONS, FIGHTS AND GRIEVANCES (AFG)

Question ID: AFG2

These next questions are about violence in this facility.

DOAFILL1, how often have inmates at this facility been hit, punched, or assaulted by other inmates?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: AFG3

DOAFILL1, how often have **you** worried about being hit, punched, or assaulted by other inmates in this facility?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: AFG4

DOAFILL1, how often have you **seen** other inmates with some type of weapon?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: AFG5

DOAFILL1, how often has there been gang activity at this facility?

- 1 Frequently
- 2 Sometimes
- 3 Rarely
- 4 Never
- DK/REF

Question ID: AFG6

DOAFILL1, have **you** been in a fight, assault, or incident in which **another inmate** tried to harm you?

- 1 Yes
- 2 No
- DK/REF

GO TO AFG10

GO TO AFG10

Question ID: AFG7

DOAFILL1, how many times have you been in a fight, assault, or other incident in which **another inmate** tried to harm you?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Question ID: AFG8

DOAFILL1, what injuries did you receive [in the fight, assault, or incident/during **any** of the fights, assaults, or incidents] in which **another inmate** tried to harm you]?

IF AFG6 = 1 AND AFG7 = 1, DISPLAY FILL = "in the fight, assault, or incident"

IF AFG6 = 1 AND AFG7 = 2 OR 3 OR 4 OR DK OR REF, DISPLAY FILL= "during any of the fights, assaults, or incidents"

Question ID: AFG8a

You received knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG8b

You received broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG8c

Your teeth were chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG8d

You received internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG8e

You were knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG8f

You received bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_AFG1

IF AFG8a = 1 OR AFG8b = 1 OR AFG8c = 1 OR AFG8d = 1 OR AFG8e = 1 OR AFG8f = 1,
CONTINUE TO AFG9, ELSE GO TO AFG10

Question ID: AFG9

Did you see a doctor, nurse, or other health care provider for your injuries?

- 1 Yes
- 2 No
- DK/REF

Question ID: AFG10

DOAFILL1, have you been in a fight, assault, or incident in which a **correctional officer or other facility staff person** tried to harm you?

- 1 Yes GO TO AFG11
- 2 No
- DK/REF

Question ID: AFG11

DOAFILL1, how many times have you been in a fight, assault, or incident in which a **correctional officer or other facility staff person** tried to harm you?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Question ID: AFG12

DOAFILL1, what injuries did you receive [in the fight, assault, or incident/in **any** of the fights, assaults, or incidents] in which a **correctional officer or other facility staff person** tried to harm you?

IF AFG10 = 1 AND AFG11 = 1, DISPLAY FILL= "in the fight, assault, or incident"

IF AFG10 = 1 AND AFG11 = 2 OR 3 OR 4 OR DK OR REF, DISPLAY FILL= "in any of the fights, assaults, or incidents"

Question ID: AFG12a

You received knife or stab wounds?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG12b

You received broken bones?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG12c

Your teeth were chipped or knocked out?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG12d

You received internal injuries?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG12e

You were knocked unconscious?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG12f

You received bruises, a black eye, sprains, cuts, scratches, swelling, welts, or burns?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_AFG2

IF AFG12a = 1 OR AFG12b = 1 OR AFG12c = 1 OR AFG12d = 1 OR AFG12e = 1 OR AFG12f = 1, CONTINUE TO AFG13, ELSE GO TO AFG14

Question ID: AFG13

Did you see a doctor, nurse, or other health care provider for your injuries?

- 1 Yes
- 2 No
- DK/REF

Question ID: AFG14

DOAFILL1, have any of your personal possessions or belongings been taken by another inmate without your permission?

- 1 Yes GO TO AFG15
- 2 No
- DK/REF

Question ID: AFG15

DOAFILL1, how many times have any of your personal possessions or belongings been taken by another inmate without your permission?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Question ID: AFG16

DOAFILL1, do you think there has been enough staff at this facility to keep inmates safe?

- 1 Yes
- 2 No
- DK/REF

Question ID: AFG17

DOAFILL1, have you filed a grievance for any reason?

- 1 Yes
- 2 No
- DK/REF

GO TO AFG18

Question ID: AFG18

DOAFILL1, how many times have you filed a grievance for any reason?

- 1 1 time
- 2 2 times
- 3 3 - 10 times
- 4 11 times or more
- DK/REF

Question ID: AFG1

DOAFILL1, have you been written up or charged with...

items AFG1a - AFG1k should be displayed on the same screen as much as space allows

Question ID: AFG1a

A drug violation, such as possession, use, or dealing in drugs?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1b

Possession of a weapon?

- 1 Yes
- 2 No
- DK/RF

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Question ID: AFG1c

Possession of stolen property?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1d

Possession of any other unauthorized substance or item?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1e

Verbal assault on a correctional officer or other staff member?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1f

Physical assault on a correctional officer or other staff member?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1g

Verbal assault on another inmate?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1h

Physical assault on another inmate?

- 1 Yes
- 2 No
- DK/RF

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Question ID: AFG1i

Escape or attempted escape?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1j

Any other major violation, including work slowdowns, food strikes, setting fires, rioting, etc.?

- 1 Yes
- 2 No
- DK/RF

Question ID: AFG1k

Any minor violations relating to facility orderliness and operation, such as use of abusive language, horseplay, failing to follow sanitary regulations, etc.?

- 1 Yes
- 2 No
- DK/RF

WORK ASSIGNMENTS (WA)

Question ID: WA1

Now think about work assignments at this facility.

Do you **currently** have a work assignment **outside** this jail facility for which you leave the jail grounds?

1 Yes

GO TO WA2

2 No

DK/REF

Question ID: WA2

For how many weeks have you been working at this work assignment that requires you to leave the jail grounds?

1 Less than 1 week

2 1 - 5 weeks

3 6 - 12 weeks

4 13 weeks or longer

DK/REF

Box ID: PB_WA1

IF WA1 = 1, CONTINUE TO WA3, ELSE GO TO WA4

Question ID: WA3

In the **past 7 days**, about how many hours did you work **outside** the jail facility?

1 1 - 8 hours

2 9 - 16 hours

3 17 - 24 hours

4 25 - 32 hours

5 33 hours or more

DK/REF

Question ID: WA4

Do you **currently** have a work assignment inside this jail or on the grounds of the jail?

1 Yes

GO TO WA5

2 No

DK/REF

Question ID: WA5

For how many weeks have you been working at this work assignment inside the jail or on the grounds of the jail?

- 1 Less than 1 week
- 2 1 - 5 weeks
- 3 6 - 12 weeks
- 4 13 weeks or longer
- DK/REF

Box ID: PB_WA2

IF WA4 = 1, CONTINUE TO WA6, ELSE GO TO PB_WA3

Question ID: WA6

In the **past 7 days**, about how many hours did you work inside this jail or on the grounds of the jail?

- 1 1 - 8 hours
- 2 9 - 16 hours
- 3 17 - 24 hours
- 4 25 - 32 hours
- 5 33 hours or more
- DK/REF

Box ID: PB_WA3

IF WA1 = 1 OR WA4 = 1, CONTINUE TO WA7, ELSE GO TO PB_WA4

Question ID: WA7

Are you **required** to have a work assignment while in this jail?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_WA4

IF WA1 = 1 OR WA4 = 1, CONTINUE TO WA8, ELSE GO TO PB_WA6

Question ID: WA8

Are you paid money for the work assignment you have?

- 1 Yes
- 2 No
- DK/REF

Question ID: WA9

[Other than money, do you receive anything else for the work assignment you do, such as time credits or other privileges/Do you receive anything else for the work assignment you do, such as time credits or other privileges]?

IF WA8 = 1, DISPLAY FILL = "Other than money, do you receive anything else for the work assignment you do, such as time credits or other privileges" IF WA8 = 2 OR DK OR REF, DISPLAY FILL = "Do you receive anything else for the work assignment you do, such as time credits or other privileges"

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_WA5

IF WA7 = 2, CONTINUE TO WA10, ELSE GO TO PB_WA6

Question ID: WA10

Inmates choose to have a work assignment for different reasons. Do you have a work assignment...

items WA10a - WA10e should be displayed on the same screen as much as space allows

Question ID: WA10a

To break up boredom or see what the work assignment is like?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA10b

To spend time with friends or make friends?

- 1 Yes
- 2 No
- DK/RF

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Question ID: WA10c

To try to get out of jail early?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA10d

To learn some new job skills?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA10e

To earn spending money?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_WA6

IF WA1 = 2 AND WA4 = 2, CONTINUE TO WA11, ELSE GO TO WA12

Question ID: WA11

DOAFILL1, have you **ever** had a work assignment?

- 1 Yes
- 2 No
- DK/REF

GO TO WA12

Question ID: WA12

When was the last time you had a work assignment at this jail?

- 1 Within the past month
- 2 1 - 3 months ago
- 3 4 - 6 months ago
- 4 7 - 12 months ago
- DK/REF

Box ID: PB_WA7

IF WA11 = 1 OR 2, CONTINUE TO WA13, ELSE GO TO PP_1

Question ID: WA13

Inmates do not have work assignments for a variety of reasons. For each reason listed below, please indicate whether or not it is a reason why you don't **currently** have a work assignment. items WA13a - WA13e should be displayed on the same screen as much as space allows

Question ID: WA13a

You are not healthy enough to work?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA13b

You don't want to do the jobs that are available?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA13c

Facility staff will not allow you to work?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA13d

You don't have the skills needed?

- 1 Yes
- 2 No
- DK/RF

Question ID: WA13e

You would rather do other things with your time?

- 1 Yes
- 2 No
- DK/RF

PROGRAM PARTICIPATION (PP)

Question ID: PP_1

These next questions are about programs you have participated in at this facility.

DOAFILL1, have you participated in any job training programs, such as employment readiness or vocational training?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_PP1

IF PP_1 = 1, CONTINUE TO PP_2, ELSE GO TO PB_PP2

Question ID: PP_2

DOAFILL1, were you **required** to participate in any job training programs?

- 1 Yes
- 2 No
- DK/REF

Question ID: PP_3

Are you **currently** participating in any job training programs?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_PP1b

IF PP_3 =2, CONTINUE TO PP_4, ELSE GO TO PB_PP2

Question ID: PP_4

Why aren't you participating in any job training programs?

items PP_4a - PP_4e should be displayed on the same screen as much as space allows

National Inmate Survey: Year 4

Question ID: PP_4a

You completed the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_4b

You quit or dropped out of the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_4c

You are no longer allowed to participate in the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_4d

The program is no longer available at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_4e

Some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP2

IF PP_1 = 2, CONTINUE TO PP_5, ELSE GO TO PB_PP3

Question ID: PP_5

Why haven't you participated in any job training programs **DOAFILL2?**

items PP_5a - PP_5g should be displayed on the same screen as much as space allows

Question ID: PP_5a

You are not interested in the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5b

You are not eligible to participate in the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5c

You are too busy to attend the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5d

You don't need job training?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5e

You don't think the program would be useful?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5f

Job training programs are no longer offered at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_5g

Some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP3

IF PP_1 = 1, CONTINUE TO PP_6, ELSE GO TO PP_7

Question ID: PP_6

Why did you participate in job training programs **DOAFILL2?**

items PP_6a - PP_6e should be displayed on the same screen as much as space allows

Question ID: PP_6a

To break up boredom or see what the program was like?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_6b

To spend time with friends or make friends?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_6c

To try to get out of jail early?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_6d

To learn some new skills?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_6e	
Some other reason?	
1	Yes
2	No
	DK/RF

Question ID: PP_7		
DOAFILL1 , have you participated in any education programs, such as high school, GED, adult basic education, college courses, or English as a Second Language?		
1	Yes	GO TO PP_8
2	No	GO TO PB_PP5
	DK/REF	GO TO PB_PP5

Question ID: PP_8	
DOAFILL1 , were you required to participate in any education programs?	
1	Yes
2	No
	DK/REF

Box ID: PB_PP4
IF PP_7 = 1, CONTINUE TO PP_9, ELSE GO TO PB_PP5

Question ID: PP_9		
Are you currently participating in any education programs?		
1	Yes	
2	No	GO TO PP_10
	DK/REF	

Question ID: PP_10	
Why aren't you participating in any education programs?	
items PP_10a - PP_10e should be displayed on the same screen as much as space allows	

Question ID: PP_10a	
You completed the program?	
1	Yes
2	No
	DK/RF

Question ID: PP_10b

You quit or dropped out of the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_10c

You are no longer allowed to participate in the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_10d

The program is no longer available at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_10e

Some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP5

IF PP_7 = 2, CONTINUE TO PP_11, ELSE GO TO PB_PP6

Question ID: PP_11

Why haven't you participated in any education programs **DOAFILL2?**

items PP_11a - PP_11g should be displayed on the same screen as much as space allows

Question ID: PP_11a

You are not interested in the program?

- 1 Yes
- 2 No
- DK/RF

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Question ID: PP_11b

You are not eligible to participate in the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_11c

You are too busy to attend the program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_11d

You don't need education training?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_11e

You don't think the program would be useful?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_11f

Education programs are no longer offered at this facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_11g

Some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP6

IF PP_7 = 1, CONTINUE TO PP_12, ELSE GO TO PB_PP7

Question ID: PP_12

Why did you participate in education programs **DOAFILL2**?

items PP_12a - PP_12e should be displayed on the same screen as much as space allows

Question ID: PP_12a

To break up boredom or see what the program was like?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_12b

To spend time with friends or make friends?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_12c

To try to get out of jail early?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_12d

To learn some new skills?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_12e

Some other reason?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP7

IF PP_7 = 1, CONTINUE TO PP_13, ELSE GO TO PP_14

National Inmate Survey: Year 4

Question ID: PP_13

What types of education programs did you participate in **DOAFILL2**?
items PP_13a - PP_13e should be displayed on the same screen as much as space allows

Question ID: PP_13a

Basic education classes up through 8th grade?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_13b

High school or GED classes?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_13c

College level classes?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_13d

English as a Second Language or ESL classes?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_13e

Some other education program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14

DOAFILL1, have you participated in any of the following classes or programs?
items PP_14a - PP_14i should be displayed on the same screen as much as space allows

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Question ID: PP_14a

A parenting or child rearing class?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14b

An anger management or conflict resolution class?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14c

A money management or financial planning class?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14d

A sex offender treatment program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14e

A religious study group?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14f

An inmate assistance group such as an inmate counseling group, advisory council, worker's council, or inmate liaison group?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14g

A drug or alcohol support group such as Alcoholics Anonymous, Al-Anon, or Narcotics Anonymous?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14h

An arts and crafts program?

- 1 Yes
- 2 No
- DK/RF

Question ID: PP_14i

A health or nutrition program?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP7a

IF ANY ITEMS IN PP_14 = 1 CONTINUE TO PP_15, ELSE SKIP TO VOC_1

Question ID: PP_15

Are you **currently** participating in any of the following classes or programs?

items PP_15a - PP_15i should be displayed on the same screen as much as space allows

Box ID: PB_PP8

IF PP_14a = 1, CONTINUE TO PP_15a, ELSE GO TO PB_PP9

Question ID: PP_15a

A parenting or child rearing class?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP9

IF PP_14b = 1, CONTINUE TO PP_15b, ELSE GO TO PB_PP10

Question ID: PP_15b

An anger management or conflict resolution class?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP10

IF PP_14c = 1, CONTINUE TO PP_15c, ELSE GO TO PB_PP11

Question ID: PP_15c

A money management or financial planning class?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP11

IF PP_14d = 1, CONTINUE TO PP_15d, ELSE GO TO PB_PP12

Question ID: PP_15d

A sex offender treatment program?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP12

IF PP_14e = 1, CONTINUE TO PP_15e, ELSE GO TO PB_PP13

Question ID: PP_15e

A religious study group?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP13

IF PP_14f = 1, CONTINUE TO PP_15f, ELSE GO TO PB_PP14

Question ID: PP_15f

An inmate assistance group such as an inmate counseling group, advisory council, worker's council, or inmate liaison group?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP14

IF PP_14g = 1, CONTINUE TO PP_15g, ELSE GO TO PB_PP15

Question ID: PP_15g

A drug or alcohol support group such as Alcoholics Anonymous, Al-Anon, or Narcotics Anonymous?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP15

IF PP_14h = 1, CONTINUE TO PP_15h, ELSE GO TO PB_PP16

Question ID: PP_15h

An arts and crafts program?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PP16

IF PP_14i = 1, CONTINUE TO PP_15i, ELSE GO TO SECTION VOC_1

Question ID: PP_15i

A health or nutrition program?

1 Yes

2 No

DK/RF

VISITORS AND OUTSIDE CONTACT (VOC)

Question ID: VOC_1

These next questions are about contact you have with people outside this facility. By contact we mean phone calls, video visits, e-mails, text messages, letters, DVDs, CDs, tape recordings, or in-person visits.

DOAFILL1, have you had **any** contact with your **relatives**?

- 1 Yes
- 2 No
- DK/REF

GO TO VOC_2

Question ID: VOC_2

DOAFILL1, what kinds of contact have you had with any of your **relatives**?

Have you...

items VOC_2a - VOC_2d should be displayed on the same screen as much as space allows

Question ID: VOC_2a

Had in-person visits?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_2b

Talked on the phone?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_2c

Received letters?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_2d

Had some other type of contact such as emails, text messaging, video visiting, DVDs, CDs, or tape recordings?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_VOC1

IF VOC_2a = 1 OR VOC_2b = 1 OR VOC_2c = 1 OR VOC_2d = 1, CONTINUE TO VOC_3, ELSE GO TO PB_VOC2

Question ID: VOC_3

When was the last time you had any kind of contact with your **relatives**?

- 1 Within the past day
- 2 More than a day ago but within the past week
- 3 More than a week ago but within the past month
- 4 More than a month ago but within the past 3 months
- 5 More than 3 months ago but within the past 6 months
- 6 More than 6 months ago
- DK/REF

Box ID: PB_VOC2

IF VOC_1=2, CONTINUE TO VOC_4, ELSE GOT TO VOC_5

Question ID: VOC_4

Why do you think you have not had any kind of contact with your **relatives DOAFILL2?** Do you think it is because...

items VOC_4a - VOC_4f should be displayed on the same screen as much as space allows

Question ID: VOC_4a

They live too far away?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_4b

They cannot afford to travel to this jail?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_4c

They don't want to see you while you are incarcerated?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_4d

You are not allowed to have visitors?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_4e

You do not want to have visitors?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_4f

They are not healthy enough to travel?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_5

DOAFILL1, have you had **any** contact with your **friends or acquaintances**?

- 1 Yes GO TO VOC_6
- 2 No
- DK/REF

Question ID: VOC_6

DOAFILL1, what kinds of contact have you had with your **friends or acquaintances**? Have you...

items VOC_6a - VOC_6d should be displayed on the same screen as much as space allows

National Inmate Survey: Year 4

Question ID: VOC_6a

Had in-person visits?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_6b

Talked on the phone?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_6c

Received letters?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_6d

Had some other type of contact such as emails, text messaging, video visiting, DVDs, CDs, or tape recordings?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_VOC3

IF VOC_6a = 1 OR VOC_6b = 1 OR VOC_6c = 1 OR VOC_6d = 1, CONTINUE TO VOC_7, ELSE GO TO PB_VOC4

Question ID: VOC_7

When was the last time you had any kind of contact with **your friends or acquaintances**?

- 1 Within the past day
 - 2 More than a day ago but within the past week
 - 3 More than a week ago but within the past month
 - 4 More than a month ago but within the past 3 months
 - 5 More than 3 months ago but within the past 6 months
 - 6 More than 6 months ago
- DK/REF

Box ID: PB_VOC4

IF VOC_5=2, CONTINUE TO VOC_8, ELSE GO TO SECTION PRP

Question ID: VOC_8

Why do you think you have not had any kind of contact with your **friends or acquaintances DOAFILL2**? Do you think it is because...

items VOC_8a - VOC_8f should be displayed on the same screen as much as space allows

Question ID: VOC_8a

They live too far away?

- 1 Yes
 - 2 No
- DK/RF

Question ID: VOC_8b

They cannot afford to travel to this jail?

- 1 Yes
 - 2 No
- DK/RF

Question ID: VOC_8c

They don't want to see you while you are incarcerated?

- 1 Yes
 - 2 No
- DK/RF

Question ID: VOC_8d

You are not allowed to have visitors?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_8e

You do not want to have visitors?

- 1 Yes
- 2 No
- DK/RF

Question ID: VOC_8f

They are not healthy enough to travel?

- 1 Yes
- 2 No
- DK/RF

POST-RELEASE PLANS (PRP)

Question ID: PRP1

These last questions are about plans you may have for **after** you are released from this facility into the community.

Do you have a definite date on which you expect to be released from jail into the community?

- 1 Yes GO TO PRP2
- 2 No
- DK/REF

Question ID: PRP2

How much more time do you think you will serve before you are released into the community?

- 1 Less than 30 days
- 2 At least 30 days but less than 1 year
- 3 At least 1 year but less than 5 years
- 4 At least 5 years but less than 10 years
- 5 10 years or more
- DK/REF

Question ID: PRP14

How far is this jail from where you were living before you entered jail on your **current** incarceration?

- 1 Less than 5 miles
- 2 5 - 10 miles
- 3 11 - 20 miles
- 4 21 - 50 miles
- 5 51 - 100 miles
- 6 101 - 500 miles
- 7 501 miles or more
- DK/REF

Box ID: PB_PRP2

IF PRP1=1 CONTINUE TO PRP5, ELSE GO TO PB_PRP3

Question ID: PRP5

Do you have a plan for where you will live after you are released from jail into the community?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_PRP3

IF PRP5=1 CONTINUE TO PRP6, ELSE GO TO PB_PRP4

Question ID: PRP6

Did any staff at this jail help you make plans for where you will live after you are released from jail into the community?

- 1 Yes
- 2 No
- DK/REF

Box ID: PB_PRP4

IF PRP5=1, CONTINUE TO PRP7, ELSE GO TO PB_PRP6

Question ID: PRP7

Do you think you will live alone after you are released from jail or do you think you will live with other people?

- 1 Will live alone
- 2 Will live with other people GO TO PRP8
- DK/REF

Question ID: PRP8

Who do you plan to live with after you are released from jail into the community?
items PRP8a - PRP8j should be displayed on the same screen as much as space allows

Box ID: PB_PRP7

IF D1=1, CONTINUE TO PRP8a, ELSE GO TO PRP8b

National Inmate Survey: Year 4

Question ID: PRP8a

Your husband or wife?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8b

Your boyfriend or girlfriend?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8c

Your parents or step-parents?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8d

Your brother or sister?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8e

Your children who are **younger than 18**?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8f

Your children who are **at least 18 years old**?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8g

Your grandparents?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8h

Your grandchildren?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8i

Some other relative, such as an aunt, uncle, or cousin?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP8j

Someone you are **not** related to?

- 1 Yes
- 2 No
- DK/RF

Box ID: PB_PRP6

IF PRP5=1, CONTINUE TO PRP9, ELSE GO TO M0

Question ID: PRP9

Where do you plan to live after you are released from jail into the community?

items PRP9a - PRP9h should be displayed on the same screen as much as space allows

Question ID: PRP9a

In your own house, apartment, condo or mobile home?

- 1 Yes
- 2 No
- DK/RF

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Question ID: PRP9b

In someone else's house, apartment, condo or mobile home?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9c

In transitional housing for former inmates such as a halfway house?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9d

In a residential treatment facility?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9e

In a rooming house, hotel, or motel?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9f

In a car, truck, or other motor vehicle?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9g

In a homeless shelter, on the street, or in some outdoor location?

- 1 Yes
- 2 No
- DK/RF

Question ID: PRP9h

In some other place?

1 Yes

2 No

DK/RF

INTERVIEW DEBRIEFING - INMATE (M)

Box ID: M0

Thank you for completing the survey. Now we have a few questions about your experience with this interview.

Touch the **NEXT** button to go to the next screen.

Question ID: M1

How difficult was it for you to use the computer to do this survey?

- 1 Not difficult at all
 - 2 Sort of difficult
 - 3 Very difficult
- DK/REF

Box ID: PB_M1

DEFINE InterviewTypeFill:

IF RANDOM = 95, then InterviewTypeFill = "your own experiences with sex and sexual assault in this facility"

IF RANDOM = 5, then InterviewTypeFill = "your childhood and your experiences at this facility"

Question ID: M2

How comfortable did you feel using the computer to answer questions about [InterviewTypeFIII]?

- 1 Very comfortable
 - 2 Somewhat comfortable
 - 3 Somewhat uncomfortable
 - 4 Very uncomfortable
- DK/REF

Question ID: M3

How upsetting did you find it to answer questions about [InterviewTypeFIII]?

- 1 Not upsetting at all
 - 2 Somewhat upsetting
 - 3 Very upsetting
- DK/REF

Question ID: M4

How accurate are the answers you entered into the computer?

- 1 Not very accurate
- 2 Fairly accurate
- 3 Very accurate
- DK/REF

Question ID: M5

Did anyone tell you directly that you were required to participate in this study?

- 1 Yes GO TO M6
- 2 No
- DK/REF

Question ID: M6

Who told you that you were required to participate in this study?

- 1 A facility staff person
- 2 An interviewer from Westat GO TO M7
- 3 Another inmate
- 4 Someone else
- DK/REF

Question ID: M7

Were you **ever** made to feel that you were required to participate in this study?

- 1 Yes
- 2 No
- DK/REF

Question ID: M8

Did anyone put pressure on you to answer the survey questions in a certain way?

- 1 Yes GO TO M9
- 2 No
- DK/REF

Question ID: M9

Who pressured you to answer the survey questions in a certain way?

- 1 A facility staff person
- 2 An interviewer from Westat
- 3 Another inmate
- 4 Someone else
- DK/REF

Box ID: PB_M2

IF M8 = 1 AND RANDOM = 95, CONTINUE TO M10, ELSE GO TO M11

Question ID: M10

Are there any types of sex or sexual contact that you didn't report in this survey because someone pressured you not to?

- 1 Yes
- 2 No
- DK/REF

Box ID: M11

That is all the questions we have. If you found the survey questions upsetting for any reason, your interviewer can tell you how to contact a mental health counselor employed by this facility.

Thank you very much for participating in this study.

Box ID: M11a

Please tell your interviewer that you have completed the survey.

Box ID: M11b

SURVEY COMPLETED. ENTER PASSWORD TO CONTINUE.

INTERVIEW DEBRIEFING - INTERVIEWER (M)

Box ID: M12

THANK INMATE FOR PARTICIPATING.

NOTIFY OFFICER THAT THE INMATE IS FINISHED AND CAN LEAVE THE INTERVIEW ROOM.
THE LAST SET OF DEBRIEFING QUESTIONS WILL BE FOR THE INTERVIEWER.

Question ID: M13

Estimate the respondent's understanding of the interview

- 1 No difficulty - no language or reading problem
- 2 Some difficulty
- 3 A great deal of difficulty
- 4 Don't know

Question ID: M14

Please record any comments the respondent made about the nature of the questions or the task of answering the questions during either the CAPI or ACASI portions of the interview.

NOTES: ALLOW 150 CHARACTERS

Question ID: M15

How upset did the respondent appear to be during the ACASI portion of the interview?

- 1 Not upset at all
- 2 Somewhat upset
- 3 Very upset

Box ID: PB_M3

IF M15 = 2 OR 3, CONTINUE TO M16, ELSE GO TO M17

Question ID: M16

Please provide any details you can about why this inmate appeared to be somewhat or very upset during the ACASI portion of the interview.

NOTES: ALLOW 150 CHARACTERS

Question ID: M17

Did this inmate complete the interview while wearing shackles?

- 1 Yes
- 2 No

Question ID: M18

Did this inmate complete the interview while wearing handcuffs?

- 1 Yes
- 2 No

Question ID: M19

Did the inmate complain to you about how long they had to wait to be seen by an interviewer?

- 1 Yes
- 2 No

Question ID: M20

How much difficulty did you have persuading this inmate to participate in the NIS?

- 1 No difficulty - the inmate was eager to participate
- 2 Just a little difficulty - the inmate was willing, but not eager, to participate
- 3 Some difficulty - the inmate wasn't willing but you were able to persuade him/her
- 4 Quite a lot of difficulty - you had to really work to counter the inmate's objections

Question ID: M21

Indicate the degree of distractions or interruptions during the interview.

- 1 None
- 2 A few
- 3 A lot

Question ID: M22

Was the privacy of the interview setting compromised at any point during the interview?

- 1 Yes
- 2 No

GO TO M23

Question ID: M23

In what way was the privacy of the interview setting compromised during this interview?

NOTES: ALLOW 150 CHARACTERS

Box ID: PB_M4

IF I3=1, CONTINUE TO M24, ELSE GO TO M26

Question ID: M24

Did the inmate take the incentive that was offered?

1 Yes

2 No

Question ID: M26

PLEASE PROVIDE ANY OTHER COMMENTS ABOUT THE INTERVIEW THAT WOULD BE USEFUL FOR THE PROJECT TEAM TO KNOW:

NOTES: ALLOW 150 CHARACTERS

Box ID: REVIEW

INTERVIEWER: YOU HAVE REACHED THE END OF THE INTERVIEW. ENTER 1 AND PRESS THE ENTER KEY TO EXIT THE INTERVIEW AND GO BACK TO THE IMS.

Attachment D: Full Study ACASI Consent Form & Script



Bureau of Justice
Statistics

National Inmate Survey



Full Study

Consent to Participate in Research - ACASI

Introduction

The National Inmate Survey is a research study being done by the Bureau of Justice Statistics and Westat. You are one of the inmates at this facility who have been randomly selected to participate. Approximately 40,000 inmates will be interviewed at several hundred facilities across the United States. Data from this study will be used to estimate the number of inmates who are sexually assaulted in jails each year. Your participation in this study is voluntary.

Description of the Study

This interview will take about 45 minutes. To start, the interviewer will ask you some questions about your background and enter them into the tablet device. Next, the interviewer will show you how to use the tablet and you can complete the rest of the survey on your own. You will be able to see the questions on the screen and listen to them through headphones. You will enter your answers directly into the tablet by touching the screen. The interviewer will be nearby in case you have questions but won't be able to see your answers.

You will be randomly assigned to receive either detailed questions about your own experiences with sex and sexual assault while in this facility (such as the types of sexual acts and where they occurred) or questions about your childhood and your experiences before coming to this facility. In addition, you will be asked about your criminal history and military service. You will never be asked to identify anyone by name. You are the only one who will know which questions you are asked. Even the interviewer won't know unless you discuss the questions with him/her.

<IF AUTHORIZED BY FACILITY: To thank you for participating in the study, we will provide you with [a snack that you must eat before you leave the interview location].>

Possible Risks or Discomforts

Some of the questions in this interview are personal and they could make you feel uncomfortable or upset. You can skip any questions you do not want to answer and you can stop the interview at any time. Please tell the interviewer if you want to stop or take a break during the interview. If you find the questions upsetting for any reason, the interviewer can also provide you with instructions for contacting a mental health counselor.

Benefits

You will not receive any direct benefits for participating in this study. However, the results of this study may help improve the well-being of inmates in jail facilities across the United States. If you choose not to participate, you will not lose any benefits or services that you now receive or might receive in the future. Whether you participate or not will not affect your legal status or any decisions regarding your release from this facility in any way.

Confidentiality

Your name will never be connected with the information you provide in this interview. We will treat everything you say as private and confidential. That is, we will not associate any information you provide with your personal identifiable information (PII) with anyone who is not working on the study. The room is set up so that no one can see the answers you select. No one on the project or on staff here will ever know your answers. The study team will combine the responses from all inmates who take part. The study reports will give only total and percentages, never any individual inmate's answers.

There is, however, an exception to our promise of confidentiality. If you tell the interviewer that you intend to seriously harm yourself or a specific person, the interviewer will need to inform correctional staff here or authorities outside the facility who are responsible for protecting inmates.

FOR 16 AND 17 YEAR OLDS ONLY:

If you tell the interviewer **out loud** that you have been or are being abused, the interviewer or his/her supervisors will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.

Further Questions

You may keep a copy of this form. If you have any questions about the project, you may write to the National Inmate Survey at Westat, 1600 Research Blvd., RB 2146, Rockville, MD 20850. If you have questions about your rights as a project participant, you can write to Westat's Institutional Review Board, Human Subjects Protection at the same address.

OFFICE USE ONLY:

Study representative's signature

Date

Interviewer Script to be Read After ACASI Consent Form

Instructions for Interviewer: YOU MUST READ THE FOLLOWING SCRIPT ALOUD TO THE INMATE AND CONFIRM THAT HE/SHE UNDERSTANDS THE INFORMATION BEFORE CONCLUDING THE INFORMED CONSENT PROCESS.

I want to go over the main points covered in this form to make sure everything is clear:

- *This interview is voluntary. You can say yes or no. It is totally up to you. Nothing about your legal situation, such as when you will be released or what treatment you might receive, will be changed by whether or not you participate in the interview.*
- *If you start the interview and then want to quit, that's okay.*
- *If you want to skip any questions, that's okay also.*

Do you understand?

IF THE INMATE ANSWERS, "NO", *I can answer any questions you have about the interview or what is contained in this consent document.*

ANSWER ANY QUESTIONS THE INMATE HAS. THEN RETURN TO THE CONSENT FORM AND RE-READ THE "POSSIBLE RISKS OR DISCOMFORTS" AND "BENEFITS" SECTIONS. POINT TO THE TEXT ON THE INMATE'S COPY OF THE CONSENT FORM.

Do you understand?

IF THE INMATE ANSWERS, "NO," *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS, "YES", CONTINUE.

It is possible that some of the questions you answer using the computer may make you feel nervous or upset. If that happens and you want to take a break or you want to talk to someone about how the questions made you feel, you can tell me you want to take a break or want to speak with someone.

The form I just read aloud to you also talks about privacy. By private, we mean that the answers you enter into the computer, even those about being abused or harmed, will always be kept secret. No one will ever know your answers, not even me.

IF INMATE IS 18 YEARS OLD OR OLDER, CONTINUE. OTHERWISE, SKIP TO THE "READ FOR 16 AND 17 YEAR OLDS ONLY" SECTION.

Do you have any questions?

IF THE INMATE ANSWERS, "YES", ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, "NO", CONTINUE.

If you think of any questions or comments about the survey later, you can write us at the address provided. If you would like to participate in the interview, please tell me now and we will begin.

IF INMATE GIVES CONSENT, INFORM THE INMATE THEY CAN KEEP A COPY OF THE CONSENT FORM IF THEY WANT ONE. CONTINUE WITH THE SURVEY.

IF INMATE DOES NOT GIVE CONSENT, *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

END OF CONSENT FOR INMATES 18 YEARS OLD OR OLDER.

READ FOR 16 AND 17 YEAR OLDS ONLY:

*However, if you tell me **out loud** that you are being abused at this facility I, or my supervisors, will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.*

Just so I'm absolutely sure you understand this...

*If you **tell me** that you have been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "NO", POINT TO THE "FOR 16 AND 17 YEAR OLDS ONLY" SECTION ON THE INMATE'S COPY OF THE CONSENT FORM, THEN READ THE FOLLOWING:

If you tell me out loud that you have been or are being abused, I or my supervisors will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.

*I will ask the last question again, if you **tell me** that you have been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "NO", *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS "YES", CONTINUE.

*If you answer **on the computer** that you or anyone else has been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "YES", POINT TO THE "CONFIDENTIALITY" PARAGRAPH ON THE INMATE'S COPY OF THE CONSENT FORM. , THEN READ THE FOLLOWING:

Your name will never be connected with the information you provide in this interview. We will treat everything you say as private and confidential. That is, we will not associate any information you provide with your personal identifiable information (PII) with anyone who is not working on the study. The room is set up so that no one can see the answers you select. No one on the project or on staff here will ever know your answers. The study team will combine the responses from all inmates who take part. The study reports will give only total and percentages, never any individual inmate's answers. Do you have any questions?

IF THE INMATE ANSWERS, "YES", ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, "NO", CONTINUE.

*I will ask the last question again, if you answer **on the computer** that you or anyone else has been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "YES", *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS "NO", CONTINUE.

Now, if someone asked you whether you had to do the interview or whether it was voluntary, what would you say?

- *Have to do it.*
- *I didn't have to do it/ it is voluntary.*

IF THE INMATE ANSWERS, “HAVE TO DO IT”, POINT TO THE “INTRODUCTION” PARAGRAPH ON THE CONSENT FORM, AND TO THE LAST SENTENCE, THEN READ THE FOLLOWING:

Your participation in this study is voluntary. If you choose not to participate, you will not lose any benefits or services that you now receive or might receive in the future. Whether you participate or not will not affect your legal status or any decisions regarding your release from this facility in any way.

I will ask the last question again, if someone asked you whether you have to do the interview or whether it is voluntary, what would you say?

- *Have to do it.*
- *I don't have to do it/ it was voluntary.*

IF THE INMATE ANSWERS, “HAVE TO DO IT”, *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS, “I DON'T HAVE TO DO IT/IT IS VOLUNTARY”, CONTINUE.

Do you have any questions?

IF THE INMATE ANSWERS, “YES”, ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, “NO”, CONTINUE.

If you think of any questions or comments about the survey later, you can write us at the address provided. If you would like to participate in the interview, please tell me now and we will begin.

IF INMATE GIVES CONSENT, INFORM THE INMATE THEY CAN KEEP A COPY OF THE CONSENT FORM IF THEY WANT ONE. CONTINUE WITH THE SURVEY.

IF INMATE DOES NOT GIVE CONSENT, *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

Attachment E: PAPI Questionnaires

Four PAPI questionnaires are included in the attachment, as described below:

Form 1: Intended for female inmates who have been in the facility for 12 months or longer.

Form 2: Intended for male inmates who have been in the facility for 12 months or longer.

Form 3: Intended for female inmates who have been in the facility for a period less than 12 months.

Form 4: Intended for male inmates who have been in the facility for a period less than 12 months.



NATIONAL INMATE SURVEY - JAILS

Conducted by the Bureau of Justice Statistics
and
Westat

NOTICE: Public reporting for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is XXXX-XXXX.

SECTION A

Please answer the question in the space provided or mark your answer in the box, like this . To protect your privacy, do not put your name on this survey.

1. On what date were you admitted to this facility?

If you cannot remember the exact date, please write down whatever you can remember, such as the year and the month.

_____/_____/_____
 Month Day Year

2. How old are you?

Age: _____

3. Are you of Hispanic, Latino, or Spanish origin?

Yes..... ₁
 No ₂

4. Which of these categories describes your race:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
White	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Black or African American	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
American Indian or Alaska Native	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Asian	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Native Hawaiian or other Pacific Islander	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

5. What is the highest level of school you have completed?

Less than a high school graduate..... ₁
 High school graduate or GED ₂
 Some college ₃
 College degree or more ₄

6. Are you currently being held in this facility for any of the following:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
A violent offense, such as physical or sexual assault, rape, robbery, manslaughter, attempted murder, or murder?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A drug offense, such as possessing, selling, or manufacturing drugs?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A property offense, such as burglary, larceny, auto theft, bad checks, fraud, forgery or grand theft?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Any other offense?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

7. How long have you been in this facility?

Less than 1 week..... ₁
 At least 1 week but less than 1 month ₂
 At least 1 month but less than 2 months ₃
 At least 2 months but less than 6 months..... ₄
 At least 6 months but less than 1 year ₅
 At least 1 year but less than 5 years ₆
 At least 5 years but less than 10 years ₇
 10 years or more ₈

8. Before you were admitted to this facility, had you ever spent time as an adult or juvenile in a prison, jail, or other correctional facility?

Yes ₁
 No ₂

9. Which of the following best represents how you think about yourself?

Lesbian or gay..... ₁
 Straight; that is, **not** lesbian or gay ₂
 Bisexual; that is, you are sexually attracted to both men and women..... ₃
 Something else..... ₄

10. What sex were you assigned at birth on your original birth certificate?

- Male.....1
- Female2

11. Do you currently think of yourself as...?

- Male.....1
- Female2
- Transgender3
- None of these.....4

12. **Before you entered this facility, had anyone ever physically forced, pressured, or made you feel you had to have sex or sexual contact—that is unwanted touching of the breasts, genitals or butt, or vaginal, oral, or anal sex?**

- Yes.....1 *Continue to item 13*
- No2 *Go to item 14*

13. Were you physically forced, pressured, or made to feel you had to have sex or sexual contact before you were 18 years old, after you turned 18, or both?

- Before you were 181
- After you turned 182
- Both3

14. **Before you entered this facility, were you physically forced, pressured, or made to feel that you had to have sex or sexual contact while you were an adult or juvenile in a jail, prison, or other correctional facility?**

- Yes.....1
- No2

15. This question is about **wanted or voluntary** sex or sexual contact you have had with other inmates in this facility. In the past 12 months, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch another inmate's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have oral sex with another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have vaginal sex with another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have anal sex with another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have any type of sex or sexual contact with another inmate at this facility other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> 1	<input type="checkbox"/> 2

These next questions ask about **unwanted** sex or sexual contact you have had with other inmates in this facility. By unwanted, we mean sex or sexual contact that you **did not want to happen**.

16. In the past 12 months, did another inmate use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have oral sex with them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have vaginal sex with them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have anal sex with them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have any type of sex or sexual contact with them other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> 1	<input type="checkbox"/> 2

17. In the past 12 months, did another inmate, without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

18. In the past 12 months, how many times altogether were you physically forced, pressured, or made to feel like you had to have sex or sexual contact with another inmate?

- 0 times ₁ → *Go to SECTION B on page 3*
 1 time ₂
 2 times ₃
 3–10 times ₄ → *Continue to item 19*
 11 times or more... ₅

19. In the past 12 months, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

20. In the past 12 months, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, did you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal or vaginal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION B

These next questions ask about sex or sexual contact you have had with staff at this facility. By staff, we mean the employees of this facility and anybody who works as a volunteer in this facility.

21. This question is about willing sex or sexual contact you have had with any staff at this facility. In the past 12 months, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch a facility staff person's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give or receive a handjob from a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

22. In the past 12 months, did a facility staff person use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

23. In the past 12 months, did a facility staff person without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

24. This question is about both wanted and unwanted sex with staff at this facility. In the past 12 months, how many times altogether have you had any type of wanted or unwanted sex or sexual contact with staff at this facility?

- 0 times ₁ → *Go to SECTION C on page 5*
- 1 time ₂
- 2 times ₃
- 3–10 times ₄ → *Continue to item 25*
- 11 times or more... ₅

25. In the past 12 months, when you had sex or sexual contact with facility staff, did any single incident ever involve more than one facility staff person?

- Yes ₁
- No ₂

26. In the past 12 months, when you had sex or sexual contact with facility staff, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from another correctional officer?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

27. In the past 12 months, when you had sex or sexual contact with facility staff, was it ever with:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Male facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Female facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

28. In the past 12 months, when you had sex or sexual contact with facility staff, did you ever:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal or vaginal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION C

These last two questions are about your experience with this survey.

29. How upsetting did you find it to answer questions about your own experiences with sex and sexual assault in this facility?

- Not upsetting at all..... ₁
- Somewhat upsetting..... ₂
- Very upsetting ₃

30. How accurate are the answers you gave in this survey?

- Not very accurate..... ₁
- Fairly accurate ₂
- Very accurate..... ₃

After you have completed the survey, please put it in the envelope and seal it before you turn it in.

Thank You!



NATIONAL INMATE SURVEY - JAILS

Conducted by the Bureau of Justice Statistics
and
Westat

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SECTION A

Please answer the question in the space provided or mark your answer in the box, like this . To protect your privacy, do not put your name on this survey.

1. On what date were you admitted to this facility?

If you cannot remember the exact date, please write down whatever you can remember, such as the year and the month.

_____/_____/_____
 Month Day Year

2. How old are you?

Age: _____

3. Are you of Hispanic, Latino, or Spanish origin?

Yes..... ₁
 No ₂

4. Which of these categories describes your race:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
White	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Black or African American	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
American Indian or Alaska Native	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Asian	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Native Hawaiian or other Pacific Islander	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

5. What is the highest level of school you have completed?

Less than a high school graduate..... ₁
 High school graduate or GED ₂
 Some college ₃
 College degree or more ₄

6. Are you currently being held in this facility for any of the following:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
A violent offense, such as physical or sexual assault, rape, robbery, manslaughter, attempted murder, or murder?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A drug offense, such as possessing, selling, or manufacturing drugs?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A property offense, such as burglary, larceny, auto theft, bad checks, fraud, forgery or grand theft?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Any other offense?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

7. How long have you been in this facility?

Less than 1 week..... ₁
 At least 1 week but less than 1 month ₂
 At least 1 month but less than 2 months ₃
 At least 2 months but less than 6 months..... ₄
 At least 6 months but less than 1 year ₅
 At least 1 year but less than 5 years ₆
 At least 5 years but less than 10 years ₇
 10 years or more ₈

8. Before you were admitted to this facility, had you ever spent time as an adult or juvenile in a prison, jail, or other correctional facility?

Yes ₁
 No ₂

9. Which of the following best represents how you think of yourself?

Lesbian or gay..... ₁
 Straight; that is, **not** lesbian or gay ₂
 Bisexual; that is, you are sexually attracted to both men and women..... ₃
 Something else..... ₄

10. What sex were you assigned at birth on your original birth certificate?

- Male.....1
- Female2

11. Do you currently think of yourself as...?

- Male.....1
- Female2
- Transgender3
- None of these.....4

12. **Before you entered this facility, had anyone ever physically forced, pressured, or made you feel you had to have sex or sexual contact—that is unwanted touching of the genitals or butt, or vaginal, oral, or anal sex?**

- Yes.....1 *Continue to item 13*
- No2 *Go to item 14*

13. Were you physically forced, pressured, or made to feel you had to have sex or sexual contact before you were 18 years old, after you turned 18, or both?

- Before you were 181
- After you turned 182
- Both3

14. **Before you entered this facility, were you physically forced, pressured, or made to feel that you had to have sex or sexual contact while you were an adult or juvenile in a jail, prison, or other correctional facility?**

- Yes.....1
- No2

15. This question is about **wanted or voluntary** sex or sexual contact you have had with other inmates in this facility. In the past 12 months, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch another inmate's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Give or receive a handjob from another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have oral sex (blowjob) with another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have anal sex with another inmate at this facility?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have any type of sex or sexual contact with another inmate at this facility other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> 1	<input type="checkbox"/> 2

These next questions ask about **unwanted** sex or sexual contact you have had with other inmates in this facility. By **unwanted**, we mean sex or sexual contact that you **did not want to happen**.

16. In the past 12 months, did another inmate use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have oral sex (blowjob) with them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have anal sex with them?	<input type="checkbox"/> 1	<input type="checkbox"/> 2
Have any type of sex or sexual contact with them other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> 1	<input type="checkbox"/> 2

17. In the past 12 months, did another inmate, without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

18. In the past 12 months, how many times altogether were you physically forced, pressured, or made to feel like you had to have sex or sexual contact with another inmate?

- 0 times ₁ → *Go to SECTION B on page 3*
 1 time ₂
 2 times ₃ } → *Continue to item 19*
 3–10 times ₄
 11 times or more... ₅

19. In the past 12 months, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

20. In the past 12 months, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, did you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION B

These next questions ask about sex or sexual contact you have had with staff at this facility. By staff, we mean the employees of this facility and anybody who works as a volunteer in this facility.

21. This question is about **willing** sex or sexual contact you have had with any staff at this facility. In the past 12 months, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch a facility staff person's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give or receive a handjob from a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

22. In the past 12 months, did a facility staff person use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

23. In the past 12 months, did a facility staff person without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

24. This question is about both wanted and unwanted sex with staff at this facility. In the past 12 months, how many times altogether have you had any type of **wanted or unwanted** sex or sexual contact with staff at this facility?

- 0 times.....₁ → Go to SECTION C on page 5
- 1 time₂ } → Continue to item 25
- 2 times.....₃ }
- 3–10 times.....₄ }
- 11 times or more ...₅ }

25. In the past 12 months, when you had sex or sexual contact with facility staff, did any single incident ever involve more than one facility staff person?

- Yes ₁
- No ₂

26. In the past 12 months, when you had sex or sexual contact with facility staff, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from another correctional officer?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

27. In the past 12 months, when you had sex or sexual contact with facility staff, was it ever with:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Male facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Female facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

28. In the past 12 months, when you had sex or sexual contact with facility staff, did you ever:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION C

These last two questions are about your experience with this survey.

29. How upsetting did you find it to answer questions about your own experiences with sex and sexual assault in this facility?

- Not upsetting at all..... ₁
- Somewhat upsetting..... ₂
- Very upsetting ₃

30. How accurate are the answers you gave in this survey?

- Not very accurate..... ₁
- Fairly accurate ₂
- Very accurate..... ₃

**After you have completed the survey, please put it
in the envelope and seal it before you turn it in.**

Thank You!



NATIONAL INMATE SURVEY - JAILS

Conducted by the Bureau of Justice Statistics
and
Westat

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SECTION A

Please answer the question in the space provided or mark your answer in the box, like this . To protect your privacy, do not put your name on this survey.

1. On what date were you admitted to this facility?

If you cannot remember the exact date, please write down whatever you can remember, such as the year and the month.

_____/_____/_____
 Month Day Year

2. How old are you?

Age: _____

3. Are you of Hispanic, Latino, or Spanish origin?

Yes ₁
 No ₂

4. Which of these categories describes your race:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
White	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Black or African American	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
American Indian or Alaska Native	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Asian	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Native Hawaiian or other Pacific Islander	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

5. What is the highest level of school you have completed?

Less than a high school graduate..... ₁
 High school graduate or GED ₂
 Some college ₃
 College degree or more..... ₄

6. Are you currently being held in this facility for any of the following:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
A violent offense, such as physical or sexual assault, rape, robbery, manslaughter, attempted murder, or murder?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A drug offense, such as possessing, selling, or manufacturing drugs?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A property offense, such as burglary, larceny, auto theft, bad checks, fraud, forgery or grand theft?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Any other offense?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

7. How long have you been in this facility?

Less than 1 week..... ₁
 At least 1 week but less than 1 month ₂
 At least 1 month but less than 2 months ₃
 At least 2 months but less than 6 months ₄
 At least 6 months but less than 1 year ₅
 At least 1 year but less than 5 years ₆
 At least 5 years but less than 10 years..... ₇
 10 years or more..... ₈

8. Before you were admitted to this facility, had you ever spent time as an adult or juvenile in a prison, jail, or other correctional facility?

Yes ₁
 No..... ₂

9. Which of the following best represents how you think about yourself?

Lesbian or gay..... ₁
 Straight; that is, **not** lesbian or gay ₂
 Bisexual; that is, you are sexually attracted to both men and women ₃
 Something else..... ₄

10. What sex were you assigned at birth on your original birth certificate?

- Male..... ₁
- Female..... ₂

11. Do you currently think of yourself as...?

- Male..... ₁
- Female..... ₂
- Transgender..... ₃
- None of these..... ₄

12. **Before you entered this facility, had anyone ever physically forced, pressured, or made you feel you had to have sex or sexual contact—that is unwanted touching of the breasts, genitals or butt, or vaginal, oral, or anal sex?**

- Yes..... ₁ *Continue to item 13*
- No..... ₂ *Go to item 14*

13. Were you physically forced, pressured, or made to feel you had to have sex or sexual contact before you were 18 years old, after you turned 18, or both?

- Before you were 18..... ₁
- After you turned 18..... ₂
- Both..... ₃

14. **Before you entered this facility, were you physically forced, pressured, or made to feel that you had to have sex or sexual contact while you were an adult or juvenile in a jail, prison, or other correctional facility?**

- Yes..... ₁
- No..... ₂

15. This question is about **wanted or voluntary sex or sexual contact you have had with other inmates in this facility. Since you arrived at this facility, did you do any of the following:**

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch another inmate's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex with another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with another inmate at this facility other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

These next questions ask about **unwanted sex or sexual contact you have had with other inmates in this facility. By unwanted, we mean sex or sexual contact that you did not want to happen.**

16. Since you arrived at this facility, did another inmate use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

17. Since you arrived at this facility, did another inmate, without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, oral sex, vaginal sex, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

18. Since you arrived at this facility, how many times altogether were you physically forced, pressured, or made to feel like you had to have sex or sexual contact with another inmate?

- 0 times.....₁ → *Go to SECTION B on page 3*
 1 time₂
 2 times.....₃
 3–10 times₄ → *Continue to item 19*
 11 times or more...₅

19. Since you arrived at this facility, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

20. Since you arrived at this facility, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, did you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal or vaginal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION B

These next questions ask about sex or sexual contact you have had with staff at this facility. By staff, we mean the employees of this facility and anybody who works as a volunteer in this facility.

21. This question is about willing sex or sexual contact you have had with any staff at this facility. Since you arrived at this facility, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch a facility staff person's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give or receive a handjob from a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

22. Since you arrived at this facility, did a facility staff person use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

23. Since you arrived at this facility, did a facility staff person without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

24. This question is about both wanted and unwanted sex with staff at this facility. Since you arrived at this facility, how many times altogether have you had any type of wanted or unwanted sex or sexual contact with staff at this facility?

- 0 times.....₁ → *Go to SECTION C on page 5*
 1 time₂
 2 times.....₃
 3–10 times₄ → *Continue to item 25*
 11 times or more...₅

25. Since you arrived at this facility, when you had sex or sexual contact with facility staff, did any single incident ever involve more than one facility staff person?

- Yes₁
 No.....₂

26. Since you arrived at this facility, when you had sex or sexual contact with facility staff, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from another correctional officer?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

27. Since you arrived at this facility, when you had sex or sexual contact with facility staff, was it ever with:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Male facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Female facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

28. Since you arrived at this facility, when you had sex or sexual contact with facility staff, did you ever:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal or vaginal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION C

These last two questions are about your experience with this survey.

29. How upsetting did you find it to answer questions about your own experiences with sex and sexual assault in this facility?

- Not upsetting at all..... ₁
- Somewhat upsetting..... ₂
- Very upsetting ₃

30. How accurate are the answers you gave in this survey?

- Not very accurate..... ₁
- Fairly accurate ₂
- Very accurate ₃

After you have completed the survey, please put it in the envelope and seal it before you turn it in.

Thank You!



NATIONAL INMATE SURVEY - JAILS

Conducted by the Bureau of Justice Statistics
and
Westat

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SECTION A

Please answer the question in the space provided or mark your answer in the box, like this . To protect your privacy, do not put your name on this survey.

1. On what date were you admitted to this facility?

If you cannot remember the exact date, please write down whatever you can remember, such as the year and the month.

_____/_____/_____
 Month Day Year

2. How old are you?

Age: _____

3. Are you of Hispanic, Latino, or Spanish origin?

Yes ₁
 No ₂

4. Which of these categories describes your race:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
White	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Black or African American	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
American Indian or Alaska Native	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Asian	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Native Hawaiian or other Pacific Islander	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

5. What is the highest level of school you have completed?

Less than a high school graduate..... ₁
 High school graduate or GED ₂
 Some college ₃
 College degree or more..... ₄

6. Are you currently being held in this facility for any of the following:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
A violent offense, such as physical or sexual assault, rape, robbery, manslaughter, attempted murder, or murder?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A drug offense, such as possessing, selling, or manufacturing drugs?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
A property offense, such as burglary, larceny, auto theft, bad checks, fraud, forgery or grand theft?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Any other offense?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

7. How long have you been in this facility?

Less than 1 week..... ₁
 At least 1 week but less than 1 month ₂
 At least 1 month but less than 2 months ₃
 At least 2 months but less than 6 months ₄
 At least 6 months but less than 1 year ₅
 At least 1 year but less than 5 years ₆
 At least 5 years but less than 10 years..... ₇
 10 years or more..... ₈

8. Before you were admitted to this facility, had you ever spent time as an adult or juvenile in a prison, jail, or other correctional facility?

Yes ₁
 No..... ₂

9. Which of the following best represents how you think about yourself?

Lesbian or gay..... ₁
 Straight; that is, **not** lesbian or gay ₂
 Bisexual; that is, you are sexually attracted to both men and women ₃
 Something else..... ₄

10. What sex were you assigned at birth on your original birth certificate?

- Male..... ₁
- Female..... ₂

11. Do you currently think of yourself as...?

- Male..... ₁
- Female..... ₂
- Transgender..... ₃
- None of these..... ₄

12. **Before you entered this facility, had anyone ever physically forced, pressured, or made you feel you had to have sex or sexual contact—that is unwanted touching of the genitals or butt, or vaginal, oral, or anal sex?**

- Yes..... ₁ *Continue to item 13*
- No..... ₂ *Go to item 14*

13. Were you physically forced, pressured, or made to feel you had to have sex or sexual contact before you were 18 years old, after you turned 18, or both?

- Before you were 18..... ₁
- After you turned 18..... ₂
- Both..... ₃

14. **Before you entered this facility, were you physically forced, pressured, or made to feel that you had to have sex or sexual contact while you were an adult or juvenile in a jail, prison, or other correctional facility?**

- Yes..... ₁
- No..... ₂

15. This question is about **wanted or voluntary** sex or sexual contact you have had with other inmates in this facility. Since you arrived at this facility, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch another inmate's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give or receive a handjob from another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with another inmate at this facility?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with another inmate at this facility other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

These next questions ask about **unwanted** sex or sexual contact you have had with other inmates in this facility. By unwanted, we mean sex or sexual contact that you **did not want to happen**.

16. Since you arrived at this facility, did another inmate use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

17. Since you arrived at this facility, did another inmate, without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have any type of sex or sexual contact with them other than sexual touching, handjobs, oral sex or blowjobs, or anal sex?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

18. Since you arrived at this facility, how many times altogether were you physically forced, pressured, or made to feel like you had to have sex or sexual contact with another inmate?

- 0 times.....₁ → *Go to SECTION B on page 3*
 1 time.....₂
 2 times.....₃
 3–10 times.....₄ → *Continue to item 19*
 11 times or more...₅

19. Since you arrived at this facility, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, were you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

20. Since you arrived at this facility, when you were physically forced, pressured, or made to feel that you had to have sex or sexual contact with another inmate, did you ever:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

SECTION B

These next questions ask about sex or sexual contact you have had with staff at this facility. By staff, we mean the employees of this facility and anybody who works as a volunteer in this facility.

21. This question is about **willing** sex or sexual contact you have had with any staff at this facility. Since you arrived at this facility, did you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch a facility staff person's body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give or receive a handjob from a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with a facility staff person?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

22. Since you arrived at this facility, did a facility staff person use physical force to make you do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

23. Since you arrived at this facility, did a facility staff person without using physical force, pressure you or make you feel that you had to do any of the following:

Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.	Yes	No
Touch their body in a sexual way or have your body touched in a sexual way?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Give them a handjob or receive a handjob from them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have oral sex (blowjob) with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have vaginal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have anal sex with them?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

24. This question is about both wanted and unwanted sex with staff at this facility. Since you arrived at this facility, how many times altogether have you had any type of **wanted or unwanted** sex or sexual contact with staff at this facility?

- 0 times ₁ → Go to SECTION C
- 1 time..... ₂ } on page 5
- 2 times ₃ } → Continue to item 25
- 3–10 times ₄ }
- 11 times or more .. ₅ }

25. Since you arrived at this facility, when you had sex or sexual contact with facility staff, did any single incident ever involve more than one facility staff person?

- Yes ₁
- No..... ₂

SECTION C

These last two questions are about your experience with this survey.

29. How upsetting did you find it to answer questions about your own experiences with sex and sexual assault in this facility?

- Not upsetting at all₁
- Somewhat upsetting₂
- Very upsetting₃

30. How accurate are the answers you gave in this survey?

- Not very accurate₁
- Fairly accurate₂
- Very accurate₃

26. Since you arrived at this facility, when you had sex or sexual contact with facility staff, were you ever:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Persuaded or talked into it?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given a bribe or blackmailed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Given drugs or alcohol to get you drunk or high?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from other inmates?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Offered protection from another correctional officer?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Trying to pay off or settle a debt that you owed?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Threatened with harm or a weapon?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically held down or restrained?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Physically harmed or injured?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

27. Since you arrived at this facility, when you had sex or sexual contact with facility staff, was it ever with:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Male facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Female facility staff?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

28. Since you arrived at this facility, when you had sex or sexual contact with facility staff, did you ever:

<i>Mark <input checked="" type="checkbox"/> "Yes" or "No" for each item.</i>	Yes	No
Receive knife or stab wounds?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive broken bones?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive anal tearing?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Have your teeth chipped or knocked out?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive internal injuries?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Get knocked unconscious?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂
Receive bruises, a black eye, sprains, cuts, scratches, swelling, or welts?	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂

|

**After you have completed the survey, please put it
in the envelope and seal it before you turn it in.**

Thank You!

Attachment F: Full Study PAPI Consent Form & Script



National Inmate Survey

Full Study



Consent to Participate in Research – PAPI

Introduction

The National Inmate Survey is a research study being done by the Bureau of Justice Statistics and Westat. You are one of the inmates at this facility who have been randomly selected to participate. Approximately 40,000 inmates will be interviewed at several hundred facilities across the United States. Data from this study will be used to estimate the number of inmates who are sexually assaulted in jails each year. Your participation in this study is voluntary.

Description of the Study

This interview will take about 15 minutes. The interviewer will provide you with the questionnaire which you will complete by yourself. The questionnaire includes detailed questions about your own experiences with sex and sexual assault in this facility (such as the types of sexual acts and where they occurred). You will never be asked to identify anyone by name. Once you have completed the questionnaire you will seal it in an envelope and give it back to the interviewer. Neither the interviewer/ nor anyone at this facility will ever see your completed questionnaire.

<IF AUTHORIZED BY FACILITY: To thank you for participating in the study, we will provide you with [a snack that you must eat before you leave the interview location].>

Possible Risks or Discomforts

Some of the questions in this interview are personal and they could make you feel uncomfortable or upset. You can skip any questions you do not want to answer and you can stop the interview at any time. If you find the questions upsetting for any reason, the interviewer can also provide you with instructions for contacting a mental health counselor.

Benefits

You will not receive any direct benefits for participating in this study. However, the results of this study may help improve the well-being of inmates in jail facilities across the United States. If you choose not to participate, you will not lose any benefits or services that you now receive or might receive in the future. Whether you participate or not will not affect your legal status or any decisions regarding your release from this facility in any way.

Confidentiality

Your name will never be connected with the information you provide in this interview. We will treat everything you say as private and confidential. That is, we will not associate any information you provide with your personal identifiable information (PII) with anyone who is not working on the study. There is, however, an exception to our promise of confidentiality. If you tell the interviewer that you intend to seriously harm yourself or a specific person, the interviewer will need to inform correctional staff here or authorities outside the facility who are responsible for protecting inmates.

FOR 16 AND 17 YEAR OLDS ONLY:

If you tell the interviewer out loud that you have been or are being abused, the interviewer or his/her supervisors will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.

Further Questions

You may keep a copy of this form. If you have any questions about the project, you may write to the National Inmate Survey at Westat, 1600 Research Blvd., RB 2146, Rockville, MD 20850. If you have questions about your rights as a project participant, you can write to Westat's Institutional Review Board, Human Subjects Protection at the same address.

OFFICE USE ONLY:

Study representative's signature

Date

Interviewer Script to be Read After PAPI Consent Form

Instructions for Interviewer: YOU MUST READ THE FOLLOWING SCRIPT ALOUD TO THE INMATE AND CONFIRM THAT HE/SHE UNDERSTANDS THE INFORMATION BEFORE CONCLUDING THE INFORMED CONSENT PROCESS.

I want to go over the main points covered in this form to make sure everything is clear:

- *This interview is voluntary. You can say yes or no. It is totally up to you. Nothing about your legal situation, such as when you will be released or what treatment you might receive, will be changed by whether or not you participate in the interview.*
- *If you start the interview and then want to quit, that's okay.*
- *If you want to skip any questions, that's okay also.*

Do you understand?

IF THE INMATE ANSWERS, "NO", *I can answer any questions you have about the interview or what is contained in this consent document.*

ANSWER ANY QUESTIONS THE INMATE HAS. THEN RETURN TO THE CONSENT FORM AND RE-READ THE "POSSIBLE RISKS OR DISCOMFORTS" AND "BENEFITS" SECTIONS. POINT TO THE TEXT ON THE INMATE'S COPY OF THE CONSENT FORM.

Do you understand?

IF THE INMATE ANSWERS, "NO," *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS, "YES", CONTINUE.

It is possible that some of the questions you answer may make you feel nervous or upset. If that happens and you want to take a break or you want to talk to someone about how the questions made you feel, you can tell me you want to take a break or want to speak with someone.

The form I just read aloud to you also talks about privacy. By private, we mean that the answers you mark on the questionnaire, even those about being abused or harmed, will always be kept secret. No one will ever know your answers, not even me.

IF INMATE IS 18 YEARS OLD OR OLDER, CONTINUE. OTHERWISE, SKIP TO THE "READ FOR 16 AND 17 YEAR OLDS ONLY" SECTION.

Do you have any questions?

IF THE INMATE ANSWERS, "YES", ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, "NO", CONTINUE.

If you think of any questions or comments about the survey later, you can write us at the address provided. If you would like to participate in the interview, please tell me now and we will begin.

IF INMATE GIVES CONSENT, INFORM THE INMATE THEY CAN KEEP A COPY OF THE CONSENT FORM IF THEY WANT ONE. CONTINUE WITH THE SURVEY.

IF INMATE DOES NOT GIVE CONSENT, *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

END OF CONSENT FOR INMATES 18 YEARS OLD OR OLDER.

READ FOR 16 AND 17 YEAR OLDS ONLY

However, if you tell me **out loud** that you are being abused at this facility I, or my supervisors, will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.

Just so I'm absolutely sure you understand this...

If you **tell me** that you have been abused or harmed, will I have to report it to a government agency?

IF THE INMATE ANSWERS "NO", POINT TO THE "FOR 16 AND 17 YEAR OLDS ONLY" SECTION ON THE INMATE'S COPY OF THE CONSENT FORM, THEN READ THE FOLLOWING:

If you tell me out loud that you have been or are being abused, I or my supervisors will report that information to the agency in this state that investigates abuse. Once we make a report, we have no control over what will be done with the information.

*I will ask the last question again, if you **tell me** that you have been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "NO", *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS "YES", CONTINUE.

If you answer **on the paper form** that you or anyone else has been abused or harmed, will I have to report it to a government agency?

IF THE INMATE ANSWERS "YES", POINT TO THE "CONFIDENTIALITY" PARAGRAPH ON THE INMATE'S COPY OF THE CONSENT FORM. , THEN READ THE FOLLOWING:

Your name will never be connected with the information you provide in this interview. We will treat everything you say as private and confidential. That is, we will not associate any information you provide with your personal identifiable information (PII) with anyone who is not working on the study. The room is set up so that no one can see the answers you select. No one on the project or on staff here will ever know your answers. The study team will combine the responses from all inmates who take part. The study reports will give only total and percentages, never any individual inmate's answers. Do you have any questions?

IF THE INMATE ANSWERS, "YES", ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, "NO", CONTINUE.

*I will ask the last question again, if you answer **on the paper form** that you or anyone else has been abused or harmed, will I have to report it to a government agency?*

IF THE INMATE ANSWERS "YES", *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS "NO", CONTINUE.

Now, if someone asked you whether you had to do the interview or whether it was voluntary, what would you say?

- Have to do it.
- I didn't have to do it/ it is voluntary.

IF THE INMATE ANSWERS, "HAVE TO DO IT", POINT TO THE "INTRODUCTION" PARAGRAPH ON THE CONSENT FORM, AND TO THE LAST SENTENCE, THEN READ THE FOLLOWING:

Your participation in this study is voluntary. If you choose not to participate, you will not lose any benefits or services that you now receive or might receive in the future. Whether you participate or not will not affect your legal status or any decisions regarding your release from this facility in any way.

I will ask the last question again, if someone asked you whether you have to do the interview or whether it is voluntary, what would you say?

- *Have to do it.*
- *I don't have to do it/ it was voluntary.*

IF THE INMATE ANSWERS, "HAVE TO DO IT", *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

IF THE INMATE ANSWERS, "I DON'T HAVE TO DO IT/IT IS VOLUNTARY", CONTINUE.

Do you have any questions?

IF THE INMATE ANSWERS, "YES", ANSWER INMATE'S QUESTIONS.

IF THE INMATE ANSWERS, "NO", CONTINUE.

If you think of any questions or comments about the survey later, you can write us at the address provided. If you would like to participate in the interview, please tell me now and we will begin.

IF INMATE GIVES CONSENT, INFORM THE INMATE THEY CAN KEEP A COPY OF THE CONSENT FORM IF THEY WANT ONE. CONTINUE WITH THE SURVEY.

IF INMATE DOES NOT GIVE CONSENT, *Thank you for coming to see me today, I appreciate your time. Those are all the questions I have for you today.*

PRESS ENTER TO END INTERVIEW AND ALERT CORRECTIONAL OFFICER THAT INMATE IS FINISHED.

Attachment G: Facility Questionnaire

FORM APPROVED

OMB No.: XXXX-xxxx

EXPIRATION DATE: XX/XX/20xx

National Inmate Survey 4 in Jails

Facility Questionnaire

Updated: 03-18-2022

The National Inmate Survey (NIS) is a study designed to help Congress and the Department of Justice understand more about sexual victimization in U.S. jails and prisons. This study is mandated by Congress under the Prison Rape Elimination Act (PREA) of 2003. The NIS also seeks to gain valuable information on facilities through the NIS Facility Questionnaire. The purpose of the Facility Questionnaire is to gather administrative data about the facilities sampled for the National Inmate Survey that will allow the Bureau of Justice Statistics to better understand facility characteristics associated with sexual victimization in prisons.

Help is available

If you have any questions, need help completing the form, or prefer an alternate submission option, please contact the NIS-4 Logistics Manager, Susan Cross, at 240-453-2664 or SusanCross@westat.com.

Person Completing this Questionnaire:	
Name:	
Title:	
Email:	
Telephone:	
Facility Name:	
Facility Address:	
Facility City, State ZIP	

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. Public reporting burden for this collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531; and to the Office of Management and Budget, OMB No. XXXX-xxxx, Washington, DC 20503

1. What are the functions of [FACILITY NAME]? Please mark Yes or No for each function.

	Yes	No
1a. General adult population confinement		
1b. Persons returned to custody (e.g., probation, parole, and bail bond violators)		
1c. Work release/prerelease		
1d. Reception/diagnosis/classification		
1e. Confinement of juveniles		
1f. Medical treatment/hospitalization confinement		
1g. Mental health/psychiatric care		
1h. Alcohol treatment confinement		
1i. Drug treatment confinement		
1j. Boot camp		
1k. Protective custody		
1l. Other (specify) _____		

2. What is the rated operational bed capacity of [FACILITY NAME]? By rated operational bed capacity, we mean the number of beds or inmates assigned by a rating official.

Rated Operational Bed Capacity: _____

3. How many persons are currently CONFINED in this facility?

INCLUDE—

- ✓ Persons on transfer to treatment facilities but who remain under your jurisdiction.
- ✓ Persons held for other jurisdictions.

EXCLUDE—

- Inmates on AWOL escape, or long-term transfer to other jurisdictions.

Number confined: _____

4. Of all persons currently CONFINED in this facility, how many are—
- For persons with more than one charge/offense, report the status associated with the most serious charge/offense.
 - For convicted inmates, include probation and parole violators with no new sentence.
 - If none, enter a zero.
 - If exact numeric answers are not available, please provide estimates.

	Number of Inmates
4a. Convicted	
4b. Unconvicted but arraigned	
4c. Unconvicted and not arraigned	
4d. Unknown conviction status	
4e. TOTAL (Sum of items 4a to 4d should equal item 3)	

5. Of the total number of inmates held at [FACILITY NAME], approximately how many...
- If none, enter a zero.
 - If exact numeric answers are not available, please provide estimates.

	Number of Inmates
5a. have been identified as currently having a serious and persistent mental illness? Please include inmates whether or not they are currently receiving medication for their mental illness.	
5b. have been identified as having a cognitive impairment or intellectual disability?	
5c. are currently assigned to disciplinary restrictive housing such as administrative segregation or disciplinary segregation?	
5d. are currently affiliated with a gang or Security Threat Group?	
5e. speak a language other than English as their primary language?	
5f. self-identify as LGBTQ?	

6. If an inmate self-identifies as LGBTQ, is that self-identification taken into account when making housing assignments at this facility?

- 1 Yes
2 No

7. Do inmates at [FACILITY NAME] have access to a language line that provides on-demand language interpretation or translation services?

- 1 Yes
- 2 No

8. During the past 12 months, that is since this date last year, was this facility operating under a court-ordered corrective action plan or consent decree?

- 1 Yes
- 2 No

For the following questions, please think about paid staff at [FACILITY NAME] who are not contractors.

9. Regardless of the source of the funding used to cover the positions, how many Full-Time Equivalency (FTE) positions for [county/city] jail employees does [FACILITY NAME] currently have? Please include both uniformed and non-uniformed staff.

NUMBER OF FTEs: _____

10. Of the [Q9 FILL] FTE [county/city positions] allocated to [FACILITY NAME], how many are **currently** vacant? Please do not include positions that are temporarily vacant because the staff person is on medical leave, military leave, maternity leave, etc.

NUMBER VACANT FTE POSITIONS: _____

11. Is a hiring freeze currently in place at [FACILITY NAME]?

- 1 Yes
- 2 No

12. Please provide the number of male and female staff at [FACILITY NAME] who are in each job classification below. If a staff person works in more than one job class, please include them in the job class where they work the largest portion of their time.

- If none, enter a zero.
- If exact numeric answers are not available, please provide estimates.

	Male	Female
12a. Administration <i>INCLUDE Jail administrators, assistants and other personnel who work in an administrative capacity more than 50% of the time, including local corrections department directors, jail commanders, wardens, chiefs, superintendents, assistant or deputy jail commanders</i>		
12b. Jail operations <i>INCLUDE Correctional officers, guards, and other staff who spend more than 50% of their time supervising inmates.</i>		
12c. Educational staff <i>INCLUDE Academic and vocational staff</i>		
12d. Technical/professional staff <i>INCLUDE Counselors, psychiatrists, psychologists, social workers, dentists, medical staff, and other professional staff.</i> <i>INCLUDE Dispatchers with no inmate supervision duties</i>		
12e. Clerical, maintenance, and food service		
12f. Other staff, specify: _____		
12g. Total		

13. During the past 12 months, that is since this date last year, how many staff were new to their current position at [FACILITY NAME]? That is, how many staff were either new hires to the facility or who moved into positions they had not worked in before?

NUMBER OF STAFF IN NEW POSITIONS: _____

14. During the past 12 months, that is since this date last year, how many **jail operations staff** were separated from employment at [FACILITY NAME]?

INCLUDE quits, layoffs, discharges, retirements, deaths, transfers, and other separations

NUMBER OF JAIL OPERATIONS STAFF WHO SEPARATED: _____

15. How many **jail operations staff** who are currently employed at [FACILITY NAME] have:

- If none, enter a zero.
- If exact numeric answers are not available, please provide estimates.

	Number
15a. Less than 1 year of service	
15b. 1 – 2 years of service	
15c. 3 – 4 years of service	
15d. 5 – 9 years of service	
15e. 10 or more years of service	
15f. Total number of staff with custody responsibilities [WILL DYNAMICALLY FILL AS RESPONSES ARE ENTERED IN THE ROWS ABOVE]	

16. What is the total number of PREA-related training hours that entry level Correctional Officers are required to complete? Please include both hours that must be completed after hire by the jail facility as well as those that must be completed during the first year of employment at [FACILITY NAME].

NUMBER OF HOURS: _____

17. When does a new Correctional Officer who begins employment at [FACILITY NAME] have to complete all required PREA-related trainings?

- 1 From date of hire until cleared to work with inmates (prior to starting position)
- 2 Within first 24 hours of starting position
- 3 After first 24 hours but within first week (7 days) of starting position
- 4 After first week but within first month (30 days) of starting position
- 5 After first month but within first six months (180 days) of starting position
- 6 After first six months but with first year (365 days) of starting position
- 7 Some other timeframe; please explain: _____

18. Which of the following methods are used at [FACILITY NAME] to educate inmates about the fact that sexual activity is not allowed at the facility? Please mark Yes or No for each method.

Procedure	Yes	No
18a. Facility staff		
18b. Posters/signs		
18c. Brochures/flyers/pamphlets		
18d. Handbook that describes facility rules and policies		
18e. Video		
18f. Peer Educator		
18g. New Inmate Orientation		
18h. Some other way; please describe:		

19. Is there a Sexual Assault Nurse Examiner (SANE) onsite at [FACILITY NAME] if an inmate needs to be seen?

1 Yes

2 No →

If there is a need for an inmate at [FACILITY NAME] to be seen by a SANE, how does that visit happen?

These last questions are about misconduct at [FACILITY NAME].

20. During the past 12 months, that is since this date last year, about how many violations of facility rules were reported and resulted in a guilty finding? Please include less serious violations such as use of abusive language or failure to attend class, as well as more significant violations such as possession of contraband and physical assaults.

NUMBER OF GUILTY FINDINGS: _____

21. During what part of the day do most **violations that result in a guilty finding** occur in this facility?

1 After midnight but before 6:00 AM

2 Between 6:00 AM and noon

3 After noon but before 6:00 PM

4 Between 6:00 PM and midnight

PREA-related Allegations and Investigations

22. During the past 12 months, that is since this date last year, how many allegations of sexual abuse or sexual harassment were made by inmates at [FACILITY NAME]? Please only include allegations that were made against other inmates or staff at [FACILITY NAME].

Number of Allegations: _____

23. [IF Q22 > 0] During the past 12 months, that is since this date last year, were allegations of sexual abuse or sexual harassment at [FACILITY NAME] investigated by staff at the facility, referred to an organization outside the facility to investigate, or both?

- 1 Staff at the facility investigated
- 2 Referred to an organization outside the facility
- 3 Both

24. Does [FACILITY NAME] have a policy that an inmate who makes an allegation of sexual abuse or sexual harassment must be notified of the outcome of the investigation?

- 1 Yes
- 2 No

Impact of COVID on Facility Practices

25. During the past 12 months, that is since this date last year, how did COVID affect each of these practices?

Practice	Increased a lot	Increased a little	No change	Decreased a little	Decreased a lot
25a. Number of inmates released early					
25b. Amount of time Correctional Officers spend in the housing units					
25c. Amount of inmate movement within the facility					
25d. Inmate participation in recreational activities					
25e. Inmate participation in employment opportunities					
25f. Number of visitors inside the facility					
25g. Number of volunteers inside the facility					

Thank you for providing this important information about [FACILITY NAME]!

DRAFT

Attachment H: IRB Approval

Memo

Date: January 13, 2022

To: Jessica Taylor, Project Director

From: Kerry Levin, Chair Westat IRB *Kerry Levin*

Subject: **Full Amendment Approval of NIS-4 JAILS, Project Number 6654
ADDENDUM
Amendment Number 3546
FWA 000551**

On Tuesday August 10, 2021, **NIS-4 JAILS, Project Number 6654** was presented to the full Board. Pursuant to 28 CFR pt. 46, the IRB reviews all studies involving research on human subjects.

To date, the project received the following full Board reviews:

- Initial Approval to conduct a pre-test in four facilities and the full study (April 2019).
- Conditional Approval for review of a pre-test and full implementation of the study (November 2019).

Although it received a conditional approval (November 2019), the project did not return with responses within six months and therefore was required to resubmit a new amendment package (see IRB Procedures Manual, Section 8.1.3).

- Conditional Approval for a pre-test of procedures for administering the ACASI and facility surveys within jails and full implementation of the NIS-4 study (August 2021).

The project returned to the full Board in August 2021.

Action Requested: Review protocols, consent forms, distress protocol, and accompanying materials.

Action Taken: On August 10, 2021 the full Board determined that this research met criteria for classification as minimal risk and assigned it a Conditional Approval (For: 8; Against: 0; Abstain: 0).

On January 13, 2022, this project was approved under expedited authority (per 28 CFR 46/45 CFR 46). Per 28 CFR 46 117c/45 CFR 46 117c, a waiver of documentation of informed consent is also approved as the research is no more than minimal risk and involves no procedures for which written consent is normally required outside of the research context.

As the Project Director, you are responsible for the following:

- You are required to submit this study for a continuing review before April 10, 2022.
- IRB approval is required before any new or modified research activities are conducted or when there is a problem involving risks to human subjects.
- Upon learning of an incident, you must contact the IRB Office within 24 hours via telephone (301-610-8828) or email (IRB@westat.com).

cc: Institutional Review Board
Janet Ciarico



An Employee-Owned
Research Corporation

Memo

Date: March 30, 2022

To: Jessica Taylor, Project Director

From: Sharon Zack, Westat IRB Administrator *Sharon Zack*

Subject: **Amendment Approval of NIS-4 Jails, Project Number 6654
(Amendment ID: 3673)
FWA 00005551**

As IRB Administrator of the Westat Institutional Review Board (IRB), I reviewed the materials submitted for the following: **NIS-4 Jails, Project Number 6654**. The Westat IRB reviews all studies involving research on human subjects. This project was last reviewed in January 2022.

This request is to approve a brief survey of jail administrators and national association members. The purpose of the survey is to assess the feasibility of and considerations for fielding the survey during or after the COVID pandemic.

The regulations (45 CFR 46) permit expedited review of minor changes in previously approved activities. I am therefore approving the modifications under expedited authority.

- Your continuing review was due before April 10, 2022. It was approved on 3/14/22. Your next continuing review is due before April 10, 2023.
 - IRB approval is required before any new or modified research activities are conducted or when there is a problem involving risks to human subjects.
 - Upon learning of an incident, you must contact the IRB Office within 24 hours via telephone (301-610-8828) or email (IRB@westat.com).
- cc: Institutional Review Board
Janet Ciarico




An Employee-Owned
Research Corporation

Memo

Date: July 11, 2022

To: Jessica Taylor, Project Director

From: Lisa Matthews, Primary Reviewer 
(Prison Representative)

Subject: **Amendment Approval of NIS-4 JAILS, Project Number 6654**
Amendment Number 3757 & 3764
FWA 0005551

As Primary Reviewer of the Westat Institutional Review Board (IRB), I reviewed the materials submitted for the following: **NIS-4 JAILS, Project Number 6654**. The Westat IRB reviews all studies involving research on human subjects. This project was last reviewed in April 2022.

This request for approval includes the following additions and/or changes to the previously reviewed and approved protocol:

- Revised ACASI core and alternate surveys
- New 30 minute follow-up interview

Per 28 CFR 46 (45 CFR 46), this project was approved under expedited authority. Per 28 CFR 46 117c (45 CFR 46 117c), a waiver of documentation of informed consent is also approved as the research is no more than minimal risk and involves no procedures for which written consent is normally required outside of the research context.

As the Project Director, you are responsible for the following:

- You are required to submit this study for a continuing review before April 10, 2023
- IRB approval is required before any new or modified research activities are conducted or when there is a problem involving risks to human subjects.
- Upon learning of an incident, you must contact the IRB Office within 24 hours via telephone (301-610-8828) or email (IRB@westat.com).

cc: Institutional Review Board
Janet Ciarico

Attachment I: NIS-4 Jails – BJS Thank you Letter – Full Study

[DOJ Letterhead]

[Date]

[Name]

[Title]

[Office]

[Address]

[City, ST Zip]

Dear <Contact Name>:

I am writing to thank you for supporting the National Inmate Survey (NIS). We are grateful for your assistance with the study. The success of NIS largely depended on the active participation of you and your facility staff.

To assist the U.S. Department of Justice, Bureau of Justice Statistics (BJS) in carrying out the mandates of the Prison Rape Elimination Act of 2003 (PREA, Public Law 108-79), Westat surveyed inmates in jail facilities nationwide about the prevalence, characteristics, circumstances, correlates, and outcomes of sexual victimization while in facility custody. Data collection is now complete, and we are preparing our study reports.

Within the next year, you should receive notice from BJS of the release of the study report. We recognize the contribution that you have made to the study and hope that you find the report useful.

If you have any questions about NIS or PREA, please contact me at <phone> or by email at Amy.Lauger@usdoj.gov.

Sincerely,

Amy D. Lauger
PREA Program Manager
Bureau of Justice Statistics