

<p style="text-align: center;"><b>STATE OF IOWA</b> <b>DEPARTMENT OF CORRECTIONS</b></p> <p style="text-align: center;"><b>POLICY</b> <b>AND PROCEDURES</b></p>		Policy Number IO-SC-17	Applicability <input checked="" type="checkbox"/> DOC <input type="checkbox"/> CBC
		Policy Code Public Access	Iowa Code Reference N/A
Chapter 3 INSTITUTIONAL OPERATIONS	Sub Chapter SECURITY AND CONTROL	Related DOC Policies N/A	Administrative Code Reference N/A
Subject CROSS GENDER SUPERVISION		ACA Standards 4-4181, 4-4403 PREA Standards 115.15 (d-e)	Responsibility Dan Craig
		Effective Date April 2017	Authority Jerry Bartruff Director Signature on file at Iowa DOC

## I. PURPOSE

To provide guidelines for cross gender supervision in the Iowa Department of Corrections (IDOC).

## II. POLICY

The IDOC recognizes both same gender and cross gender supervision as an essential component of offender management. The department shall make reasonable efforts to accommodate the competing personal privacy and security issues associated with cross gender supervision. Where conflict arises between personal privacy and articulable security issues that cannot be reasonably accommodated, security concerns shall prevail.

## CONTENTS

### A. Daily Professional Interactions with Offenders

- B. Cross/Same Gender Supervision in Housing Units
- C. Cross/Same Gender Supervision in Programs and Services
- D. Cross/Same Gender Supervision during Medical Appointments/Transport
- E. Cross/Same Gender Supervision in Intake Areas

**III. DEFINITIONS** - See IDOC Policy **AD-GA-16** for Definitions.

**IV. PROCEDURES**

- A. Daily Professional Interactions with Offenders

Each facility shall maintain sufficient staff to perform duties and responsibilities pertaining to gender sensitive supervision and/or searches of offenders.

- B. Cross/Same Gender Supervision in Housing Units

1. Each facility shall provide cross or same gender supervision of offenders consistent with the needs to protect the legitimate interest of security, safety, control and the orderly management of the facility as appropriate. **(4-4181)**
2. Offenders shall be advised that they should remain sufficiently clothed in order to protect their need for privacy. Offenders shall be properly clothed whenever they are out of the cells.
3. Staff shall exercise discretion when offenders are using the toilet facilities. The facility shall implement procedures that enable offenders to shower, perform bodily functions and change clothing without nonmedical staff of the opposite gender viewing their breasts (female offender as well as those patients identified as female per **HSP-704, Management of Gender Dysphoria**), buttocks, or genitalia, except in exigent circumstance or when viewing is incidental to routine cell checks. **(PREA 115.15(d))**
4. Offenders shall be made aware of the fact that staff of the opposite gender will be present on the housing unit.
  - a. Each housing unit shall be required to prominently post notices of this fact in multiple locations throughout the housing unit including the bulletin boards normally used for posting notices to offenders. The notice shall also inform offenders of the use of a

distinct buzzer, bell, or other noisemaking device that indicates a person of the opposite gender is newly entering the living unit.

- b. All persons of the opposite gender entering a housing unit between the hours of 6:00 am and 10:00 pm shall press a distinct buzzer, bell, or other noisemaking device that indicates the person is newly entering the unit. The device shall not be used for any other purpose.
- c. Between the hours of 10:00 pm and 6:00 am, a person of the opposite gender newly entering a housing unit shall announce their presence in a loud enough voice to be heard without waking offenders who are asleep.
- d. In addition, Notice may also be provided by other means such as an in-house television station where notices to offenders are provided. **(PREA 115.15(d))**

C. Cross/Same Gender Supervision in Programs and Services

Sufficient same-gender staff shall be available to perform searches of offenders involved in programs and services.

D. Cross/Same Gender Supervision during Medical Appointments/Transport

The IDOC shall permit cross/same gender supervision and transportation of offenders as long as gender responsive practices are followed to ensure: **(4-4403)**:

- 1. Offenders are able to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts (female offender as well as those patients identified as female per **HSP-704**), buttocks, or genitalia. **(PREA 115.5)**
- 2. Supervision of offenders at medical appointments require the removal of clothing.
  - a. Male staff supervising female offenders as well as those patients identified as female per **HSP-704** and female staff supervising male offenders as well as those patients identified as male per **HSP-704** undergoing medical procedures are not permitted to directly observe disrobed offenders by viewing their breasts (female offender as well as those patients identified as female per **HSP-704**) buttocks, or genitalia. In such cases,

accommodations should be made through the use of privacy screens, curtains, or other, similar measures that allow offenders to receive medical care while staff members of the opposite gender remain in near proximity and carry out their supervisory responsibility effectively, without viewing offenders breasts (female offender as well as those patients identified as female per **HSP-704**), buttocks, or genitalia.

- b. Each facility shall come up with a procedure regarding how to document cross gender medical supervision for offenders undergoing medical procedures and document accordingly.
- c. Male staff supervising female offenders as well as those patients identified as female per **HSP-704** and female staff supervising male offenders as well as those patients identified as male per **HSP-704**, absent exigent circumstances, are not permitted to conduct cross-gender pat searches, or cross gender strip and visual body cavity searches outside of facilities.

E. Cross/Same Gender Supervision in Intake Areas

- 1. At each facility, sufficient staff of the same gender as the offender being admitted shall be available to perform and/or assist with all aspects of the intake process requiring unclothed body search, shower, and use of toilet facilities.
- 2. Institutional security staff shall not search or physically examine a transgender or intersex offender for the sole purpose of determining the offender's genital status. If the offender's genital status is unknown, it may be determined during conversations with the offender, by reviewing medical records, or if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. **(PREA 115.15(e))**