

# PREA COMPLIANCE MANAGER ORIENTATION GUIDE

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RAPE IS NOT PART OF THE PENALTY

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**PREA**  
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*This project was supported by Grant No. 2015-RP-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice or grant-making component.*

## **Just Detention International**

Just Detention International is a health and human rights organization that seeks to end sexual abuse in all forms of detention.

**Special thanks to the following individuals who are committed to keeping our nation's confinement facilities free from sexual abuse and sexual harassment, and who contributed their time to provide input and feedback to the guide.**

### **Lt. Victor Aldaz**

PREA Compliance Manager  
Western New Mexico Correctional Facility  
New Mexico Department of Corrections

### **John Barkley**

Assistant Director Bureau Operations PREA  
Los Angeles County Sheriff's Department

### **Joseph Canning**

Associate Warden/PREA Compliance Manager  
Kershaw Correctional Institution  
South Carolina Department of Corrections

### **Captain John Chavez**

PREA Compliance Manager  
Southern New Mexico Correctional Facility  
New Mexico Department of Corrections

### **Karen S. Dalton, DrPH, CJM**

Assistant Division Director  
PREA Coordinator  
Custody Division – Specialized Programs  
Los Angeles County Sheriff's Department

### **Theresa A. Grenier**

Correctional Consultant/PREA Auditor

### **Lourdes Hernandez**

PREA Coordinator  
Maricopa County Sheriff's Office

### **Gary Leamon**

Associate Warden/PREA Compliance Manager  
Turbeville Correctional Institution  
South Carolina Department of Corrections

### **Miranda Newtson**

Unit Case Manager  
Diagnostic and Evaluation Center  
Nebraska Department of Corrections

### **Captain Jose Santiago**

PREA Compliance Manager  
Central New Mexico Correctional Facility  
New Mexico Department of Corrections

### **Thomas Yellow Boy A.A.S**

Juvenile Program Assistant/PREA Compliance  
Manager  
Rosebud Sioux Tribe Corrections Services

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## PCM Overview

## Introduction

The purpose of this guide is to provide PREA Compliance Managers (PCM) support in carrying out the work of implementing the PREA standards. The guide was primarily written for PCMs who are new to the role and who may have limited experience in sexual abuse prevention and response. However, seasoned PCMs will also benefit from the guide — as will anyone who is working closely with the PCM or is involved in the effort to bring the facility into compliance with the PREA standards.

### Safe from Sexual Abuse and Sexual Harassment

Every confinement agency has a responsibility to keep the people in its custody safe from sexual abuse and sexual harassment. PCMs play a leading role in upholding this core duty. Every confinement facility must designate a PCM to coordinate efforts to meet the PREA standards. Released in 2012, the PREA standards require confinement facilities to take steps to prevent, detect, respond, and monitor sexual abuse and sexual harassment.

## PCM Overview

## How to Use This Guide

This guide is organized into four sections, one for each of the standards' four core areas: prevention, response, services, and documentation. It spells out how to assess a facility's compliance with the standards and gives advice on how to address any gaps. The guide notes instances where its recommendations are a best practice that go beyond the requirements of the PREA standards.

Each section concludes with a checklist of activities to help PCMs stay organized. The checklists can help new PCMs assess what is happening at the facility; they also can be used as a tool to support PREA implementation and to help prepare for a PREA audit. While the checklists likely will not cover everything required by the agency's PREA policy, they are a meaningful starting point for assessing compliance.

The terminology used for staff positions and for people in custody varies across different facilities. For simplicity's sake, this guide will refer to the highest-ranking person at a facility as the "facility head" and to all people in custody as "inmates," including youth in juvenile confinement facilities.

The guide complements the agency's PREA policy and the PREA standards themselves, particularly those which are referenced in this guide. All PCMs should read the PREA policy and the standards and keep them readily available. It is important for PCMs to understand how their agency incorporates the PREA standards into its written policies.

## PCM Overview

## Additional Resources

New PCMs do not need to start from scratch. In addition to this guide, there are ample resources available to support the work of PREA implementation, including:

- The previous PCM, if available

- The PREA Coordinator (PC), who, as the point person for the agency’s PREA compliance, should provide PCMs with guidance and assistance
- Other PCs and PCMs in the region — both within the agency and in neighboring jurisdictions, including from different types of facilities
- The National PREA Resource Center’s (PRC) website, which has an extensive library of resources and guidance from the U.S. Department of Justice on individual standards.<sup>1</sup> The PRC’s monthly newsletter has information on upcoming webinars, trainings, and more.
- The *PREA Standards in Focus* series is an excellent resource that includes implementation guidance for every PREA standard.<sup>2</sup>

## PCM Overview

## The Role of the PREA Compliance Manager

Implementing the PREA standards is a big job, requiring a team effort. The person who coordinates the work is the PCM — the hub of the facility’s PREA wheel depicted below.<sup>3</sup> Many PCMs have other, non-PREA related tasks that are necessary for the day-to-day running of the facility, and it can be challenging to find the time for PREA work.

The good news is that implementing PREA is not the PCM’s task alone — it is a group effort. The most important job of the PCM is to ensure that facility practices, procedures, and post orders are being implemented and documented according to PREA. The PCM should reinforce the message that preventing sexual abuse and sexual harassment is an integral part of being a corrections officer. When all staff embrace these rules, it not only lightens the PCM’s workload — freeing him or her to take on more of a monitoring role — but also makes the implementation of PREA smoother and more effective, while ensuring sustainability.

### Championing PREA

PCMs are the face of PREA at their facility. The attitudes of the PCM toward PREA have an effect on how their peers think about PREA. As such, it is important for PCMs to show that they take inmate safety seriously.

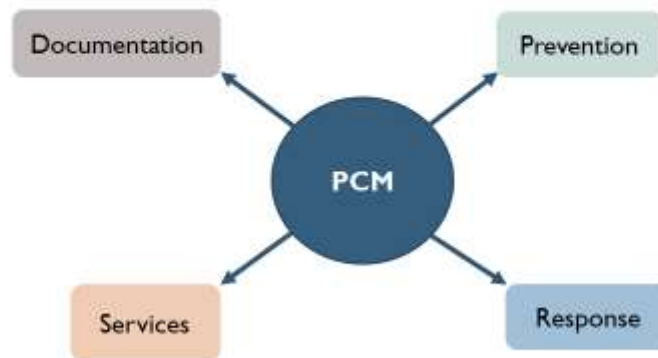
PCMs should also recognize the good work of their colleagues — it will go a long way toward building a strong PREA team.

<sup>1</sup> The National PREA Resource Center Library can be accessed at [www.prearesourcecenter.org/library](http://www.prearesourcecenter.org/library); for the PRC’s interpretive guidance on the PREA standards, visit [www.prearesourcecenter.org/frequently-asked-questions](http://www.prearesourcecenter.org/frequently-asked-questions)

<sup>2</sup> *PREA Standards in Focus* can be accessed at [www.prearesourcecenter.org/StandardsinFocus](http://www.prearesourcecenter.org/StandardsinFocus)

<sup>3</sup> PREA Standards §§115.65/.365 (Coordinated response plan).

## THE PCM IS THE PREA PROGRAM'S HUB



### PCM Overview

### PREA Team

To ensure meaningful PREA implementation, facilities should establish a PREA Team. While this step is not required by the PREA standards, creating a team will demonstrate to all staff that the facility is committed to keeping inmates safe.

Many facilities already have a PREA Team in place, and in such cases the new PCMs should learn about its members — especially their roles and responsibilities — and how often and where it meets. PCMs oversee coordination of the team's efforts, making sure each member understands what the standards require and how their department can help with implementation. At a minimum, facility leadership, investigations, medical, and mental health should be involved to develop and maintain a coordinated response plan.<sup>4</sup>

The list below includes facility departments and outside organizations that should be represented on the PREA Team:

- |   |                                      |
|---|--------------------------------------|
| • Facility Head                         | • Records                            |
| • Other Facility Leadership             | • Training                           |
| • Classification                        | • Maintenance                        |
| • Medical                               | • Food Services                      |
| • Programs                              | • Contracts                          |
| • Investigators (internal and external) | • Human Resources                    |
| • Security                              | • Local Victim Advocacy Organization |
| • Mental Health                         |                                      |

New PCMs should meet with team members to learn how they have been working together on PREA implementation.

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<sup>4</sup> *Ibid.*

PCMs should take a central role in identifying the PREA Team’s goals. The work should be broken down by areas of expertise, and concrete deadlines assigned for the completion of key tasks. PCMs should make a plan with individual team members on meeting their targets, including discussion of what resources may be needed.

Regular PREA Team meetings, held at least quarterly, are recommended. The meetings should focus on agency-wide or facility-specific PREA activities, and any challenges that staff face. The meetings can also be used to review PREA allegations in the past quarter and get updates on any open PREA investigations.

However, PREA Team meetings should not be the only time that PCMs communicate with their team. Regular check-ins with each team member are part of the job. PCMs should also make it clear that they are always available to discuss matters related to PREA.

### **PREA Team Activity — The Facility Walk-Through**

PREA Teams are encouraged to do facility walk-throughs periodically. The point of the exercise is to review facility safety, checking for PREA education materials, blind spots, unlocked doors, and other safety issues that are covered by PREA. The observations gleaned from walk-throughs can help inform a facility safety plan. Each walk-through does not need to involve the entire team, but everyone should take part in at least one annually — and PCMs should always lead it. When possible, line staff should participate in a walk-through. Including staff at all levels in this activity can help generate buy-in for the work of implementing PREA. It is recommended that the PCM develop a checklist to help guide the team during the walk-through, highlight what to look for and how to document what they observe.<sup>5</sup>

## **Prevention**

## **Staff, Contractor, and Volunteer Training**

Sexual abuse prevention programs are vital to inmate safety. Many agencies have a training division that develops the training and education materials around prevention; the materials can be tailored for staff in different departments and for volunteers and contractors.<sup>6</sup> PCMs should become deeply familiar with the training curriculum and what is required of participants. At the trainings, staff, contractors, and volunteers are required to verify their attendance and that they understand the material covered. At the

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<sup>5</sup> PCMs can use the *PREA Compliance Audit Instrument – Instructions for PREA Audit Tour* as a starting point to develop the facility walk-through checklist. Prisons and jails:

[https://www.prearesourcecenter.org/sites/default/files/content/instructions\\_for\\_pre\\_aud\\_itour\\_prisons\\_and\\_jails\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/instructions_for_pre_aud_itour_prisons_and_jails_final.pdf); Juvenile facilities:

[https://www.prearesourcecenter.org/sites/default/files/content/instructions\\_for\\_pre\\_aud\\_itour\\_juveniles\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/instructions_for_pre_aud_itour_juveniles_final.pdf)

<sup>6</sup> PREA Standards §§115.31/.331 (Employee training); and §§115.32/.332 (Volunteer and contractor training).

*PREA Standards in Focus 115.31 – Employee Training:*

<https://www.prearesourcecenter.org/sites/default/files/library/115.31%20SIF.pdf>

*PREA Standards in Focus 115.32 – Volunteer and Contractor Training:*

[https://www.prearesourcecenter.org/sites/default/files/library/115.32\\_0.pdf](https://www.prearesourcecenter.org/sites/default/files/library/115.32_0.pdf)

end of the trainings, these staff acknowledgements should be collected; these will be kept by the agency or facility and should be made easily accessible for a PREA audit.

### Facility Staff

New staff typically receive required PREA training during their orientation. Under the PREA standards, staff must undergo refresher training at least every two years, but many agencies make it part of their annual training program. All agencies must provide staff updated information on current agency sexual abuse and sexual harassment policies at least annually.

### PREA Refreshers<sup>7</sup>

*PREA Refreshers* can be a valuable resource for PCMs and their agencies. Created by JDI and the PRC, the refreshers are a series of one-page handouts covering various PREA topics. The intent of the *PREA Refresher* is to strengthen staff knowledge on PREA. Find the *PREA Refreshers* on the PRC's website along with a *User Guide* for how to modify and use them.

### Contractors and Volunteers

The level and type of PREA training for contractors and volunteers is dependent on the extent of their contact with inmates.<sup>8</sup> If there are outstanding training needs, the PCM should work with whomever trains contractors and volunteers to make sure this is completed.

#### **Staff, Contractor, and Volunteer PREA Training To-Do List**

- Review staff, contractor, and volunteer training materials. Verify that there is a process to document and keep records of the dates of trainings, and acknowledgments from staff, contractors, and volunteers that they received and understand the information presented.
- Review documentation and confirm that staff have received PREA training. Work with the training unit to establish a timeline to accomplish any necessary training.
- Review documentation and confirm that contractors and volunteers have received the required training, and understand the material.
- Work with whomever oversees contractor and volunteer training to establish a timeline to accomplish the training.

## Prevention

## Inmate Education

The PREA standards require that new inmates receive basic information about PREA within 72 hours of their arrival. At a minimum, this information should include the agency's zero tolerance for sexual abuse and sexual harassment, and how inmates can report.<sup>9</sup> It is further recommended that this information include the name of the PCM, listing that person's title, highlighting that they oversee PREA for the facility and can receive reports.

<sup>7</sup> <https://www.prearesourcecenter.org/training-and-technical-assistance/prea-refreshers>

<sup>8</sup> FAQ posted March 20, 2019 regarding whether an individual "may have contact with" inmates: FAQ posted March 20, 2019: <https://www.prearesourcecenter.org/node/5972>

<sup>9</sup> PREA Standards §§115.33/.333 (Inmate/resident education).

*PREA Standards in Focus 115.33 – Inmate/Resident Education:*

[https://www.prearesourcecenter.org/sites/default/files/library/115.33%20SIF\\_Update.pdf](https://www.prearesourcecenter.org/sites/default/files/library/115.33%20SIF_Update.pdf)



Youth facilities must provide residents with comprehensive PREA education within 10 days of their arrival, while adult prisons and jails have 30 days to fulfill this requirement.<sup>10</sup> Comprehensive PREA education can be led by a staff member in a classroom-like setting; it can also be delivered through a video, but a staff member must be present for every screening and available afterwards for questions.

The PREA standards specify the comprehensive education be delivered in person or via video. One of the most effective ways to deliver PREA education is to have inmates themselves teach the classes. Facilities that have used the peer education model have found that inmates feel more comfortable raising concerns about their safety with their fellow inmates — not just in the classroom, but also on the yard.

The PCM should ensure that key PREA information is readily available, including through posters, kiosks, tablets, handbooks, or other written materials, and programming.<sup>11</sup> The PCM can use many of these same tools to issue periodic announcements or notifications that reinforce key messages around inmate safety. The standards mandate that PREA materials be accessible to inmates with limited English abilities; those with limited reading skills; and inmates who are deaf, visually impaired, or have any other disability.<sup>12</sup> Work with the PC to determine what resources the agency has available to make PREA education accessible to everyone.

During facility rounds, the PCM should be on the lookout for posters that are torn or have been ripped down, replacing them immediately.<sup>13</sup> It is also crucial that all the information provided is accurate and up-to-date, including the instructions for reporting sexual abuse or sexual harassment, contact information for the organization providing confidential support services, and the name of the PCM.

#### **Inmate PREA Education To-Do List**

- Review inmate education materials.
- Verify that recent intakes received PREA information during intake and comprehensive education within 10 days (juvenile detention)/30 days (adult prisons and jails) or sooner based on policy. As needed, discuss with Classification how to educate recent intakes who did not receive the comprehensive PREA training.
- As needed, discuss with the staff providing inmate orientation — and develop a plan to overcome — any challenges to delivering PREA education within the timeframes mandated by the standards.
- For facilities that have a peer education program, review the peer education training materials and observe a class.
- Ask for the PREA materials used with non-English speaking inmates and inmates who are deaf, visually impaired, or have any other disability. If none is available, ask the PC for them. Confirm that the person responsible for inmate education knows how to access relevant resources and materials for inmates who are deaf, visually impaired, or have any other disability.

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<sup>10</sup> PREA Standards §§115.33/.333 (Inmate/resident education).

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> If there is a persistent issue with materials being torn off the wall, PCMs may decide to laminate posters or place them behind Plexiglas notice boards. In some facilities, inmate artists have painted information on the walls.

A robust classification process is essential for facility safety. Agency policies must ensure respectful and professional treatment of all inmates and provide added protections to keep everyone safe from sexual abuse. Under PREA, all new arrivals must be assessed to determine their risk of being sexually abused — or for perpetrating abuse — prior to their placements in housing, bed, programming, work, and education.<sup>14</sup> The PCM's job is to make sure that the screening and assessment are done properly, ensuring safe and consistent classification decisions.

The PREA standards spell out multiple factors that can put a person at risk for sexual abuse in detention, such as having a history of prior abuse or identifying as — or being perceived to be — LGBTI or gender non-conforming. Agencies should use a screening tool that captures these factors to help facilities make housing decisions. The tool must be objective — meaning that the tool will result in the same findings regardless of the person administering it. After reviewing the screening tool, the PCM should talk with the PC if they have questions or recommendations for improvement.

Inmates must undergo a risk screening upon arrival at a facility, including following a transfer from a facility within the same agency. It is recommended that the information from their prior risk screening accompany other inmate records, or be communicated to the PCM by some other means. If the agency does not have a notification process in place, the PC should create one.

Staff responsible for conducting the risk screenings should be trained on how to administer the tool, including how to assess whether an inmate might be at risk because others perceive them to be LGBTI or gender non-conforming. The PCM and members of the PREA Team should observe the screenings and give feedback to screening staff, particularly on their ability to create a space for open dialogue with inmates. It is important to keep in mind that inmates might refuse to answer some or all of the questions — a choice that, per the standards, must not result in punishment.

The PREA team should review a sample of completed risk screenings to make sure that they are filled out properly, that information is being collected uniformly, and to understand how the information is being used to make housing, programming, education, and work assignments. PCMs may find it helpful to, with the PC, provide additional training to facility-based screening staff, including role-playing scenarios to practice interviewing skills. In adult prisons and jails, staff must conduct a reassessment of the inmate's screening within 30 days of his or her arrival; in juvenile detention facilities, reassessments must happen periodically.

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<sup>14</sup> PREA Standards §115.41 (Screening for risk of victimization and abusiveness) and §115.341 (Obtaining information from residents).

*PREA Standards in Focus 115.41 – Screening for risk of victimization and abusiveness:*

[https://www.prearesourcecenter.org/sites/default/files/library/115.41\\_0.pdf](https://www.prearesourcecenter.org/sites/default/files/library/115.41_0.pdf)

A sample PREA risk screening tool can be found on the National PREA Resource Center's website:

<https://www.prearesourcecenter.org/>

### PREA Risk Screening To Do List

- Review relevant sections of the agency policy related to inmate classification and risk screening.
- Review the agency’s PREA risk screening checklist to understand what screeners are required to collect.
- Meet with screening staff to learn how they screen inmates during the classification process and how the PCM is notified when someone screens as high risk for sexual victimization or abusiveness (prisons/jails) or has “heightened needs for supervision, requires additional safety precautions, or separation from certain residents”<sup>15</sup> (juvenile detention).
- Observe PREA risk screenings quarterly. Provide constructive feedback to screeners.
- As needed, work with the PC to provide additional training to screening staff to include role plays and discussion-based scenarios.
- Meet with the appropriate department to learn how housing, bed, work, program, and education placements are made to ensure inmate safety. Find out what the options are when there is a need to house an inmate in a unit when there is limited space available (or none at all).
- For prisons and jails, learn how the 30-day reassessments occur.
- For prisons and jails, review records of all intakes in the last 6 months to determine whether or not they were reassessed within 30 days, how that information was documented, and how the information was used to make revisions to housing assignments. As needed, review with screening staff any instances in which inmates are not reassessed within 30 days and/or why the information is not being used to make adjustments to housing assignments. Make a plan for fixing such issues if they arise.
- Determine how many inmates have not undergone the PREA risk screening or refused to be screened. Work with screening staff to establish a process to screen those inmates as soon as possible, but no later than during their annual classification review. Adjust housing assignments as needed.

## Prevention

## Vulnerable Populations

In confinement, anyone can be sexually abused or sexually harassed. However, some groups of people are more likely than others to be targeted. The PREA standards recognize the heightened risks facing individuals who have previously experienced sexual abuse, and those who identify as lesbian, gay, bisexual, or transgender.<sup>16</sup> In adult prisons and jails, youthful inmates — defined as those younger than 18 years of age — are also given certain protections.<sup>17</sup>

### Survivors of Prior Sexual Victimization

Government research shows that people with a history of prior victimization are at an elevated risk for sexual abuse in confinement. Per the standards, new arrivals who disclose that they have been sexually abused at any point in their lives must be offered a follow-up meeting with medical and/or mental health staff within 14 days of intake.<sup>1</sup> The PCM should confirm these referrals are being made and occur within the specified timeframe. If inmates choose to meet with medical or mental health, the PCM should follow up to learn if a treatment plan was created, and how it will be implemented.

<sup>15</sup> PREA Standards §§115.341 (Obtaining information from residents).

<sup>16</sup> Allen J. Beck, et al, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12* (Bureau of Justice Statistics, May 2013), available at [www.bjs.gov/content/pub/pdf/svpjiri1112.pdf](http://www.bjs.gov/content/pub/pdf/svpjiri1112.pdf).

<sup>17</sup> PREA Standards §115.14 (Youthful inmates)

Furthermore, facilities cannot place someone in protective custody solely because of their sexual orientation or gender identity. Solitary must only be used as a last resort, when there is no alternative that would ensure that person's safety.<sup>18</sup>

#### **Prior Sexual Victimization To-Do List**

- Review documentation to confirm Medical or Mental Health is notified when a disclosure of previous sexual abuse is made during the intake screening. If these referrals are not being made, work with Classification to develop a process for making such referrals.
- Confirm that Medical or Mental Health is requesting to meet with inmates who disclose prior sexual victimization within 14 days of the intake screening. Review documentation of inmate refusals to meet with Medical or Mental Health.
- Learn from Medical and Mental Health how recommendations for treatment plans, security and management decisions — including housing, bed, work, education, and program assignments — are made.
- Review how these recommendations are documented and implemented. Meet with relevant staff to overcome any implementation challenges.

#### Lesbian, Gay, Bisexual, Transgender, Intersex, and Gender Nonconforming Inmates<sup>19</sup>

Gay, lesbian, bisexual, transgender, and intersex (LGBTI) inmates are sexually abused and sexually harassed with startling frequency. The Bureau of Justice Statistics (BJS) national inmate surveys found that one in eight inmates who identify as lesbian, gay, or bisexual was sexually abused by another inmate over a period of one year.<sup>20</sup> The BJS data shows that transgender people were even more vulnerable behind bars; more than one in three transgender inmates was sexually abused by a staff person or by another inmate in the previous year.<sup>21</sup>

Some inmates may disclose during the PREA risk screening that they identify as LGBTI. Others may not disclose or identify as LGBTI, but staff or other inmates may perceive them to be LGBTI or gender nonconforming, which can also place them at increased risk of abuse. When making housing, bed, work, education, and programming determinations, staff must consider both whether a person identifies as LGBTI and if they are likely to be perceived as LGBTI or gender nonconforming. Facilities may choose to have housing units or wings for inmates who screen as potentially vulnerable to sexual victimization, but cannot have dedicated units solely for LGBTI inmates.<sup>22</sup>

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*PREA Standards in Focus 115.14 – Youthful Inmates:*

[https://www.prearesourcecenter.org/sites/default/files/library/115.14%20SIF\\_0.pdf](https://www.prearesourcecenter.org/sites/default/files/library/115.14%20SIF_0.pdf)

<sup>18</sup> FAQ posted August 17, 2017 regarding use of dedicated facilities, units, or wings to house LGBTI inmates:

<https://www.prearesourcecenter.org/node/5345>

<sup>19</sup> PREA Standards §115.42 (Use of screening information); and §115.342 (Placement of residents in housing, bed, program, education, and work assignments). Archived webinar: *Understanding Lesbian, Gay, Bisexual, Transgender, Intersex Inmates, Residents and Detainees* (August 2018)

<https://www.prearesourcecenter.org/training-and-technical-assistance/webinars/5804/understanding-lesbian-gay-bisexual-transgender-and>

<sup>20</sup> Allen J. Beck, et al, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12* (Bureau of Justice Statistics, May 2013), available at [www.bjs.gov/content/pub/pdf/svpjiri1112.pdf](http://www.bjs.gov/content/pub/pdf/svpjiri1112.pdf).

<sup>21</sup> Allen J. Beck, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12: Supplemental Tables: Prevalence of Sexual Victimization Among Transgender Adult Inmates* (Bureau of Justice Statistics, Dec. 2014), available at [www.bjs.gov/content/pub/pdf/svpjiri1112\\_st.pdf](http://www.bjs.gov/content/pub/pdf/svpjiri1112_st.pdf). Information about the risk of victimization for transgender residents is not known, but is also presumed to be high.

<sup>22</sup> For more information, see PRC FAQ (August 17, 2017): <https://www.prearesourcecenter.org/node/5345>.

### **Agency LGBTI Policy**

Staff may have questions about how to work effectively with transgender and intersex inmates. The PCM needs to be fluent in the agency's policies on ensuring their safety.

The PCM is responsible for making sure staff conducting intake screenings ask every inmate if they identify as LGBTI. Some staff may feel uncomfortable asking these questions, and in general, talking with inmates about sexual orientation and gender identity. Work with screening staff to prepare for these conversations by providing guidance for how to explain to inmates that everyone is asked the same questions, the information is

used keep everyone safe, and the information is only shared on a need-to-know basis. Having staff practice asking the questions with one another can help build comfort and confidence interacting with inmates.

Staff conducting intake screenings must also document whether each inmate is likely to be perceived as LGBTI or gender nonconforming; inmates who are perceived to be LGBTI may be at just as high of risk of sexual abuse as those who identify as such. Additional training may be necessary to help staff gain confidence communicating effectively and sensitively with inmates around sexual orientation and gender identity, and in documenting their perceptions.

When an inmate shares with staff that they identify as transgender or intersex, the PC should be notified so that appropriate safety procedures can be put into place. Inmates are asked about gender identity during intake, but some might not tell staff how they identify until later in their incarceration. If at a later date an inmate tells staff that their gender identity is different from what they shared during intake screening, the PCM should inform the PC, and the safety plan should be activated.

The PREA standards include specific protections for transgender and intersex inmates. Confinement facilities must allow transgender and intersex inmates to shower separately from other inmates, and strip searches to determine the inmate's genital status are prohibited.<sup>23</sup> Gender identity must be taken into account when determining an inmate's housing, bed, programming, work, and education assignments; the standards require that transgender and intersex inmates' own views on where they will be safest be given serious consideration in making placement decisions.<sup>24</sup> PCMs should determine whether their agency's policies for working with transgender and intersex inmates are consistent with the requirements spelled out by the standards; if they are not, then the PCM should come up with a plan to get the facility in compliance.

Transgender inmates must be reassessed at least twice per year to review any threats to their safety and to make adjustments as necessary.<sup>25</sup> The PC will delegate responsibility for carrying out the review.<sup>26</sup> PCMs should monitor these inmates and bring to the attention of the PC any safety concerns they observe or hear about, triggering an additional safety review if necessary.

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<sup>23</sup> PREA Standards §§115.15/.315 (Limits to cross-gender viewing and searches); the PREA Standards include definitions of what for a person to be transgender or intersex §115.5 (General definitions)

<sup>24</sup> PREA Standards §115.42 (Use of screening information) and §115.342 (Placement of residents in housing, bed, program, education, and work assignments).

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.* Some agencies have a Transgender Treatment Team, which are tasked with making decisions around housing placements and in ensuring protections around showering, and safe and respectful strip searches.

PCMs should keep an up-to-date list of all inmates at the facility who identify as transgender or intersex, and communicate to the PC if there are any concerns about their safety. This is sensitive information and should not be shared, except where necessary. The PC will know which staff can have access.

#### **LGBTI and Gender Nonconforming Inmates To-Do List**

- Confirm that staff conducting the PREA risk screening ask all inmates if they identify as LGBTI and document whether or not the inmate is likely to be perceived as LGBTI or gender nonconforming.
- Ask the PC if there are any transgender and intersex inmates at the facility and ensure that appropriate steps are being taken to ensure their safety.
- Ask your PC how the agency conducts reassessments of transgender and intersex inmates and how you can assist.
- Learn how the facility is allowing transgender and intersex inmates to shower separately and check whether there are any shower modifications needed to increase privacy.
- Review policy and procedure for conducting searches of transgender and intersex inmates.
- Confirm that staff have been trained to conduct these searches professionally and respectfully. If needed, provide staff additional training.

#### **Youthful Inmates (adult prisons and jails only)<sup>27</sup>**

Youthful inmates — meaning inmates under 18 years of age serving time in adult facilities — must not have sight, sound, or physical contact with adult inmates in shared dayrooms, showers, or sleeping areas. In other locations, security staff must provide direct supervision to ensure the safety of youthful inmates.

Maintaining separation between adult and youthful inmates can be challenging. In order to meet this requirement, the agency may choose to modify one or more of its facilities and/or housing units. Youthful inmates should not be housed in isolation, unless no other alternative exists. If a youthful inmate is isolated, the PCM should collaborate with programming and education staff to make sure that the youthful inmate still has access to these services as well as daily large muscle exercise.

#### **Youthful Inmates To-Do List (Adult Prisons and Jails Only)**

- Review agency policy and procedures to make sure youthful inmates do not have sight, sound, and physical contact with adult inmates. Also review procedures for direct staff supervision of youthful inmates when interacting with adult inmates outside living units.
- Work with the physical plant, as needed, to develop plans to modify housing units to achieve sight, sound, and physical separation.
- If youthful inmates are housed in isolation, monitor their access to education, programming and daily large muscle exercise.

<sup>27</sup> PREA Standards §115.14 (Youthful inmates).

*PREA Standards in Focus 115.14 – Youthful Inmates:*

[https://www.prearesourcecenter.org/sites/default/files/library/115.14%20SIF\\_0.pdf](https://www.prearesourcecenter.org/sites/default/files/library/115.14%20SIF_0.pdf)

The PREA standards state that all facilities must develop a staffing plan. A strong staffing plan is based not just on a facility's physical plant, inmate population, and monitoring technology, but also recent sexual abuse investigations, which can shed light on how prior incidents could have been prevented.<sup>28</sup>

The PCM should verify that deviations from the staffing plan are documented and justified according to agency policy.

Staffing plans should be reviewed at least annually. The PCM should take detailed notes at the review, noting challenges with compliance and recommendations for revising the plan. The PCM should discuss with the PC any PREA-related concerns that could require modifications to the plan.

#### Staffing Plan Considerations

(PREA Standard §115.13/.313)

- Generally accepted detention and correctional practices
- Any judicial findings of inadequacy
- Any findings of inadequacy from Federal investigative agencies or from internal or external oversight bodies
- All components of the facility's physical plan (including blind spots or areas where staff or inmates may be isolated)
- The composition of the inmate population
- The number and placement of supervisory staff
- Institution programs occurring on a particular shift
- Any applicable State or local laws, regulations, or standards
- The prevalence of substantiated and unsubstantiated incidents of sexual abuse
- Any other relevant factors

#### Staffing Plan To-Do List

- Ask the PC how deviations from the staffing plan are to be documented.
- Verify facility documentation when deviations to the staffing plan occur. As needed, provide guidance to facility leadership on how deviations are to be documented.
- Participate in the annual review of the staffing plan and make recommendations for adjustments based on identified safety issues.

All security staff are responsible for making security rounds to ensure inmates are safe. However, the PREA standards require intermediate-level or higher-level supervisors to conduct and document unannounced rounds. The purpose of these rounds, per the standards, is "to identify and deter staff sexual abuse and sexual harassment."<sup>29</sup> The rounds must be conducted on every shift and must be

<sup>28</sup> PREA Standards §§115.13/.313 (Supervision and monitoring).

Guide for developing a PREA-compliant staffing plan:

<https://www.prearesourcecenter.org/sites/default/files/library/staffingplanfinalwbjalogosubmt.pdf>

PREA Standards in Focus 115.13 - Supervision and Monitoring:

<https://www.prearesourcecenter.org/sites/default/files/library/PREA%20Standards%20in%20Focus%20%28115.13%29.pdf>

<sup>29</sup> PREA Standards §§115.13/.313 (Supervision and monitoring).



documented. Documentation can occur in a variety of ways, including through unit logbooks, check sheets, and supervisor logs.

The standards also mandate that whenever opposite-gender staff enter a housing unit — e.g., a male staff entering a women’s unit — the staff person must announce themselves.<sup>30</sup> Sometimes referred to as the “cover-up rule,” these announcements are designed to give inmates who are showering or using the toilet sufficient time to put on clothing.

PCMs should review agency policy about this announcement to make sure they understand when it must be made. Some agencies require the announcement only for the initial opposite-gender staff person in a group entering the unit, while other agencies require it for every opposite-gender staff person who follows. Facilities may have different ways of making this announcement, including having staff state out loud their arrival on the unit or giving them a noisemaking device that is used only for this purpose. Note that it is not sufficient simply to post a sign, flick the lights prior to entering, or make an announcement at the beginning of a shift that opposite gender staff are assigned to the unit. As the PCM makes rounds of the facility, they should check that staff make this announcement in the presence of opposite gender staff in a manner consistent with agency policy and procedure. They should also check that the rounds are documented appropriately.

In addition, it is recommended that the PCM check periodically to make sure that mirrors are angled properly and cameras are zoomed out and positioned so blind spots are visible.

The PCM should be involved in discussions of facility plans to install or upgrade monitoring technology to provide their perspective of how those changes will improve the facility’s ability to protect inmates from sexual abuse.<sup>31</sup> The PCM should make sure that meeting minutes are recorded.

**Documenting Rounds**

When documenting unannounced PREA rounds and announcements of opposite gender staff, it is helpful to use a different colored pen. Doing so will help make the PREA documentation stand out. Another option is to have a dedicated logbook for all PREA-related documentation.

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<sup>30</sup> PREA Standards §§115.15/.315 (Limits to cross-gender viewing and searches).

FAQ February 19, 2014, regarding what is required for the cross-gender announcement, can be accessed at:

<https://www.prearesourcecenter.org/node/3262>

*PREA Standards in Focus – 115.15 Limits to cross-gender viewing and searches:*

<https://www.prearesourcecenter.org/sites/default/files/library/115.15.pdf>

<sup>31</sup> PREA Standards §§115.18/.318 (Upgrades to facilities and technologies).

*PREA Standards in Focus 115.18 – Upgrades to facilities and technologies:*

<https://www.prearesourcecenter.org/sites/default/files/library/115.18.pdf>



### Supervision and Monitoring To-Do List

- Find out who conducts unannounced PREA rounds, and how the rounds are scheduled and documented.
- Review logbook documentation for unannounced PREA rounds. Provide guidance to higher-level staff tasked with making these rounds if documentation is missing, inconsistent, or otherwise done improperly.
- Review agency policy to learn when announcements of opposite gender staff are made.
- Visit housing units with opposite gender staff to observe whether or not the announcement is being made and review logbooks for documentation of these announcements. If the announcements are not being done, or are done inconsistently with agency policy, work with the training unit to provide additional training during shift briefings.
- Consider how upgrades to monitoring technology will help protect inmates from sexual abuse. Maintain documentation about any meetings and decisions regarding monitoring technology.

## Prevention

### Inmate Engagement

Though not a requirement, the PREA standards are more effective when inmates are involved in implementation efforts. One strategy is for PCMs to engage the elected inmate councils, if a facility has them, or other inmate leaders, including informal leaders, for their input on PREA. These inmates will know better than anyone how to get widespread buy-in for PREA, and can help promote key messages among their peers.

### Inmate Engagement To-Do List

- Meet with inmate leaders to learn how they are currently involved with PREA-related efforts, and discuss ways that they can increase engagement.
- As appropriate, ask the inmate leaders to share their thoughts on PREA messaging that will resonate with their peers.
- Invite the facility's advocacy organization (see below) to meet with inmate leaders. Ask the advocacy organization to share information about available services with inmates.

## Response

### Reporting

An essential part of running a safe facility — and a cornerstone of the PREA standards — is ensuring that inmates can report sexual abuse and sexual harassment confidentially, anonymously, and without risk of retaliation.<sup>32</sup> The agency must provide inmates with multiple internal options for reporting sexual abuse, sexual harassment, and retaliation for reporting sexual abuse and sexual harassment.<sup>33</sup> PCMs will be responsible for making sure all of the facility's reporting options work as they should, and that every

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<sup>32</sup> While facilities/agencies would prefer to have a name associated with a report, it is important to allow anonymous reporting and to immediately initiate and complete a thorough investigation.

<sup>33</sup> PREA Standards §§115.51/.351 (Inmate/Resident reporting)

*PREA Standards in Focus 115.51 – Inmate reporting:*

<https://www.prearesourcecenter.org/sites/default/files/library/115.51%20SIF.pdf>

report receives immediate attention.<sup>34</sup> The PC may put a PCM in charge of monitoring specific reporting channels.

While a facility must provide multiple ways for inmates to report, these mechanisms might look different depending on the setting. For example, a written report — which agencies must allow inmates to submit — might be in the form of an PREA report, a grievance, or a medical request; or it simply might mean handing a staff member a note. Some facilities have electronic kiosks through which inmates can make reports, or inmates may be provided with individual tablets. Though not required, some agencies have a dedicated reporting phone line.

Facilities must also offer at least one external reporting option, to ensure that an inmate who might not trust the officials at their facility still can reach someone safely — and, if they choose, anonymously.<sup>35</sup> Inmates must receive education from the agency about the ways they can make a report to an external entity — whether it be phone, mail, email, or some other method. When a report is received, the external organization that has agreed to receive these reports is obligated to contact a designated person at the facility or agency, who will then initiate an investigation.

Whatever the method, the inmate must be able to make a report safely and anonymously. The PCM's role is to ensure there are no barriers facing inmates who wish to speak out. For example, the PCM should ensure that inmates can have letter writing materials, and that the mailroom treats correspondence to an outside reporting option like legal mail. If policy requires the inmate's name to be on the envelope for outgoing correspondence, mailroom staff must be prohibited from telling anyone about the letter. Phone access should be granted freely to inmates and they should never have to disclose whom they are calling or why; nor should any inmate have to enter a PIN number that could identify them.

As the PCM walks throughout the facility, they should check that information about reporting options is posted throughout the facility in locations where it can be easily viewed by staff and inmates. This information should be posted in places where it wouldn't be obvious that an inmate was reading it, like next to the phone or on a notice board.

**PREA Drills**

Staff training should be ongoing, and agencies might consider conducting PREA drills whereby the PCM hands a staff member a scenario and they are asked to demonstrate how they would respond. The PCM can develop a variety of scenarios to reports of both sexual abuse and sexual harassment, recent and delayed reports, and reports involving both inmates and staff.

The PREA standards also mandate that facilities accept third-party reports on behalf of inmates, from anyone such as a family member or attorney.<sup>36</sup> Information about how to make a third-party report

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<sup>34</sup>*ibid.* and §§115.54/.354 (Third-party reporting). When checking telephonic options, test the phones in multiple housing units to make sure the phones are functioning and that the phone number works. Make a test call and leave a message to see how long it takes to receive the message. The same can be done for electronic reporting options and internal options, such as a grievance or medical slip, to see how long it takes for the report to get back to the PCM or other appropriate person.

<sup>35</sup> PREA Standards §§115.51/.351 (Inmate/Resident reporting). FAQ on external reporting: <https://www.prearesourcecenter.org/node/3285>

<sup>36</sup> PREA Standards §§115.54/.354 (Third-party reporting).

should be posted on the agency website. The PCM is responsible for making sure this same information is posted at the facility where visitors will see it, such as the facility lobby and visitation area.

Per agency policy and procedure, all staff must be prepared to receive reports from inmates in writing, verbally, from third parties, and anonymously. The PCM can help keep their colleagues sharp by arranging quizzes on different reporting options, and by working with the training department on refresher courses. Inmates should also get follow-up education as needed.

### **Third-Party vs. External Reporting**

Third-party reporting and external reporting are sometimes thought to be the same thing, but they are very different procedures. An easy way to distinguish between them is to ask yourself who is making the report.

With a *third-party report*, it is not the person who was sexually abused who makes the report, but someone else on their behalf — like a loved one or friend. A third-party report is made directly to the agency.

*External reporting* is a reporting option that inmates can use to make a report and is completely separate from the corrections agency — like the Inspector General’s Office. External reports are immediately forwarded to the corrections agency.

### **Reporting To-Do List**

- Check internal reporting options every day for reports of sexual abuse or sexual harassment.
- Tour the facility to make sure reporting information is posted in every housing unit and that any telephone or electronic (tablet or kiosk) reporting option is functioning properly.
- Make sure information on third-party reporting is posted in the facility lobby and visitation areas.
- Reinforce with mailroom staff the importance of not disclosing when an inmate sends a letter to the external reporting option.
- At least once every quarter, submit a mock report via every reporting option(s). Track how long it takes the report to be received by the appropriate person. This includes testing the external reporting option(s).
- Make sure that inmates have ready access to multiple reporting options, including inmates in segregated housing.
- External reporting organization: \_\_\_\_\_
- Point of Contact: \_\_\_\_\_
- Email address: \_\_\_\_\_
- Phone number: \_\_\_\_\_
- Quiz staff and inmates to check their knowledge and understanding of reporting options. Work with the training department if additional staff training and/or inmate education is needed.
- Talk to your supervisor or PC about how to make sure someone onsite is checking internal options for PREA reports when you are out of the office.

## Response

## Incident Response

When an incident of sexual abuse is reported, staff should respond immediately to help protect the survivor from further harm. A swift response also allows for the investigation process and the coordinated response plan to begin.<sup>37</sup> Even when a report is not made immediately — and many are not — the staff response should always be prompt and thorough.

### When in Doubt, Ask the PREA Coordinator

Contact the PC if there is ever a question about what to do when an incident is reported. The PC is there to support the PCM and ensure that all incidents are responded to promptly and the response is thorough.

The job of the PCM is to ensure staff understand how to respond to a report and have access to resources explaining what to do should they forget. Post order books are a great place to keep reminders about how to respond. The information covered should include: how to preserve a crime scene, whom to notify when an inmate reports sexual abuse, and where to take the victim and perpetrator when they are separated. According to policy and procedure, PCMs should also complete appropriate documentation following an incident and submit it to the Warden and the PC.

The incident report is critical to the incident response process. Some agencies use a general incident report form, while others have forms specifically for incidents of sexual abuse and sexual harassment. The PCM should review all incident reports for thoroughness and accuracy; if a report is incomplete, the PCM must ask the documenting staff member to add additional information.

### **Incident Response To-Do List**

- Review the incident report form to understand what information should be documented for each report.
- Make sure an incident report is completed for each allegation of sexual abuse and sexual harassment.
- Verify that all PREA incident reports are completed thoroughly and accurately.
- If staff regularly submit incomplete incident reports, recommend the Training Unit conduct a refresher training on how to complete incident reports.
- Have informal conversations with front-line staff to assess their knowledge of appropriate sexual abuse incident response procedures. If you find there are noticeable gaps in knowledge, recommend the Training Unit conduct a refresher training on the PREA response protocol.
- Submit a report on the number of reports of sexual abuse and sexual harassment to the PC every \_\_\_\_\_ (insert timeframe, e.g., monthly, quarterly).

## Response

## Investigations

All reports of sexual abuse or sexual harassment must be investigated promptly and thoroughly by trained investigators.<sup>38</sup> Some facilities have an internal team that carries out and manages

<sup>37</sup> PREA Standards §§115.64/.364 (Staff first responder duties). Remind non-investigative staff that they should refrain from performing investigative duties, including evidence collection. Doing so risks compromising the investigation.

<sup>38</sup> PREA Standards §§115.71/.371 (Criminal and administrative agency investigations).

investigations. Facilities that do not have investigators on staff will need to bring in outside law enforcement following a report. Whoever conducts the investigations must, under PREA, receive specialized training on sexual abuse in confinement settings.<sup>39</sup> Throughout the investigation, the PCM should work with the investigators to assist as needed. Additionally, the PCM should ensure that staff know their role is as a first responder — not as investigator. An investigation can be compromised if staff overstep their roles.

The agency is also duty-bound to protect survivors, along with anyone who cooperates in the investigation or reports sexual abuse, from retaliation.<sup>40</sup> Following an incident, the PCM is responsible for assisting the agency to monitor for retaliation against victims, third-party reporters, and anyone who cooperated in the investigation (including staff) for at least 90 days (or longer, if needed). The agency's responsibility to monitor for retaliation ends within the 90-day timeframe if the report is determined to be unfounded — meaning that there is evidence indicating the reported incident did not happen or could not have happened. Monitoring for retaliation may include checking individually with each relevant person, along with housing, medical, or mental health staff, to learn of any retaliation or threats of retaliation. The PCM should work with facility leadership to address any concerns around retaliation.

At the conclusion of an investigation, the PCM should help the agency notify the victim of the outcome of the investigation. For incidents that were determined to be substantiated or unsubstantiated, the investigation report must include information about the abuser. If the abuse was committed by staff, the victim must be notified about the staff member's status, including if they remain employed. Victims must also be notified if and when the agency learns that the abuser (staff or inmate) has been indicted and convicted of a charge related to sexual abuse within the facility.<sup>41</sup> PCMs should work with the PC to learn what role they have in sharing this information and how soon after the investigation concludes they must do so.

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*PREA Standards in Focus 115.71 – Criminal and administrative agency investigations:*  
<https://www.prearesourcecenter.org/sites/default/files/library/115.71%20SIF.pdf>

<sup>39</sup> PREA Standards §§115.34/.334 (Specialized training: Investigations)

*PREA Standards in Focus 115.34 – Specialized training: Investigations:*  
<https://www.prearesourcecenter.org/sites/default/files/library/PREA%20Standard%20in%20Focus%20115.34.pdf>

<sup>40</sup> PREA Standards §§115.67/.367 (Agency protection against retaliation).

<sup>41</sup> PREA Standards §§115.73/.373 (Reporting to inmates/residents).

### Investigations To-Do List

- Verify that investigators conducting sexual abuse investigations have received specialized PREA training. As needed, discuss with the investigatory supervisor how this training will be provided for investigators who have not received it.
- As needed, provide staff with refresher training on the role of the first responder and the importance of not performing investigative duties that have to received the specialized training
- Meet with the facility investigator to find out about any open investigations and to discuss if they need any assistance to conclude the investigations.
- Find out if anyone in the facility is currently being monitored because they are at risk of retaliation. If so, continue to follow the monitoring plan for conducting and documenting status checks. Contact the PC for more information on how to monitor for retaliation and who should be responsible for monitoring.
- When an investigation concludes, work with the PC to notify the victim of the investigation disposition.

## Response

## Incident Reviews

Any time a sexual abuse incident report is filed, even if the allegation is found to be unsubstantiated, the facility must conduct an incident review.<sup>42</sup> The incident review takes place after the investigation concludes. The intent of the review is to evaluate the incident, and the facility's response to the incident, in order to prevent similar incidents from happening again.

Confinement facilities may already have an Incident Review Team in place. The PCM should work with facility administrators to determine if this team can also review PREA cases. The PREA Incident Review Team should include members of the PREA Team; at a minimum, they need to include the facility head and upper-level supervisors. It is recommended that representatives from classification, medical, mental health, investigations, and physical plant departments, as well as outside victim advocates, also be on the team.

PCMs should participate in the Incident Review. Their role is to follow-up with colleagues regarding action plans and next steps, and to forward complete reports to the PC.

### Incident Reviews To-Do List

- On an ongoing basis, provide any reports and investigations of sexual abuse to the Incident Review Team.
- Participate in the Incident Review Team.
- Talk to the facility head about how Incident Reviews have been conducted in the past. Decide with them whether you will make any changes to that practice going forward.
- Facilitate implementation of action plans and next steps that result from the Incident Review meetings.
- Submit minutes from Incident Review meetings to the PC.

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<sup>42</sup> PREA Standards §§115.86/.386 (Sexual abuse incident reviews).

Medical and Mental Health staff provide vital services to inmates who have experienced sexual abuse. In order to provide the highest quality care, Medical and Mental Health staff receive the general PREA training and specialized training for medical professionals.<sup>43</sup> The PCM's job is to verify that all Medical and Mental Health staff have received such PREA training. Further, the PCM is responsible for working with medical and mental health to make sure victims receive immediate and follow-up medical and mental health care after an incident, as mandated by the PREA standards, and at no cost to the victim.<sup>44</sup> PCMs also have to make sure that anyone new to the facility who disclosed past sexual victimization or abusiveness in the intake risk screening receives referrals to the appropriate medical/mental health practitioners within 14 days of the screening.<sup>45</sup>

Medical staff must treat acute injuries of inmates who are sexually abused and, if needed, coordinate with the facility to transport them to a hospital that has a Sexual Assault Nurse Examiner (SANE) or Sexual Assault Forensic Examiner (SAFE).<sup>46</sup>

PCMs are encouraged to meet with Medical staff to discuss how they can offer support, including developing a checklist of steps to follow after an incident of sexual abuse. If it has not already been established, the PCM should ask the hospital for a contact person to create a communication channel in case questions arise. The PCM may be the point of contact for the emergency room in case they have any questions or need to troubleshoot any problems such as concerns about security or chain of custody of the SANE kit. As needed, the PCM can consult with facility medical and mental health.

It may also be helpful to visit the local hospital with members of the PREA Team and the local rape crisis center, specifically to see where the SANE/SAFE exams take place and to discuss with the SANE/SAFE staff and emergency room supervisor any facility or hospital concerns about working with incarcerated victims of sexual abuse.

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<sup>43</sup> PREA Standards §§115.35/.335 (Specialized training: Medical and mental health care).

<sup>44</sup> PREA Standards §§115.82(a)(d)/.382(a)(d) (Access to emergency medical and mental health services) *PREA Standards in Focus 115.82 – Access to emergency medical and mental health services:* <https://www.prearesourcecenter.org/sites/default/files/library/115.82%20SIF.pdf>

<sup>45</sup> PREA Standards §§115.81/.381 (Medical and mental health screening; history of sexual abuse).

<sup>46</sup> PREA Standards §§115.21/.321 (Evidence protocol and forensic medical examinations); §§115.82/.382 (Access to emergency medical and mental health services); and §§115.83/.383 (Ongoing medical and mental health care for sexual abuse victims and abusers).

*PREA Standards in Focus 115.21 – Evidence protocol and forensic medical examinations:* <https://www.prearesourcecenter.org/sites/default/files/library/115.21.pdf>

### Medical/Mental Health To-Do List

- Verify that Medical and Mental Health staff have received specialized PREA training. As needed, discuss with the Medical Administrator how training will be provided for Medical and Mental Health staff who have not received the specialized training.
- Verify that Medical and Mental Health and Classification staff are properly communicating about new intakes whose screening revealed a history of sexual abuse and would like a follow up meeting.
- Meet with the Medical Administrator to review the facility plan for immediate and follow-up treatment of victims of sexual abuse. Decide if a checklist would be useful for medical staff when responding to a recent incident of sexual abuse at the facility.
- Review the hospital contract for SANE/SAFE exams.
- Introduce yourself to the Emergency Room Director at the contracted hospital. Arrange to visit the hospital so you understand how a forensic medical exam is done and where it takes place. Take members of your PREA Team and the local rape crisis center on the visit.
- Hospital for SANE/SAFE exams: \_\_\_\_\_
- Hospital Point of Contact: \_\_\_\_\_
- Email Address: \_\_\_\_\_
- Phone Number: \_\_\_\_\_

## Services

## Outside Support Services

Confinement agencies are required to have an agreement with an advocacy organization ensuring that trained victim advocates are available to provide confidential support services to inmates.<sup>47</sup> These services can be provided by phone, mail, email, or in-person. Talk with the PC if the facility does not have an agreement with a local organization. Find out if there have been previous attempts to establish such an agreement and what challenges emerged. The PCM should discuss with the PC whether it is their responsibility to reach out to the local advocacy organization to explore the possibility of providing services to inmates with the goal of creating a formal agreement, such as a memorandum of understanding.<sup>48</sup> If there are reasons the advocacy organization is unable to provide services, document these reasons and explore other organizations that might be able to provide services. Once an agreement is created and signed, it will be the job of the PCM to oversee the facility's efforts to adhere to it. PCMs should ensure that time-limited agreements are updated, renegotiated, and re-signed as necessary.

PCMs also serve as the point of contact for the local advocacy organization that provides services to inmates. The PCM is responsible for ensuring that inmates have access to outside confidential support services as specified in the written agreement. For example, if services are provided by phone, make sure that information on how and when to make calls is posted in areas of the facility where inmates can

<sup>47</sup> PREA Standards §115.53 (Inmate access to outside confidential support services); and §115.353 (Resident access to outside support services and legal representation).

<sup>48</sup> A template memorandum of understanding: <https://justdetention.org/wp-content/uploads/2015/11/PTR-Memorandum-of-Understanding.pdf>. Use the *Supplementary Questionnaire on Community Advocate Engagement* (available at [www.justdetention.org/wp-content/uploads/2018/01/Supplementary-Questionnaire-on-Community-Advocate-Engagement.pdf](http://www.justdetention.org/wp-content/uploads/2018/01/Supplementary-Questionnaire-on-Community-Advocate-Engagement.pdf)) to evaluate the current MOU against what is required by PREA. Talk with the PC about additional details you think should be incorporated. <https://justdetention.org/wp-content/uploads/2015/11/PTR-Memorandum-of-Understanding.pdf>.



discretely read about the service, and that all inmates have access to it — including those in segregation. If in-person services are provided, the PCM should work with the victim advocates to schedule their visits to the facility and ensure that they have a meeting place to provide inmates confidential services.

As mentioned above, it may make sense to ask the advocates to join the PCM on the hospital tour. In all likelihood, the hospital staff and advocates will have a working relationship already, and the tour is an opportunity to strengthen the facility ties with all parties.

Some advocacy organizations will have the capacity to offer in-person and group counseling sessions for inmates. PCMs should look to integrate advocates as much as possible in the facility's PREA implementation efforts. For example, advocates should be made to feel welcome at all PREA Team Meetings and incident reviews.

#### **Outside Support Services To-Do List**

- Review the memorandum of understanding or other agreement with community-based victim advocates to learn about the services provided. As part of this agreement, offer to provide training to advocates about working in the confinement facility.
- If no agreement exists, learn from the PC about previous efforts. Discuss whether or not you should reach out to establish a relationship and explore a potential partnership.
- Advocacy Organization Name: \_\_\_\_\_
- Point of Contact: \_\_\_\_\_
- Email Address: \_\_\_\_\_
- Phone Number: \_\_\_\_\_
- Periodically test the system for accessing confidential support services to make sure it functions properly.
- Introduce yourself to the advocacy organization providing confidential support services. If they have not already done so, invite them to the facility to meet staff and inmates and to take a facility tour.
- Invite the advocacy organization to participate in PREA Team meetings and incident reviews.

## **Documentation**

### **PREA Files**

An agency's PREA files are a central repository for all documentation pertaining to sexual abuse and sexual harassment. PCMs are encouraged to talk with the PC to determine what materials should be kept in the files and whether to keep electronic and/or hard copy files. PCMs are further encouraged to work with the PC and the PREA Team on figuring out how to use existing record-keeping processes to track PREA-related information.

A good practice is to update and review documentation in the PREA files on a quarterly basis. This will make it easier to compile documentation for the PREA audit (see below).

### Accessing Requested Documentation

During the pre-audit phase, auditors will request facilities complete the PREA Audit Questionnaire that includes specific documentation to be submitted. During the onsite phase, the auditor will ask for additional documentation. Additional documentation may be requested during the post audit. In addition to knowing what documentation may be requested, PCMs need to know where to find it.

Requested documents may include:

- Staff, volunteer, contractor training records
- Medical records
- Screening records
- Inmate education records
- Investigation files

#### PREA Files To Do List

- Review any guidance from the PC about maintaining PREA files and conduct a review of any existing PREA files, noting what documentation is missing or needs to be updated.
- Request missing or outdated documentation from the appropriate members of your PREA Team and update the files with this documentation. Share with the team the types of documentation needed and the level of detail required.
- Identify existing documentation processes that can incorporate PREA-related information, and how the documentation can be retrieved for a PREA audit.
- Create a schedule to update the PREA files quarterly, and remove outdated documentation.
- Review the *Checklist of Policies/Procedures and Other Documents* for the kinds of documentation an auditor may request throughout the audit. Prisons and jails:  
[https://www.prearesourcecenter.org/sites/default/files/content/prisons\\_jails\\_prea\\_audit\\_checklist\\_of\\_documentation\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/prisons_jails_prea_audit_checklist_of_documentation_final.pdf); Juvenile facilities:  
[https://www.prearesourcecenter.org/sites/default/files/content/juvenile\\_checklist\\_of\\_documentation\\_final.pdf](https://www.prearesourcecenter.org/sites/default/files/content/juvenile_checklist_of_documentation_final.pdf).

## Documentation

## PREA Audits

The ultimate goal of PREA implementation is not to prepare for an audit, but to keep inmates safe from sexual abuse and sexual harassment. At the same time, audits are a crucial part of the PREA standards. They can help agencies by identifying any flaws in their policies and practices — and figuring out to fix them. Committed PCMs that work daily on PREA implementation and have achieved widespread buy-in from their peers should be confident in the facility's PREA compliance by the time of their audit.

The PCM is the point person for the auditing team. Once the on-site portion of the audit is complete, the auditor drafts a report with their compliance findings for each of the standards. If the facility fails to meet even one provision of a standard, the auditor's report is issued on an interim basis and a 180-day corrective action period is triggered. Together with the auditor, the PCM and PC will develop a plan to address deficiencies found in the report.

#### PREA Audits To-Do List (refer back three months before the audit)

- Familiarize yourself with the PREA audit materials on the National PREA Resource Center website: [www.prearesourcecenter.org/audit/adult-prisons-and-jails](http://www.prearesourcecenter.org/audit/adult-prisons-and-jails).
- Review the *PREA Auditor Handbook* which provides details about what to expect from your auditor during all phases of the audit, including estimates of time on site:  
<https://www.prearesourcecenter.org/node/5341>.

- Work with the auditor, the PC, and the PREA Team to coordinate the logistics for a smooth onsite audit process. This should include coordinating where inmate and staff interviews will take place, and how many interviews are necessary based on guidance in the *PREA Auditor Handbook*.
- Find out from the PC if the auditor will use the Online Audit System, uploading all required documentation in a secure environment, or if documentation will be presented electronically or in hard copy for the auditor to review before the onsite portion of the audit.
- Post auditor contact information six weeks prior to onsite audit in housing units and throughout the facility. Take a time-stamped photo to share with the auditor to prove when the notice was posted.
- Notify all staff that they may be randomly selected by the auditor for an interview. Check the PRC website for the most current guidance on conducting interviews to share with staff in preparation.
- Review the *Auditor Handbook* with the PC to determine how many random staff and random inmate interviews will be conducted.
- Notify all specialized staff and share with them relevant interview protocols so they can prepare for their interview.
- In addition to the auditor's notice, tell inmates about the audit and what to expect, including that the auditor will randomly select inmates to interview.
- Notify the victim advocacy organization that they will be contacted by the auditor. Find out who from the advocacy organization should speak with the auditor. Share the victim advocacy organization's contact information with the auditor. Share with auditors this resource on interviewing advocates: <https://justdetention.org/wp-content/uploads/2018/01/Supplementary-Questionnaire-on-Community-Advocate-Engagement.pdf>
- As needed, work with the auditor, the PC, and the PREA Team to coordinate and execute any required corrective action.