



POWER HOUR

Chat with a PREA Expert
December 16, 2024

115.86

**Sexual Abuse Incident
Reviews**

IMPACT/JUSTICE

NATIONAL
PREA
RESOURCE
CENTER



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Mission

The mission of the PRC is to assist adult prisons and jails, juvenile facilities, lockups, community confinement, and tribal facilities in their efforts to eliminate sexual abuse by increasing their capacity for prevention, detection, monitoring, responses to incidents, and services to victims and their families.

The PRC is funded by the Bureau of Justice Assistance.

Logistics

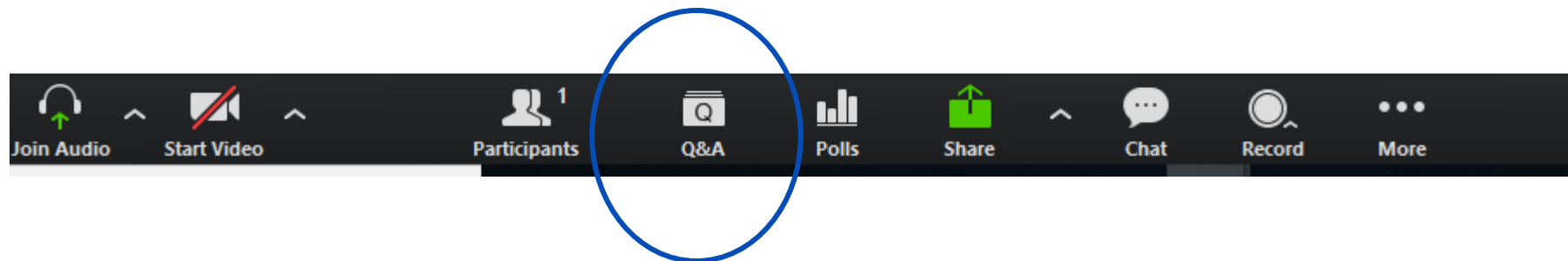
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Logistics

Submitting Questions

- To submit a question during the webinar, use the **Q&A feature** on your webinar toolbar, as seen below.
- Presenters will address the questions at the end of the presentation.





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Agenda

1. Standard overview.
2. Discuss implementation expectations.
3. Challenges implementing this standard.
4. Promising practices.
5. Auditing considerations.
6. Variations for other facility types.
7. Resources.
8. Questions.



PREA Standard 115.86 (186/286/386)

Purpose of the Standard

Requires **sexual abuse incident reviews (SAIR)** of **sexual abuse investigations**:

1. Identify facility problems that may have contributed to the sexual abuse incident.

2. Guide remedies to identified problems to prevent future sexual victimization.



Standard Requirements

- a) The facility shall conduct a sexual abuse incident review at the **conclusion of every sexual abuse investigation**, including where the allegation has not been substantiated, **unless the allegation has been determined to be unfounded**.
- b) Such review shall ordinarily occur within **30 days of the conclusion** of the investigation.
- c) The review team shall include upper-level management officials, **with input from** line supervisors, investigators, and medical or mental health practitioners.



Standard Requirements (cont.)

- d) The review team shall:
1. Consider whether the allegation or investigation **indicates a need to change policy or practice** to better prevent, detect, or respond to sexual abuse.
 2. Consider whether the incident or allegation was motivated by **race**; **ethnicity**; **gender identity**; **lesbian, gay, bisexual, transgender**, or **intersex identification, status**, or **perceived status**; or **gang affiliation**; or was **motivated** or **otherwise caused by other group dynamics** at the facility.



Standard Requirements (cont.)

3. Examine the area in the facility where the incident allegedly occurred to **assess** whether **physical barriers** in the area **may enable abuse**.
4. Assess the **adequacy of staffing levels** in that area **during different shifts**.
5. **Assess** whether **monitoring technology** should be deployed or augmented to **supplement** supervision by staff.

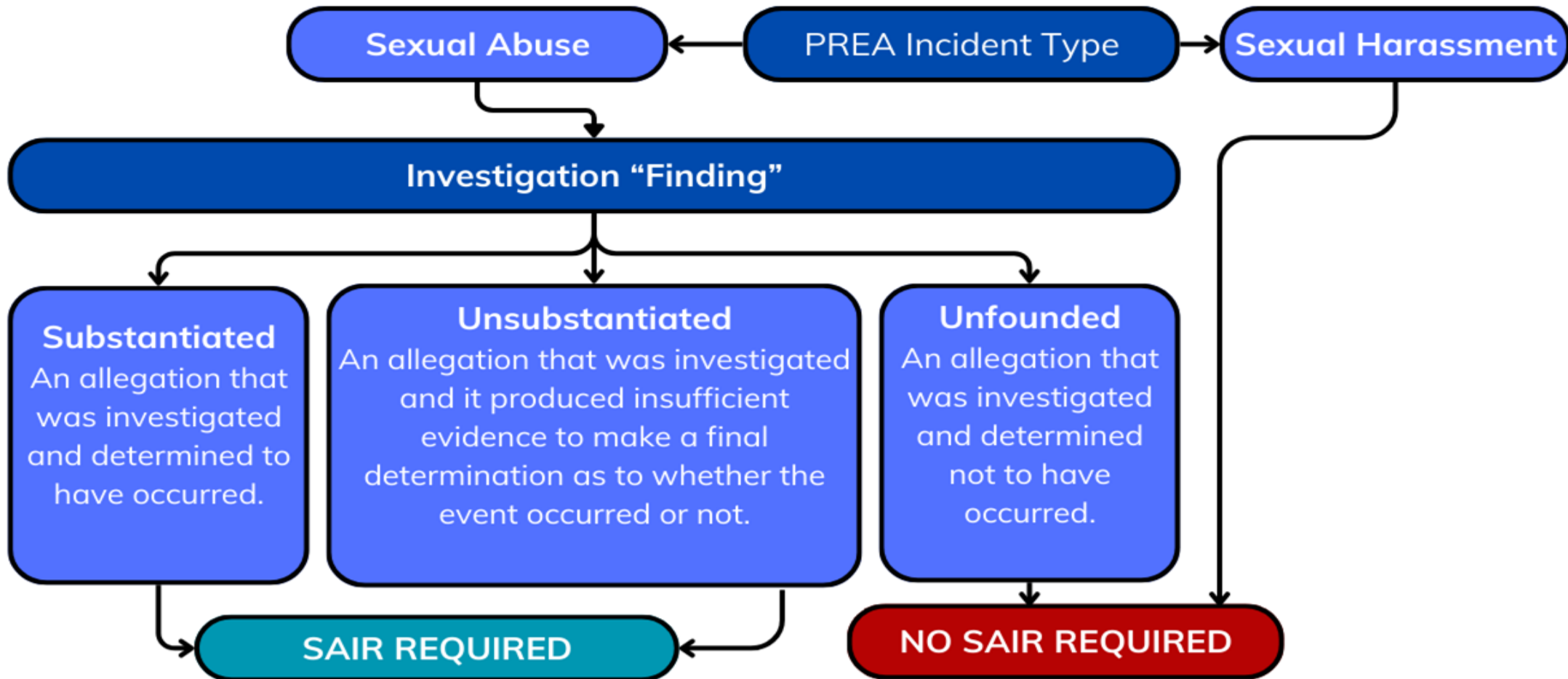


Standard Requirements (cont.)

- 6. Prepare a report of its finding**, including but not necessarily limited to determinations pursuant to paragraphs (d)(1) - (d)(5) of this section, and **any recommendations for improvement**, and **submit such a report to the facility head and PREA Compliance Manager**.
- e) The facility **shall implement the recommendations for improvement or shall document its reasons for not doing so**.

Implementation

Determining Which Incidents MUST Have a SAIR



Sexual Abuse Incident Review: Time frame and Team Members



- **Time frame:** Ordinarily, **within 30 days** of the investigation conclusion.
- **SAIR Members:**
 - Upper-level management.
 - Input from:
 - Line supervisors.
 - Investigators.
 - Medical or mental health practitioners.



Chat: What methods have you used or observed for sexual abuse incident reviews?

Sexual Abuse Incident Review: Considerations



1

Policies and Practices

Need to change policy or practice to better prevent, detect, or respond to sexual abuse.

2

Physical Plant

Assess whether physical barriers in the area may enable abuse.

3

Staffing Levels

Adequacy of staffing levels in that area during different shifts.

Sexual Abuse Incident Review: Considerations (cont.)



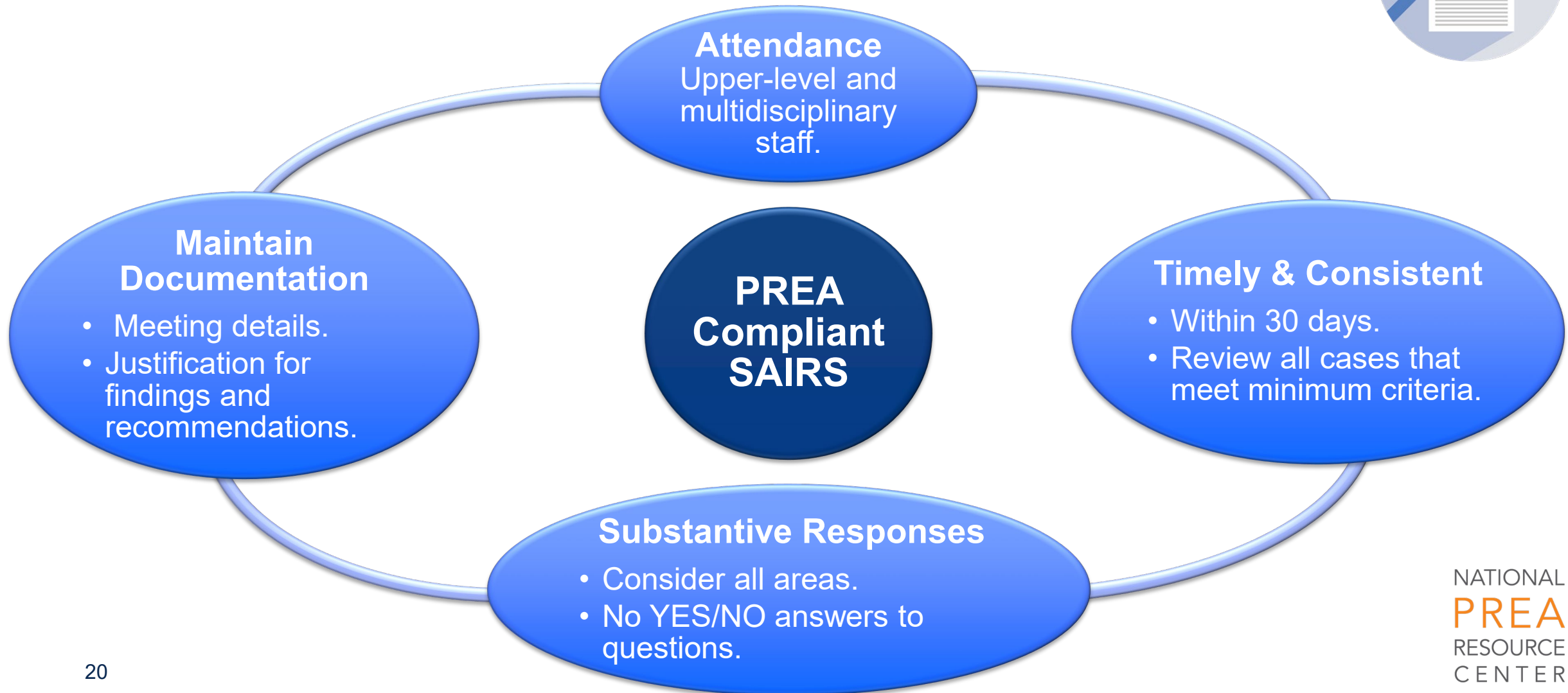
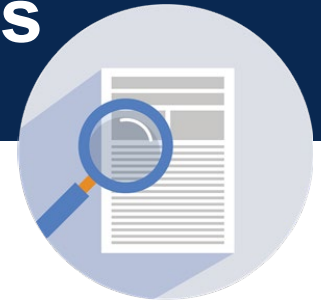
4 Monitoring Technology

Determine whether monitoring technology should be deployed or augmented to supplement supervision by staff.

5 Motivation of Incident

- Race.
- Ethnicity.
- Gender identity.
- Lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status.
- Gang affiliation.
- Other group dynamics at the facility.

Sexual Abuse Incident Reviews: Meeting Requirements



Sexual Abuse Incident Review: Documentation



Determinations

- Summarize findings.
- Include rationale for determinations.
- Submit to facility head and the PCM.

Recommendations

- Recommendations for improvement.
- Deadlines for implementation.
- Reasons why recommendations could not be acted on.

Implementation

- Policy, procedure, operational, and training recommendations followed.
- Record what and when changes were made.
- Document reasons why recommendations could not be acted on.

Challenges

Challenges: Scheduling and Holding Reviews



Ensuring that sexual abuse incident reviews “ordinarily” take place within 30 days of the conclusion of the investigation.

Reviewing all elements contained within provision (d).

Challenges: Determining Recommendations and Implementation



**Determining changes
that must be carried
out.**

**Implementing all
recommendations and
ensuring that they are
institutionalized.**

Promising Practices

Promising Practices: Timely & Meaningful Incident Reviews



- Track investigation completion by collaborating with investigation unit/department. Hold within 30 days when required staff are available.
- Review “unfounded” sexual abuse cases and sexual harassment allegations.
- Formalize attendance and invite process. Assign meeting roles; required roles should identify an alternate designee.
- Prepare summary of incident and disseminate prior to meeting.

Promising Practices: Facilitating Incident Review Meetings



Review: Investigation and all other known facts.

Identify: Root causes of incident and steps to avoid similar incident in the future.

Standardize: Documentation of incident review using a form.

Track: Progress of recommended actions and completion.

Promising Practice: Using a Consistent Incident Review Form



Forms should include:

- Attendance records.
- Not only yes/no.
- Each required consideration is listed.
- Provide notes on discussion.

Examples

Sexual Abuse Incident Review (SAIR) Report Form Attachment A

Facility:		Investigation/Incident Report #:
Date of Allegation:	Date investigation complete:	Date of SAIR:
Alleged Victim:		Alleged Perpetrator:
Victim inmate/detainee/resident ID#:		
Alleged perpetrator was: (check one): <input type="checkbox"/> Staff/Volunteer/Contractor <input type="checkbox"/> Inmate/Detainee/Resident		
The incident being reviewed was: <input type="checkbox"/> Substantiated <input type="checkbox"/> Unsubstantiated		

SAIR team members present (printed name, title, and signature)

Attending staff members from each of the below listed areas, including other relevant staff (when appropriate).

Upper-level management:

Name	Title	Signature

Line supervisor(s):

Name	Title	Signature

Sample Incident Form

Promising Practice: Incident Review Corrective Action Planning



For each incident:

Prepare CAP, detailing:

- Action to take.
- Responsible party.
- Deadline.
- Resources.
- Obstacles.
- Follow-up date.
- Date when it was completed.

Example

SAIR Corrective Action Plan (CAP) Attachment B

Incident #: _____ Date prepared: _____

For each recommendation, put details in the "Action to take" box. Then ensure that staff are designated (actual staff names, not departments); deadlines indicated are (realistic but aggressive, particularly if it's a safety issue); resources needed (such as help from maintenance dept., requests for staff positions); obstacles noted (such as budgetary realities); and notes kept to track completion. Ensure that this form is fully completed and all documentation filed and kept for review by the PCM and audit during a PREA audit.

SAIR Corrective Action Plan								
	Action to take	Person/Dept. assigned	Deadline	Resources needed	Known obstacles	Notes	Follow-up date	Date completed
1.								
2.								
3.								

[Sample Corrective Action Plan](#)

Audit Considerations

Audit Considerations



- Verification of completion of sexual abuse incident reviews.
- Verification of incident reviews within the prescribed time frame.
- Ensuring consideration of the mandatory elements listed within (d) and meaningful responses.
- Ensuring implementation and institutionalization of recommendations; or that documentation exists explaining why they were not implemented.



Auditor Review of the “Evidence” for Compliance

Determine if SAIRs are **active** and have **meaningful review and discussion.**

Documentation review: Evidence of meaningful inquiry.

- Facts gathered during SAIR were sufficient to adequately determine if the considerations were a factor in the incident.
- Determine if all areas for facility changes were identified, and if not, facility has justified why they were not identified.
- Determine follow-through on recommended changes during SAIRs, and documentation for subsequent actions.

Staff interviews: Staff descriptions of SAIRs reflect evidence of meaningful inquiry.

Standard Variations

Lockups: Standard 115.186 is identical except for provision (c) which reads as follows:

§ 115.186 Sexual abuse incident reviews

(c) The review team shall include upper-level management officials, with input from line supervisors and investigators.

Standard Variations (Community Confinement and Juvenile)

- **Community confinement §115.286:** No differences.
- **Juvenile §115.386:** No differences.

Resources

Resources

Frequently Asked Questions:

<https://www.prearesourcecenter.org/frequently-asked-questions>

None available for this standard as of 8/16/23.

Additional Training Resources: National PREA Resource Center Library

- Sexual Abuse Incident Review (SAIR) Procedure, Meeting Template, CAP Document — The Moss Group, Inc. (June 2022).
<https://www.prearesourcecenter.org/resource/sexual-abuse-incident-review-sair-procedure-meeting-template-cap-document>

Additional Training Resources

Always check the following sources for excellent training on PREA:

- National Institute of Corrections
[nicic.gov/training/prea](https://www.nicic.gov/training/prea)
- End Silence: The Project on Addressing Prison Rape
www.wcl.american.edu/endsilence

Questions?



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TOOL: AUDIT

Documentation Requirements - Prisons and Jail PREA Standards

STANDARDS: All

FACILITY:	TERMS:
Prisons and jails	Compliance
	Audit (+1)

FEATURED RESOURCE

WEBINAR

Power Hour: Chat with a PREA Expert on Standard 115.32

STANDARDS: 115.32

FACILITY:	TERMS:
Community Confinement	Volunteers
Juvenile Facility (+2)	Contractors (+2)

WEBINAR

PRC Website Revision: Overview and Q&A

STANDARDS: None

FEATURED RESOURCE

WEBINAR

Developing a PREA-Compliant Language Access Plan for Incarcerated...

STANDARDS: 115.16, 115.21, 115.51, 115.53

FACILITY:	TERMS:
Community Confinement	Accessibility
Juvenile Facility	Limited English proficient

TOOL: AUDIT

Audit Report Template - Juvenile Facilities

STANDARDS: 115.401

FACILITY:	TERMS:
Juvenile Facility	Audit
	Audit Instrument (+2)

Request Assistance

PRC Website

Jurisdictions can request assistance by completing a web form on the PRC website under the “Implementation” tab and clicking “Request for assistance” under “Training.”

The screenshot displays the National PRC Resource Center website. At the top left is the logo for the National PRC Resource Center. The navigation menu includes 'About', 'Implementation' (which is underlined), 'Library', 'Audit', and 'DOJ FAQ'. Below the navigation is a dark blue header with the word 'Implementation' in white, and a sub-menu with 'Implementation', 'Training', and 'Request for assistance'. The main content area has a sidebar on the left with a list of links: 'PREA Standards', 'PREA toolsets', 'PREA in action', 'Training', 'PREA Academy', 'Field training audit', 'Webinars', 'Upcoming events', and 'Request for assistance'. The 'Request for assistance' link is highlighted with a blue box. The main content area features the heading 'Request for assistance' with a blue underline. Below the heading is a paragraph of text explaining the purpose of the form and providing instructions on how to use it. The text states: 'Please fill out the form below in order to request PREA-related training and/or technical assistance for your jurisdiction or agency. The more detail provided in your request will improve the PREA Resource Center's (PRC) ability to meet your needs. For jurisdictions less familiar with PREA, the PRC would encourage you to browse the resources on the [Where to begin page](#). If your jurisdiction has general questions or comments for the PRC you can communicate those through the [Contact us form](#). To submit information on complaints or concerns about the conduct of a DOJ-certified PREA auditor, please refer to the [Auditor feedback form](#). The PRC collects the information below in order to efficiently route and respond to inquiries. While all fields are not required, please fill out as much information as possible so that we may better assist you.'

Mailing List Signup

First name *

Last name *

Phone

Email *

Confirm email *

Do you wish to name your employer? *

Sign Up for Our PRC Newsletter

Jurisdictions can sign up for the PRC newsletter by completing a web form on the PRC website under the “How to use this site” tab and going to “Frequently asked questions” and clicking “Subscribe to our newsletter.”

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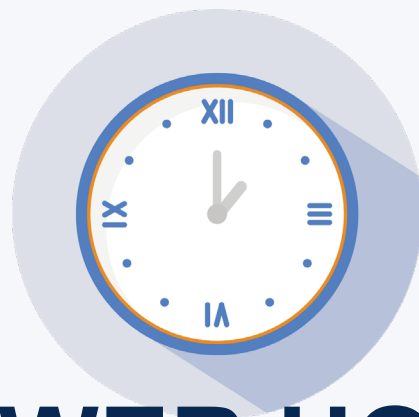
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For more information about the National PREA Resource Center, visit www.prearesourcecenter.org.

To ask a question, please visit our [Contact Us](#) page.



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Thank You!

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