

## **DOC PREA Compliance Manager (PCM) Guidelines**

The following are guidelines for PREA Compliance Managers (PCM), with respect to incidents of sexual abuse, sexual harassment within their facility including work, programs and camps.

Following these guidelines ensures that PCM's address all areas and provide a timely and sensitive response to incidents of sexual abuse, and sexual harassment.

PCM's are responsible for fostering a facility climate which condemns sexual abuse; provides victims with sensitive care, resources, and support; reports incidents of sexual abuse; and holds offenders accountable for their actions.

PCM's should meet with their facility SART (Sexual Abuse Response Team Liaison) on a regular basis to include review logged incidents of sexual abuse/harassment.

Implement/coordinate facility awareness and prevention education.

Maintain current information on sexual incidents occurring in the facility or historical which were reported in the facility.

Provide oversight to ensure SART teams are monitoring for retaliation.

Ensure documentation of management notifying perpetrator and victim of disposition (victim notification form).

Serves as the backup for the SART Liaison. If the SART Liaison is unavailable the PCM will assume SART Liaison duties.

### **PREA Audits**

1. PCM is the manager responsible for advising and coordinating all logistics while auditor is on site during the national PREA audit at the facility.
2. Assure documentation is prepared for audit. Assist in any manner deemed necessary while auditor is on site.

### **Routine Awareness**

1. Promote a facility staff climate that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of all staff.
2. Reassure staff and inmates of your professional commitment to maintaining a healthy environment that is safe and contributes to their well-being and to the safety of the entire facility.
3. Ensure facility wide attendance compliance with annual mandatory sexual abuse/harassment awareness and prevention refresher training. Emphasize the

importance of DOC's zero tolerance to sexual abuse through leadership example, management presence, and unannounced rounds by management on all shifts.

4. Include sexual abuse questions at management meetings regarding leadership involvement in preventing sexual abuse/harassment incidents.

### **Sexual Assault Response Preparation:**

1. Request a briefing from facility SART Liaison on facility sexual abuse/harassment incident management and resources.
2. Ensure good communication between facility staff and SART Liaison which facilitates SART being notified of every incident with a sexual component.
3. Ensure good coordination between facility management and agency management when preventing or responding to sexual abuse/harassment incidents.
4. Educate staff on confidentiality per PREA policy, and assure sexual assault/harassment incidents confidential status is maintained, and are only available on a need to know basis which ensures treatment, counseling, and investigation.

### **PCM's will ensure SART documentation includes:**

- First responders and SART checklist form.
- Mental health and health services protocol tracking will be maintained.
- 90 day retaliation tracking. (confidential log)
- Police case, officer name, and finding. (log)
- Disposition of allegation by (SIU) investigator. (log)

### **PCM Responsibilities with Incident Reporting**

1. Alert the SART or if SART is unavailable the PCM would be the single point of contact and coordination for facility action and services: Follow up required:
  - a. Have direct access to the, Agency PREA Coordinator, and SIU. Notify the Agency PREA Coordinator all alleged incidents of sexual abuse or sexual harassment.
  - b. Monitor and review SART Liaison logs and incident investigation outcomes. Notify the Agency PREA Coordinator of all outcomes timely.
  - c. Report all major PREA incidents to the Superintendent/ designee or as needed.
2. Consider at least temporary reassignment of the alleged perpetrator of a sexual abuse incident, when the alleged perpetrator and victim are assigned to the same unit.

- a. Access to the alleged victim should be controlled in order to assure no threats, coercion, and the criminal investigation is not compromised.
  - b. Consider both the physical and emotional well-being of the alleged victim in determining the need for reassignment.
  - c. If the alleged victim is being considered for reassignment, clearly document why the alleged victim instead of alleged perpetrator is being reassigned.
3. Guard the alleged victim's right of confidentiality and privacy by limiting the "need to know" personnel.
  4. Ensure ongoing communication and coordination of actions between units and/or facilities if the alleged perpetrator or victim is reassigned.
    - a. Assure OMS is updated with any threats and conflicts that are determined to be relevant. This will insure future placements are aware of the sexual abuse issues and outcomes facilitating prevention and protecting offenders in future placements, while deterring similar sexual abuse or harassment incidents from reoccurring.
    - b. Review PREA designators every six months and provide recommendations to agency's PREA Coordinator if a designator should be removed.
    - c. Provide a telephone call as a courtesy phone call to a receiving institution notifying them of potential conflict.

**Alleged Perpetrator:**

1. Safeguard the alleged perpetrator's rights and the integrity of the investigation by:
  - a. Avoiding discussion or questions about the sexual abuse allegation with the alleged perpetrator, since doing so may jeopardize a criminal investigation.
  - b. Safeguard the alleged perpetrator's rights, and preserve the integrity of a full and complete investigation, to include limitations on any formal or informal investigative interviews or inquiries by personnel other than law enforcement or direction from SIU investigators if potentially criminal.
  - c. Limit information about the investigation to those who have a legitimate reason to know.
2. After assessment of safety, determine the need of physical separation, or other increased supervision options, to assure the safety of the alleged victim, and limit access, both physical and emotional, to the victim.
3. Ensure ongoing communication and coordination of actions between units or facilities, assure OMS or other data base contains information anytime inmate is moved and vulnerable or predator designator is listed if the alleged victim or perpetrator is moved to another unit or facility.

## Facility Management via PCM:

All necessary efforts should be taken to ensure that it does not become general knowledge within the facility that sexual abuse has occurred. The following actions should be considered when the information becomes known:

1. Encourage staff to be appropriately supportive, maintain confidentiality, and be treatment oriented.
2. Advise those who may have knowledge of the events to fully cooperate with any investigation.
3. Ensure management explains to witnesses the potential consequences of discussing any details related to the on-going investigation.
4. Discourage staff and offenders from participating in facility "gossip." Promptly investigate and take corrective action if either the alleged victim or alleged offender reports they are being subjected to harassment, ostracism, threats, or other retaliation, from staff or offenders, regarding the incident.
5. Review facility in-service PREA refresher training roster from PDCU annually to review all staff attendance.
6. Ensure incident reviews on all substantiated or unable to substantiate cases within the facility are completed within thirty days post conclusion of an investigation, unless the incident is unfounded. The Office of the Inspector General's office, through the Agency's PREA Coordinator, will determine who will complete the incident review and who will initiate the review. All documentation is confidential and will be referred to the Superintendent prior to beginning the review process. The SART Liaison (if available, or PCM if not) will gather all relevant documentation for the review.

All findings of the review will be sent to the agencies PREA Coordinator and the Institutions Administrator. The agency's PREA Coordinator retains all incident review documentation.

Review, evaluate, and answer the following questions:

- a. Does any policy, practice or procedure need to change?
- b. Was the incident motivated by race, ethnicity, sexual orientation, gang affiliation (notify STM Coordinator), or other group dynamics?
- c. Were there physical barriers that may have enabled the abuse?
- d. Could monitoring technology be deployed or augmented to supplement supervision by staff?

- e. Were medical and mental health services offered to the victim and perpetrator?
  - i. Is follow-up care needed?
- f. Was the victim informed of his or her right to contact his/her attorney?
- g. Were the First Responders form, SART PREA checklist, and SART log completed and all documentation sent to the Agency PREA Coordinator?
- h. What was the finding of the investigation?
- i. Were the victim and perpetrator informed of the allegation determination?
- j. What, if any, corrective actions were determined by the review committee?
  - i. What action was taken?
  - ii. If not all recommended corrective action taken, why not?
- k. Assess the adequacy of staffing levels in that area during different shifts.